THE

Weekly Chronicle.

Terms—15 shillings per annum :] "Nec Rege, Nec Populo, sed utroque." [12s. 6d. if paid in advance.

VOL. V. SAINT JOHN, (N. B.) FRIDAY MARCH 5, 1841. No. 27.

The Chronicle,

Is published every Friday afternoon, by LEWIS W. DURANT & Co. at their Office in Mr. D. M'Millan's building, Prince William Street.

Terms.—15s. per annum, or 12s. 6d. if paid in advance.—When sent by mail, 2s. 6d. extra.

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All letters, communications, &c. must be post paid, or they will not be attended to.—No paper discontinued until all arrearages are paid.

Weekly Almanack.

March.	H.	Sun. S.	Moon.	H.	W.
6 Saturday,	6	19 5 41	5 43	11	13
7 Sunday,	6	18 5 42	Rises	11	49
8 Monday,	6	17 5 43	7 28	0	28
9 Tuesday,	6	15 5 45	8 41	0	59
10 Wednesday,	6	14 5 46	9 53	1	37
11 Thursday,	6	12 5 48	11 3	2	16
12 Friday,	6	11 5 49	Morn	3	5

Full Moon, 7th, 8h. 29m. morn.

Public Institutions.

BANK OF NEW-BRUNSWICK.—Thos. Leavitt, Esq. President.—Discount Days, Tuesday and Friday.—Hours of business, from 10 to 3.—Notes for Discount must be left at the Bank before 3 o'clock on the days immediately preceding the Discount days.—Director next week: Hugh Johnston, Esq.

COMMERCIAL BANK.—Lewis Burns, Esq. President.—Discount Days, Tuesday and Friday.—Hours of business, from 10 to 3.—Bills or Notes of Discount must be lodged before 1 o'clock on the days preceding the Discount days.—Director next week: G. T. Ray, Esq.

BANK OF BRITISH NORTH AMERICA.—(Saint John Branch.)—A. Smithers, Esq. Manager. Discount Days, Wednesdays and Saturdays. Hours of Business, from 10 to 3. Notes and Bills for Discount to be left before 3 o'clock on the days preceding the Discount Days. Director next week: William Walker, Esq.

NEW-BRUNSWICK FIRE INSURANCE COMPANY.—John Boyd, Esquire, President.—Office open every day, (Sundays excepted) from 11 to 1 o'clock [All communications by mail, must be post paid.]

SAVINGS BANK.—Hon. Ward Chipman, President.—Office hours, from 1 to 3 o'clock on Tuesday's. Cashier and Register, D. Jordan.

MARINE INSURANCE.—I. L. Bedell, Broker. The committee of Underwriters meet every morning at 10 o'clock, (Sundays excepted.)

MARINE ASSURANCE COMPANY.—Jas. Kirk, Esq. President.—Office open every day (Sundays excepted) from 10 to 3 o'clock. ☞ All applications for Insurance to be made in writing.

☞ NOTICE. ☜

THE Business heretofore conducted by John Alexander and James Alexander, Junior, under the Firm of Alexander, Barry & Co. will in future be conducted by the subscriber in his own name. JOHN ALEXANDER.

St. John, January 1, 1841.

☞ NOTICE. ☜

THE Business heretofore conducted by James Alexander, Junior, John Alexander, and John H. Barry, under the Firm of Alexanders, Barry & Co., will in future be carried on by the subscribers under the Firm of Alexander, Barry & Co.

JOHN ALEXANDER,
JOHN H. BARRY.

St. John, January 1, 1841.

☞ NOTICE. ☜

ALL Persons having any legal demands against the Estate of DANIEL BRUNDAGE, late of Carleton, City of Saint John, N. B., deceased, are requested to present their accounts, duly attested, within Twelve Months from the date hereof; and those indebted to said Estate are required to make immediate payment to

HANNAH A. BRUNDAGE, *Adm'rx.*
WM. OLIVE, Sen. *Administrator.*

Carleton, 30th April, 1840.

SAINT JOHN HOTEL.

THE Subscribers having leased the above named Establishment from the Company, and put the whole in a thorough state of repair, they respectfully beg to intimate that the House will be re-opened on *Monday next*, the 17th instant.

They are determined that every thing which can conduce to the comfort and convenience of those who may patronize them, shall be strictly attended to on their part, and they confidently hope that their exertions will merit a share of public support.

☞ A supply of the choicest Wines and Liquors will be constantly on hand at the Hotel.

WILLIAM SCAMMELL,
JOSEPH SCAMMELL.

St. John, Feb. 15, 1840.

BANK OF BRITISH NORTH AMERICA.

THE Branch is now prepared to grant Bills at three days sight for any sum not less than Five Pounds Sterling, on the different Branches of the Provincial Bank of Ireland, viz:

Dublin,	Coleraine,	Ballymena,
Cork,	Kilkenny,	Omagh,
Limerick,	Ballina,	Dungannon,
Clonmel,	Tralee,	Bandon,
Londonderry,	Youghal,	Lurgan,
Sligo,	Enniskillen,	Ballyshannon,
Wexford,	Monaghan,	Strabane,
Belfast,	Banbridge,	Dungarvon,
Waterford,	Passes town,	Mallow,
Galway,	Downpatrick,	Moneymore,
Armagh,	Cavan,	Cootehill,
Athlone,	Lurgan,	Kilrush,
		Skibbereen.

A. SMITHERS,
Saint John, 1st Dec. 1840. *Manager*

FOR
Public Accommodation.

THE Subscriber respectfully informs his friends and the Public generally, that he intends running a commodious SLED, regularly once a week between St. John and Fredericton, immediately after the close of the River, for the conveyance of Freight of all kinds, and will be happy to attend to the commands of Merchants and others who may require Goods and Baggage conveyed between those places.

The strictest care will be taken of articles entrusted to him, and punctuality and despatch may be relied on—Charges moderate.

Nov. 27th, 1840. W. H. WILLIAMS.

Miscellany.

SIR JOHN CAMPBELL.

Since the reign of James the First, there has existed in the English part of Great Britain, and throughout Ireland, a strong prejudice against the Scotch. This prejudice may have been very well founded in the time of that illustrious pedant; possibly it may have contributed towards the national phrenzy which extinguished his high-spirited but unfortunate son; but it is certain that, of late years, what was a savage antipathy has yielded to the Christianizing influence of civilization. Macklin's unScotchmanlike libel on human nature—at least on Scotch nature—the character of Sir Pertinax Macsycophant,—pandered for a while to the narrow nationality of the English; but, to their credit be it said, after the first relish of hatred was exhausted, they suffered the character to drop into comparative oblivion; until the genius of a recent performer, by elevating it into a caricature portrait of some of the most palpable weaknesses of human nature, redeemed it from the stigma of being a vehicle for mere vulgar prejudice. True it is, that Scotchmen are pre-eminently remarkable for the possession of those qualities which enable a man to rise in the world; true it is, that they love money and wordly honours, and that they generally succeed in obtaining both. But it is the pursuit of gain by mean, unworthy, and unfair practices, not the mere pursuit of it, that is disgraceful; and, perhaps, the Scotch are less obnoxious to the charge of such practices than any other nation on the face of the globe. A Scotchman has no need to resort to dishonesty in order to advance himself: the carelessness and extravagance of his competitors, and his own steady, undeviating perseverance, are his stepping stones.

Sir John Campbell is a striking instance of these qualities of the Scotch. Though he has worked his way upwards from a comparatively humble rank in life to the possession of honour and affluence—though the highest judicial offices of the country are within his grasp—yet he has been no Sir Pertinax Macsycophant. Not his bitterest enemy, if he has one, would attribute the rise of Sir John Campbell to any practices unworthy an honest man—to anything, in short, but a patient plodding perseverance in a profession which, however uninviting may be its aspect, deserves at least the praise of sooner or later rewarding those who sedulously cultivate it.

But the truth is that Sir John is a *nisi prius* lawyer, and nothing more. In the House of Commons he is the identical man he is in the Court of Queen's Bench—intent only upon advancing the cause of those whom he may, for the time being, represent. By that strange fitness of things, which in its unerring rectitude would seem to mock all human efforts at change or remodelling, he is precisely the man whom a modern Whig minister would have created, had the power been delegated to him, in order to become a modern Whig Attorney-General. A greater man would still more, by contrast, have dwarfed those pigmies in intellect:—a man of less cunning, tact, and ability, would have been unable to have prevented them from falling into a thousand scrapes, during their tortuous and dangerous course. Precisely what Lord Melbourne is as Prime Minister, Lord Palmerston as Foreign Secretary, and Lord John Russell as leader in the House of Commons, Sir John Campbell is as Attorney-General. He watches the wind, and thoroughly understands how to manage the rudder. He is great on small points, and small on great ones. To take such a course as Sir Thomas Wilde took on the privilege question, is not in the nature of Sir John Campbell; but in finding a loophole to facilitate the escape of a rebel whom ministers dared not punish—or in straining an act of parliament so as to make it meet the "case" submitted for his judgment by government, he is inimitable. Look not to Sir John Campbell for the enlarged views of a constitutional lawyer:—the constitution of England is to him, not a fabric, the slow and sure result of the cumulating experience of ages, but a mere collection of acts of parliament. Freedom of debate is not, in his eyes, a shield of the liberty of the subject—it is only the licence of the bar applied to a wider sphere of action. The House of Commons is but a place where the rights of millions are to be special-pleaded away, instead of the rights of plaintiff or defendant in a court of justice; and where a higher law of debtor and creditor—that between classes—is, if possible, to be perverted by that narrow, cavilling spirit of technicality, which has already driven the philosophy of law from our courts into our lobsts, and made the practical jurisprudence of England the ridicule of the world. Sir John Campbell seems altogether to have mistaken the position and duties of an Attorney-General—the representative of the constitutional law of his country in the House of Commons, as the Lord Chancellor is its representative in the House of Lords—the functional opponent of crude change—the champion and oracle of the wisdom and experience of British jurisprudence—the officer responsible to the constitution—for the scope, object, and tendency, and not merely for the technical accuracy, of the legal measures introduced by government, and the acts done by them in their character of political prosecutor and police. He quibbles, where he should expound, and cavils where he should dictate. No one ever heard Sir J. Campbell deliver a "great speech," though all have been at some time or other surprised at the ingenuity with which he has mystified some plain and palpable position by force of memory, legal authorities, and the absence of all high-minded disdain of such unworthy courses.

As a speaker, Sir John Campbell is to my mind excessively disagreeable. His style always nauseated me in the courts of law. Indeed he is there prized much more for the tact, cunning, caution and skill, with which he manages his case, than for any particular force in addressing a jury. The same defect, which does not so much abate from his reputation as a *nisi prius* lawyer, adds materially to his inefficiency in the House of Commons. A hard dry style, scarcely raised to the comparative elevation of grammatical correctness, but wholly devoid of all polish, brilliancy, or ornament—a voice, whose monotony and want of all manliness or sweetness, is increased to a still more painful degree by its being allied to one of the most disagreeable varieties of the Scotch accent; a manner totally without dignity, and which unfortunately, in addition, produces on the mind the suspicion of deliberate and habitual cajolery; all these peculiarities manifestly operate much to the disadvantage of Sir John Campbell. That he should, notwithstanding their influence, have attained his present high rank in the profession, and his position in the ministry, is a proof that a more than ordinary perseverance, a more than ordinary acquisitiveness of legal knowledge, must have characterised the early career of this honorable and learned gentleman. In truth, those qualities form his highest, if not his only claims to distinction. As a parliamentary man, his advance to official rank must be attributed principally to the absence of any very strong political opinions—a state of mind very favourable to a patient following of the Whigs.

In personal appearance Sir John is peculiar. He is a large, heavy man, without any symmetry of form: his countenance is so far marked, that you at once perceive him to be a Scotchman. His *nisi prius* habits have added to its expression a watchfulness, accompanied by an attempt to conceal the feeling pervading the mind at the moment. His complexion has acquired a lawyerlike sallowness, and his hair is a withered sandy. He may be known in the street by the oddness of his gait. He is apparently exempt from that instinctive sense of the necessity of walking upright, which characterises the dignity of man, and which exhibits itself in still greater intensity even when he (man—that is to say—not Sir John Campbell) has most jeopardised that dignity by indulging in the vice of intemperance. I never saw Sir John Campbell stand or walk upright. A benevolent person, seeing approach him as a gentleman evidently absorbed and unconscious of externals; with a hat so unsteady and so toppling, and an upper man so heavy and loosely clad, as to lead to inferences unfavourable to the regularity of his habits; if moreover, he saw his ponderous upper man stretched forward some inches beyond the perpendicular, and risking the preservation of the centre of gravity; if he observed the legs, which he conceived to be attached to this body (loosly enveloped in inexpressibles that might have belonged to a Dutch skipper,) following irresolutely after it at a remote distance, with a painful trailing, as if subject to paralysis; if, I say, a person gifted with the rare and original benevolence of a Pickwick saw rapidly approaching him such a personification of the hanging tower of Pisa in motion, his instantaneous impulse would be to rush in between him and a heavy fall, and next to obstinately insist upon putting him into a coach and seeing him safe home to his wife and family. In fact, I never saw so peculiar a walk as that of Sir John Campbell. The only hypothesis on which I can account for it is, that the petticoats with which barbarous custom envelopes our barristers have kept continually getting between his legs, and thus produced a perpetual propensity to stumble. Of all the wild, slovenly, sallow, slouchy, snuffy, unbrushed, unshocked individuals who may be seen wandering between Westminster hall and the temple, from four to five in the afternoon, and whose only excuse for their careless attire is that they have too much or too little chamber practice, Sir John Campbell is the individual who most exemplifies the peculiarities of a barrister emancipated from the constraint of the courts, and the decencies of the wig and gown. If he goes to Dublin, the Hibernians will quiz him into neatness. But, to counterbalance these respectful suggestions as to the outer man, it affords me unalloyed pleasure to say that I never heard an imputation upon the kindness of heart, honour, and gentlemanly feeling of Sir John Campbell. In private life he is exemplary.

Sir John Campbell is the son of Dr. Campbell, minister of Cupar, Fifeshire. As soon as, in the natural course of things, he came to London, he entered as a student, and in the meantime maintained himself as a reporter on the *Morning Chronicle*. Those indolent, though aspiring, gentlemen, who are yet in that slough of despond, are still in the habit of pointing to him (Serjeant Spankie, Serjeant Talfourd, and others,) as instances of what reporters have been, and may be. His political life has been similar to that of most lawyers. Having attained a certain rank in his profession, he was elected for Stafford in 1830, which he also represented in 1831. In 1832 he sat for Dudley, but was unseated on taking office. He succeeded Sir Wm. Horne as Solicitor-General, and also as Attorney-General. He went out with Ministers in Nov., 1834, having been previously elected for Edinburgh in June, 1834. When the Whigs returned, in 1835, he returned with them. In 1836 he accepted a peerage for his wife (as Baroness Stratheden,) who is the daughter of Lord Abinger. Whatever may be the truth as regards the Lord Chancellorship of Ireland, Sir John is quite sure to obtain the first judgeship of the highest rank. It is said that he will not make a good equity judge. After the cases of Eldon, Lyndhurst, and Brougham, of whom the same thing was severally predicted, I confess myself sceptical on that point.—*Britannia.*

EARTHQUAKE AT MOUNT ARARAT.

ST. PETERSBURGH, Dec. 22.—Our Home Department has published the following report on the extraordinary earthquake at Mount Ararat the first official and circumstantial account which has hitherto appeared on the subject, all previous descriptions having been very defective and confused, and frequently contradictory. The report proceeds thus:

"About sunset, on the 2d of July, a violent earthquake occurred in the Armenian province, which lasted nearly one minute. The village of Achturi, situated on the declivity of the Ararat, in the Surmanlinsk district, with the whole of its inhabitants, the more elevated cloister of St. Jacob, and the house of the former Sirdars (Governors) were completely overwhelmed by the masses of earth, stone, and ice, which rushed down from the mountain. Inundations of melted snow, mixed with mud, flowed over the neighbouring fields, totally covering them, and destroying all the grain and fruits within a circuit of more than ten wersts. In the Scharursk district also, at seven o'clock in the evening of the same day, no less than 3137 houses, with all their subsidiary buildings, were levelled to the ground by the earthquake, whereby thirteen men, twenty women, and two hundred and fifty-three head of cattle perished. The loss of property to the inhabitants of this district is estimated at 33,929 silver rubles. At the same moment the shock was felt in the fortress of Shusha and other parts of Karabacha province, where it also lasted exactly a minute. The fortress sustained no damage; but in the province, one church and one hundred and sixty nine inhabited houses were destroyed. The eastern wall of the ancient Armenian convent of Tatusvk gave way, along with the roof, from which the carved stones rolled down, and the towers were demolished. The rocks in the neighbourhood of the villages of Shingen sank down, by which an Armenian, two women, and a great number of cattle were killed; immediately after, the whole of the road to the village was covered and closed up. As yet the inhabitants can only communicate with each other by means of ropes.

"In the Teloun Khanat the town of Corcaran and its neighbourhood experienced three heavy shocks, one after the other, which lasted longer than a minute, but did no damage. In Alexandropol, in Tiflis, the earthquake was likewise felt, but there too, it was attended by no injurious consequences. Throughout the whole district of Surmanlinsk, but chiefly in the villages near Mount Ararat, slight shocks of two or three minutes duration were daily observed from the 3d to the 8th of July.

"On the 6th a second downfall of Mount Ararat took place, in consequence of which vast rocks, stupendous blocks of ice, and immense floods of water rushed down with such rapidity and force, that in a few minutes everything that stood in their way was destroyed. Great streams of the various substances thrown up extended over a surface of more than twenty wersts. The inhabitants of the numerous villages in the Surmanlinsk district, situate at the foot of the Ararat, are left destitute by the devastation of their houses. Though the torrents rushing from the mountain did not reach all the villages, yet the corn fields were dreadfully injured by the snow water mixed with mud.

"The General-Commanding-in-Chief in Georgia has sent Major Voskobunikoff to Mount Ararat to make a correct survey, and collect on the spot all the details of the earthquake."

Supply of Food to Paris.—The following was the consumption of Paris during the month of December last:—5,327 oxen, 2,052 cows, 5,303 calves, and 38,254 sheep, which, compared with the consumption of the corresponding month of 1839, gives an increase of 310 oxen, 44 cows, and 4,082 sheep, for December, 1840. The augmentation may be accounted for by the great number of strangers who arrived in Paris to assist at the funeral of Napoleon. The consumption during the entire year amounted to 71,569 oxen, 26,921 cows, 71,708 calves, and 432,540 sheep, showing an increase of 2,050 oxen, 1,996 cows, and 12,420 sheep, as compared with that of 1839. There was a falling off in the consumption of calves of 4,336, owing to agriculturists not sending to market the usual supply, and keeping them back to fatten them, in order to make up for the deficiency of bullocks, which was daily felt more and more. The *Commerce*, from which we borrow these details, is of opinion that the government will be obliged to permit the free importation of foreign young oxen into France. This measure (it says) is becoming more urgent, for meat increases in price at every market, and if the administration suffers spring to go over without attending to that great economical measure, cattle will become so scarce that meat will ere long be an article of luxury.

DURATION OF ANIMAL LIFE.—The following scale of the average duration of Animal life has been collected from Linnæus, Buffon, and other celebrated writers on Natural History:—

A Hare will live 10 years; a Cat 10; a Goat 8; an Ass 30; a Sheep 10; a Ram 15; a Dog from 14 to 20; a Bull 15; an Ox, (a curious fact) 20; a Swine 25; a Peacock 25; a Horse from 20 to 30; (Ney, the sire of Eclipse lived to the age of 33 and other horses longer;) a Pigeon 8; a Turtle Dove 25; a Partridge 25; a Raven 100; an Eagle 100.

Of the Goose, the following may be depended upon as a fact. There is a family now living in Fife whose able to ascertain that a Goose had been kept in the family twenty years. The bird is still in a state of health, but they fixed this period as being able incontestably to prove it.

NEW MANUFACTURE OF PAPER.—The materials intended to be converted into paper are usually so tended either by means of putrefaction, or by heating. Putrefaction is a chemical operation which possesses some advantages; but the inconveniences attending it are so numerous and serious, that the progressive improvement of the manufacture of paper occasions its use to be, if not altogether laid aside, at least to be very considerably limited. With respect to the softening of rags by merely mechanical means, it can only be done by the machinery now employed, by a great loss of time and a great moving power. It has been tho't this operation could be brought to perfection by altering the method of trituration; and accordingly the softening of rags, old cords, &c., has been effected by submitting the substances, either dry or moistened, to the action of a roller, or a vertical millstone turning on a solid surface. The rags, when sorted, bleached, and torn to pieces by these machines, only require to be sieved before they are converted into paper.—*Moniteur Industriel.*

LAW TO STEAMBOAT OWNERS.—In a suit brought in the Supreme Court of Ohio, it is the decision of one of the judges, that if the owners of a steamboat burst her boiler on the Mississippi in April 1838, against the Protection Insurance Company, for the recovery of the sum of $4250 on a policy of insurance. Defendants contended that the Boat was lost by the negligence of the insured or his agents, and that this should discharge the contract of insurance. They contended that the explosion of itself was presumptive evidence of negligence, and that the burthen of proof lay upon the plaintiffs to show that there was no negligence. They also contended that the explosion of Boilers is not a risk assumed by the insurer of a Steamboat, unless it be expressly named. The Jury under charge of the Court brought in a verdict for the defendants. The Cincinnati Republican says: "What degree of negligence will forfeit the insurance contract, has not yet been decided. The negligence of any one agent of the insured, if the insurance office can prove it by presumption of the circumstances, and the insurer cannot prove the absence of neglect, on the part of all his agents, servants, or family, may entitle the insurance office to a discharge in Ohio."—*N. Y. Express.*

A singular incident occurred during the holidays on the opposite side of the river. Two ladies who resided in Illinois, came to the city to make purchases. A well dressed man followed them into several stores, at one of which one of them got a ten dollar bill changed, receiving the change in small bills. In the evening, on their return home, when a short distance from the ferry, in the prairie, the same man they had seen in the city rode up to them and demanded their money. The one who had the money drew it out, and in attempting to hand it to him the wind caught the bills and carried them off on to the ground. The man dismounted to pick them up, and as soon as he was down, the ladies put whip to their horses and made off as fast as possible. On their way they heard the clatter of a horse's hoofs following them, but were too much terrified to stop or look back. When they reached their own gate, behold the robber's horse was with them, a fine animal, with an elegant saddle, and a pair of saddle bags, &c. but the man was nowhere in sight—they suppose his horse escaped whilst he was picking up the bills. On examining the saddle bags a large sum of money was found and several articles of wearing apparel, but nothing by which his name could be discovered. Up to Saturday last no one had appeared to claim the horse or property. The above facts we have from a respectable gentleman of the city, who assures us, that singular as the circumstances may appear they are strictly correct.—*St. Louis Republican.*

A respected civic functionary, whose residence is not a hundred miles from Oswestry, was communicating to a friend at the Oak Inn, Welshpool, the other day, that there was a rumour of a war with France;—when a gentleman, who accidentally heard the remark, enquired "upon what ground?" To which his worship replied, "he really did not know, but hoped not on British *ground!*"

Dr. Radcliffe being called upon to visit a sick man, asked him, as he entered the room, how he did? "Oh doctor," replied the man, in a plaintive tone, "*I am dead!*" The doctor immediately left the room, and reported to the neighbourhood that the man was dead. The report was at first believed, and circulated; but as soon as the mistake was discovered, the doctor was asked "why he had propagated a falsehood?" He replied, "I did it on the best authority; for I had from the man's own mouth."

An Italian Monk wrote a life of St. Francis Xavier, where he asserted that by one sermon he converted *ten thousand persons in a desert Island.*

Why is a pretty girl like the hub of a wheel?—Because she is surrounded by *fellows.*

"It is much more blessed to give than receive," as the school boy said when the schoolmaster whipped him.

Communications.

[FOR THE CHRONICLE.]

Mr. Editor,—There is a report current in this part of the country, that the expences of the Crown Land Department, is not so much diminished from its former enormous amount, as the country has been led to suppose would be the case, and that there is a charge of upwards of £550 to the *Executive Councillors.* I wish our Representatives would publish the accounts on a sheet, of Mr. Ward's paper, and have them sent about the Province, so that we in the country may be quieted in our apprehensions on this head. I send you for republication a debate which took place in 1834 in reference to the pay of the Legislative Council, it will perhaps give some good hints to some of our Representatives,—You will find also in the Courier, a good old paper, published on the 23d February 1833, the commencement of this interesting debate. It is a pity that the *Mr. Simonds* who so eloquently and forcibly advocated the people's rights in 1833 and 1834, was not now in the House, I guess he would kick up a dust on the question of pay to the Executive Council. What has become of Mr. Simonds? He is not I think dead, for I have not been able to discover his obituary in any of the newspapers from that time down to the present all of which I have carefully examined. He has not I think migrated from this Province, or we should have heard of it—He must be sought out Mr. Editor and again sent into the Assembly to put these matters straight. My old and rather known neighbour Capt. Dodge says that he thinks, the Honourable the Speaker is the same person—but as Sam Slick would say "That won't tally no how," for I cannot discover any similarity between the munificent and expensive Premier of New-Brunswick and my pat patriot of 1834. My friend Dodge however is so strong in his opinion that to please him I have adopted his motto for this following debate.

Yours, &c.
ANTI-CONSISTENCY.

BONNE BOUCHE.

"TEMPORA MUTANTUR ET NOS MUTAMUR"

Translation by Dodge:—Mr. Simonds, 1833 & 4 Guardian of the People's Rights and Pockets.

The Honourable C. Simonds—1841 Executive Councillor receiving pay therefor!!

Monday, February 17, 1834.

Pursuant to the order of the day, the House went into committee of the whole, in consideration of the several Messages from His Excellency the Lieut. Governor.—Mr. J. Humbert in the Chair. The first Message considered, was that relative to the payment of the *expenses of the Legislative Council.*

The debate on this subject occupied the committee upwards of three hours; but much of what was advanced on the same point in committee last year.

Mr. Simonds opened the discussion by adverting to the message and resolution of last session, and then observed, that it appeared that His Excellency the Lieut. Governor had been advised to repeat the recommendation, not in consequence of any further instructions from the Home Government, but merely from the suggestions of the Executive Council. It was not, therefore, the message of His Excellency, but of his Council, or, as they might be termed, his Ministers. He (Mr. S.) thought that if His Excellency had been left to himself, he would not have made such a recommendation a second time, knowing the feelings of the House on the subject. There would be a manifest impropriety in the House assenting to the recommendation in this Message. The Councils were divided about the time when the Message was first sent down; and by this new creation of Executive Councillors, a number of the old Legislative Councillors were causelessly degraded from their rank; they were now no longer Executive Councillors, but were superseded in that high office by persons, who, previously, had not been Councillors at all. This was a very great hardship to these Gentlemen: their feelings had been very deeply wounded by this proceeding; and now this measure was adopted, this proposal to pay them, as he, (Mr. S.) believed, merely as a sop, to allay their wounded feelings; they were to be paid in money as a compensation for their degradation. The mode in which this scheme had been devised was most extraordinary; perhaps it had never been equalled in any Colony; he (Mr. S.) believed it was wholly conceived by a Cabal in this province, and that when it was communicated to His Excellency, it was gone too far for him to prevent it. There was no question in his opinion that His Excellency would have stopped it if he had an opportunity; but it was conceived and carried into effect from mere wantonness of power; and then pay to the Legislative Council was proposed as a compensation. The hon. member here alluded to the, astonishment of Sir James Kempt at this proceeding, when informed lately of the facts; and commented on the different course pursued (on a similar attempt being made in Nova Scotia) by Sir Peregrine Maitland, who had submitted the proposal to the Legislative Council for consideration; and then proceeded to observe, that in his (Mr. S's) opinion, the whole proceeding had been effected for the mere purpose of placing a particular person at the head of affairs, whose claims on the province he could not ascertain. It was therefore totally out of the question for the House to sanction such a proceeding by voting pay for the Legislative Council. Why were the old Councillors reduced and degraded from their rank? Had they been charged with any imbecility or misconduct? No.—Any want of zeal or attention to duty? No.—Any political offences? No.—Any dishonorable conduct? No; none. And yet this obnoxious arrangement had been made, without their knowledge or consent; all their former services were totally lost sight of, and others promoted over their heads.—With respect to the recommendation in the message, his (Mr. S's) opinion was decidedly the same as it was last year: that the House could by no means comply with it. What would be the feelings of the Legislative Councillors, if they were offered this pay? They would consider it only as a price offered for their unmerited degradation; and several of them, he was quite confident, and even authorised to say, would spurn at it with indignation. Even those who had been more recently appointed to seats in that Council, had fully expected to enjoy all the original privileges of Councillors, and they tho had been deeply disappointed by the new arrangement. There could not be a single reason urged, why the House should now depart from the course adopted last session; viz., that it would be inexpedient and improper to comply with the recommendation: The hon. member then submitted a resolution, to the effect, that nothing had occurred, since last session, to alter the opinion then expressed by the House on this subject.

Mr. S. Humbert observed, that with respect to the origin of this call on the House for pay to the Legislative Council, the House could know nothing. They could only conjecture—they could only presume, that it had been by advice of the Provincial Ministers or Executive Council; but come from where it might, it was before the House, and was for them now to determine upon. With regard to the opinion already expressed by the House, it might be asked, what right had any other branch of the Legislature to suppose that they would alter their opinions? They gave not their opinion as individuals, liable to change; they spoke as a deliberative body; their opinion was fixed and determined, and their journals expressed it. Something of very high importance should be offered to induce them to alter their opinions;—and he (Mr. H.) had seen or heard no such important reason.—Other Colonies had not been called on to pay their Legislative Councillors, and there was no reason why New Brunswick should. The situation of Councillors was of so exalted a nature, as to render it improper in them to receive pay. The hon. member then animadverted on the impropriety and hardship of the late measures relative to the separation of the Council; and observed that the Legislative Councillors had been treated on a principle similar to that erroneously maintained by some men, relative to salvation and election; that some were elected, while the Almighty did not do—so others, but merely passed them by:—so the Legislative Councillors had received no censure, had been charged with no fault, but they had been entirely passed by; and now they were to be compensated for the injury to their reputation and feelings by an offer of money. He (Mr. H.) hoped the house would reject the proposition.

Mr. Kinnear did not approve the principle, that because the House had once expressed its opinion on a subject, it might not be liable to change; because peculiar circumstances might authorise and require it. On the present question his opinion was wholly unaltered; though he thought every message from the Executive ought to be treated courteously and respectfully.—The hon. member then at some length commented on the expression in the Messages, "compensation for *services*," as applied to the two Houses, and drew the distinction between compensation for *services* and for mere *expenses of travelling, boarding &c.* which was all to which the House of Assembly, (excepting the Speaker,) were entitled, and expressed his hope that the bill now before the House for relieving even that allowance, would be passed. The hon. member also showed the disparity between the situation of the Legislative Council and the House, the latter being composed, with three exceptions, of persons living at a distance from Fredericton, and obliged therefore to travel and reside away from their homes during the session; while the majority of the Council were persons usually resident in Fredericton, and incurring no such expence; and he argued, therefore, that such hon. gentlemen would neither be entitled to, nor would receive payment from the public. The two Houses therefore, were not on an equal footing in any respect; and with respect to the President of the Council and the Speaker of the House of Assembly, there was an equal disparity. The latter, like other members, came from a great distance, and incurred great expense during the session; while the former did neither, but received a very adequate and ample salary as Chief Justice of the Supreme Court, and as he could not possibly sit in both places at once, he ought not to receive two distinct payments. The hon. member then referred to the decision of last year, and to the expressions in the petition of the House to His Majesty, in which the House declared themselves deeply aggrieved by the division and composition of the Council; repeated his conviction of the universal dissatisfaction occasioned by that measure; adverted to Mr. Stanley's reply, and argued that practical inconvenience was not the point urged by the House, but the injustice to individuals which ought to be redressed, and contended that by now granting pay to the Legislative Council, the House would tacitly concur in those obnoxious measures, and admit that all their complaints on the subject were unfounded. The principle then, must stand now as it stood last Session; and the House, therefore, could not comply with the recommendation in the Message. There was another important view to be taken, on this subject. If a Legislative Council was to be established in any Colony, independently of an Executive Council, it ought to be entirely composed of persons having no connection with such Executive Council, and receiving no pay for any other services. It should be perfectly free and pure from all influence and interested motives. On this ground, also, the Legislative Council did not stand on the same footing as the House. The Members of the House were chosen by the People; he did not wish to see the Council similarly appointed; but he was desirous to see it, now that it was separated from the Executive, put on so pure and independent a footing that it might be wholly free from every kind of improper influence. He therefore objected to granting them pay, because some of them now formed part of the Executive Council, and others held offices of trust and emolument. The hon. member proceeded to contend that Legislative Councillors ought to be appointed from the most affluent and independent members of society, (as the Lords are at home,) and that they should be such men as would disdain to receive the paltry allowance contemplated as a remuneration for their expenses; and concluded by expressing his unwillingness to comply with the suggestion of the Message.

Mr. Chandler thought it wholly unnecessary to mix up the composition of the Councils with this question. That point had been taken up last year; had been complained of, and the complaint had been replied to, by His Majesty's Government, and so far there was at present an end to it. It appeared to him that the present arrangement of the Councils had grown out of what was called the Canada Committee's Report, it was only following up the spirit of that report, and it had been adopted in both the Canadas, as well as in this Province, though it had not been enforced in Nova Scotia.—It was adopted for the sole purpose of rendering Legislative Councillors more independent of the Crown, and in future they would be rendered so. The hon. member then contended, that every reason applicable to the payment of the House of Assembly, was equally applicable to paying those members of the Legislative Council, who were independent of the Crown; and that, neither for the one House nor the other, could a sufficiency of talented and able men be always found, to render their services to the public at their own expense. Affluence, in his opinion, was not the requisite qualification for either House; talent, ability and integrity were the proper characteristics, and these could not always be found combined with wealth. The hon. member contended, that in a young country like this, it was therefore proper and necessary, that both Houses should be paid, in order to secure to the public the services of those best qualified to perform the duties of the station—He saw no reason why both Houses should not be on an equal footing; the Members of both were chiefly engaged in commercial or other respectable pursuits, which rendered a considerable sacrifice necessary, to enable them to attend to their Legislative duties; and he, (Mr. C.) was therefore inclined to take up the idea started the other day by the hon. member who had opened this debate; that those Councillors who were independent of the Crown, and received no official emoluments, should receive pay.—The hon. member concluded by insisting, that the question of rank and precedence was one for the consideration and remonstrance of the Councillors themselves, and that the House had now nothing to do with it.

Mr. End began by making the observations of Mr. Simonds as exceedingly superlative, and by expressing his dissent from them, and particularly with

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