PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY—Fredericton, *Thursday, March 13.*

Mr. S. Humbert, agreeably to notice given on a former day, moved the following Resolution :

[*See Extracts from the Journals, on the last page of this paper.*]

The hon. member then observed that it was a duty the House owed to themselves and their constituents, to preserve their dignity and to assert their rights. That House was entitled to courteous language from His Excellency, and should be reated by him with respect—he would say nohing further at present.

Mr. Simonds would go for a resolution embracing all replies from His Excellency to the House. The reply of His Excellency concerning the Marriage Bill was no stronger than others which he had sent to the House, and they should put a Resolution on the Journals to embrace the whole.

Mr. End hoped that as the Resolution before the House referred to the reply as to the Marriage Bill only, hon. members would confine themselves to it. As reasonable men they should be guided by reason. It had been said yesterday "the steam was up"—he thought the coppers were still hot. Was it proper—was it right—was it decorous to endeavour to forestall the opinion of His Excellency as to any measure before that House? The House had made a most unparliamentary request. Were they right or wrong in making such a request? There were some fine words in the Resolution—but what was His Excellency's answer?—In His Excellency's opinion the application was unparliamentary and unconstitutional. His Excellency was entitled to his opinion as well as the House, and he had given that opinion. It was well that there was a safeguard somewhere, to prevent the House from going too far into such unconstitutional requests. Should it be said that they had forestalled His Excellency's opinion?—The House had got what they deserved. When he said "we," he meant the movers of the address. [*Mr. Speaker.*—"We" meant the House—*they* had passed the address.] (Mr. E. continued:)—He valued the privileges of that House as highly as any one, and would go as far as any man ought to go in protecting the rights of the House—and as he thought the House had got no more than they deserved, he would vote for no resolution conveying a censure against His Excellency.

Mr. Chandler, with his usual flourish as to *calmness*, and *coolness*, and *dispassionate deliberation*—said the question was, whether the resolution on the subject of the Marriage Bill was parliamentary? If it was not, His Excellency's answer was perfectly right. He, however, was not prepared to say whether that Resolution was parliamentary or not. The application was made to His Excellency, for the purpose of ascertaining whether the Royal Instructions were dispensed with in that particular instance, and whether His Excellency was authorised to pass the Bill without a suspending clause—that was the object of the House—they had not intended to go beyond that—the House asked for no pledge from His Excellency, nor would they think of such a thing. He (Mr. C.) had been looking for authorities as to the proceeding, but he had not yet been able to find any, and he would not be prepared to go with the Resolution before the House, until he had found out whether the application to the Governor was a proper one.

Mr. Allen was not prepared to go with the resolution. If the application made by the House was unparliamentary, His Excellency's reply was proper. The address was hastily adopted by the House, and they had not considered it as they should have done. It must be evident that the application was improper. How could His Excellency promise his assent to a bill, until he knew what the other branch of the Legislature had done with it? The address was premature. If the House had done one thing hastily, they should not therefore do another in like manner. They had asked His Excellency's opinion, and he had given it. If the application was unprecedented, it was therefore unconstitutional and unparliamentary. The question on that Message should not be coupled with that relating to the Dispatches; the House had no right to ask for them—but they should pause before they adopted the resolution before them.

Mr. Kinnear thought the question before the House was a very important one, inasmuch as it related to the privileges of the House. He was not favorable to the address to His Excellency, because he thought it would have been better to have passed the bill as they had done before, with a suspending clause, and in three or four months at most, it would have been returned to the Province with the Royal assent. It was thought advisable to make the application to His Excellency to satisfy the country that the House had done their duty. He was very anxious for the Bill to go into operation. He was one of the Committee appointed to wait upon His Excellency with the address; he went with great confidence, and was satisfied that the Message would have been favourably received. When His Excellency's answer was given, he (Mr. K.) was astonished; more so than he could express. He had tried to discover what reason His Excellency could have had for using the language in his answer, of the words "unparliamentary" and "unconstitutional." He thought either would have answered; one conveyed the other. The double expression shewed a feeling. His Excellency had mistaken the request of the House—they asked him for no pledge; what did they ask for? It was a matter of doubtful construction, as to Mr. Stanley's Dispatch, whether the House should add a suspending clause. The latter part of the dispatch appeared to authorise His Excellency to pass a bill, conforming with that Dispatch, into a law. It was well known that by the Constitution of the Colonies, a Governor could pass a Bill at once, or withhold his assent. It was the practice to add a suspending clause to a bill when it was thought the Governor would not give his assent thereto; and it was agreeably to the Colonial Constitution to ask His Excellency whether he was authorised to assent to a bill without a suspending clause. If His Excellency had considered himself authorised to give his assent, great delay would result from adding that clause. If he was not authorised, it was absolutely necessary to add a suspending clause. The House not receiving the Governor's assent in most cases until the end of the session, it became necessary for them to make the request they had to His Excellency, that no unnecessary delay might happen in a matter which so deeply concerned the whole Province. He had taken pains to search for authorities upon the point. In Stokes's Colonial Law, p. 253, it was said, "If a Governor has the least doubt "whether an Act of Assembly to which he is requested to give his assent is constitutional, or "else infringes on His Majesty's prerogative, in "that case, if he does not reject it, he ought at "least to refuse his assent, until both Houses of "Assembly agree to add a clause to such Act, "suspending the execution thereof until His Majesty's pleasure is known." In order to avoid difficulties, the application was made in the first instance to His Excellency, to ascertain whether he *could* give his assent. There was a difference between the King, and the Governor of a Colony. The King would not be asked whether he would give *his* assent to a bill;—there was no ulterior power in that case as in the case of a Governor. He would read from 'Chitty, on the Prerogatives of the Crown,' to shew the difference in that respect between the King and the Governor.—"Local circumstances and the necessity of the case must also create several differences between Parliament and the Colonial "Assemblies, with respect to the Prerogatives of "the King, as their '*caput, principium et finis*,' "so there can be no doubt that the King may assent to an Act of Assembly before it meets, and "dissent, though the Session be closed." There was a most important distinction here laid down. By the Dispatch the Governor was directed to give his assent to a certain act; there was some doubt as to the construction of that dispatch—then, what were the House to do? How could it be ascertained whether the King had given his assent? By applying to His Excellency to know whether he *could* (not whether he *would*) give his assent, under the authority of the dispatch, and pass the bill at once into a law. The substance of the address was, whether his Excellency had power to pass the bill; and such an application was proper and constitutional. His Excellency might have said, "It is so doubtful whether I can give my assent to the bill, you had better add a suspending clause to avoid unnecessary delay in a matter in which the country is so deeply interested." From His Excellency saying, that he is of opinion that the request is unparliamentary and unconstitutional, and following it up by saying, he could not give any pledge—it clearly appears that he has misunderstood the address. There was no necessity for the reproof of His Excellency. He (Mr. K.) thought that no other than a courteous reply could have been given—and his feelings were therefore the more uncomfortable. It was not necessary to find "precedents" on the occasion; the House could decide upon principle, and he was so well satisfied upon the point, that he was certain, had His Excellency known the law, he would not have replied so rashly. He (Mr. K.) deeply regretted that such language had escaped His Excellency, when the House had so far endeavoured to preserve harmony. He had hoped that the Session would be closed harmoniously; the House, however, should stand upon their privileges; there was no necessity for His Excellency answering the address in such pointed language, and with such a tone of reproof; and he was sure that nothing but absolute necessity would ever drive him (Mr. K.) to His Excellency with another Message.

Mr. Weldon considered that the House having adopted the Address to His Excellency, every Member should bear a part of it. If the address was unparliamentary and unconstitutional, the answer was proper. They should be more careful how they passed Resolutions and Addresses without they were based upon proper and constitutional principles. He had searched for precedents on the subject, but could find none; he had heard there was a case somewhat similar in Nova-Scotia in 1812, but he had not the Legislative Journals of that Province to refer to. The Address was passed without consideration, and was unparliamentary. He should therefore go against the resolution.

Mr. Partelow could not support the resolution. He was not in the House when the Address was moved; the following morning he wished to have it expunged from the Journals. It had struck him that there was something wrong—he did not know whether it was parliamentary or not—however he thought His Excellency's language might have been more courteous. His Excellency had used words which were every day heard in that House, and he had merely given his opinion on the question.

Mr. Street was not favorable to the Resolution before the House. If he was satisfied the Address was unparliamentary, he would not dictate to His Excellency what he should say in answer. If His Excellency was correct in his opinion, it would be folly in the House to pass a censure upon him. He (Mr. S.) was not in the House when the Address passed; but he had attentively examined the Address and answer, and it was very apparent from the language of the answer that His Excellency misunderstood the Address. The House requested no pledge—they asked for information, not whether His Excellency *would*, but whether he *could* give his assent to the Bill. Had the Address been presented with the intention of obtaining a pledge from His Excellency, he (Mr. S.) did not hesitate to say the application was unconstitutional; as the case stood the reply was uncalled for—however, he was not disposed to go with the resolution.

Mr. Simonds said that it did not follow that because the Address to His Excellency was a new thing it was unparliamentary. There might not even have been a like case in any of the Colonies, yet that did not make it unparliamentary. It was well known that the subject of the Marriage Bill was one which the people of the Province were much interested in. The people of this country had been trying, year after year, to have the privilege of solemnizing Marriage extended more generally. A Bill had been passed, sent home for the Royal assent—detained a long time there—and sent back during the present Session with the Colonial Minister's reasons in detail why His Majesty would not assent thereto; and a statement that no objection would be made to a Bill passed conformably with the Dispatch. Was it not natural to ask the Governor whether he was authorised to give his assent? There was nothing unparliamentary in such an application—and His Excellency's answer was uncalled for. The Address of the House humbly and respectfully prayed for information, and it was due to authorised to give his assent. He (Mr. S.) did the House from His Ex. to say whether he was not think the reply was His Excellency's—he had been advised to say what he had in the answer—he was obliged to take advice—and the language of the reply could not be his own. If any thing were put upon the Journals, he thought the House should say that His Excellency had misunderstood the Address.

Amidst cries of "*question! question!*" we heard a piercing cry of "*Mr. Speaker*," pitched to the very top of the gamut—and looking out from our *Box*, we saw standing in a firm and commanding attitude, ready for a Speech, our worthy and eloquent friend, Mr. Scott, who repeated, for the hundredth time in that House, that he could not give a *silent vote*. He had listened with the most profound attention to hon. Gentlemen, and he was of opinion—that—the Address was——unconstitutional——and——unparliamentary. He always adhered to the rule never to speak without he could do some good—and *therefore* he then arose to offer his sentiments. [Reads His Excellency's answer to the Address.] It had been observed that the words "unparliamentary" and "unconstitutional" were a repetition of the same thing. In my opinion, (said Mr. Scott) they are very different. It requires, Sir, different branches to make the Constitution, and it is predicated on many precedents. The hon. member from St. John admits that the address might have been unprecedented—if so, it was unconstitutional. I wish that hon. gentlemen would take a retrospective view as to expressions of courtesy, and he would not be surprised at a want of it in the reply. If any one wants difficulties he can make them—every wicked man makes his own fire—[*loud laughter.*] I do not mean *that* fire, [*pointing to the stove,*] but the fire that——broils—the—mind—and the heart—and harrasses the——feelings! It is monstrous to address His Excellency to get his opinion aforehand. We have sent a formal address, and we have been courteously favored with a formal answer—an answer both constitutional and parliamentary. If any thing like a precedent can be found in support of the Address, I am willing to be set down for a fool. The majority of the House have got us into a hobble, and the less we say about it the better.

Mr. Harrison. It had been said that the House had shown the first want of courtesy—they should look at the Journals of that House for 1832—at the answer to Col. Allen, who waited upon His Excellency with the Address of the House to His Majesty on the subject of the Casual Revenue and Civil List. His Excellency's language on that occasion was not very courteous—and he (Mr H.) thought the House had not been so guarded since. It was very much to be regretted that any thing should have happened which would have a tendency to destroy that peace and harmony which had hitherto attended the progress of the House during its present Session.

Mr Hill read an extract from *De Lolme* to shew that the King always used the most affectionate language to the Parliament.

Mr. S. Humbert felt a want of ability to go into a reply to all the remarks of hon. gentlemen against the resolution. As to the constitutionality of the Address he had had no doubt whatever; when the Address was first moved, his chief study was to couch it in decorous and proper language. His opinion was not the result of deep research into Parliamentary proceedings. He remembered to have seen in the Journals of Nova-Scotia (and he was sorry they were not in that House) a proceeding very similar to the one adopted by the House in this Province. They in Nova-Scotia had been a long time at the Marriage Bill—they had, (in the case he alluded to) asked the Governor (he thought Sir George Provost) whether he would pass the Bill without a suspending clause—he replied that he would—he did so—and the Royal assent was afterwards refused. He (Mr. H.) could lay his finger on the authority if he had the Journals—and that was a much stronger case than the one before the House. Mr. Stanley, in his Despatch upon the Marriage Bill, used the words "*act*," and "*enactment*," which he would not have used had he intended the Bill should be suspended until His Majesty's assent could be obtained. When the Governor passes a Bill, it is said, "His Excellency assents to this *Bill—enacting* the same," &c. and then the Bill at once becomes an *Act*. The Address to His Excellency was for information whether he could give his assent to a Bill founded on the Dispatch. Something had been said (by Mr. End) about the coppers. There is [said Mr. H.] no more *copper* here than *brass* there [nodding at Mr. E.]; I have as much respect for the Laws and Constitution of the Country as any one—I have as much love as any man—though not so much body as some men. It is my wish to protect the privileges of this House, and to preserve them in their primeval purity. The whole country is desirous to have the Bill go into operation—their affections are fixed upon the Bill. Application was made to His Excellency for information that the speedy and safe passage of the Bill might be secured; and I must say that His Excellency's answer is highly unconstitutional and unparliamentary—such expressions were never used by any Governor before, and it is unparliamentary to use them. The Governor has shown a spirit which the House had no reason to expect. He has gone beyond the request of the House altogether—he was over-righteous; he has denied more than he was asked for. The House should preserve its dignity, and guard its privileges—we should express our opinion firmly, though not like Papineau, impeach the Governor. I could say more, but perhaps I shall be taking up too much time [Mr. End—yes,]—that is some more of the fine *brass* we get sometimes. As the mover of the resolution before the House, I felt myself bound to give my reasons.

The previous question having been moved, the question on the resolution was deferred.

EXTRACTS FROM THE JOURNALS.

Friday, March 14.

Resolved, That there be granted to the Trustees of the Savings' Bank, Saint John, a sum not exceeding £ to enable them to pay the Depositors in that institution, an amount embezzled from its funds by the late Secretary, the law contemplating that the said Treasurer should receive no allowances for his services, on which account no bonds were taken, and the Treasurer being, when employed, a man of unquestionable respectability.

To which the following was moved as an amendment, by striking out all after the words "Resolved that," and insert, "in the opinion of this Committee, the petition of the Trustees of the Saint John Savings' Bank, be postponed until the next Session, and that the Trustees do then furnish further information regarding the Bye Laws &c. of that institution." Upon the question for adopting the amendment, the Committee divided—Yeas, 12; Nays, 13; and it was decided in the negative. The question was taken for the original resolution, when the Committee again divided—Yeas, 12; Nays, 13; and it was also decided in the negative.

To the Commissioners appointed for affording relief to shipwrecked mariners on St. Paul's Island, £102 9s. 7d. being the balance of their account of expenditure for 1833.—To John Jordan, R. Payne, and C. Parlee, Commissioners for exploring a new line of road to Sussex Vale, via Loch Lomond, the sum of £32 10s. being the expences incurred by them in making such exploration.—To Matthew Brannan, of the Secretary's Office, the sum of £15, as a mark of approbation of his attentive and courteous demeanour in the said office.—To His Excellency the Lieutenant Governor, the sum of £388 16s. 11d. to reimburse His Excellency for an advance made from his private funds for the relief and support of the suffering inhabitants at Madawaska.—To His Excellency the Lieutenant Governor, a sum not exceeding £500, to be expended in keeping up or in the repair of any bridges on the great roads of communication, when deemed absolutely necessary to prevent the inconvenience in travelling and delaying the public mails.—To William Taylor the sum of £390 9s. 11d. being amount of his account for repairs of Government House, Out Buildings, &c. in 1833.—To His Excellency the Lieut. Governor, the sum of £ for the contingent expenses of the Province. Upon the question for sustaining this resolution, the Committee divided: *Yeas*—Messrs. Speaker, Vail, End, Street, Chandler, Slason, S. Humbert, Weldon, Rankin, Smith, Scott. *Nays*—Messrs. Partelow, Ward, Barlow, J. Taylor, Hayward, Simonds, Gilbert, Wyer. Brown, Hill;—and it passed in the affirmative, and the blank was filled up with the sum of 100l.—To His Excellency the the Lieutenant Governor the sum of £25, for the purpose of completing the exploration of a new line of road from Saint John to Sussex Vale, by way of Loch Lomond, agreeably to a resolution of the House on the 25th February last.—To His Excellency the Lieut. Governor the sum of £400, for the Inspecting Field Officers of Militia, for the year 1834.—To His Excellency the Lieutenant Governor or Commander-in-Chief, a sum not exceeding £500, to defray any expenses that may be incurred in the protection of the Revenue of this Province, in the year 1834.—To John Bainbridge and Henry Bliss, Esquires, such sum as will procure Bills of Exchange on England for £100 each, for their services as Provincial Agents, for 1833.—To the President and Directors of the Fire Insurance Company, the the sum of £600, being one year's interest on the Provincial loan from them, ending 1st March, 1834.—To B. C. Chaloner, Tide Surveyor at St. John, the sum of £50, being for his services from the 1st May, 1833, to 1st May, 1834.—To the Hon. R. Simonds, Province Treasurer, the sum of £150, being for the services of a Clerk, for the year 1833.—To the Hon. R. Simonds, Province Treasurer, the sum of £150, being for the services of a Tide Waiter or Messenger to the Treasury, in 1834; and further resolved, that in future the sum of £100 will only be allowed for the same.—To His Excellency the Lieutenant Governor or Commander-in-Chief, the sum of £91 5s. to enable the Treasurer to pay John Abrams for his services as Tide Waiter at Saint John, for the year 1834.—To James Reed, Light House Keeper on Partridge Island, the sum of £50, being an additional allowance for 1833, in consequence of his being detained thereon during the year, by order of the Board of Health, by which he became subject to much loss in his daily occupation—the same to be taken from the Light House Fund.—To Alexander Wedderburn, Esq. the sum of £42 5s. 3d. for expenses incurred for Emigrants for 1833, to be taken out of the Emigrant Fund—this grant not to be drawn into precedent in future.—To His Excellency the Lieut. Governor, the sum of £100, to enable his Excellency to extend further relief to the unfortunate sufferers at Madawaska.—To Doctor John Boyd, Surgeon of the Vaccine Institution, at the Central Board, at the City of Saint John, for the years 1832 and 1833, the sum of £20.

Whereas some Legislative aid is required to alleviate the distress of many inhabitants of this Province, occasioned by the failure of the late crops; thereupon Resolved, that there be granted to His Excellency the Lieutenant Governor, the sum of £1,611 3s. 1d. to be apportioned for the several Counties, hereinafter named as follow, viz : York, 100l.; Carleton, 161l. 3s. 1d.; Northumberland, 200l.; Gloucester, 200l.; Kent, 150l.; Westmorland, 200l.—of which 75l. is to be appropriated to the relief of the inhabitants in the Emigrant settlement in the Parish of Botsford;—King's, 200l.; Queen's, 200l.; Sunbury, 120l.; Saint John, 80l.—of which 59l. are to be paid the Overseers of the Poor for the Parish of Portland for expences incurred for Black refugees, and 21l. to be applied to the purchase of Seed, Grain, and Potatoes for the Black refugees at Loch Lomond. Said sums to be expended by and under the directions and orders of the Justices of the Peace for the several Counties, made at any General or Special Sessions, in the purchase of Seed, Grain, and Potatoes during the ensuing season, for the supply of such inhabitants in their respective Counties as may stand in absolute need thereof; and in such proportions and quantities as such Justices, or any Committee appointed by them for the purpose, may judge proper, taking from such person so supplied, a receipt in writing for the amount in value of such articles, with a promise to pay the same to the Province Treasurer—which receipt may afterwards be cancelled to the account which such person may, by the certificate of any Supervisor of Great Roads, or Commissioner of Bye Roads, appear to have worked on the roads, under such supervisor or commissioner.

COMMUNICATIONS.

[FOR THE COURIER.]

"*Something rich and strange.*"
Tempest, Act 1, Scene 2.

"*Sic vos*" sed "*vobis nidificatis aves.*"

Mr Editor,—Pondering lately upon allegorical sublimities and indulging in the rapturous reveries of an active imagination roaming unrestrainedly during the quiescence of the Corporeal Faculties, I fell into a state of somnolency and began to dream.

I thought that I was in a marvellously strange Room, which was filled with some noisy survivors from the ruins of Babel, and that I was snugly concealed in the farthest nook of a drawer, nearly filled with papers, and containing a volume of a popular Novel and two or three stale biscuits. Altho' I was unseen by others, I seemed to possess a miraculous power of vision which no opacity nor solidity could obstruct, and with an acuteness of the auricular sense, which no compression nor faintness of sound could baffle. Thus gifted, I perceived that the drawer in which I lay, was an appurtenance to a smart little pulpit-like desk, conspicuously raised on a carpeted eminence, and standing in front of a most desirable mahogany chair, in which a short grave-looking gentleman, robed in a long black gown, and wearing a round black hat was reposing in all the comfort of "*otium cum dignitate.*" To the left of this comfortably circumstanced *Locum tenens*, was a square table, covered with Lawyer-like-looking papers, some tied with red tape, and others more tastefully combined with neat blue ribbon. Another black gowned worthy sat at this table—he wore no *felt*, and was busily engaged in taking up and putting down the papers—he occasionally surveyed those surrounding him with a most complacent grin, and would sometimes start up suddenly, mutter a few words, squat down again, and write in a *black and left handed* manner some hurried sentences on fine paper. A whiter faced, curly headed junior sat beside him at the same table, ostensibly engaged in writing, but frequently amusing those in juxta-position to him with some of "Coleman's broadest" to their annoyance, and the apparent union of his own mouth and ears—"*tria juncta in uno.*" In front of these "*nobilissimi nobilissimorum*," there was a large semi-circular desk extending towards the wall in rear of the *easy-chair*. Four and twenty of the Refugees from Babel sat at it, phizzing the phizzes of the aforesaid, and testifying by their physiognomies the variety and nature of their different pursuits, objects and desires. On the outer side of this semicircular do-nothing desk, there was a long narrow space set apart for silent admirers of the "sayings and doings" within the "*Sanctum.*" In this space the *Gullee* could behold and hear the *Guller*, unless when secret *confabs* suggested "closed doors, empty galleries," and *full pockets*. Above this outer space there was a similar arrangement, and it was similarly occupied by a motley collection, "*intentique ora tenebant.*" In each corner of the upper gallery, if I may so call it, I observed a snug little box, partitioned separate from the "*Canaille*," and occupied by an industrious tenant in each. The one was a weazle-bodied, thoughtful, melancholy looking personage attired in black, and distinguished by a pair of blue spectacles which appeared to be a "*sine quo non*" to his nose—his features bespoke hard duty, blended with respect for those whose sapience he was recording; and his pen was that of a "ready writer." The other was a sturdy, independent, bluff looking roast-beef-eater, who declared the hidden motives of the man, from his outward actions and sayings—he wore the Livery of some high office, and his blue frock, anchor buttons, and upright cape spoke of wars gone by and of *wars to come*. On the right of the gentleman who lolled upon cushioned mahogany, I observed a man with a sword which I supposed was used in cutting the thread of an argument, or in dividing the Gordian knot of a difficulty—this 'Gog or Magog' was a comely, portly looking fellow. I viewed these various characters with amazement, and whilst I was contemplating, I heard a rumbling noise, and as I listened, I could plainly distinguish the words—Payment, Retrenchment, Services, Remuneration, Expences, Extravagance, Reduction, Popularity, Consistency, Charity, Poverty, Practice, and so forth.

I dreamed that a man whom they called *Keen-Ear* arose and "*moved*," as they termed it, although he stood as still as a Militia-man at 'Tention,' that a certain Bill for the payment of the Babelites should be committed—whether to gaol or to oblivion, I knew not. Now the Babelites thought that their geberish was worth Four rix Dollars a-day, but Keen-Ear being an honest and upright man, thought otherwise, and desired to reduce their wages.

Keen-Ear had scarcely spoken, when the occupant of the arm chair, whom they called *Mr. Talker* in the room, and Longneck out of doors, abandoned his seat, and gave one to his companion, named *High-bar*. When High-bar was seated, *Mr. Soaper*, a Chandler by trade, arose and moved the *standing order*, which order, for standing as I thought, had the effect of *marching* the "*Canaille*" from their listening places, including little spectacles and "livery jacket." The noise and confusion disturbed my repose, but the quiet, which succeeded, favoured my dreaming propensity, and in my vision I saw and heard a

SECRET DEBATE:

Members' Pay—Mr. High-bar *in the chair*
—*Galleries cleared.*

Mr. Keen-Ear said that he had always been of opinion that the expenses of members alone ought to be paid. The Act, which it was his object to repeal, took that view of the subject. It was not an act to remunerate members for their time, but merely to bear their expenses. It was true, that every hon. member of that House made great sacrifices, nor was the sum received by individual members any remuneration for time and expenses; but the sum, nevertheless, was more than they actually expended, and as the surplus was in no manner a compensation for loss of time, he thought that it would be well to give it up. He was of opinion that £30 would defray the expenses of each member while at F——n, and 30 miles would be sufficient for a day's travel, for which he would allow each member *twenty* shillings, to be certified by the Speaker in the usual manner—he thought the reduction was called for, as he believed there was in the House a disposition to reduce the expenditure, and as he was not present at the making of the Law, he considered himself the proper person to bring in this Bill."

[This, thought I, was somewhat in conformity with the Speech of a certain great man, which advised economy and retrenchment. "Thinks I to myself," a good speech is a good thing—surely we will have a "leading example." I think Mr. Keen-Ear's motion a good one, although, as Jonathan says, the "whole hog" would have been better. It is hard to defend the Pay cause, when we examine it in all its bearings. *Quere*—Do not nineteen out of twenty members expend much more than the aggregate of their pay during the session to obtain a seat?—ask Grog Shops, Inn-keepers and horse-dealers, domestic rum bottles, and ledgers. If, then, hundreds are squandered to gain a seat, the plea of poverty comes badly from such spendthrifts. If they desire the honor, let them enjoy it—the story about choice of representation, will not do. The Province would be better off if the members were not paid. The stoppage of £50 would not stop candidates from offering.]

Mr. S. Batch "would say nothing at present on the subject of paying the Members. The Dignity of the House, however, required that the Speaker should be paid. The Speaker of the House of Commons was liberally provided for; so were the Speakers in all the Colonial Legislatures. The allowance to the Speaker must be continued, unless they intended to lower the Dignity of the House."

[Honour, as old Falstaff said, may break a man's head; Mr. Batch would guard against the dangers of falling dignity by a few props of fifty pounds. But as a little leaven leavens the whole lump, so has his insinuating argument pervaded the majority.]

"Mr. Last would at once acknowledge that he was unfavourable to the present Bill—he was an enemy to mock-modesty, and every thing of the kind. He would not take a penny more than his due from any body, but he was perfectly willing to receive that which was his honest due. Attending there, was a great loss to him, as well as to other hon. members; and the present allowance being only remuneration in part, he was not for reducing it. Anonymous writers had taken up the subject, and scandalized the House. He cared nothing for such despicable scribblers—He would do his duty to his constituents and the country, as far as might be in his power, and should go against the Bill."

[Thinks I to myself, Last loves half a loaf better than none—guess he over-rates the good he does—Mem:—Wonder if he would return the Balance of £50, and 20s. per day travel, after deducting the good he has done the Country this winter.—Sorry he attends and sustains loss.]

Mr. Soaper "would go for the former allowance of £40. He was for that allowance first, and never yet changed his mind. It would barely cover expenses; and he had always been of opinion, that, in this country, members could not afford to serve gratuitously, and the Least that the country could do, was to pay their expenses. He had travelled in various parts of the Province, and could not learn that any complaints were made against the allowance that members now received. No reflections were cast upon them on that account. He was willing, however, to go back to the old £40, and thought that would answer very well. He would not agree to the Bill now before the Committee; the allowance was entirely too small—this £30 Bill. It might do for old Bachelors; but, for members generally, would be altogether inadequate. He would reduce the allowance to members to £40, and let the Speaker's allowance and the travelling remain unaltered."

[So much for patriotism, our £40 patriot would lead us to think from his animadversions upon Bachelors, that Mr. Soaper and all the little Soapers were in attendance for the good of the Country. He is an admirer of "*golden majesty.*"—Mr. Soaper's adhesive propensity to £50 might well induce him to move the standing order to march all hearers out of hearing. But Pitchers have ears, and if the Reeds whispered to the winds that Midas had the ears of an ass, we need not be surprised at the babbling echoings of a Legislative wall under the foregoing circumstances.]

Mr. All-in "would support the Bill, on the principle, that there should be a general reduction in all the allowances for public service. He would not meddle with the Door-keepers nor the Chaplain; but all allowances of consequence should undergo reduction in the same ratio as those of the members. He believed that some hon. members would be inclined to treat the subject lightly; for his own part, he was serious in his intentions to reduce allowances generally. He had been about the Province as much as any hon. member, and had heard no complaints in the country upon the subject, but as there was to be a general reduction, he was willing to begin by reducing our own pay. One thing, however, he apprehended, and that was, that the despicable newspaper writers who had scandalized the House, would claim the credit of having been the immediate cause of this reduction. He was not for the present bill, but for the old sum of £40. This £30 was not enough. He hoped there would be a disposition in the House to meet the hon. mover half way, and agree upon the £40. Should this plan fail, there was still another way, and that was, to make short speeches. If he could only bring up a rule, that each member should pay the Reporter exactly in proportion to the length of each speech which such member might deliver, he (Mr. A.) would not think it necessary to proceed with the bill.—He would not meddle with the Speaker's allowance in any way.

[I do not admire Mr. All-in's *half way measure*: such measures are generally objectionable. It is well for the Reporters that the proposition to pay them, referred to the quantity and not to the quality of talk]

Exchequer Jack "was perfectly willing to return to the old allowance of £40—it would barely cover expenses; and he believed there was not, nor had there ever been, a disposition in the House to receive more. On a former occasion, at a short session, £10 had been received, when £40 might have been claimed by law. There was no disposition to extort upon the country—actual expenses only were claimed. He should go for £40, and let the travelling expenses remain as they were."

[The less that is said about the short session the better—What was the cause of the session?—the members should have sustained their own expences—had they demanded their £40, the Country would have exclaimed against it.]

Mr. Ironthread "was sorry that the debate was carried on with closed doors. There had been nothing advanced which required the standing order to be enforced. He should support the Bill—£30 was quite enough. He would be willing to serve without pay; but he was aware that the country was not in a state to adopt such a measure generally. He would continue the present allowance to the Speaker, reduce the Members' pay to £30 each, and make a corresponding reduction for all other services that would bear it."

[This is as it should be, and I wish for the credit of the House, and the preservation of its true dignity, that a similar feeling had prevailed.]

Charley thought the present allowance was altogether too much, and highly approved of the Bill before the Committee—he had seen some of the productions of anonymous writers, and was afraid it would be said in the country, that we were actuated by their contemptible publications.

[The intemperance of anonymous writers should not influence the decisions of a deliberative body.]

Bob Quo-qua-quo was persuaded that the public would be inclined, should we make any reduction, to give all the credit to this anonymous writer; yes; this contemptible animal *John Dow* (*quoth Bob—John Doe, quoth I*) would claim the merit of having knocked down the whole House of Assembly; his opinion was, that the allowance was not too much—the service was very expensive. Any hon. member who thought the sum too much might take less if he pleased—there was no compulsion. One hon. member had proposed to pay a Reporter, he (Mr Bob Q.) would do no such thing. Reporting the speeches has caused a great expence to the country by protracting the session. Let members make short speeches, if they wished to save money, for time was money. He was opposed to the Bill, and would let the present act expire. The hon. mover's intentions were good—he had no doubt of that, and there were many charitable purposes to which he could turn a part of his allowances, if he thought it too much. He (Mr. Bob Q.) tho't he should be in the minority, and with due deference would move that the further consideration of the Bill be postponed for three months.

[From which we may infer that the Deputy Surveyor-ship has been a profitless appointment--insufficient to purchase even a 'quid' which *Bob* extracted in the Drama, with such peculiar grace. Bob says he thought he *should* be in the minority, and so say I—and I regret that the majority were with him.]

Mr. Rue cared nothing for anonymous writers. The House had nothing to do with them, nor should their productions affect the proceedings of the House in any way. The question now was, whether the allowance of 50*l.* was too much or not. He tho't it was, and would reduce the allowance to £40, which would be quite sufficient. One hon. member had spoken of serving without pay; that would not do; there might be many very useful members so circumstanced that could not pay their own expences, and therefore an allowance was necessary. He should go for £40 for the Session, and thirty miles for a day's travel.

[*Mem.* Wish the question had been asked whether any of the present Members would refuse to come forward as candidates, in case the House, (as is hoped) should be dissolved, and a perpetual Act, like the College grant, or the Militia Bill was enacted against the payment of Members—guess the rich ones would take their pounds with them, and the poor ones put by their pence in an old stocking for the occasion.]

Bob Quo-qua-quo said that £40 would be found quite enough by the present Law, if hon. members would only make short speeches.

[At him again Jerry! never mind *John Dow!* Pay yourselves, Bobby, if Treasury warrants and a score of other public appropriations remain unpaid.—Charity begins at home, and you are determined to "*shut the doors*" against its going abroad. But *Midas had ears!* Bob.]

Old Cupid would *let the Act alone!!*—if we would make short speeches, £40 would pay us—the *business was expensive!*—and 20s. *a day was little enough!*—He had no idea of being *brow-beaten* by "*John Doe.*" Twenty shillings a-day would barely pay expences.—If any Member thought the sum too much, there were many objects of charity whereupon to bestow it.

[Good!—Cupid's no Manikin—and is not to be *brow-burdened*, or hen-pecked—he finds the *business* expensive, and therefore intends to leave the *Act* alone; the least that can be said is, that he confesses honestly.]

Mr. S. Batch was sorry that the doors had been shut. He wished not to conceal his sentiments, but to speak them freely and publicly. His learned friend from Westmorland had taken a fair view of the subject, and spoken more good sense than all the members who had spoken upon the subject. He had heard no complaints: the country did not complain. Who complained then? Such contemptible creatures as "*John Doe*," and only would be entitled to the credit of the reduction, should the House be actuated by them. We shall be able, perhaps, to reduce our time to 20s. a-day at last, and then the public will surely say, that we have just made our arrangements to stay long enough to take our *forty pound* a-piece. We shall effect no good whatever by the reduction. What will it amount to? Nothing. Will we retrench in other matters? No. If not, then our labours are nugatory. Members could not all do without pay; let the law stand until it die; let us do something; let us not move at all, or move to some purpose. It is unfair to reduce our own allowance, and not reduce other allowances in proportion. We are subjected to extra expenses in a variety of ways; and if we are more temperate, more prudent, and more economical than were our predecessors, is that a reason that our allowance should be reduced? Surely not. It has been said, that the allowance contemplated by the bill was to bear expenses, in consequence of our going from home. What, then, shall be done with the Fredericton members, and others, that go home or live at home, shall we allow them nothing? This bill would not do. The Committee had better abandon it at once. *He had said more than he intended to say.* He was not for concealment, and any member might report his speech, who was so disposed; he cared not, but would speak his mind freely—he would endeavour to push the business of the Session as fast as possible, which, he believed, was the only consistent course we could pursue in the way of retrenchment in that part of the ordinary expenses.

[There is nothing like *Blue-backs* in spite of "*Doe.*" Our friend Batch is *rising*, and becoming *crusty*. Twenty Shillings a-day is lawful weight for the weighty matters of Legislation. Batch is disposed to *let the Law die* a natural death, he is an enemy to *Burking*—he has no notion that a member of the Temperance Society should advocate total abstinence from pelf—half a loaf is better than none, but a whole loaf is best.]

Mr. Rivet thought the bill was uncalled for. Discussions on such a subject were disagreeable. He recollected a former discussion in that House, which he thought was no credit to some of the Members. He thought the subject was of great importance, not in the way in which it was viewed by some hon. members as a mere matter of £. s. d., but as a safeguard to defend the people from the power of the higher classes; as unpaid members would be soon very dangerous Representatives, and would soon find means, either directly or indirectly, to favor themselves and oppress the poorer classes. Were he to look into the early history of the Province, he could shew many instances of rich men legislating for their own benefit. He had heard of paying expences only. Why was it unjust to compensate Members for their services, as well as other men? We may, by a reduction, save a small sum; after all, it would be unworthy of notice, and what good would it effect, or what evil would it remedy? Will it enable us to enforce retrenchment in all our other Provincial expenses? Surely not. It would result at last in a mere matter of popularity; this was a commodity upon which he did not set a very high value, and at present was not willing to bear £10 worth of it about him. Twenty shillings a-day was not too much, and £500 was frequently paid for services less arduous. He had seen the writings of "John Doe"; they were the productions of a despicable character, well known in this Province as one of our deadly enemies; he would not move one step for that hateful man.—Reference, on a former occasion, had been made to the United States, and the cheapness of legislation there; he was of opinion that, owing to the great number of legislators there, the expence was more than ours; in some of the States the Members were almost innumerable, and the expences enormous. To conclude—he must say he was somewhat suspicious of the motives of the Gentleman who moved the Bill; he had other resources, and that, too, at the time of the Session, and could not, perhaps be aware of the bearing of such a measure upon all parties.

[Verily this is a *Clincher*: and a most unceremonious insinuation against motives! this Mr. *Holdfast* can tell us about rich men legislating for their own private interests, but I am not disinclined to believe that Messrs. Rivet, Batch, Bobby, Cupid, & Co. neglect their own proper selves and scrip bags: our 20s. per diem patriots give us convincing assurances of their electioneering disinterestedness—mayhap they will require *coaxing* before they mount the Hustings at the ensuing election, as it is most sincerely hoped that His Excellency, in justice to himself and to the Province will favour the *Elite* of the Land with a *walking-ticket.*]

Charley confessed that what had been advanced by hon. members had a great deal of weight in his mind. It was no disgrace to be poor, and there might, for ought he knew, be some hon. members, whose previous engagements had anticipated the payment of this very allowance: to distress such persons now, or to drive such from the Representation in future, would be extremely unfair and unjust. The time had not yet arrievd when members could serve without pay, and to enforce such a measure might be productive of the very worst consequences.

[I cannot coincide with Charley in any one of the foregoing conclusions.—The *talk* of members satisfied me more than ever of the necessity of abolishing the payment act—if Honorable members made the honour of representation a money matter to meet a Bank Notice, or to stop the clamour of a noisy dunner, the sooner such "money changers" were routed out of the House the better. It is true the time has not yet arrived when members *will* serve without pay. But the time has arrived when they take precious good care of *twenty shillings* per diem, and rattling travelling expences.]

Mr. Keen-Ear hearing all parties, especially on account of what had been advanced with regard to anonymous writers, abandoned the Bill.

[And I regret it—although I can easily imagine the feelings of any honorable member, when his proposition is met by illiberal opposition, and dishonorable insinuations, worthy of a tap-room, but disreputable to a Legislative body. Keen-Ear was wrong to abandon the Bill, he had advocated the dignity of Representation, and ought to have persevered, even if he stood alone in the question.]

Mr. Tawny was sorry that any anonymous writer should cause the hon. member to abandon the bill. He (Mr. T.) was not favorable to the present bill: £30 was not enough: he had always been for the old allowance of £40, and still hoped that there would be a majority of the same opinion. He had been earnest in his endeavours to reduce expences, and could not, with any propriety, endeavour to effect a reduction of the allowance to others, without first reducing our own. If, however, nothing could be effected in this way, he could not have a face to attempt the reduction of any of the allowances for the ordinary services, and therefore retrenchment, if any, must be effected in some other way.

[*Tawney* is disposed to do a little towards retrenchment, but is easily persuaded to prefer £50 to £40—and so the business ended, "all noise, and no wool," as Splitfoot said, when he shaved a pig.]

[The further consideration of reduced wages

Postponed for Three Months,

wherefore Soaper rubbed his hands, as if his palms had been greased—Rivet roared out, "*a Clinch-er*,"—Last swore he had put an *End* to it—Batch confessed that he felt *light* and *well-raised*—Cupid rubbed his forehead, and smiled like young *ti-hee'd* like a Deputy Commissioner over a Crown Land seizure; exclaiming, what will "*John Dow*" say; and spitting twice on the floor, said he could now get *swipey* like a gentleman—Tawney looked satisfied—Charley stroked his beard—and Exchequer Jack gave a cough as loud as—Nehemiah's. Whereas, Keen-Ear declared that he would never agein be a *Kin-near* such a set; and Ironthread pronounced them the hardest, the most unbending and un-*Wier*-y crew he ever saw—Rue said he could now *Street* it decently, and All-in wound up with *All-en-sured*. The tumult occasioned by the failure of the proposed Bill, and the security of *fifty blue backs*, and four rix dollars for each thirty miles travelling, aroused me from my slumbers—I awoke, and found that I was on my own single mattress—a free and independent bachelor—surrounded by two broken chairs, a cigar-box, a bottle of——Eau de Cologne, some dickies and wrist-bands, a pair of supernumerary *unmentionables* stuffed into a window sash; stockings, with conveniences for a foot to get in, and a toe to get out—with the other *et-cætera's* of a gentleman's wardrobe—a cracked wash-bason, which occasionally did duty as a punch-bowl—a few Bank notices from a friend in St. John, which, having no especially tender feeling for them, I had dishonoured—a dun from a tailor for a done coat—a neat purse, with no cash in it—a half-starved Pointer Dog—hair-brushes, combs, Macassar oil for my cheeks, where whiskers ought to have been—and a paper on my pillow, marked

"*SECRET DEBATE,*"

which I had received the previous night, and which, doubtlessly, was the cause of my *dream*. I may here observe the powerful influence of Dreams upon the mind. Mine is completely possessed that the foregoing is not a dream, but a "matter of fact,"—and such being the case, the wonder ceases that "*doors were closed*," and that the *Bubble of Retrenchment* burst in the very blowing of it. My vision has occupied so much of your time and paper, I must, therefore, postpone my *waking thoughts* for a future publication.]

LARRY-A-WHACK-AT-EM.

Fredericton, March, 1834.

[N. B.—I may possibly send you another communication by the return of the *Babel-ites*, as I assure you, they are confounding confusion, and are striving to deserve "*a kick to the right about*," which I sincerely hope "Kyet Taen Bo" will give them. Your friend, L-A-W.

[For the Courier.]

THE CRUCIFIXION.

A HYMN FOR "GOOD FRIDAY."

Come guilty sinners, come and see
Your great atoning sacrifice :
Behold ! on yonder gory tree,
The King of Kings for rebels dies !

How gracious—how severe thou art,
Just God, in thy redeeming plan :
The spear that pierc'd Emmanuel's heart,
Open'd the fount of life for man.

Hail hallow'd cross, accurs'd no more—
Rich tree of life to all our race—
Blest tree of Paradise, which bore
Heaven's choicest fruit—the gift of grace.

Lord, shall our grief or joy prevail ?
Our heart is rent amidst their strife—
Shall we the victim's death bewail ?
Or hail it as our way to life ?

Thy dying-living-boundless love,
While here below, shall tune our tongue—
And when we join the choir above,
Thy love be our triumphant song.

St. John, March 19th, 1834. J. R.

The Courier.

SATURDAY, March 22, 1834.

Our Legislative Session, we presume, has, by this time, terminated a Session, which has given universal dissatisfaction, and which has been characterized by inconsistency, irresolution, and petulence. We must confess that we did expect "*better things*" from our Representatives, and accordingly our Press was unsparing in its efforts to support them, and to stimulate them onwards in a firm defence of measures, which we have reason to believe, were approved by an overwhelming majority throughout the Province;—and although our Representatives have sunk into comparative supineness, and have surrendered the hopes of the people to the extravagance of a Colonial Minister, we shall undeviatingly persevere in the maintenance of opinions, which, neither Ministerial intrigue, nor the imbecile arguments of our Representatives have changed—We must condemn the proceedings of the Legislature; and although we are willing to suppose that the votes of many in the majority were given without due consideration, and not from any dishonourable abandonment of their former opinions and principles, we must confess that we cannot divest ourselves of certain *misgivings* against some certain persons. The *obnoxious Message* has given some honourable members an opportunity to retrace a little, and to tell us what they would not have done, if—but we give little credit to their sayings: we know what they endeavoured to do, and we repeat, that the £25,000 story does not alter the general question, which was at issue. Mr. End and Mr. Chandler must have made but very limited enquiry, when they felt themselves authorised to state that the decision in favour of Mr. Stanley's unreasonable proposal met with general approbation out of doors. We will not say positively how the people at Fredericton received it; but we can say with truth, that it was received at Saint John with disgust and disappointment. We shall hereafter endeavour to review the arguments of the respective speakers upon the question—at present, we have neither time nor space for the enquiry.—We have been favoured with "*a peep behind the curtain*," respecting the "Pay Question:" we refer our readers to the communication, which beggars any comment we can make upon it. If we had seen this at the commencement of the Session, our surprise and disappointment at all subsequent proceedings would have been diminished.—We hear that it is contemplated to send another Delegation to England—we ask, for what?—to demonstrate more forcibly, if possible, our puerility and inconsistency. We should be very glad to see a Deputation from the People of the Province, but not from its Legislature, charged with a comprehensive explanation, and respectful, firm, and manly remonstrance. We confess that a Legislative Delegation creates our doubts and fears. If the present House is not dissolved, and Mr. Stanley gives up the £25,000, the Casual Revenue story is settled, in spite of delegations and remonstrances. Our Representatives must then satisfy the people that the enormous Salaries exposed in the Casual Revenue Return, last week, are all right and proper.

We are informed that there has been another effort in the House to establish an expression of censure against His Excellency, for the offensive language in his Messages. Indeed, this disposition, taken in connexion with the Governor's opinion, that the House had *assumed new and comprehensive* Rights, *subversive of the spirit and principles of the British Constitution*, and dangerous, as encroachments upon the independence of the Executive of a British Province, and upon the prerogatives of the British Crown, leaves no other alternative but Dissolution, consistent with the maintenance of those prerogatives. We shall, however, suspend any remarks upon this subject, as it requires a thorough knowledge of Parliamentary usage, to give an opinion upon it. We refer our readers to the Debates of the Mem-