

inhabitants had already a church—their children will now have a school.

When we consider the difficulties which stand in the way of the establishment of new centres of population in so wild a country, we cannot help auguring well of the prospects of the Colony, especially if we observe that this village, now only twenty months old, and which was founded at an epoch when security was far from existing, has, nevertheless, made most rapid advances, thanks to the courage, the efforts, and unceasing perseverance of its first inhabitants.

What we have above said concerning Draria may be repeated of several localities, among others of Sabel, which only two years and a half ago was a mere wilderness covered with dwarf palms and bushes, and which indefatigable industry has embellished with numerous houses, a beautiful church, with graceful turrets and flowing fountains. It is easily conceivable what advantage the government may derive from individual efforts, by assisting, encouraging, and interesting them in the prosperous result, as much by the well-being which it will insure to the colonists, as by the very labour which it will permit them to undertake.

(To be continued.)

Written for the Loyalist.

REVIEW OF THE LEGISLATIVE PROCEEDINGS OF NEW BRUNSWICK, 1844.

(Continued.)

Numbers 3, 5, 13 and 36 are special acts passed to enable the Justices of the Peace for the Counties of Kent, Charlotte, Carleton and St. John, to levy assessments for the purpose of paying off the respective debts of those Counties. Number 4 is to authorize the Justices of the Peace for the County of Charlotte to pay the County Treasurer! Number 9 to authorize the Justices of the Peace for the County of St. John to compensate the Assessors of the different parishes for their labours! Number 14 to authorize the Magistrates of St. John to remove the old gaol! And number 20 to authorize them to set apart the basement story of Carleton Market House for a Lock-up House, &c. Thus we perceive that not less than eight out of the 52 bills which passed during the session related to matters which should never be brought before a Prov. Assembly. The members in their set speeches are frequently decrying extravagance; let them look at home and estimate what it costs the Province annually for them to sit day after day—week after week—and legislate on petty parish business which ought ever to be in the power of a bench of Magistrates to transact. Every session a number of Bills are passed to authorize Justices of the Peace to levy assessments to pay off the debts of their respective Counties. They possess the power to incur debts, but not to liquidate them! If our wise men would only grant the same boon to individuals we have no doubt but they would receive the thanks of every loafer in the Province! But seriously, why is there not one general law enacted, empowering the Magistrates of every County throughout the Province to levy assessments for certain purposes therein specified, and also to pay the County and Parish officers, to appropriate the county buildings to such purposes as may be necessary, &c. instead of running to the Legislature every year for special grants? The idea is perfectly ridiculous! Only imagine the magistrates of a County not having power to pull down an old building, decayed and useless, although from the combustible state of its materials it endangered the safety of a new gaol erected in close contiguity. But, hear them exclaim, "what would become of our privileges? How should we fulfil our high and important trust as guardians of the privileges of the dear people, if we gave up those privileges to the exercise of their own judgement, only regulated by one general law?" And thus the bugbear "privilege" is brought to bear upon every question, on one side making them jealous of the acts of the Executive, and the intentions of the Imperial Government, and on the other hand they are jealous of the encroachments of the public whom they profess to serve,—they refuse to yield up the Initiation of Money Grants, lest the Budget which the Executive would then have to send down might be looked upon as dictatorial, and thus wound their dignity—dear sensitive souls!—and on the other hand they will not allow the inhabitants of the different counties to attend to their own affairs,—nay, they are ambitious of transacting all the petty business of every parish in the Province!—an ambition, we are bound in justice to admit, every way befitting their littleness.

Numbers 11, 16, 21 and 22 are subject to the same objections we have applied to the numbers referred to in the preceding paragraph; each of the subjects should have been regulated by general measures, not by special enactments. Because the inhabitants of a particular parish makes application for a dog tax, their desires are complied with, but the act extends no further than the boundaries of that particular parish. How absurd! If it is proper that dogs should be taxed they ought to be taxed throughout the Province. It may be right for the Magistrates of Gloucester to have power to regulate the fisheries on that coast, but why should not the Magistrates of other counties possess the same power? If the Trustees of St. John Church, Richmond, are empowered to sell or transfer lands for the benefit of the Church no doubt why should not the Trustees of other churches possess the same privilege? And as to nuisances in St. John, if the Charter does not confer the requisite powers on the corporation, it should be amended forthwith. The fact is, we like not those special acts—they are seldom good, and very troubles-

some, coming before the Legislature year after year; in ninety-nine cases out of a hundred there is no necessity for them. Here we perceive that 12 special acts passed during the session, the necessity for all of which might—and should have been—avoided by general enactment.

We shall pass by numbers 6, 7, 8, 12, 15, 18, 23, 24, 25, 37 and 38, as being too unimportant for any consideration. The numbers 10, 17, 19, 26, 31, 35, 40, 43, 45, and 46, though no doubt necessary, requires no particular notice from our pen.

Number 27 is an Act to amend the Revenue Act. It is an act some of the members of the House had sense enough to perceive was absolutely necessary, in order that the Revenue Act might be properly understood, but that a necessity of this nature should ever occur is disgraceful in the extreme.

Numbers 28 and 29 we shall treat of under the head "Finance." We then come to number 30, relating to

ROADS AND BRIDGES.

The Bill of Appropriations for repairing roads and erecting bridges was passed in the most clandestine and disgraceful manner imaginable. A member of the select committee was appointed from each County, as follows: Mr. Partelow for St. John, Mr. Fisher for York, Mr. Boyd for Charlotte, Mr. Connell for Carleton, Mr. Palmer for Westmorland, Dr. Earle for Kings, Mr. Gilbert for Queen's, Mr. Scoullar for Sunbury, Mr. Wark for Kent, Mr. Street for Northumberland, Mr. End for Gloucester, and Mr. Barbarie for Restigouche. Here were 12 men intent on—what? to do justice to the country at large? Not a bit of it! It would be vain to suppose either of them thought or cared about right or wrong, for "human nature" will be "human nature" still, and as each of those men knew that his popularity—perhaps his return at the next general election—depended in a great measure on the share of the "loaves and fishes" he procured—no matter how—for the County he represented, so was it natural to expect him to strive by plotting, contriving, coalescing, coaxing, wheedling, exaggerating, misrepresenting, bullying, threatening, and almost fighting, to obtain as large a slice of the division of the spoils as possible. Any person who has seen a scramble among boys for fruit or comfits thrown among them, or the contention among dogs in a kennel for a bone, may form some faint idea of the scenes which were enacted in the Committee Room. It was more like a bear-garden than a private Committee Room of a Legislative body—a perfect babel—a confusion of tongues. Several times were the proceedings of the House so seriously interrupted by them (the Committee Room adjoins the Hall of the Representatives,) that a total suspension became necessary, while the cries of "order! order!! ORDER!!!" rose at intervals above the din, as if in mockery of every sense of decorum,—certainly to the manifest risk of causing serious injury to the tympanum of every ear within 50 rods of the House. At length they managed to decide by bare majorities on the appropriation of over four thousand pounds, five thousand being the amount they had previously agreed should be expended upon the great roads. As the scene now drew towards a close the contention waxed hotter and fiercer; every member present wanted the half of the few hundreds yet remaining to be disposed of, and determined that if they could not be gratified they would resist to the last—they would not sign the report—not they! But alas! what is mere courage, mental or moral, when placed in juxtaposition to good generalship. Mr. Partelow brought his diplomacy to bear, and, finding that Mr. Fisher, (the Chairman,) Mr. End, Dr. Earle and himself agreed, he bribed Mr. Connell by a grant of £250 for the road from the Grand Falls to the Canada line, Mr. Boyd by an additional grant of £25 for the road from Eel River to Oak Bay, and Mr. Palmer by an additional grant for one of the roads in the County of Westmorland, and thus secured a majority! The darkest part of the transaction yet remains to be told. An adjournment was moved and carried, to meet again the next day. The minority then retired, when the majority signed the report as agreed to, and the next morning while the minority were sitting in expectation of being again called to the Committee Room, they were astonished by the report being presented to the House, signed by 7 members out of 12! They protested, of course, but in vain, for the members of the Counties which obtained the best of the bargain supported their colleagues in their iniquity, and the Commander-in-Chief had manoeuvred so well that the Counties of York, Charlotte, and Westmorland—every County which returns four members—and St. John which returns six—were all among the "Contents!"

There may be some who exculpate the members concerned in this transaction of all blame, and ascribe the fault to the pernicious system. We acknowledge that the system is corrupt, and to its pernicious influence no doubt much of the affair may be attributed, but should not the members of a legislative body feel and act above all paltry or local considerations, and, above all, refuse to lend themselves to any trick which in private life would be considered ungentlemanly, dishonourable and dishonest? There are other objections to the repetition of such measures: a few hundreds of pounds is granted for this road and a few hundreds for that, without any regard as to what sum is necessary to make the road thoroughly, (if it be a new line,) or to put it in complete repair, the only consideration being (and that not always the case) how much can be spared from the revenue for that particular service; and this sum is divided and sub-divided according as members are able to lay their clutches on it in the general

scramble. Now every person knows that if £500 is required to put a road in good repair £200 would be thrown away upon it; the proper method to pursue therefore would be to grant such sums as would—so far as they go—put the roads in thorough repair, and what could not be accomplished in one year should be deferred until the next. The system, as carried out heretofore, has been like a parent who sends his child to school until he has acquired the rudiments of some branch of education, then keeps him at home until he has forgotten all, when he sends him to go over the same course again. Is that parent foolish? Then have we foolish legislators.

The Bye-road grant was a little quiet manoeuvre—not a trick, no, no!—by which the members of each county in the Province expected to have had the patronage of one hundred pounds. A small sum to be sure, but quite sufficient to enable them to open a new road to this poor settler's door, and build a corduroy bridge for the convenience of that one—all supporters, of course; while these acts would speak to their opponents as plainly as need be in these words:—"See what power your member has! See what you have lost by opposing him! Vote in my favour next election and the same good fortune shall be yours!" But alas! the Legislative Council with one fell stroke of their wand put an end to all such delightful anticipations, and nipped in the bud these pathetic appeals, and it may now be said of the Bill,

"He being dead, yet speaketh!"

(To be continued.)

News by the Second May Mail.

THE IRISH STATE TRIALS.

The legal arguments, which had occupied the whole week on the motion for a new trial, in the case of O'Connell and his colleagues, closed in the Dublin Court of Queen's Bench on Saturday evening last, with a powerful speech on behalf of the crown from the Irish Attorney-General.

Mr. Whiteside then rose and claimed the right of reply, on the part of the traversers, on account of entirely new matter introduced by the Attorney-General, contrary to arrangement.

The Attorney-General decidedly objected; but the court, speaking through Judge Burton, announced that they would consider the matter and decide the point on Monday morning.

On Monday not a syllable was said on the subject either by the judges or the counsel on one side or the other.

On Tuesday, about twelve o'clock, the judges, who had been nearly two hours in consultation, entered the court, wearing the appearance of men who had been engaged in very earnest discussion. All the law officers of the crown, with some of the counsel for the defence, and two of the traversers, Messrs. Steele and Tierney, were present. After a short pause, the Lord Chief Justice, addressing the Attorney-General, said—"Mr. Attorney, I am sorry to tell you, that the court find they cannot give judgment in the case until next term." "The case," of course, we understood to mean that of "The Queen v. O'Connell and others." The Attorney-General dropped into his seat, and in a few moments the court was comparatively empty.

The ready facility of the judges has had the natural effect of inviting further dilatory experiments; a variance, it appears, has been discovered between the verdict as returned by the jury and the entry of it upon the *postea*. This is a matter which, in Westminster Hall, would not occupy five minutes. The error, if error there be, is the error of the officer of the court, which Lord Denman would order, as a matter of course, to be amended upon a single suggestion; but Heaven only knows to how many months' delay, and to how many thick *octavo* volumes of speeches, the crotchet may give occasion in Dublin.

Trinity term commences on the 22d inst., and ends on the 12th June. If the decision on the new trial question be against the defendants, then comes the motion for an arrest of judgment, which may occupy the whole of the ensuing term. If not there is the writ of error, which will afford materials for another month's speechifying.—*Wilmer's News Letter*.

There is a rumour afloat in Dublin which, it is stated, has caused considerable uneasiness and dissatisfaction among the immediate connections of Mr. Daniel O'Connell. It is, according to this report, credibly believed that the hon. and learned gentleman is about to re-enter the holy bonds of wedlock with the sister of a distinguished member of Trinity College, and, moreover, a staunch follower of the tenets of the Church of England.

The friends of Mr. O'Connell deny the report that he is to be married to the sister of a Fellow of Trinity College. The Liberator is an admirer of Miss M'D—, a most interesting and accomplished lady, in her 23d year, but her connections laugh at the idea of her entering into hymeneal bonds with the Father of his country, now in his 73d year.—*Id.*

DUBLIN.—Various speculations are still indulged in respecting the cause of the unexpected announcement of Chief Justice Pennefather, that he was "sorry" the Court would be unable to pronounce judgement upon the new trial motion until next term, which commences on the 22d inst., and continues for three weeks. By some it is asserted that the Judges are equally divided—by others, that Mr. Justice Burton is solely in favour of a new trial. By some it is asserted that there is no division of opinion whatever amongst the Judge, that they are unanimous in refusing a new trial, and that they were induced to postpone their judgment on the point by two cases—first, the necessity of devoting the two remaining days of the last term to business pressing upon the Court; and secondly, in order to afford time for preparing their judgements, which were to be given in an elaborate form at