COMMUNICATIONS.

[FOR THE COURIER.]

MR. EDITOR.—Observing that many false impressions are afloat, respecting the loss of the Appropriations, I am urged, from a desire that every subject should come fairly before the public for its decision, to communicate the following remarks, which, you will oblige me by inserting in your valuable paper.

It will be necessary, for the right understanding of the question, which has caused the unfortunate collision between the Legislative Council and House of Assembly, and the consequent loss to the country of all its appropriations, with the individual and general distress which must inevitably follow; to take a cursory review of the proceedings between the two Houses in former years, and the precedents founded thereon, concurred in and acted upon by both Houses since. In 1795, the House of Assembly sent up a Bill "for appropriating and disposing of the public money"—which the Council rejected for the following reasons—"That this Bill provides for services not "recommended, which the Council conceive to "be unparliamentary;—that the appropriating "sums of money, as in this Bill, to the several "members, for their attendance in General Assembly, does not accord with parliamentary "usage."

In 1796, the House of Assembly joined in one Bill the Revenue act, and the appropriation, under the title of "A Bill for raising a Revenue in "this Province, and for appropriating the same, "together with the monies in the Treasury;" with a view to force the Council into a compliance with their wishes, by acting upon their fears as to the consequences that would result from the loss of the Revenue; but the Council, true to their trust and character, withheld their concurrence, stating in the several conferences had upon the subject, "That different objects and services are "so mixed in this Bill, as to preclude that "free and distinct consideration, without which "the Council cannot discharge their public duty; "and without a perfect union of sentiment between the two branches of the Legislature, "which cannot always be expected, on each service provided for, and on each article taxed, "the whole Bill must be rejected—the revenue "lost—the public business impeded—and all persons employed in the service of the Province "must suffer unjust delay in receiving, and perhaps eventually be deprived of, their just dues. "That this Bill provides for the wages of the "Members of the House of Assembly in an unconstitutional manner; taking out of the public "Treasury those wages, which acts of parliament "have directed to be levied on their respective "constituents, and *that mixing the wages with all the other services as in this Bill*, compels "the Council either to agree to whatever sums "*they* may *vote* to *themselves*, or to incur all "the public inconveniences before stated; an alternative which the Council suppose the House "would not wish to impose in a matter in which "the members of that House, are *individually* "so *immediately interested*." This state of things continued until the year 1799—whereby the revenue was lost for *three* successive years, and the appropriations for *four*. In the intermediate time, communications were received from His Majesty's Government, relative to these differences between the two Houses, in which the Duke of Portland remarks—"I entirely approve of the "rejection by the Council of an appropriation "Bill, which went in exclusion of the services "recommended by the Governor, and acknowledged to be for the general defence of the Province, when I observe their very moderate "amount, and that no objections whatever are "made to the services themselves, I cannot but "suspect *that the true and genuine sense of the Assembly must have been surprised and artfully worked upon by some means which that body cannot fail of soon seeing through* "and of rejecting, as neither according with the "true interests of the Province nor with those "liberal ideas, which should distinguish so respectable a branch of the Legislature. Another point of difference, I observe, arises from "the insertion of different and distinct, *as well as disputed points* in Money Bills.—Clauses "of this nature, when tacked to Money Bills, "operate to the extent of the matter in question, "as an *absolute annihilation of the other deliberative branch of the Legislature*, and "thence is in this kingdom a standing order of "the House of Lords against this insertion, "founded on a mature consideration of the evils "which such a practice must lead to. By this "order, it is declared, 'that the annexing any "'clause or clauses to a Bill of Aid or Supply, "'the matter of which is foreign and different "'from the matter of the said Bill, is unparliamentary, and tends to the destruction of the "'constitution of this government.' Such matters, "therefore, should be brought forward as separate bills, thereby admitting of a free and candid discussion. This is the regular and established mode of proceeding, in order that no "extraneous matter, concerning which there may "be great diversity in opinion, may *interfere with the supplies*, which may properly and "constitutionally originate with the House of "Commons. In strict conformity to this principle, it would have been perfectly proper to have "proposed the measure granting a remuneration "to the Members of the Assembly in a *separate and distinct Bill*, as by that means a fair and "free discussion of that measure might have been "had without entering into any extraneous "matter."

After the reception of these Dispatches from His Majesty's Government, the House of Assembly divided the Revenue and Appropriation Bill into *seven distinct Bills*, to which the Council gave their concurrence, and the differences ceased. In 1801, the Council and House of Assembly, in order to prevent the danger of losing Bills of Supply or Appropriation, on account of any disputed points therein contained, by their Speakers agreed, "That on the several particulars proposed by the House of Assembly to be at any time "inserted in such Bills should be previously sent "up in the form of Resolutions, for the consideration of the Council, and that this mode should "be constantly observed."

In 1802, the Assembly pursued this course, and sent up separate resolutions of appropriation for the concurrence of the Council, but in consolidating the same in the appropriation bill, the House altered the *words* of one of the Resolutions, to which the Council made an objection, and refused to pass the Bill, unless it contained the exact words of the original resolution, as concurred in by them. The House of Assembly consented to make the required amendment, thereby confirming and acting upon the agreement made the previous year, since which period to the present year, this compact has been acted upon by both Houses, without a single deviation. Let us now take a view of the proceedings of the Legislature at its last session, and compare them with parliamentary rules, and the precedents thus founded and acted upon, for the last thirty-five years. In the course of the Session, in accordance with the recommendation of His Majesty's Government, a Bill originated in the House of Assembly to provide for the expenses of the Legislature, in which were included the President of the Legislative Council, the Speaker of the House of Assembly, and the Members of both bodies, which, however, was amended, and came to the Council for their concurrence, under the title of "A Bill to "provide for the expenses of the Speaker and "Members of the House of Assembly, while attending the General Assembly," which the Council rejected. The House then sent up a resolution of Appropriation for the payment of the expenses of its Speaker and Members, that also failed, as the Council had already decided the principle in rejecting the bill. The House of Assembly then resorted to the unparliamentary mode of combining the whole appropriations of the year, which hitherto had been put into three separate Bills, into one, and *tacking* to it this rejected resolution, containing their own pay, in violation of the compact between the two Houses and in violation of the parliamentary rule "That "no Bill, after having received the consideration "and decision of either House, should be proposed again the same session." Should it be maintained that it is consistent with strict parliamentary usage and custom, for the House to appropriate the supplies by bill, and not by previous resolutions of appropriation, yet as in this instance the House had voluntarily adopted the resolution system, it would hardly be consistent with that grave and steady legislation which *ought* to distinguish its proceedings, to change to the Bill system, and further, if that is the ground upon which they intend to justify their conduct, why did they not, to be consistent, include all the other resolutions rejected by the Council? Some certainly of rather more importance than Members' Pay.

Under these circumstances, how could the Council, regarding that duty they owe to the constitution of the land, and their characters as public men belonging to an independent Branch of the Legislature, with such a precedent upon their journals, with such an example of their predecessors before them, give their concurrence to a Bill so unconstitutional in its nature? Could the Council so far have forgotten themselves as to have yielded to the arbitrary will and violence of the Lower House, they would have been unworthy of the confidence of the country, and become a derision even to those to whom they would have succumbed. If the Council were compelled by fear of the consequences, to give their assent to any sum that the caprice of the Assembly might *tack* to the general appropriations, how could they be considered as a free and independent branch of the Legislature? or what check could they give to any grant, however extravagant, or to any service, however unnecessary? The House of Assembly were aware of the dilemma in which they had placed the Council, and the only alternative they had left them,—for what was the unguarded answer of one of the majority to the enquiries of his constituents on his return home, previous to the fate of the Bill being known? "I hope the "Council will pass the Bill, but they are *no gentlemen if they do!*" Why did the majority of the House thus jeopardize the whole appropriations for the year? why tack their own pay upon the poor deserving schoolmaster? why hazard the loss of that greatest of boons to the struggling settler, the bye-road appropriations? why pin their expenses incurred in the performance of a trust they are so eager in soliciting from the people, to the salaries of the necessary officers of the Legislature, and even deny to the servants of the House their hard earned wages, unless they were paid also? Why did they not send up three Bills of Appropriation as had hitherto been the practice, and tacked their pay to one of them, which would have alleviated in a great measure the distress, which must inevitably press upon the people, particularly as the House in their wisdom have not thought it expedient to commute the quit rents, the collection of which will doubtless be strictly enforced. But why did not the *majority*, when it was known that the Council had thrown out the bill, and there was yet time for them to retrace their steps, pass the appropriations in the usual manner, as was recommended by His Excellency the Lieutenant Governor, to the several committees of both Houses, who had waited upon him to present certain addresses, the day preceding the prorogation, in that dignified and feeling manner which impressed every one of its necessity, who was not predetermined right or wrong to the contrary, and ought at least to have received a respectful consideration, but which tended only to hasten the communication to His Excellency, from the organ of the House, that the business of the session was finished, as if it was feared, that if time for reflection was given, the good sense of the House would induce it to avert the evils which were closing around their constituents!—If this, as is asserted by an *enlightened* Editor of the day, is "shewing themselves the determined guardians of the people's rights," I am at a loss to discover who can be the destroyers; the ignorance of that man is lamentable who can suppose that the intelligent people of this Province are to be gulled into a belief, that the House of Assembly have in this matter "made a noble "stand for the preservation of the constitution"! or that they cannot comprehend this simple undeniable fact, that if the majority of the House had not tacked their own pay to the appropriation bill, it would have received the unanimous concurrence of the Council.

Will the independent freeholders of the country submit in silence to the absurd and selfish proposition, that the necessary expenses of the Government, the valuable appropriations to institutions of learning, and for the encouragement of Parish Schools—the grants upon the main and bye roads, should all depend upon the determination of the majority of the House of Assembly, to secure to themselves the paltry sum of £30 each! "*Hear it patriotism*"! "*Record it justice*"! "*Admire it disinterestedness*"! Will a reasonable and thinking public allow the Province to be retarded in its progress, its commerce impeded, and its agriculture seriously depressed for such a consideration?

The clamour raised against the Council for their constitutional stand, upon which depended their very existence, as an independent branch of the Legislature, would almost lead one to suppose that the majority of the Assembly were contending for that palladium of British liberty, the trial by jury, were it not so well known with what indifference they were about to fling it away in the provisions of the Squatter's Bill, had it not been for the interference of the Council.

And if the question be asked, why a body like that of the House of Assembly, in which are combined much political experience, general information, and youthful talent, should commit the rash and unconstitutional act for which their constituents are about to suffer the penalties. It appears impossible to answer in other words than those of the Duke of Portland:—

"That the true and genuine sense of the Assembly must have been surprised and artfully "worked upon by some means which that body "cannot fail of soon seeing through, and of rejecting, as neither according with the true interests of the Province, nor with those liberal ideas "which should distinguish so respectable a branch "of the Legislature."

What, it may be asked, actuated the minority in the House in opposing this tacking of Members' Pay to the whole appropriations? when we examine the characters of the individuals who composed it, and observe the course they have taken throughout their parliamentary career, it must be admitted there are no men who would be less likely to sacrifice the privileges of their House or the interests of their constituents. Why then did they oppose it? Because they saw the majority were committing themselves, and were rashly taking an unparliamentary, unconstitutional, and unjustifiable means of obtaining their own pay!

PENARY.

MY DEAR CHUBB.—When I addressed you last week, I did so merely *pour passer le temps*, and correct a few mistakes into which I conceived the Editor of the *Observer* had fallen, and not with any idea of entering into a Newspaper controversy. But the Editor and his clear-headed correspondent "Q. R." have honored me with such especial notice, that, in common courtesy I feel bound to acknowledge it, and make my appearance once more, and for the last time.

To answer the wordy editorial and "Q. R." also, is entirely beyond my powers—neither do I think you would grant me the space, if I were inclined to attempt it. My polite friend "Q. R." says I have attempted to explain—"1st. The Constitution of this Province, wherein it is asserted that the House of Assembly possess not the exclusive right of appropriation, *like the Representative bodies in all other parts of the realm*;" and he goes on to state the tenure on which British people enjoy the privileges of British subjects in other Colonies. After laying down his premises, he draws the conclusion, that the people of New-Brunswick being a British people—without ever having violated the privileges of Legislation—are now *deprived* of one of its vital principles. He then asks, "On what grounds? Because the King's Instructions (made out at the Colonial Office) say so."—Let me again set my friend "Q. R." right, if I can. He must remember that a Colonial Assembly does not possess the powers and privileges of the House of Commons, and that those powers and privileges are not taken away by the Royal Instructions alone, *but by the well known and long established law of England also*, and that the Assembly here cannot be said to be *deprived* of privileges which they never yet enjoyed, or to which they never had a right. As I do not wish my friend to accept this on my own assertion, I shall quote to him my authority, and first refer him to "Chitty on the Prerogative of the Crown," at page 36. He will there find it laid down, "That with respect to the *Colonial Assemblies*, it is most important that any "idea that they stand on the same footing as the "English House of Commons, should be excluded from consideration. *The principles on which the English Parliament rests its rights, powers, and privileges, cannot be extended to a Provincial Assembly.* Parliament stands on its own laws, the '*lex et consuetudo Parliamenti*,' which are founded "on precedents and immemorial usage. The "Plantation Assemblies derive their energies "from the Crown; and are regulated by their "respective Charters and usages, and by the "Common Law of England. The constitutions "of the English Parliament and the Colonial "Assemblies *necessarily* differ; the latter cannot in general even adjourn themselves; this is "done by the Governor, who, as representative "of the King, is the first branch of this *subordinate Legislature*." I hope the above quotation will be satisfactory, and I will freely give my friend "Q. R." leave to *construe* it to suit his own views. He made a very bold and ingenious attempt to *construe* a passage in the Governor's Speech of 1822, to suit his own views, and certainly gave it a *great and mighty twist*, but, after all, only succeeded in getting it *half round*. I would remark, in explanation of the above quotation, that the King does not possess the power of *adjourning* Parliament; but that a Colonial Governor has the power of *adjourning* a Provincial Assembly whenever and as often as he thinks fit. In proof of this, I refer to "Stokes on the Colonies," page 242—where it will be found, that a House of Assembly can adjourn only from day to day, and not even from Friday till Monday; and the form of adjournment by a Governor during the Christmas Holidays, is given at length. In looking over the first volume of "Chalmers' Collection of Opinions," many valuable opinions of eminent lawyers, as regards Colonial Assemblies, will be found: at page 265, there is the opinion of Attorney General Pratt, delivered to Lord Baltimore in 1757, relative to certain powers assumed by the Legislature of Maryland, which Lord Baltimore is advised to resist; and the Attorney General concludes with this pointed observation: "I am satisfied neither the Crown nor the Parliament will ever "suffer those Assemblies to erect themselves in"to the power and authority of the British "House of Commons."

My friend "Q. R." does not take the trouble to state what is the Law with regard to the privileges of Colonial Assemblies, which I am strongly inclined to believe he understands quite as well if not better than myself, but reasons on the *equity* and *propriety* of the subject, and addresses himself, not to sound law and existing principles, but to the feelings and passions of his readers. He exclaims against an arbitrary *wresting of privileges*, by a King's Minister from British subjects in a foreign land;—he makes a very passionate and powerful appeal to his countrymen to resist this *arbitrary* deprivation of a privilege, *which they never yet enjoyed*;—he wishes them to believe that their Representatives possess all the powers of a British House of Commons, which, in fact, they do not, and which, from local causes and the necessity of the case, they never can or ought to possess. As to the situation in which Earl Bathurst might be supposed to have placed himself before the public by the despatch of 1823, I would intimate to my friend, that the same course then pointed out by him, has been since recommended and adopted by His Majesty's Government with respect to other Colonies, and I particularly refer to a Despatch from Mr. Huskisson to the Governor of Prince Edward Island, dated 30th October, 1827, in which he says, "The House "of Assembly precede every money bill by separate resolutions upon each item—these being "sent up to the Council, are separately approved "or rejected, and those which have been assented to are subsequently embodied in one bill, "and pass of course." Mr. Huskisson states in the same despatch, *that this system prevails in several of His Majesty's Colonies, and that it has been attended with the best effects*. After so high an authority, it would be presumptuous in me to offer an opinion; but I do humbly conceive and firmly believe that the practice has been attended at times with the best and most salutary effect in New-Brunswick.

My friend then goes on to the much lauded resolution of Mr. Brown, and quotes it most triumphantly, as at once establishing the *sole right* of the House of Assembly to grant public monies, and model the supplies as they think proper. Every man who knows Mr. Brown, must respect him: he is a worthy and conscientious man; and I feel confident that had he looked a little deeper into the matter and ascertained that the right of the House as claimed by him was more than problematical, he would never have penned that resolution, nor had it placed on the Journals. He possesses too much sense not to have seen the folly of doing so, and he would have adopted in its stead something better suited to the exigency of the case, and more consonant with the true state of things.

I now come to the second point in my friend's arguments. With regard to my reprobation of the conduct of the Assembly in not tacking every rejected item of appropriation to the Bill of Supply,—this he gets over by saying that the grant of £250 to a School in Portland, was also tacked to the bill, after having been once rejected. This item was annexed to the Supply Bill *in substance*, if not in the *exact words* of the original appropriation, the only difference consisted in placing the amount at the disposal of the Lieutenant-Governor, instead of the Rev. G. L. Wiggins, it being well understood that the grant was first rejected on that ground alone, and no argument can therefore be drawn from it—unless it be, that the House submitted to have a resolution of appropriation *modelled* by the Council. But with respect to all the other rejected grants—oh, the House, *on revision*, it may be supposed, thought they could be dispensed with at present. Well for us that we have a Legislative Council to look after improvident grants, that, *on revision*, the House can discover that many foolish, improvident, intriguing and electioneering grants *may be dispensed with for the present*—and it is to be hoped for ever!

Members' Pay, however, cannot be dispensed with *at all*; that must be had at all events, by any means, and at whatever cost to the people; therefore, contrary to custom, contrary to all rule with respect to rejected grants, it alone is fastened to the Supply Bill, and therefore all the appropriations for the year are lost to the Country. But, says a worthy Representative, when questioned by an enquiring friend as to the loss of the Supplies, "Oh, we lost the appropriations, but "we maintained your rights! *We prevented the elective franchise being curtailed!* We "stood out for the Members' Pay and your privileges!" But the friend, who perhaps was a petitioner for aid to the Baptist Seminary, (for which, by the way, highly respectable petitions were presented from nearly every County in the Province,) enquires why that grant was abandoned, and why they did not stand up for the rights as well as the wishes of the people on that question. He is gravely told, "Oh! that "was a matter affecting only *private interest*—"we did not care about that; but we were determined to *maintain your rights*, by getting "*our* £30!!! We resolved to cut off the road-"monies this year, rather than we should lose "our own expenses, that you might take part "with us, and individually feel the propriety of "your members' being paid, in order to sustain "your glorious privileges!!!" Will the people of New-Brunswick be gulled by this? Will they submit to this deprivation of the benefits to be derived from the expenditure of large sums of money during the present year, because their Representatives had not the good feeling or consideration to wait for their own paltry amounts until another Session? Then the matter could have been settled properly, and the House, if necessary, might have taken a stand. Then they could have met their constituents with a good face, and not as now, more than half ashamed of their conduct, and offering only as an excuse for the wasted labours of the Session, and the disappointed hopes of the country, the pitiful plea that they received *no pay* for their services! Such services!—deeply will they be felt, and bitterly will they be remembered! At the farmer's fireside—in the honest poverty of the log-hut—amid the privations of the lumber-camp—on the Rivers and in the Highways, deeply will they be execrated! They will be impressed on the hearts of the people in characters not to be mistaken, and difficult to be effaced. The suffering woodman,—the pioneer of the forest, and the advanced guard of internal improvement,—while he wipes the heavy damps of ill-requited labour from his brow, will feel these *valuable services* and the sordid conduct of the Representatives of the People, burnt in letters of fire on his soul, never to be forgotten.

I have again waded through the long editorial of the *Observer*, and much fear that should these articles continue to lengthen as rapidly as they have done for some weeks past, they will in a short time rival the famed Sea-Serpent, and be interminable! Nothing would prevent their beginning at New-Brunswick and encircling the world, but *exceeding thinness*, and want of tenuity! A few words of advice and caution to the Editor, and I have done with him. You write easily, and use good language—but you must make more *points*, expend more ideas, and be less verbose. Condense you articles therefore—be brief—you know what brevity is. You resemble a gold-beater—you seize a scrap of precious metal, small indeed, but valuable, which you continue to *beat, belabour*, and *draw out*, until its original value is entirely lost: it ceases to be known as gold, and can barely be recognised as tinsel. When you get a correspondent like "Q. R." treat him fairly—filch not his ideas and phrases, and pass off the duplicates as your own—it betrays a paucity of means. Study a little of British Law, as well as something more of Colonial Constitutions, and no longer betray such deplorable ignorance of both. Read "Blackstone" again—mark the difference between the "*Lex scripta*" and the "*Lex non scripta*"—your absurdity in defining these is laughable; you will be more correct in future, and cease meddling with subjects you do not understand. You are holding out false lights to the people, which, instead of guiding to safety, lead among shoals and quicksands. If you persist in laying down *as Law*, such trash as you have already written, every intelligent man will write you down an ass. You accuse me of splenetically commencing with *personal invective*—who threw the first stone?—who first began the game? Your own uncalled-for, misapplied, highly personal, and excessively offensive remarks in the editorial of the 24th, demanded *something* in return—slight, indeed, was the punishment in comparison with the offence!—Correct this fault also: do not complain if your own conduct calls forth a retort in the same strain—remember hereafter that others can gibe quite as well, and as bitterly, as yourself.

I fear I have wearied you, my dear Chubb, but as I do not intend trespassing on you again, I have taken the liberty of being tedious, and a *great liberty* it is! I wished to try a courteous *passage at arms* with my worthy friend 'Q. R.' who, I believe, is a sound New-Brunswicker, right at heart, and anxious for his country's good, but at present somewhat astray. Abler pens, it is said, are about to discuss this question, and I cheerfully make way—having "fretted and strutted" my hour upon the stage, I make my exit—with a hearty shake of the hand to honest "Q. R." and to yourself, my dear Chubb, good night.

ORION.

MR. CHUBB,—

SIR.—I am much pleased to learn, that Mr. HENRY PORTER, *Merchant*, is to be put in nomination as Alderman for King's Ward. This is as it should be. When such a useful and intelligent member of society, as he is well known to be, expresses his intention to offer his services for the public weal, we have every cause to congratulate those concerned on the change for the better, which must assuredly take place should he be elected. Such an Alderman, as we have every reason to know Mr. Porter would be, has been long wished for, particularly in the above respectable Ward; and I earnestly entreat the Electors, in whom that valuable privilege is vested, to exercise it this year, and support the man whom justice requires should be supported—and not quit their post till they have Mr. Porter firmly seated in Common Council as their Representative. His general character stands high, his independence and firmness appreciated by many, and the interest he has taken in City affairs, in private life, is also pretty well known. I might say much more; but I must at present be brief.—On Tuesday next, I am gratified to understand, Mr. Porter will come forward, when I sincerely hope he will accomplish what he intends *pro bono publico*. It is high time that we had men in Common Council, from whom we should receive a fulfilment of the obligation they put themselves under, when they take that office.

Your's, &c. BENJAMIN.

To the Gentlemen of this City.

GENTLEMEN,

I shall address you once more, and perhaps for the last time, on the subject of a Nautical Institute.

I am aware that if such an Institution be established in a suitable and respectable manner, it will benefit the country; but if attempted otherwise, it will share the fate of all those wretched and ephemeral humbugs that figure for a day on the surface of your community.

I am also aware that in the former case, if I should be connected with such an Institution as Lecturer, it would be much to my advantage; but if in the latter case, it would be attended with personal disgrace, and perhaps with irretrievable ruin.—I am further aware that unless I make the attempt to have such an Institution established, no individual in the community will; the attempt therefore shall be made; not, however, by any indirect or circuitous means, but in a fair, manly, and candid manner.

In the first place, therefore, I shall here state the regulating principles on which I conceive such an institution ought to be established—annexing my most positive and final determination, that if instituted otherwise, I will have nothing to do with it; in the second place, I shall lay down the method by which I propose to make the actual experiment; and lastly, I shall conclude with some general observations.

In the first place then, such an institute must never approximate, by name or nature, to a *school*—nor will I, unless compelled by necessity, ever adopt the character of a school-master. Gentlemen, I will not seal my voluntary doom to re-enter the humiliating depths of what has already been to me a source of undesirable and low degradation.—It is almost a virtual impossibility to have a well-ordered school—and what is an ill-ordered one? I will tell you, Gentlemen, what it is. It is a place where boys of all dispositions, capacities, and ages, are huddled together in promiscuous confusion; where the accumulated folly of unmeaning jargon is crammed down the throat and made to pass for learning; where boys are instructed to blunder methodically, and study absurdity by rule; where the affrighted understanding is trained to trot in a perpetual round, and exist within the contracted circumference of a school book; where every faculty of the soul is crushed and destroyed except the jaded memory; where the intellectual are instructed in the love of mischief, and the unfortunate brainless are confirmed in invincible stupidity; where tumult reigns and peace is never known; where the very characteristics of rational humanity are lost in the perpetual clatter, the boisterous mirth, the lamentations elicited by flogging torture, and the shrill vociferation of reproof: a machine which works by disorder, a system based upon confusion; an animated chaos, a distracted, roaring, astounding, howling bedlam. This, Gentlemen, is a faithful picture that will answer to full many a school.

Now, Gentlemen, let me ask you, what are the feelings of a school-master? In very many instances, a school-master is a man who is glad to cover the littleness of his occupation under circumstantial respectability derived from some other source, as an education for the church or the bar; sometimes he is an individual who has no claim to literature or the just respectability attached to it, and lives undisturbed and happy in pedantic ignorance.—And lastly, Gentlemen, he is occasionally a man who has every claim upon respect, but who is depressed by calamitous fortune, and pines in secret sorrow for his degradation. This last character was lately mine; I have known the trial and misery of such a state, but unless laid low by crushing destiny, I will never know it more.

In order, therefore, to make the institution distinct in its nature, the following regulations ought to be adopted:—

1st.—A subscription should be made so as to amount to a decent salary for the Lecturer; for the first year, for the sake of experiment, that salary might be as low as £100, the subscribers also providing suitable rooms and a small select Library.

2d.—The students in such an Institution should pay the Lecturer nothing, but be responsible for the amount of their tuition to a select committee, who should apply such money to repay the subscribers in the first place, devoting the surplus, if such there were, to the benefit and service of the institution.

3d.—Certain regulated times should be appointed for the entrance of the students, as the first Monday in each month, and a certain rate of remuneration should be fixed by the Committee.

4th.—A certain course of mathematical science should be fixed for the students, and printed certificates given after each public examination to all who merited the same.

These, Gentlemen, are the regulations that should be adopted, and under which I would consent to become the Lecturer in the said Institution.

The manner in which I propose to make the experiment respecting such an Institute, is as follows:—I will privately invite to my own lodgings a few respectable individuals; if those gentlemen meet me there, I will request them to try their influence in calling a public meeting, and obtaining *at once* a number of subscribers.

Finally and earnestly, Gentlemen, I beg you to consider, that by treating this matter with disregard, you will impede *my* interest a little, but that of the community much more. The exertion of mental power has brought within my grasp that knowledge which will procure me within a few years a respectable pecuniary property if I live to enjoy it. I allude to my discovery of a new, expeditious, and accurate method of investigating Longitude at sea, which I am now preparing to lay before competent authorities, and afterwards have it immediately transmitted to the *Board of Longitude* in London. This method I must not now divulge, but I have likewise discovered a beautiful and simple approximative method which, if placed at the head of a respectable mathematical institution, I would immediately set in operation in the port of Saint John. Gentlemen, these discoveries constitute but a small part of the scientific knowledge, which, with unremitting and original research, I have dug from the womb of primeval obscurity, and deposited in those treasured manuscripts which testify the labors of the few departed years of my terrestrial pilgrimage. I only desire the opportunity of a respectable sphere of action, in order to inundate the country with new and beneficial knowledge—knowledge that will facilitate communication between the far extremities of the earth, and impel the manufacturer's wheel with additional speed—knowledge that will shed an energetic and luminous influence on the counting-house, the bar, the senate, and the field. Should my desires be unseconded in this community, I persuade myself that I have acquired sufficient influence to establish a correspondence in Halifax or New York, which will produce a more felicitous result. However this may be, I have now the satisfaction of knowing that I may contemplate my future prospects with secure tranquillity, so far as human power is concerned. With the sole exception of those who employ me, I may address the community, and say—you cannot hurt me. All the affliction which the deep depravity of man could create for me in this vicinity has been exhausted; fortitude of mind and rectitude of principle have enabled me to war with destitution and survive adversity; the tide of impotent malice has ebbed away, and my name and character have emerged in renovated lustre. Gentlemen, this is no chimera of the excited fancy, nor unreal mockery of the mind; bitter experiment has convinced me of its truth, and I can prove it by a reference to fact. Bestow me therefore your attention for a moment while I demonstrate a proposition as true as paradoxical, that is,—that I, the individual now addressing you, am the most abused and injured man in this community. I am well aware that many in this country, who are pre-eminently superior in rank and virtue, have been deluged with abuse, far exceeding in *quantity* what I have endured; but observe,—such abuse might in their case have caused inquietude of *mind*, but had no power to injure the *body* or *estate*: with me it was far different. Vituperation could not rob them of the means of existence, nor superinduce the afflicting horrors of want: but this it has done with me.

Peculiarities of deportment, inseparably connected with studious habits and a meditative mind, were construed by the dementalized and semi-brutal part of the population into evident signs of insanity; and I have been selected as an object for the vile merriment of ruffianly and low miscreants who form the endemic pest of society. I have been literally the song of the drunkard; and what was worse, my moral character was tacitly assailed.

Gentlemen, the individual who before his fifteenth year was *twice* unconsciously surprised into excess, by drinking diluted spirituous beverage after excessive wet and fatigue, but who since that period has never known intoxication; the individual who wrote the Rules and was appointed Secretary of the Omagh Temperance Society, has been so lost and so forgotten in a corner of America, as to be whispered for a drunkard; and in the midst of destitution, the poverty of personal attire was alleged as proof against him. Time has in some degree enabled me to unravel the mystery. I came to this country with some sectarian predilections, but America has heartily cured me. I owe to the Church of England the fealty of my future life, for the general rectitude of her tenets, and for the sake of those men who have rescued my character and fortunes from oblivion and despair. I have learned also to know that a scholar and an upright man must expect the tacit slander of the protestant fanatics.

However, it is yet possible the evils they have done me may not pass unrequited in this world, and the unsleeping spirit of castigation only awaits the opportunity. Gentlemen, I have been among you, a man of many and unmerited misfortunes; and if injured worth and intellectual power—if integrity of character and mental honesty have any claim on your regard, I adopt that claim as mine. I am, Gentlemen, &c.

JOHN LEE.

MR. CHUBB.—Having, in private, been called upon to answer frequent enquiries, why the debate in the House of Assembly, relative to the grant to the *Trustees of the Savings' Bank* was not published in detail, I am desirous of explaining publicly, once for all, the causes of that omission; and, in doing so, I cannot but regret that the Printers here were unable, *at the time*, to publish my reports weekly *in full* as they were daily sent down, because such a mode of proceeding would have saved *me* a vast number of needless explanations, to which I am now exposed, and would have answered the *enquiries* as to this particular debate. You will find, on reference to my MSS. in your possession, that on *Friday, Feb. 27th*, in Committee of Supply, two very important grants were made,—the one of £500, in aid of the Baptist Seminary, and the other of upwards of £1190, to indemnify the Trustees of the Savings' Bank. The *former* grant was *first* discussed, and at such great length, that the *latter* came on very late in the day. I took notes, however, of *both*; but on *transcribing* them at night, in regular order, the first discusssion (on the Baptist grant,) occupied me *during the greater part of that night*, and (*in the House of Assembly*) *all the next morning*, till the Revenue Bill was committed. It was, therefore, quite impossible to transcribe the other debate in detail, and I stated the fact in the conclusion of my report, at the same time giving a summary thereof. The debate on the Baptist grant, as you know, extended to 28 closely written pages of pot paper, it being a discussion of highly important *principles*, and necessarily requiring great attention; the whole report of that day's debate occupied 30 pages, even as it was, and it is therefore not to be wondered at, by any reasonable man, that the Savings' Bank debate was not *fully* transcribed. It is impossible for one individual to do the labour of five or six, and not less than that number *could* do justice to all that is said in our present House of Assembly. But as it has been basely insinuated, by unreasonable persons, that the report in question has been *suppressed*, from sinister motives and influences, I am determined to transcribe it at my first leisure moments, and hand it to you for publication; though I do not consider that, after having exerted my *utmost energies* throughout the *whole time* for which I was engaged, during the session, I am at all bound to devote *extra* time to the labour, after its termination.

I do it now merely to silence suspicious cavils; and am, Sir, Your's truly,

GEORGE BLATCH, REPORTER.

St. John, April 3d, 1835.

CIRCULAR.

General Petition and Agency Office, Fredericton, 12th March, 1835.

PERSONS wishing to make application under the "*New System of Licensing Timber*," as published in the Royal Gazette of the 11th instant; or who may intend to purchase any of the Crown Land advertised in the same official paper, to take place at the Crown Land Office, at Fredericton, the 24th day of April next; and with whom it may be inconvenient to attend personally; can save themselves time and expense, by a Letter addressed to the Subscriber, at the above Office, who will faithfully attend to any communication on the subject.

It will be only necessary for those who wish to purchase, to state the highest bid they would be willing to sanction: and this information would of course be *confidential*.

If two or more persons should happen to employ the Subscriber, to bid for the same lot, he would only act, *himself*, for the *first* applicant; but would take care that the wishes of the other parties should be faithfully carried into effect.

R. T. EDGHILL, AGENT.

☞ All Letters must be post paid.

☞ NOTICE. ☜

MISS FARLEY requests all those indebted to her, either by Note or Book Account, to call and pay the same on or before the 1st of May next, as all unsettled accounts after that time, will be put into the hands of an Attorney for collection. Those having demands against her, will please present them for payment.

St. John, March 2d, 1835.

The Courier.

SATURDAY, APRIL 4, 1835.

We are still without later advices from England.—A few items, however, are extracted from our American and Canadian files.

Sir George Murray, the new Master-General of the Ordnance, will not, it is said, retain his seat in the Cabinet, owing to the result of the Perthshire election.

It is rumoured that the Knight of Kerry is to be raised to the Peerage.

The new Lord Lieutenant of Ireland has expressed his determination, that every article in his establishment, capable of being produced in the country, shall be of Irish manufacture.

The proceedings against Archdeacon Ryder, Captain Collis, and Captain Bagley, in relation to the Rathcormac tithe affray, have been removed, by *certiorari*, to the Court of King's Bench, Dublin.

On Sunday morning, as the Rev. Dr. Sutton, one of the Prebends of Westminster, was officiating at the altar, reading the *ninth Commandment*, he suddenly dropped down in a fit of apoplexy, and was carried to his residence in the cloisters, where he expired at eleven o'clock on the following morning.

We notice by a London paper of the 28th January, that Mr. W. Ewart Gladstone transacted business on the previous day, at the Colonial Office, as one of the Under Secretaries of that Department. We presume that he is the successor of Mr. Stuart Wortley, and that the former report of Lord Sandon's appointment is incorrect.—*Montreal Gazette.*

LOSS OF THE APPROPRIATION BILL.—The lengthy epistles of our correspondents on this and other subjects, for a few weeks past, have prevented our bringing up the unpublished Debates in the House of Assembly as speedily as we anticipated.—We trust the discussion of the former question will lead to the adoption of a system, in future, that will maintain the rights of the people and benefit the country generally.

COMMERCIAL BANK.—A very large amount of Stock in this Company has been paid up during the last week, and advices have been received that large sums in specie are on the way from the United States. Should the vessels by which it is expected arrive during next week, the Bank will open for business on the 14th instant. Stock is now in demand at Two per cent. premium, and keeps steadily advancing.

CITY ELECTION.—We are glad to find that our citizens are likely to have *a choice* at the coming election: we have only to counsel them to make a judicious one.

SHIP-BUILDING.—The following statement of the number of New Vessels registered at this port during the two last years respectively, which has been politely handed to us for publication, gives a gratifying view of the increase of this branch of trade in our neighbourhood.

AT SAINT JOHN.

1833.	1834.
7 Ships,	19 Ships,
8 Barques,	14 Barques,
11 Brigs,	14 Brigs,
1 Brigantine,	6 Brigantines,
32 Schooners,	20 Schooners.
1 Sloop,	
1 Steam-Boat.	
Total, 61—11,858 Tons.	73—20,916 tons.

AT MIRAMICHI.

5 Barques,	3 Barques,
4 Schooners,	2 Brigs,
	3 Schooners.
Total, 9—2782 Tons.	9—2172 Tons.

LAUNCH.—On Wednesday last a fine ship was launched in beautiful style from Mr. George Thomson's Yard in Portland: she is called the "*Thomson*"—will register nearly 700 tons, and, being built with prime materials, has the appearance of being a first rate vessel, combining, in a great degree, all the requisites to ensure speed, safety, and accommodation.

LOSS OF THE BRIG BRITANNIA.—A more particular account of the loss of this vessel than the one heretofore published, has reached us *via* Quebec, and will be found in our Marine list.—Among the sufferers on that melancholy occasion, we regret to find the names of Captain Walker and Mr. Woodward, (mate): they were natives of Nova-Scotia, and have left many friends and relations in both Provinces to deplore the awfully sudden catastrophe.

ENCOURAGING.—The ship *James Stewart*, of this port, returned from a Whaling Voyage on Thursday last, with a full cargo, consisting of 1970 barrels Black Oil, and 530 of Sperm, and 20,000 lbs. of Whale Bone. She has been absent only nineteen months,—and her crew are in good health and spirits.

The following are the concluding remarks of a writer in a late number of the *Quebec Gazette*: they are so peculiarly applicable at this time, that we think they cannot be too generally disseminated.

It has been observed that the virulence and mortality of the cholera, where it has prevailed, has always been great in proportion to the filthliness of the towns, and the irregular and incautious habits of the people. Paris suffered much more than London; New-York more than Boston or Philadelphia, and New-York much less than Montreal and Quebec and many of our most healthy inland parishes.

I trust then that our authorities will see that the streets, public places, yards, outhouses, &c. are freed from all filth and nuisance before the melting of the snow. They will surely be supported by the inhabitants in this measure, as well as by the efforts of every householder and individual to promote cleanliness, both of the dwellings, the food and the person.

The quarters of the town and the houses most afflicted last year, demand particular attention. It was very generally observed that the severity of the disease was more prevalent in the same quarters and even in the same houses as in 1832.

The efforts that were made in the spring of 1833, probably saved the town from the visitation of the disease on the setting in of the warm weather that year. Similiar efforts this year can cost but little, and they are certain of producing one good effect,—that of cleanliness and comfort to the inhabitants, and less disgust to strangers.

It will be too late to expect much good effect if the whole filth of the winter is suffered to remain in the apartments, clothing and effects, or to putrify and settle down about the houses and in the yards and streets, and then exhale, as the power of the sun and heat increase, and the bodies of men become prepared to receive disease.

On Thursday evening, pursuant to notice, the Annual Meeting of the *Portland Temperanse Society*, was held in the Episcopal Church, the President of the Society, the Hon. the Speaker of the House of Assembly, in the chair.—Although the walking was uncommonly wet, the meeting was respectably and numerously attended. Several motions were unanimously adopted, the movers of which manifested much zeal, and ability in advocating the claims of the temperance cause. At the close of the meeting a number of names were added to the Society's list.—*Temperance Advocate.*

EXCHANGE.—Bills on London were at a premium of 9 *a* 9¼ per cent. in Boston on Saturday last, 28th ult.

In consequence of the unfinished state of much of the business before Congress when the late session terminated, some of the American papers speak of a meeting of Congress before the time fixed by law.

THE WEATHER.—Last Sunday we were visited with a storm such as we were wont to have ten or a dozen years ago, which after venting its fury upon us, for the space of 18 or 20 hours, left us with *quantum sufficit* of snow to verify the saying of "*six weeks' sledding* in March." Our streets presented on Monday morning, quite a formidable array of *banks*;—they are mostly *broken* now, however—and numbers of our citizens were engaged on Monday, in *removing the deposits* from their doors and windows.—The weather cold as January.—*Eastport Sentinel, March* 25.

GREAT SALES.—We understand that the plot of ground now occupied by Mr. Thorburn, in Liberty-street, near Broadway, as a seed store, has been sold for $100,000. Its front on Liberty street is nearly 100 feet, and about 100 feet deep. About 12 years since, Mr. Thorburn bought this property for less than $20,000. It will be recollected that Mr. T's seed store was formerly the meeting house of the ancient and respectable Society of Friends.

Christ Church in Ann street, recently owned by the Catholics, has been sold for $40,000, and stores are to be forthwith erected. A few years since, this property was sold by the Rev. Mr. Sellen the owner, and an Episcopalian minister, for $18,000.—*N. Y. Gazette.*

STEAM NAVIGATION TO INDIA.—The importance of a Steam Navigation to India by the Mediterranean and the Red Sea, is daily impressing itself upon the mind of every British statesman, and not less so the merchant and manufacturer. The mighty empire founded in the East by British wisdom and British valour, during the reigns of the illustrious Georges, must ever be dear to the British people; and every enterprise that has for its object the permanency of their rule, and the happiness and prosperity of their distant fellow-subjects in that region, must command their attention and applause. Frequency and facility of intercourse will be a powerful agent in introducing British arts and civilization among the Hindoos, and in proportion as these people become enlightened, and imbibe a love for liberty, so in proportion will they become the friends and admirers of England. A love for British laws and liberty, will introduce British customs and British wants, and at no distant period India will be one of the first vents, not only for the manufactures of Manchester, Birmingham, Sheffield, but also for the higher product of science and literature. But it is not in India alone that we may look for the accomplishment of such great events. The successful progress made by that enlightened individual, the Pacha of Egypt, in promoting civilization amongst the barbarous hordes which he has subjected, is another great step towards the general introduction of the articles of British industry. The proposed route to India lies through the dominions of this extraordinary chief, and a constant communication with, and transit through them, cannot fail to work the same results in Egypt as we anticipate in India. The successes of Ibrahim Pacha in his war against the Sultan, will doubtless, sooner or later, add Syria permanently to his father's conquests. Egypt, Arabia, and Syria then, when fairly reduced to habits and good order, will form a magnificent empire, and the influence of an enlightened government, may in time restore in some degree, the lost greatness of that once favored region. What a field does this present for British skill and Industry!—*N. Y. Albion.*

QUEBEC, March 18.—The session of the Provincial Parliament was closed this day at two o'clock.—The Felons' Counsel Bill, the only one passed by both Houses, was reserved for the Royal sanction.—The following is a copy of Lord Aylmer's Speech on the occasion.

"*Gentlemen of the Legislative Council,*
"*Gentlemen of the House of Assembly,*

"It appears by the Customary official reports transmitted to me daily by the Clerk of the House of Assembly, that for some days past the attendance of a sufficient number of Members to constitute a quorum has been wanting, to enable the Assembly to proceed to business; and as it may be inferred from some recent proceedings of the Assembly that no further business will be transacted in that branch of Provincial Parliament, I can no longer feel justified, notwithstanding my great anxiety to prolong the present Session, in detaining from their homes and usual occupations, those Members of the two Houses of the Provincial Parliament who may be disposed to persevere in the performance of their Legislative duties.

"*Gentlemen of the House of Assembly,*

"I have upon this occasion only to express my regret, that the present Session should have failed in producing those measures of relief in relation to the Financial difficulties of the Province, which are so urgently required under existing circumstances.

"It would have afforded me much gratification, had I been able to report to His Majesty's Government, that the responsibility so generously incurred, with the view of relieving in some measure the urgent wants of the Public Service, had ceased to exist, by the re-payment from out of the Public Funds of the Province, of the advance equal to Thirty-one Thousand Pounds Sterling, made in pursuance of the Instructions of the late Secretary of State for the Colonial Department, from the Military chest.

"*Gentlemen of the Legislative Council,*
"*Gentlemen of the House of Assembly,*

"I informed you at the opening of the present Session that I was then in possession of important Communications, and that I expected to receive others from His Majesty's Government, upon subjects of vital importance to the interests of the Province. The Communications which were adverted to on that occasion, as having been received, have been since laid before you, but I have not yet received those which I then informed you I expected to receive, and which I have every reason to believe must now be near at hand. That the expected Despatches will possess an extraordinary degree of importance to the general interests of the Province, and will require that communications should take place in relation to their contents, between the head of the Executive Government, and the two Houses of Provincial Parliament, can hardly admit of a doubt being entertained, when it is considered that the Committee of the House of Commons to whom were referred in the last Session of the Imperial Parliament, certain matters relating to the affairs of this Province, including the Petition of the House of Assembly, dated 1st of March, 1834, recommended with reference to the unhappy differences existing between the two branches of the Colonial Legislature, as well as between the House of Assembly and His Majesty's Government, that the practical measures for the future administration of Lower Canada, should be left to the mature consideration of the Government, responsible for their adoption and execution.

"Under these circumstances the premature termination of the Session, which is now unavoidable is an event deeply to be regretted."

QUEBEC, March 20.—We understand that Captain MACKINNON, A. D. C. to His Excellency the Governor in Chief, sets out express this evening for England, as bearer of Despatches to the Colonial Office.

Henry Jessopp, Esq. the Collector of H. M. Customs, imprisoned by the Assembly, was retained in the common jail to the close of the Session, on Wednesday afternoon.

The former Quarantine establishment is to be continued during next season. Captain Reid, of the 32nd, we believe will remain as Superintendant, notwithstanding the regiment moves to Montreal.

TO CORRESPONDENTS.—"*A Native*," on the loss of the Appropriation Bill, is first on file for insertion next week.

We regret that a *Gaponian* and an *Elector* should have missed their way: *we* are not so *bigotted* as to permit only one party to be heard; *good sentiments* will have a corresponding effect,—and if the communications so *kindly* recommended to us by the *liberal* Editor of the Gazette, *are in being*, we shall be happy to receive them, as their publication may yet be of service to the community.

MARRIED,

At St. Andrews, on the 8th ult. by the Rev. Mr. Alley, Mr. John Herrington, of Long Reach, King's County, to Miss Margaret Marks, of St. Andrews.

On the 24th ult. at Amherst, by the Rev. Geo. Townshend, Joseph Read, of Bathurst, in the County of Gloucester, Esquire, to Mary Eliza, eldest daughter of the late William White, of Amherst, Esquire.

DIED,

At Sussex Vale, on Thursday the 26th ult. in the 43d year of her age, after a severe illness, which she bore in calm and humble submission to the will of God, Charlotte Hannah, wife of John C. Vail, Esquire, and daughter of the late Rev. Oliver Arnold. Through all her sickness, and at the last trying hour, she was supported with the cheering hope of a blessed immortality through the merits of her Redeemer.—A kind husband and eight children are left to mourn their separation from an affectionate wife and tender mother.

At Indian Island, on Monday last, John Chaffey, Esq. aged 43 years, deeply and universally