

You to beset your own nest by so virulent an attack upon the Creeper-Cocks; on this occasion you have certainly been deficient in the respect due to your offensive ancestors who were all off the Creeper breed—by the by Job, to whom can you possibly have been indebted for your drumsticks—they look damn'd suspicious let me tell you—Daddy and mammy both Creepers: But hush Job, we'll say no more about that, it's a tender point, and as soft as your forehead to the touch: You must excuse this little digression Mr. Mott, to our friend Job, and consider this Letter I believe as a joint property—And now my dear Job, having said for honest Creon what is necessary in defence of the Creepers, allow me to make all honorable amends to you, for your supposed Creon's interference with the darling hopes of the Corporant for his dear Billy Job—This Clerkship would not have exceeded between sixty and seventy pounds per ann, and if I can open to you such a field for the display of your talents as will enable you to realize a much larger sum yearly, I think it may lead to an accommodation between you, and perhaps in due time to a definitive treaty of peace.

You must know Job, that a learned Pig has lately arrived and that his tutor and he are together making money like dirt; now Job if you were to join Piggy and his master with your intriguing Cats in a gutter and your Terrier's Epitaph, you'd have all the world in your string. The M—r and your present master would not only give you licence in the City to skim the cream of curiosity from the citizens of St. J—, but they are themselves so well matched a pair of Creepers, that they would make elegant supporters to your shew-board if you would but let them go snacks, and with this re-inforcement you'd really set out upon your travels in style, and with a handomer prospect on speculation than you'll probably ever meet with again.—Adieu friend Mott for the present—do now advise Job for his good, and perhaps you and I may together make a peace on this occasion, which may be honored with the approbation of the Corporant's friend Peter Porcupine, and then, who's afraid? Not

ALFRED.

For the Saint John Gazette.

LETTER VI.—TO CREON.

SIR,

I HAD been hesitating whether or not I should continue my Letters to you, but finding that you (or some other under the character of "Alfred") and some of your co-adjutors under the signatures of "Plain Truth" and "One of the Rabble" now come forward with an avowal of the true motives which I am inclined to think influenced your conduct in the first instance; have ventured (whether prudently or not I must leave the public to judge) to declare that the conduct of the Members who remained and finished the business of the last Session is not the only or principal grievance you have to complain of; I feel it an indispensable duty I owe my fellow Freeholders to pursue the subject a little further.

I beg leave to premise that I have not seen any thing yet to induce me to wish to alter a single sentence in either of my former Letters; and I must further observe, that "The Customer and Reader of the Royal Gazette" is under another mistake in supposing it is my "whole drift and design to influence the future expected Election." If that event had taken place, the present duty would yet remain for me to discharge. That gentleman is evidently attached to a party, and "if I mistake him not" he was a Member in the late House of Assembly. I belong to no party, and can safely say the only object I have in view is to undeceive my fellow subjects, and to convince them that we have every reason to be thankful for the blessings we enjoy under the best of Constitutions, and under the mildest Government, and that the grievances complained of are imaginary; on the other hand the object you and your friends have in view appears to be to create discontent and dissatisfaction; to make the people hostile to the Government, and thereby to effect a great change. To obtain success you all seem inclined to "dash through thick and thin"—You charge the Government with oppression, with endeavouring to rob the people of their liberties and privileges—You charge the Upper House with having been guilty of practices with the Lower House, which if true, ought to fix infamy upon them: And for all these we are not favored with the smallest proof—No—The bare word of you and your friends is sufficient to blacken the fairest characters—But I trust my brother Freeholders will be of a different opinion; that they will not be inclined to risque the sacrifice of the inestimable solid advantages they at present enjoy, until they have the fullest proof that your charges are well founded.

You all seem to have forgotten lately that we are but a subordinate state, or I think some of you would not have gone so far to encourage insurrection or opposition; for what benefit could it be to us. A writer in Mr. Mott's paper under the signature of "Another Freeholder" a short time since, very insidiously observed, that when a Law has all the usual marks of solemnity, he "knew of no power in the ordinary forms of the Constitution that is vested with authority to controul it"—What is the meaning of all this? He holds up the Revenue Law as having been unconstitutionally made, and then tells us there is no power in the ordinary forms of the Constitution to controul it! What is this but pointing the finger to insurrection, to revolution—You ought not to be bound by the Law, and you must resort to the extraordinary mode of avoiding obedience to it—this is certainly his meaning.

But I say, being a subordinate State we cannot possibly find a grievance existing for which we have not a remedy presently at hand, within the ordinary forms of the Constitution. The language of that writer would have some meaning in a sovereign state, but to use it and apply it to this Province, is just as ridiculous as if you should apply it to the City of St. John. In this Province every measure of the Government is liable to be changed by the King in Council. The Laws made by our General Assembly may be disallowed by the sovereign, and from that

moment cease to be of force.—The King may change his Representative when he pleases.—His Majesty in Council can reverse all judgments passed in the Courts of Law in this Province.—He can remove his Counsellors.—His Attorney and Solicitor General, and indeed all Officers who obtain Warrants under his Royal signet for their appointments.—The King can direct the removal of the seat of Government; and what His Majesty cannot with the advice of his Privy Council do, by the advice and consent of the Parliament he can do, to alter and amend, and wholly to new model the Constitution of the Province.—Every grievance therefore which we have to complain of can be constitutionally redressed by the mother Country, and nothing can be effected here by insurrection or opposition to the Government.—We now hear of nothing but grievances—but are we informed that those of our late Representatives who complain, have ever taken steps to lay their grievances before the Throne for redress? No. And yet they wish us to confide in them again, and tell us to resort to our extraordinary remedy, or to trust to their successful resistance to the Government—and are we children enough to be thus amused; fools enough to be thus deceived. What Sir, can they do? Pray exert your ingenuity a little, and tell us Freeholders what we can expect from the proposed quarrel with the other branches? A change of the seat of Government? No. That cannot be effected without the King's consent. Would the change be for the interest of the Province? I believe not, but it might be more convenient for a great part of the Lawyers to have it at Saint John. May we expect a change of the Governor? I hope not.—His Majesty must be consulted in that business also.—Possibly the House of Assembly by means of the contest may be favored with choosing their own Clerk? I think not.—An application to the King's Ministers might be the better way, and by far the most likely to succeed.—But what advantage will that be to us Freeholders? Is the patronage of the Clerkship worth a pinch of snuff to us? Would it be better than it has been? Two gentlemen have severally held the office by Patent heretofore, and both of the most unexceptionable characters.—Mr. Street, has been lately chosen by the House, and Mr. Campbell appointed by Letters Patent, and pray which of the two has the preference in point of talents and abilities to execute the office? Will the Freeholders of New-Brunswick trouble themselves to determine? For ought they know or care both may be very good, but this we know, that whoever fills the office must discharge his duty faithfully, and if he misbehaves, he will upon an address of the House be removed, as another Patent Officer was heretofore. Is there any thing else which you can mention in which we shall be benefited by this proposed quarrel? If there is pray inform us.

Alfred's two Letters are very long, and I am afraid will not be read by more especially as he has rendered himself almost illegible by his laboured exertions, and in his efforts to make his style as fine as the effects of some of the most celebrated authors. I call fair play, and will call fair play to the other side. The invisible ink which he uses reminds me of the invisible ink which was used in such a black cloud, and discharged upon the people as an abusive stuff that he is either invisible, or so black as to be invisible from the "strong scent" which he has left behind him. The words false and lye direct occur so frequently that whoever reads his productions must really pry him.

I attempted to convince you from your own Statement, that the eight Members knew when they left the House, that the business was not closed; to prove this to be false, Alfred has informed us that the eight Members were DETERMINED not to do any more, and therefore it must have been finished—a very handsome mode of argument Mr. Alfred—I have shewn from Creon's own Statement, that a Message came from the Council informing the House, that they had concurred in passing the Inferior Court Bill "with an amendment"—Now admitting that the eight Members had determined to make no alteration in that Bill, still the business was not closed until they said so to the Council, and the same with the Library Bill, for the Council had a right to ask for the conference which you will not venture to deny; and you cannot say that a conference had ever been demanded upon the Bill in the form it was sent up, before the departure of the eight.

You say the Members remaining were "competent to receiving Messages; but wholly incompetent to act on them as a House"—for this reason "that the House had gone home"—laughable and ridiculous enough that the House had gone home, and yet was at Fredericton—then if 13 Members only were present, and one should depart without leave, why the House would have gone home! "Your humble servant Mr. Creon"—Alfred I mean—I thank you however for your admission that the thin House was "COMPETENT TO RECEIVE MESSAGES" from the Council—now let me ask you, what the Speaker and seven Members were to do after the Messages were received!—Were they all, any, either, and which of them, to open his or their mouths, or keep them shut, or to keep their seats or stand up? Mind, the Messages are received from the Council and Mr. Street has entered them in his book, and sitting at the table.—The Speaker in the Chair with his cocked hat on, and the seven Members sitting around the large hall making so many "poor solitary's"—Now Mr. Creon, set them in motion if you possibly can, in any other way than by a question—What shall Mr. Street next enter in his Book

Well why don't you proceed? Don't keep them forever in the House—it will be "inconvenient" for these as well as the others; besides "expensive" to the Province to detain them

"Really Mr. Freeholder to tell you the truth, I do not know how the devil I shall get them out, now the Messages are received and entered—Oh! that cursed admission of that stupid fellow Alfred—Do Mr. Freeholder ("that's a clever fellow") let Alfred take it back again?

No—never—children and fools they say speak the truth—I can't help it—he has spoken the truth for once and I must improve this little stock to the best advantage.

Now for a few words with respect to the right of appointing a Clerk. I have said that "no precedent could be produced from the Journals of Parliament in support of such claim, except two, which happened in times of distraction and revolution in the mother Country."

Alfred calls in question the correctness of this Statement, and tries to make nine precedents instead of two.

I must, notwithstanding, insist that there are but two for if fifty Clerks had been chosen by the House after King Charles's imprisonment, and the surrender of all the garrisons, and the whole of the legal power to the hands of the Parliament; during Cromwell's usurpation; and before the restoration of Charles 2d, they would all amount to but one precedent: And the choosing of fifty more Clerks by the House, after the abdication of James 2d, and before the establishment of William 3d, on the Throne, would make but one more precedent. I consider the first as more particularly distracted times, and the latter as a time of revolution.—In both which there was no King in being, or rather the kingly power was either usurped or suspended, and the Parliament exercised the prerogatives of the Crown, this among others of appointing the Clerk of the Commons House of Parliament, give us one precedent Mr. Creon of the House of Commons having exercised the power of appointing their Clerk when there was a King in England and "every man was not permitted to do that which was right in his own eyes," and I will give up the point.—You give us one instance of a recommendation, and but one, and upon what occasion was that? When the King had just been restored; and restored by that House who made the recommendation; that House, to whom he was under the greatest and most lasting obligations; that House who had too just a sense of their duty to proceed for a moment after the sceptre was put into the hands of their Sovereign without having an Officer of his appointment.

Is it necessary for me, to inform, that it was the same Parliament who in the year 1646, "issued a Proclamation denouncing the penalty of high treason against those who should shelter or protect their Sovereign"—To whom Mr. Elsyng on the 11 January, 1648 "leaves the disposal of his office"? And can you after that avoid blushing for Alfred, for the insult offered to the Freeholders of New-Brunswick, those loyal men, by telling them that "Mr. Elsyng favored the right of the House in his Letter to them of the first of January, 1648, in which he leaves the disposal of his Office to the House, on his proposal 'to resign'?" That House which then held their King in chains, and but thirty days before they carried him to the block!!!—And this Creon, is the case principally relied on. I will give you a few more extracts from Hatfield, and take my leave of you finally.

"The Office of Clerk of the House of Commons, or, as it is sometimes called, 'Clerk of the Commons House of Parliament' or perhaps still more properly, as it is styled in the Patent, 'under Clerk of the Parliament' is a high and honorable Office, and is held by the Clerk for life by LETTERS PATENT, to be exercised by himself or deputy, with an annual salary of 10l. payable half yearly at the Exchequer. Before the Clerk enters upon his Office, he takes the following Oath kneeling upon his knees before the Lord Chancellor; which Oath is administered by the Clerk of the Crown"—2 Hatfield's precedents page 183.

After the word "King" above, Mr. Hatfield in the margin of the same page, has given us the following note:

"In Grey's Debates, vol. vi, page 106, is the following entry, 'Complaint was made by several Members of the Clerk's non-entry of the enquiries made yesterday, concerning money issued out by privy seals, and that he deserved to be turned out of his place for his misdeemeanour.'"

"The Speaker.] You meddle with what you have nothing to do with in displacing the Clerk, he being a PATENT OFFICER."

Mr. Hatfield's Book being authority, we find the GENERAL RULE to be—That the OFFICE of CLERK is GRANTED by the KING.

If we are to copy after the parent state, the House of Assembly cannot, under this general rule, claim the right. Let us next see if they can, under the EXCEPTIONS to the general rule.

It appears from 2d Hatfield's precedents, page 187 and 188—"That Mr. Elsyng was Clerk, during the first years of the long Parliament, and that he deserted the service in 1648 on the death of the King," and Henry Scoble is therefore nominated and appointed Clerk by the Parliament.

This case of Mr. Scoble's, is the first exception we find to the general rule above mentioned; and at this time, as I have before observed, the King was divested of all his prerogatives, and then preparing for his death: The Parliament had usurped, and then exercised, all the powers which did belong to the Monarch. Our case is very different, for the King is upon the Throne in full possession of all the prerogatives of his Crown. Mr. Scoble was twice or thrice re-elected. Mr. Smythe, Mr. St. Nicholas, and Mr. Cromwell, and before the King's return, chosen and appointed by the House of Commons.—For the same reason as above mentioned, neither of these cases is applicable to us.—Mr. Jessop "was chosen by the House in the Convention Parliament on the 15th April, 1660" and in the same year Mr. Jessop is recommended by the House, and receives a Patent from the King.—See Hatfield's precedents, pages 180 and 190. The next exception to the general rule, is in the case of Mr. Joddrell, who in the general Parliament, which met 22d January, 1633, upon the abdication of King James II, is appointed Clerk. Hatfield's precedents, page 181. This Mr. Joddrell appears had succeeded Mr. Goldborough in the Office of Clerk, about four years before; (see Hatfield's precedents, page 190) and was the Clerk of the House of Commons at the time of the abdication; but as King James's power was then at