Colonial.

Charlotte Town, (P. E. I.) Feb. 7, 1837.

COMMITTEE OF PRIVILEGES.

Mr. Macdonald having taken the Chair of the Committee, the business commenced, by the clerk's reading His Excellency's second Message of the 30th ult. transmitting to the House various documents connected with the proceedings of a Public Meeting, held at Hay River on the 20th December, and published in the Royal Gazette of the 10th Jan. all of which were also read at length, together with the published report of the proceedings referred to.

Mr. Cooper was then heard in explanation. He disavowed any intention of promoting combinations to resist the authority of the Law: he did not think that the language of the Resolutions would bear that import, but as it had been thought otherwise by the authorities, and by many whom he thought his friends, he was willing to disavow the sentiments therein expressed. He therefore begged to tender the following as his apology. Here he pulled out a paper, and read as follows:—

"Whereas His Excellency the Lieutenant Governor has, by Message to this House, submitted certain documents relative to resolutions passed at a meeting at Hay River, on the 20th December, to which the names of William Cooper, John LeLacheur and John Mackintosh are signed, as having presided at that meeting, in their capacity of Representatives of that County; and his Excellency has pointed to the concluding part of the third and the greater portion of the fourth of the said Resolutions, as bearing the import of a determination on the part of the meeting to resist by an illegal combination the law of the land—I William Cooper have endeavoured to explain to the Lieutenant Governor, that the Resolutions were not intended to convey sentiments to resist the laws and authority of government; and I am sorry for having used words or favored measures or proceedings which his Excellency or this Honorable House would deem illegal or unconstitutional, and humbly offer this as an apology."

Mr. Le Lacheur and Mr. Mackintosh were then severally heard in explanation, after which the three Members were directed to withdraw, when they retired to seats within the bar, the Committee continuing their deliberations with open doors.

Mr. Binns, after animadverting with great severity on the conduct of the three Members, not only with reference to the language of the Resolutions, but also to the scandalous reflections on the proceedings of the House of Assembly, and the motives of the majority of its Members in passing the Escheat Address of last Session, contained in several passages of the draught of the Petition to the King, adopted at the Hay River meeting, and which the House was more particularly called upon to mark its reprobation of, proposed the following Resolution:

Resolved, That His Excellency the Lieutenant Governor having been pleased, by Message, to call the attention of the House of Assembly to the proceedings of a public meeting held at Hay River, in King's County, on the 20th December last, and to which proceedings the names of William Cooper, John W. LeLacheur and John Mackintosh, Esqrs. Members of this House, are subscribed, as having presided thereat, in their capacities of Representatives of the said County—at which meeting the draft of a Petition and certain Resolutions were agreed to, and signed by the said W. Cooper, J. W. LeLacheur, and J. Mackintosh, and which documents are conceived and expressed in language calculated to excite the unwary inhabitants to disloyalty, by illegal combinations to resist the execution of the known laws of the land—to bring into contempt the king and his government, and all connected with the administration of justice; and also by knowingly and willfully misrepresenting the proceedings had by the House of Assembly in its last Session, relative to an Address to his Majesty on the subject of establishing a Court of Escheats in this Island, have been guilty of a false and scandalous libel on this House, and of a gross breach of its known privileges.

The motion was seconded by Mr. Pope, who enforced the propriety of adopting the Resolution. He reprobated in strong terms the attempt which had been made to bring contempt upon the House by its own Members. He was followed on the same side by Mr. Palmer.

Mr. M'Callum, seconded by Mr. Ramsay, moved an amendment to the Resolution, by striking out all the words after "disloyalty."

After some discussion, the Committee divided, when it was negatived upon the following division:

For the amendment—Messrs. M'Callum, Ramsay, Clark, M'Nutt—4.

Against it—Mr. Speaker. Messrs. Binns, Pope, Palmer, Lord, Green, James, Nelson, Thornton, 9.

The Resolution was then put and carried.

Mr. Pope then proposed the next Resolution, which is as follows:

That this Committee have called upon the said William Cooper, John W. LeLacheur and John Mackintosh for an explanation of such their conduct, and they having thereupon severally expressed their contrition, and disavowed any disloyal or dangerous intention, or having designedly committed any breach of the privileges of the House of Assembly—but especially the said John W. LeLacheur and John Mackintosh, who appear to this Committee to have erred more through ignorance than design, in following the evil advice of the said William Cooper, and at whose instigation they appear to have acted:

Therefore Resolved, That the said William Cooper, John W. LeLacheur and John Mackintosh be severally required to apologize to the House in the words following:

"I humbly apologize to this Honorable House, for having, at a Meeting at Hay River, in December last, grossly misrepresented the proceedings and motives of the House of Assembly, in relation to an Address of the House in its last Session to his Majesty, on the subject of establishing a Court of Escheats in this Island, thereby have been guilty of a breach of the known and established privileges of this House."

Mr. M'Callum moved an amendment, to the effect that the apology which had been offered by Mr. Cooper be deemed satisfactory—which was negatived by the same majority as the former amendment. The resolution was then put and carried.

It was then moved and carried, that the Speaker take the Chair, and that the chairman report the Resolutions agreed to.

On the Resolutions being reported to the House, Mr. M'Callum again moved his amendments, but they met with the same fate as in the Committee, only the same four members voting for them—and the question being put on the Resolutions, they were concurred in by the House.

Mr. Cooper was then called in, when the apology dictated by the house was read over to him. When the Speaker informed him that that was the apology he was required to make, he replied, that he was not conscious of having wilfully misrepresented the proceedings of the House, wherefore his conscience would not allow him to make that apology. Mr. LeLacheur was then called in. On the apology being read over to him, he said, that he had consulted the Town Clerk of Ephesus, and could not make the apology. Mr. Mackintosh, on being called in, said he could not, in conscience, make the apology required. They were then directed to withdraw.

And thereupon, on motion of Mr. Pope, it was ordered, that in consequence of the said William Cooper, John W. LeLacheur and John Mackintosh having refused to make the apology dictated by the House, that they be committed to the custody of the Sergeant at Arms, until the further pleasure of the house be signified; and that Mr. Speaker do issue his Warrant accordingly.

Mr. Pope then moved, that the House do come to the Resolution following:

Resolved, That it is the imperative duty of the Representatives of the people, at all times, to entertain complaints of any real or supposed grievances from their constituents, and to use their utmost endeavours to obtain the redress, by every constitutional means, of such as are real; yet this house cannot refrain from expressing its unqualified abhorrence and utter detestation of the highly improper and dangerous principles and language embodied and set forth in certain parts of the Petition and Resolutions adopted at Hay River in December last, and referred to by the House in Committee of Privileges, but more especially in the Third and Fourth of the said Resolutions. And this house feels called upon to express its decided conviction, that such sentiments are not entertained by the great body of the people of this Colony, but have solely emanated from a few *disaffected designing* and *ignorant* persons.

This motion was met by Mr. M'Callum by a motion of adjournment, which was negatived by a majority of three; Messrs. M'Callum, Ramsay, Clark, M'Nutt and Lord voting for the adjournment and eight against it.

The question was then put on Mr. Pope's motion, and agreed to by the house.

The house adjourned at 11 p. m.

HALIFAX, Feb. 7.

The House of Assembly have resolved to dispense with the personal attendance of a Chaplain. This resolution was passed last Tuesday, Jan. 31, at about half-past two P. M. We are particular in the time, that philosophers in after ages may have data from which to speculate on the march of mind in Nova Scotia in the nineteenth century.

Mr. Whidden was chosen Clerk, and Mr. Gray, assistant Clerk.

Mr. Matthew Forrester was chosen Sergeant at Arms—Mr. Jno. Jennings, Deputy do., and Mr. Gibbs, Messenger.

Mr. DOYLE moved the following Resolutions:—

Resolved.—That the practice hitherto persued by His Majesty's Legislative Council in this Province, of excluding the people from their deliberations, is not only at variance with that of the House of Lords in England, and that of several of the Legislative Councils in the other British North American Colonies, but contrary to the spirit of the British Constitution, and injurious to the interests and liberties of this country.

Resolved.—That while this House has no desire to deny to the Upper Branch of the Legislature the right enjoyed by the Representatives of the People, and sanctioned by public opinion of closing their doors during the discussion of questions of order and privilege, and on particular occasions, when the public interest may require secret deliberation—yet they should fail in their duty, if they did not express to His Majesty's Council, the deliberate conviction of those they represent, that the system of invariable exclusion, pursued for a series of years, and still pertinaciously continued, is fraught with much evil, and has a tendency to foster suspicion and distrust.

Resolved.—That this House is prepared to provide the expenses which may be incurred for the accommodation of the public in the Legislative Council Chamber.

Resolved.—That the Clerk do carry these Resolutions to the Council, and request their concurrence.

ON FRIDAY an animated debate took place on the Bill for limiting the duration of the Assembly to Four years instead of seven. The debate was not concluded that evening. From the feeling in the country, and in the House on this subject, and from the circumstances that the principle has been conceded in other Colonies, we think the Bill is likely to pass the Legislature.

Council Chamber, Feb. 4th, 1837.

Resolved unanimously, that a Message be sent to the House of Assembly to inform them the Council cannot continue the conference to which they consented yesterday, as it commenced on the part of the House by a breach of the privilege of the Council and a violation of Parliamentary usage, which prohibits one House from interfering with the internal regulations of the other.

The British Constitution does not confer a right upon any person to be present at the deliberations of any branch of the Legislature of which he is not a member. The Rights of an Englishman are not held by so precarious a tenure as the courtesy of any of his fellow subjects, and it is notorious that the only mode of gaining admission to the House of Lords is by procuring a special permission from a Member of that House, which may be either granted or withheld at the pleasure of the person to whom the application is made; and it is therefore obvious that such admission is asked and received as a courtesy and not claimed as a Right.

But altho' H. M. Council do not admit the Right they have for some time had under consideration the expediency of following the example of the two Houses of Parliament in the Mother Country, who now very generally refrain from enforcing the standing orders which preclude strangers from being present at the Debates.

Altho this practice is not unaccompanied by inconveniences, it is productive of much good. It gives to Members of the Legislature an opportunity of explaining the reasons which induce them to support or oppose the measures under discussion with greater publicity, and may thus not only shield themselves from misconstruction, but may also remove much misconception relative to those measures from the public mind.

H. M. Council have this subject still under consideration, and will come to such decision upon it as they shall deem most conducive to the public good. But they cannot permit the House of Assembly to interfere with their deliberations upon it.

The best interests of the Country require that each Branch of the Legislature should scrupulously preserve that independence which the Constitution has bestowed upon it, and which would soon be destroyed if either were to allow the other to interfere in the regulations of its own House.

H. M. Council have seen by the Journals of the House of Assembly, that the House has this session departed from the pious usage which has ever prevailed in this Country and the Parent State. They regret that their coadjutors in Legislation do now discuss and decide upon the various occurrences which the Public interest brings under their consideration, without offering up their united supplications for the aid and guidance of Him from whom alone all good counsels and all just works do proceed—but deeply as they may deplore this, they feel that they have no right to interfere, and the subject is only alluded to, to show that if such interference of one House with the regulations of another could ever be proper, H. M. Council might be more justified in reminding the House of Assembly of the duty of adhering to the ancient and Christian practice of daily and unitedly imploring the Divine Blessing upon our gracious Sovereign, and their own deliberations, than the House of Assembly can be in applying to H. M. Council to adopt a practice new in this Country, and which notwithstanding its many advantages, has had its attendent evils wherever it is introduced.

Summary.

An increased number of marriages among the poorer class of the Jews have lately taken place in consequence of a society recently established amongst them, of which Mrs. Rothschild, the lady of the late eminent capitalist, is patroness and a liberal subscriber, to pay the expenses of the marriage ceremony and provide decent apparel for the bride and bridegroom to appear in, and a good dinner, &c. to entertain their friends and relatives on those occasions. The institution originated among some of the more wealthy class, upon a knowledge of the fact that an immense number of poor Jews were obliged to live with women without going through the ceremony of marriage, and that numbers at an advanced age with large families were living in this state from their absolute inability, during their whole lives, of paying the fees and other expenses incident to the celebration of their nuptials. These expenses, at the lowest rate of calculation, exceeded 5*l.* but are often increased, even amongst the poor, to double that sum. The Jewish people, who are proverbially anxious about all their ceremonies, appear much pleased with the society and its objects; the benefits, however, will only be extended to a certain period (about two months hence) before which time every poor Jew in London will have an opportunity, if he pleases, of forming a legal matrimonial contract free of expense.

Mr. Savage, the late Chief Justice of New York, who for many years discharged the duties of that office with great credit to himself and satisfaction to the public, and who lately resigned the office on account of the insufficiency of compensation, has accepted the appointment of Clerk to the same Court. This is a striking commentary, on the disgraceful parsimony of that State, in rewarding talents, and responsible public services. Their highest judiciary officers are made to starve on salaries, which would hardly command the services of a second rate schoolmaster.

Santa Ana.—Gen. Santa Ana left Washington on Thursday morning, accompanied by his Aid, Colonel Almonte, and Capt. Tatnall of the U. S. Navy, for Baltimore, and there embarked on the same day at three o'clock, in the steamboat for Norfolk. It was said that he would embark immediately on his arrival at Norfolk on board one of the government vessels there, and sail for Vera Cruz. This move will probably enable him to arrive in Mexico before the expiration of the term of his presidency.

The Philadelphia Inquirer states, on the authority of a letter from New-Orleans, that a draft on a large merchantile house in New Orleans, drawn by Gen. Santa Ana, in favor of Taxas, for the sum of $500,000, had been presented and accepted.

Harry White, convicted of burning the Treasury building at Washington, in March, 1834, was on Friday last sentenced by the Washington Circuit Court to ten years imprisonment in the Penitentiary.

From Chili and Peru.—Letters from Buenos Ayres to Nov. received in this city via Havana, state that information reached there from Chili, that hostilities had actually commenced between Peru and Chili, and had been officially communicated by the British minister to the merchants at Buenos Ayres.

A letter from Payta, received in this city some time since, stated that the Chilian brig of war Achilles, had been into the harbor of Callao, and captured three or four Peruvian vessels.

A letter from Payta, received in this city, states that accounts had been received there from Valparaiso to October 5, at which time the Chilian Government were fitting out ten vessels to blockade the ports of Peru.

Mr. Derius, the master of a French merchant vessel, has written to the Geographical Society at Paris, that he has discovered in the Archipelago of the Society Islands, a small island twelve miles in extent, which he believes has never been named. Its northern extremity is in 21° 59 South lat. and 138° 32 East long. probably from Paris. It was low, well wooded toward the centre, and at the northern and southwestern extremities furnished with cocoa trees. No traces of inhabitants were found.

A letter from Swan river states that they had an abundant harvest, and considerably more than a supply for the consumption of the inhabitants. The quality of the wool is improving.

Interesting Experiment on Potatoes.—The Rev. Mr. Ramsay of Arbroath, commenced digging early potatoes on the 28th June, which he had planted in his garden; and, after removing the potatoes, he immediately replanted the stems. On the 12th ultimo, he commenced digging a second time, and although the first crop was considered good, the second was found superior—more numerous, larger, and of better quality.—*Scotsman.*

Owners of omnibuses in New York, neglecting to have lighted lamps in their vehicles after dark, are subjected to a penalty of ten dollars.

It is computed that $100,000 worth of indigo is annually raised and exported to Europe from the State of Louisiana.

There are now eight miles of gas pipe laid in the streets in Philadelphia, and 268 buildings, and 165 public lamps, are supplied with gas, the daily consumption being about 42,000 cubic feet.

PROVINCIAL PARLIAMENT.

HOUSE OF ASSEMBLY,

Thursday, Feb. 9.

Mr. Weldon, from the Committee appointed to wait upon His Excellency with a copy of the Humble and Dutiful Address of the House to the King's most excellent Majesty, reported,

That they had attended to that duty, and that His Excellency was pleased to receive the same, and to observe as follows:—

"GENTLEMEN.

"The conscientious rectitude of my own conduct renders the subject of this address, to me, a matter of the most perfect indifference. I have had the honour of serving His Majesty for nearly half a century, in almost every quarter of the globe; and I trust those services have been such, as to suffer no diminution in the estimation of my Sovereign, from any representation that may be made by the House of Assembly of New Brunswick."

On the report being presented to the House,—Mr. Partelow rose, and said, that he was not aware that any thing in the Address of the House to His Majesty was intended or calculated to affect His Excellency's *military* reputation, which was deservedly high; but the whole tenor of the Address, alluded only to his *civil policy*, in administering the Government of this Province.

The report was then accepted, without further comment.

Saturday, February 11.

Mr. Partelow, from the committee appointed on the 23d day of December last, to revise and amend the Militia Law, submitted a Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee, appointed to take into consideration the Laws now in force for the organization and regulation of the Militia, and to report what alterations they may deem necessary to have made therein, having attended to that duty, beg to report:

"That they consider the present system extremely burthensome upon the Country, inasmuch as two days drill and one day's inspection in each and every year occupy a great deal of valuable time, which otherwise could be more beneficially employed. Your Committee are satisfied besides, that no good arises so far as regards the improvement of the Militia in martial exercise, and from the good understanding that now so happily exists between Great Britain and the United States, without the most remote prospect of interruption, they can discover no good reason for continuing the present annual call upon the industry of the Country. The services of the Inspecting Field Officers having been also some time since dispensed with, renders that part of the Law which applies to an annual inspection, nugatory, and forms an additional reason for some alteration. Your Committee, therefore, conceive that the best course to be adopted is, to suspend the Militia Law now in force, and to substitute for it an Act providing for one day in each year Company muster, with suitable penalties in cases of non-attendance. The effective strength of the Province would by the operation of such an Act be correctly ascertained, as the commanding officers of Batalions would be required to send annual returns of their respective forces to the Adjutant General of Militia, to be laid before the Commander in Chief and the Legislature.

"Your Committee believe, that in the neighbouring Provinces generally, a system such as that now recommended is acted upon, and for the reasons set forth they respectfully beg to report a Bill to suspend the Laws now in force, and to make other enactments in lieu thereof.

"J. R. PARTELOW,
THOMAS GILBERT,
L. BURNS,
J. M. CONNELL,
JAMES BROWN. Jun.

Communications.

TO THE EDITOR OF THE CHRONICLE.

SIR,—You will oblige me by admitting into the next Chronicle the following observations upon an article in the Observer of February 7th, on the Church society. They have been prepared in haste: for the paper which contains the strictures of Laicus was not seen by me till a late hour on Saturday, and I am desirous that the few remarks I think it needful to offer should appear as soon as possible.

I am not disposed to find much fault with this production, or to impugn the motives of the writer; but must confess myself quite at a loss for the reason which could have induced him to put it forth just at that particular time—aware as he must have been that the plan was to undergo revision (and probably emendation) on the second day after that on which it would be presented to the readers of the Observer in the City. It was manifestly too late to have any influence upon the deliberations of the meeting at Fredericton on the 9th; and what good purpose it was designed to answer, the writer knows best. Having determined as I presume, not to give us his assistance at the meeting in the emendation of our plan, he might have waited a few days longer, that he might see what we should have made of it without his aid; and he would have saved himself some trouble by so doing. When the proceedings at the meeting shall be published, he will find in them an answer to some of enquiries, and see that some of his objections have been anticipated and provided against. He must not however take credit to himself, as having caused by his labour any improvement in the plan.

This appears to be the second article on the same subject from the same hand. The former I have never seen. But the Bishop in a recent letter informs me that "some person" had sent him "the Observer of the 10th" (January), and adds—"A friendly and very satisfactory answer might easily be returned to the enquiries of Laicus in that paper."

But Laicus was not satisfied with the answer he received, and now complains that more information has not been given, and his language betrays suspicion that some things which the Laity ought to have known have been designedly withheld. This I must for myself beg leave to deny. Had I known that further information was desired, I should have been happy to afford it, however called upon. But with the exception of a few persons who are decidedly friends to the design, no layman or clergyman in St. John has addressed to me a single enquiry on the subject.

He complains in particular that the Bishop's address to the Clergy of St. John in which the Church Society was first mentioned, and his letter to myself in which the plan of it was described, have not been published. I fear it will be impossible to accommodate him with the former which was delivered extempore; and the letter (which related to the matters besides the Church society) I should not feel authorized to print them without his Lordship's permission, which hitherto I have not seen any necessity for asking. Extracts from it were laid before the Clergy at their meeting, and they I trust gave me full credit for witholding nothing that related to the business upon which they were called upon to deliberate. To the publication of those extracts his Lordship would I dare say not object, but if any one think he could turn them to account against the Society, he would probably find himself mistaken Let him have patience. He may soon have an opportunity, if so disposed, of trying his hand upon them.

He enquires why nothing similar has yet taken place in Nova Scotia. But is it our business to answer that enquiry? or can it be deemed necessary by the Laity of New Brunswick that it should be answered before they decide upon a plan proposed to *them*. For them it is surely sufficient that the great majority of their Clergy appeared, in obedience to a call from their Diocesan, at a meeting to which *all* were invited, and that his Lordship has signified his approbation of the plan which they agreed upon. Does Laicus doubt that fact; Can he suppose that I would have affirmed it as I have done, and that the Bishop would have left the assertion so long uncontradicted, had it not been true? If he would have the very words in which his Lordship's approbation was signified—here they are. "I am not aware of any objection to which your resolutions are liable, as far as they have gone, but they appear to me deficient in the security which they would give to an unity of plan and sentiment." And he proceeds to suggest some additions by which he considered the desired security would be afforded. It is hoped that the Constitution as now amended will meet his Lordship's wishes entirely. If not, the Churchmen at St. John can expect no thanks from him from having kept away from a meeting at which their influence might have been successfully exerted to make it better.

He fears that the Laity will not be able to exercise their due share of influence in the society. But he need not be uneasy on that head. Intimately acquainted as he supposes himself to be with the sentiments and opinions of Churchmen, he has underrated the zeal of the Laity in the support of the Church. At the late meeting there were present twenty Lay Deputies and eighteen Clergymen; and altho' there was much discussion, nearly all the resolutions were unanimously passed.

He fears that the society for the propagation of the Gospel will view with disapprobation this attempt on the part of the Churchmen of this Province to combine in support of the Church, under the sanction of their Diocesan. I fear nothing of the kind.

He is also afraid of bad consequences to the Church from open disagreement at the society meetings, or a separation among its members. But with submission, we must, I think, do in this case as wise and good men do in other cases, where similar danger is apprehended;—we must do the best we can to guard against such a result, and trust to Providence. The plan will soon be before the public with the alterations and additions which have been made. Those who cannot assent to it will of course not join the society—nor is it desirable that any should join it with a disposition to raise difficulties, or separate upon any slight disagreement. I am happy to assure him that a very different disposition appeared to prevail in the meeting which has just been held.

He prefers Parochial societies to such a general Association as the Bishop suggested, and the Clergy who assembled at his call unanimously agreed to form. I have not either time or inclination to discuss such a matter. It is sufficient to say that it was not a number of small societies, but a great Church society for the Province, that was recommended to us; and I doubt very much whether the preference he avows for the former would be generally felt. Be that however as it may, the plan of a general Association must be fully and fairly tried, before it will be given up for any other plan whatever. We surely are not bound to discuss all possible plans before we agree upon any one. The Clergy took a better course when they determined to adopt that which the Bishop recommended; and the meeting which has just been held has fully and cordially approved of the determination.

As to the degree of influence which particular Parishes will possess under the Constitution as it now stands, there are others more capable of judging than I am. I regard this as a matter of inferior importance. If the plan should be found objectionable in this respect, it may be amended at some future time. Certainly—if the Clergy and Laity at St. John refuse to join the society, they will exercise no influence at all over its proceedings; and if they should proceed to form a Parochial society of their own, such society would be, under the present circumstances, in my judgment, plainly schismatical.

GEORGE COSTER, ARCHDEACON.

Fredericton, February 13, 1836.

[FOR THE CHRONICLE.]

MR. EDITOR: I cannot refrain from expressing my delight at the cool, manly, and independent answer of His Excellency, upon his being presented with the Resolutions of the House of Assembly and the Address to His Majesty on the 9th instant: it evinces the perfect satisfaction and confidence which he feels in having acted consistently and conscientiously, despite the bullying, the threats, and the abuse with which he has been assailed.

The uncourteous, unparliamentary, and indecent epithets of "*a mere puppet, a nonentity,*" applied to His Excellency by the organ, or rather as I have heard it called *jews harp* of a certain body, emanating from the source it did, is too contemptible to need comment. That His Excellency has maintained a "conscientious rectitude of conduct," all his acts testify; and his refusal to give his immediate assent to the Civil List Bill is a glorious proof of it. That Lord Glenelg has been grossly deceived, is evident to any man who will look at the negotiations, and greatly will he be obliged to Sir Archibald Campbell for the prudent course which he has adopted. Every person who is well disposed towards the Provincial form of government will support his Excellency, and so endeavour to maintain each branch of the Legislature distinct and *independent*; a state which, the present course of the popular branch—the very radical feeling existing in the country, and the republican influence of our neighbours, is tending fast to destroy. Without such support from the *truly* loyal and more enlightened portion of the community, no governor, were he an angel from Heaven, can escape abuse and calumny, in the conscientious discharge of his duty, and we shall ultimately be left to be governed by the whims and caprices of a popular Assembly and a merciless democracy.

The copy of the Petition to his Majesty, published in the Courier of the 12th instant, praying that he would be pleased to remove the Governor, is worthy of the source from whence it sprung: but that any sensible man should be found in the city, who would degrade himself by putting his name to it, is astonishing. It is gratifying, however, to observe, that the number of these form but a sprinkling among the rabble.

The facility with which petitions for any purpose are got up in Saint John is truly amusing. Let it be but a Petition, it matters not what the object or prayer of it is, and some hundred signatures are immediately attached to it; very few of which would be worth much at the Bank, but they serve to swell the number of self-styled *loyal* Petitioners who as in duty bound will ever pray. At present, sir, I shall say no more, but subscribe myself

Your's, &c. TRUE BLUE.

[FOR THE CHRONICLE.]

MR. EDITOR: I observe by the journals that our House of Assembly have passed a Bill purporting to be a Bill for the more effectual prevention of fires in the City of Saint John: and that the soundest argument which could be urged for passing it, was, that a Public meeting in Saint John requested it. Now sir, I was not aware before, that so much respect was paid to, or such implicit confidence put in, the representations made at a Public meeting, which is usually called hurriedly—15-16ths of the inhabitants knowing nothing of it or its objects, or if they hear of it, so little attention does it attract, that few, very few, are idle enough to waste their time in going there, and have little chance on such occasions of being heard, even if they did go; there being two or three spokesmen ever ready to shew their ability for *Public declamation*, prepared with an address and accompanying resolutions, digested, cut and dried, to meet *their* views of the subject, and these, be they what they may, without discussion, nay, without, I may say, reflection or consideration, are carried *unanimously!* that is, a few persons at the head of the table not objecting to it, and some others not hearing or understanding the resolution calling out *Yes!* and then asking what it was about. This, Mr. Editor, is the course adopted, so far as I have observed, at our public meetings, and I would fain ask whether it be possible, thus to obtain the opinion of the sensible and thinking part of the community, or whether resolutions thus passed are the *unanimous* voice of the people: thus much for public meetings. I will now come to the object of the resolutions passed, and the effect to be produced by such a law going into force.

In the first place, their object is stated to be, to stop the ravages of fire; but as the wood of our Province has not lost its accustomed property of ignition, I think a wooden building of whatever height, will take fire and burn, if there be no water to quench it, equally as rapid after a bill limiting posts to 20 feet should pass, as it did before; yet some of our representatives have asserted, and really seem to act as if "the house of Assembly are omnipotent" —it would have been much more advisable for the penners of these famous resolutions to have prayed the Legislature to pass an act prohibiting *fire to burn wooden houses* in future, or that *the Tide should not recede* when a fire takes place; and further that the wind should not blow, or the the thermometer be below the freezing point, and a few other minor regulations; for unless the Legislature will pass some such Act, I fear the object of their application will not be attained.

The effect to be produced by the present Bill, which has passed the lower house, would be greatly to increase the injury occasioned by the late conflagration, to retard the advancement of the city, and cause a number of miserable hovels to be erected on the most valuable sites for business; thereby also preventing any thing like regularity or uniformity in the construction of the buildings, which I fain hoped would be effected, as long ranges could now be put up under the same roof with far less cost to the proprietors, than erecting separate buildings.

It has been alleged that the land owners in the burnt district had not suffered by the fire, for the sites were more valuable without the buildings. This doctrine is rather mysterious, for, if I had a comfortable store and dwelling house over it in P. William street before the fire, and am not now permitted to erect another such house, or to "build upon my own ground," I should like to know how I have been benefitted. If this proposed law should go into force, I had better quit the Province, where such arbitrary and injurious laws are passed.

I have always understood that by the laws of England, he whose the soil is, may occupy all above, even to heaven, or below it to the centre of the earth; but now I am told I shall only rebuild 20 feet high. If it be intended to erect a *Monument* to remind the inhabitants of the Province and all strangers visiting our city, of the great fire in 1837, let the proposed law pass, and let a brass plate be affixed to each house, with the names of the agitators and strenuous advocates for such erections, engraved thereon in large characters, that posterity may know to whom they are indebted for such elegant and splendid edifices.

I cannot believe that this bill will pass into a law: I think the good sense of that constitutional branch of the Legislature, his Majesty's Legislative council, who in many previous instances have proved *the guardians of the people's rights*, will see the absurdity and injury of such an enactment, and throw the bill where it should be, under their table, for which they will be entitled, and ought to receive the thanks of this community.

Should it pass, which heaven forbid, the committee to receive and distribute the donations to the sufferers by the late fire must retain all sums sent and to be sent them; applications for relief will be made by persons who did not previously consider themselves brought to distress. We may however exclaim, that the distress was not occasioned by the fire itself, but by the act of our Legislature, and render our thanks to one or two troublesome and meddling individuals, for their praiseworthy exertions in endeavouring to bring this injury upon us.

Your's, &c. *A CITIZEN.*

To the Editor of the Chronicle.

SIR,—Having read in the Courier of Saturday last a Petition addressed to His Majesty, stated to be the Petition of the Merchants, Shipowners and Mill owners, Inhabitants of the City of Saint John, praying for the removal of His Excellency and his advisers. I made some inquiry respecting the Publication of a Document purporting to set forth the opinions and feelings of so numerous a class of His Majesty's liege subjects residing in this city, and the only information I could obtain was that most of those individuals of a standing in society which might sanction such a representation of public opinion were like myself, totally in ignorance respecting the Petition. All that I could learn was that such a Petition had been manufactured by an attorney, and that the said petition was in charge o Mr. Barlow to receive signatures and had that Gentleman's countenance and support. I must say it was a matter of surprise to me that so unusual a course was adopted for promulgating, as the document professed, the opinion of the Public, and I not only felt myself but the Public at large taken an unwarrantable liberty with, and will you believe it Mr. Editor that upon the evening of Tuesday last, only nine individuals could be prevailed upon to put their names to it, viz: R. Bayard, W. Leavitt, M. H. Perley, Wm. Hammond, L. Donaldson, P. Duff, Geo. Harding, T. Barlow, E. Ketchum.

It is not a matter of surprise that nine officious persons should be found in this or any equally populous community, but that they should have the temerity to put forth their own excited party feeling, as a just expression of public opinion, and my advice to them is that they correct their error at once, as the best apology they can make to the public, by altering the title of their still born child, and call it *the petition of the Muses.*

I cannot pretend to inform you, Mr. Editor of the public opinion on the matter, which has induced these gentlemen to undertake to represent: I know my own with respect to the point at issue, between the Legislative Assembly and the Executive, which is that these two branches have unfortunately come into collision upon a matter involving deeply the interest of the Province. That it is far better for that part of the public not necessarily taking a part in public affairs, to await the issue of the appeal made by the house of Assembly to the home government, and common justice would point out the propriety of awaiting the period when his Excellency may receive replies to his despatches requesting instructions for the information of the Executive, prior to giving assent to a law of such importance.

The fact of his Excellency being right or wrong in refusing to give his assent to the Bill brought out by the Deputation and enacted by the house of Assembly, is one upon which the highest law officers differ in opinion.

How can the public at large be competent judges under such circumstances, if His Excellency's conduct will or will not meet with the sanction of His Sovereign: be the public feeling what it may, it is an act of injustice to prejudice the case between the individual administering the Government and his Sovereign, by permitting addresses for his removal prior to its being known if he had acted right or wrong, and therefore prior to that fact being determined by the Home Government, any censure upon His Excellency's conduct must be premature.

Yours, &c. A MERCHANT.

PROVINCIAL LUNATIC ASYLUM.

This subject it appears was brought before the House on the 10th inst. and one honorable member most *disinterestedly* recommended the purchase of GILBERTON HALL, for an Asylum, with which building, he said Mr. Gilbert "was willing to *accommodate the Province.*" Another with his usual consistency thought it the "most eligible situation" about St. John, and this in the face of the Report of the Commissioners of the Lunatic Asylum which had just been read and in which he as one of that commission had strongly recommended either Poverty Hall or South Bay as the proper spot. He however was for once willing to let another man have an opinion and only wanted the opinion of a Medical man as to this site. This he well knew had been all ready cut and dried and a letter was accordingly produced from Dr. Bayard, whose mere dictum, it would appear, is to supersede the Report of the whole body of Commissioners of the Lunatic Asylum. Mr. Cunningham has also been consulted, and "approves of Mr. Gibert's house, as peculiarly well adapted for the desired purpose" Now, it is possible that Mr. Cunningham may never have seen a Lunatic Asylum, and if he has, I defy him or any one else to shew, that the plan of this building corresponds *in any one respect* to the usual and approved plan of Lunatic Asylums and I defy Dr. Bayard, to prove that, the middle of a Marsh is otherwise than the *most unhealthy site* that could possibly be fixed upon for the purpose of a Lunatic Asylum or any other Institution in which the health of the inmates is at all to be attended to:—nay, more, I do believe that if he had searched the country for twenty miles round St. John, he could not have found a place worse calculated for the location of a Lunatic Asylum. With regard to the building itself, it is totally unfit for the purpose, and I have no doubt, but, that it would cost more with the first purchase to make the necessary alterations before it could ever be used, than it would to erect a proper building sufficiently large to accommodate the number of Lunatics at present in the Province, and on a plan capable of extension, so as to suit the increasing wants of the Colony.

TRUTH.

THE CHRONICLE.

ST. JOHN, FEBRUARY 17, 1837.

☞ The Office of *The Chronicle* is now at Masonic Hall, where Printing will be executed with dispatch and neatness. Handbills and advertisements left with Messrs. W. O. Smith, James G Melick, and James Millar, Market-square, or at the Circulating Library, will meet with attention.

No later European dates have been received during the past week.

In a preceding column, our readers will find the dignified reply of His Excellency to the Address of the House of Assembly, presented by Messrs. Weldon, Wilmot and Burns. Want of room obliges us to omit the insertion of the address refered to.

MR. PIERCE AND THE LIBERTY OF THE PRESS. This gentleman is still a prisoner in the Common Gaol of the County of York. On Saturday last, he petitioned the Assembly to be allowed the privilege of *attending public worship on the Sunday*, but was refused !!! The House of Assembly states, that *they* are the guardians of the people's rights, and a noble proof of this, they have given in the case of Mr. Pierce. Mr. Pierce finds his character traduced by a certain individual, and he manfully repels it, and is supported in his conduct by an overwhelming majority of the whole country. The House of Assembly assume a right of issuing a general warrant for his apprehension, and he *quietly* surrenders himself for trial, no trial, however, is given him, and he submits to be a prisoner without a chance of defence. Mr. Pierce will not brook this indignity much longer, and the right of assumption, will be brought before the proper tribunal, when it will be fully proved whether a little local Assembly shall assume to themselves the full powers of the British House of Commons !!!

CASUAL AND TERRITORIAL REVENUE.—Although much has been said respecting this Bill, and the reasons assigned by His Excellency the Lieutenant Governor for recommending a *suspending clause:* we think that one most important part of that Bill has been almost entirely overlooked, and that is, the *rule of appropriation.*—How, has Lord Glenelg explained it; not at all satisfactorily, nor easily to be understood. For if the House of Assembly, (with their large majority) should insist upon one interpretation of Lord Glenelg's rule, and the Executive *dare* to think otherwise, an immediate collision would take place; and in all probability, the country be deprived of the usual yearly appropriations. That part of His Excellency's Despatch relative to this subject, deserves the particular attention of the inhabitants of the Province, whom we fell assured, will, (when party feeling shall subside) thank the Governor for his judicious foresight, in requiring full and explicit instructions on this very important part of the Bill. The extracts we allude to are these—

"The other qualification mentioned by your Lordship, upon which the contemplated surrender of the Revenue in question is to be made, is—that the law and customs of Parliament and more especially the established usages of the House of Commons with regard to the appropriation of the surplus of the Consolidated Fund of Great Britain and Ireland, shall be assumed by the Legislature of New Brunswick, and more especially by the House of Assembly, as the rule for their guidance in the appropriation of the Revenue of the Province.

"The first question which arises upon this is what is intended by your Lordship by the words "*Revenues of the Province?*" Is it meant that this rule of appropriation shall be extended to *all* the *Revenues of the Province* as well to that which has heretofore been distinguished as the Provincial Revenue and always been at the disposal of the Legislature, as well as to that which has been distinguished as His Majesty's Casual and Territorial Revenue, and now about to be given up, or is it only intended to apply to the latter? For if the House of Assembly should insist that it only applied to the Revenue of the last denomination, and your Lordship's expected instructions as to the details should not further explain this, the general and unrestricted sense in which your Lordship has used the words "Revenues of the Province," will prevent my feeling authorized on the part of His Majesty's Government, to accede to that interpretation until I am better informed of what your Lordship thereby intended.

"The next question is. How is an adherence to this rule of appropriation by the Legislature, and particularly by the House of Assembly, to be secured? Is it to be made part of the statutes under which the Revenues are to be placed at their disposal, and to be made an ex[illegible] dition in that Act upon wh[illegible] the said Revenue are to be [illegible] sume your Lordship will [illegible] also contain a provision [illegible] from that rule of appropri[illegible] sembly, the disposal of the [illegible] vert back to the Crown, a[illegible] forth become null and voi[illegible] bodied in, and form part o[illegible] as contemplated by your [illegible] to be explicitly defined an[illegible] For, what the law and cu[illegible] the usages of the House o[illegible] pect to the appropriation [illegible] solidated Fund of Great B[illegible] not appear to be well unde[illegible] and