

Scotia, the House had appointed one of its own members Clerk—that, subsequently, the House had continued to appoint all its officers; and that the right to do so had never been questioned or disputed.

Mr. KENT, after such satisfactory information, would not allow another day to pass without bringing the question to an issue—it was one in which the country took a lively interest, and the inhabitants looked with confidence to their representatives to maintain, inviolate, every right and privilege, to which they were entitled. After a very animated address, Mr. K. moved "That this House has the undoubted right to appoint its own officers, viz. Clerk, Serjeant-at-arms, and Messenger."

Mr. PACK cordially seconded the motion, as his views on the subject were precisely similar to those entertained by the member for St. John's.

Mr. CARTER thought that on so grave a subject, and when so many members were absent, some further time should be allowed for consideration. He had yet heard nothing to convince him by what shadow of right the House could adopt such a resolution as the one proposed. Although the Crown had, in some of the colonies, not thought proper to appoint the Officers of the Assemblies, it had, in this instance, assumed its undoubted prerogative, and it was not in the power of the House to disturb it. He (Mr. C.) was extremely anxious to see such a power vested in the House, but he was so satisfied it could not assume it as a right, that he would never vote for a resolution which would tend to bring the House into collision with the Government.

Mr. THOMAS went the full length in contending that the House should have the power of appointing its officers.—It was necessary the officers should have the confidence of the House, and that could hardly be expected if their appointment came from another source. He would support the resolution.

The SPEAKER would ill abuse the confidence which had been reposed in him, if his utmost efforts were not directed towards maintaining the rights and privileges of the House. He looked upon the present question—which he had never lost sight of from the commencement—in two points of view. Did the house possess this absolute right or not? If it did not, ought it to claim, or endeavour to obtain that right? On the first from all the enquiries and all the information he had been able to procure on the subject, he had satisfied his mind that the house did not possess the right; but upon the question of expediency he quite agreed with the hon. mover, that it was a right with which it ought to be invested. He thought the house would lose a portion of that character which it had, on a former occasion, gained for itself, in asserting its prerogative, if it now persisted in claiming that to which, in his opinion, it had no right. He was sorry, therefore, he could not support the motion.

Mr. BENNETT could not go the length of supporting the resolution before the house, but he thought measures should be taken to obtain, by memorial or otherwise, the right to appoint its own officers.

Mr. KOUGH thought the difference of opinion on the question amounted to a mere trifle, for all thought alike on one point, that the right ought to be vested in the house. The usage of the House of Commons had been quoted, but he thought the case was not at all analogous to this country. Many powerful reasons could be adduced to prove why the Clerk of the Assembly in Newfoundland, should not be appointed by the Crown. If the word "undoubted" were struck out the resolution should have his support.

Mr. KENT consented to withdraw the word.

Mr. PACK said the more he heard on the question, the more he was convinced of the necessity of having the appointment of their own officers. If the question brought the house into collision with the government, the house stood on as high grounds as it had ever done. He was averse to postponing the subject, because the first session was the proper time to set the matter at rest.

Mr. KENT could not but admire the professions of those gentlemen who were so desirous to support the rights and privileges of the house, and, at the same time, expressed their determination to vote against them. An hon. member had asked if the Charter declared that the house had the right: but he (Mr. K.) would ask, in reply, if the Charter had declared that the house had not the right for which he had contended. He could not see how it would interfere with the prerogatives of the Crown, because all the appointments in question had been made by the Governor, and not by the Home Government. Too much of the time of the house had been taken up on the subject, and he would, therefore, press his motion to a division.

For the resolution, Messrs. Pack, Power, W. Brown, Kent, Thomas, and Kough.—Against it, Messrs. Garland, Cozens, Carter, and Bennett.

The House then proceeded to the appointment of officers, when E. M. Archibald, Esq. Clerk, Elias Rendell, Esq., Serjeant-at-arms, and Mr. John Canning, Messenger.

Mr. Secretary CROWDY was introduced

with the following messages and documents from his Excellency the Governor:—

(THOMAS COCHRANE.)

The GOVERNOR having communicated to his Majesty's Government the rejection, on the part of the Council, of the Revenue Bill, sent to them from the House of Assembly, and the Chief Judge having made to them a full exposition of the grounds on which he, as a member of the Council opposed the bill,

His Excellency acquaints the House of Assembly, that his Majesty's Government have informed him, that they are quite unable to concur in the view which appears to have been taken by the Council as to the powers of taxation belonging to the Colonial Legislature; and his Excellency has great pleasure in further acquainting the House of Assembly, that it has been highly satisfactory to his Majesty's Government to perceive the judgment and cordiality with which the House of Assembly has exerted itself to diminish the inconvenience anticipated from the loss of the Revenue Bill in question.

(THOMAS COCHRANE.)

The GOVERNOR has great satisfaction in transmitting to the House of Assembly the Copy of a despatch and enclosure his Excellency has received from His Majesty's Principal Secretary of State for the Colonies, by which the House will perceive that it is the intention of His Majesty's Government to request from the Imperial Parliament a vote for the service of this Colony, for this year, equal to that of 1832.

Government House,  
July 8th, 1833.

Downing-street, 4th May, 1833.

SIR,—I have laid before the King your despatch No. 13, of the 14th March, 1833, with the Address therein enclosed from the Assembly of Newfoundland.—His Majesty has received with satisfaction the dutiful and loyal address of the House of Assembly. He participates in the regret that any circumstance should have arisen which might tend, in this early stage of their existence, to disturb the harmony which it is so essential should subsist between the two branches of the Colonial Legislature, and to impede their endeavours to provide for the exigencies of the public service, and the internal improvement of the Colony. His Majesty, however, had, previously to the receipt of the present intelligence, proposed to make an application to the Imperial Parliament, by which the occurrence of embarrassment from the rejection of the Revenue Bill will, it is hoped, be obviated. By the enclosed Copy of an Estimate to be laid before Parliament, and of an explanatory letter from this Department to the Treasury, you will perceive that measures have been taken to provide funds which will suffice to defray the ordinary expenses of the Government of Newfoundland for this year. Unless, therefore, Parliament refuses the vote applied for,—which result, in the present difficulty of the Colony, can scarcely be apprehended,—the inconvenience that would otherwise have arisen from the rejection of the Revenue Bill, will, in the present instance, be remedied.

In making this communication to the Legislature, you will apprise the Council and Assembly, that His Majesty relies upon their to provide for the entire expense of the Colony in future years.

I have the honor to be,

Sir,  
Your most obedient humble Servant,  
(Signed) E. G. STANLEY.  
Governor Sir THOS. COCHRANE,  
&c. &c. &c.

Downing-street, 15th January, 1833.

The Hon. J. K. STEWART,

SIR,—I am directed by Viscount Goderich to transmit to you the Estimate for defraying the charges of the Civil Government of Newfoundland, for the year 1833, and to make you the following statement for the information of the Lords Commissioners of the Treasury on the subject of this Estimate.

The total charge for the Civil Government of Newfoundland for the year 1832, was computed to be about £29,000 of which sum £16,000 was to be defrayed from the proceeds of Customs' duties levied in the Colony, and £13,000 from the sum voted by Parliament on Estimate. The charges to be paid from the latter source were stated in detail in the Estimate, and included, amongst other items, the salaries of the Governor, the Judges, and the Attorney-General; but by the act respecting Newfoundland, passed in the last session of Parliament, the proceeds of Customs' duties are charged with the abovementioned salaries, and the remainder of the duties—all of which have heretofore been appropriated by the authority of the Lords of the Treasury—are left at the disposal of the new Provincial Legislature. Under this arrangement it is not possible to foresee, until the Legislature shall meet, what items will be borne this year on the portion of the Customs' duties placed under the controul of the Legislature; nor, consequently, is it possible to state what will be the items to be paid from the sum voted by

Parliament. It is certain, however, that the same amount will be required to be voted this year as last year,—for the effect of the late act on the Finance of the Colony has been, not to increase the general revenue, or to diminish the general expenditure, but only to change the source from which a particular charge is to be paid. Lord Goderich trusts that the convention of a Provincial Legislature, familiarly acquainted with the local circumstances of the Colony, and exercising a salutary vigilance over its finances, may shortly lead to such a diminution of expenditure, or, perhaps, such an increase of revenue, as shall render the amount of aid at present contributed by this country towards the support of the Civil Government of Newfoundland. But, certainly, there is not a prospect of the accomplishment of such a reduction in the present year.

I am, therefore, to desire to convey to you Lord Goderich's opinion that application should be made to Parliament for the same amount as was voted last year, with authority to appropriate it, under the direction of the Lords Commissioners of the Treasury, to such charges as shall not be provided for by the Provincial Legislature from the proceeds of the Customs' duties. This measure can, of course, only be considered as an expedient intended to meet the peculiar circumstances of the present year, and to afford time for receiving the information which is requisite before a permanent arrangement can be submitted to Parliament.

I am, &c.

HOWICK.

P. S.—In qualification of the statement that the same amount will be required this year as last year, I should observe that intelligence has been received of the decease of Mr. Coote, and the consequent termination of a Pension of £300 per annum, hitherto charged to the Government of Newfoundland. By the termination of the Office of Agent, a further saving of £100 has been effected. The Estimate has accordingly been reduced from £13,261 to £12,861.

CARBONAR STAB.

WEDNESDAY, JULY 17, 1833.

In another part of our Journal will be seen the announcement of the departure from this country, of PETER BROWN, Esq. one of the hon. Members of the House of Assembly, for this District. We are not disposed to find fault with any gentleman for leaving this Island when his fancy dictates or his business requires; but we think it highly improper that a man who has pledged himself never to neglect our interests, should, at a time, when his services are most needed, deprive us by his desertion, of one-fourth of our representation. It is not enough for him to plead that business called him hence—the business of the public, of 16,000 persons is far more important than that of a single individual. The man who was so situated as to require, at any time, an absence from his legislative duties, is not the person to stand forward and offer himself for the suffrages of a large constituency, whose multifarious wants require his utmost attention and skill. He must deceive that constituency if he do—and from the height to which he induced them to raise him by his hollow promises, sink into an insignificance, which a breach of trust merits. The greatest honor which can be conferred on a man, is to be singled out by his countrymen, to represent them in the legislature of their country—to defend their rights when invaded, and protect them from the arm of oppression. If then honor, unflinching honesty and great self-denial be not his prominent qualities—no man ought to be so hardy as to present himself to a discerning public, as a candidate for so responsible an office, as that of a representative of a free people, for if he do, he may feel assured, that no talent—no wealth—no effrontery will stand him in stead, when again he is compelled to appear before those, whose confidence he has abused, whose interests he has sacrificed, and whose business he has deserted. We trust at a future election, the errors which more than one of our representatives have committed, will not be forgotten, but that they will be made to answer for all and every act of tergiversation of which they have been guilty. The events that have occurred during the first session of our Infant Legislature will, we have no doubt, awake from their lethargy those who have hitherto looked with listlessness and apathy, on the sayings and doings of the men, to whom so much power has been delegated. This listlessness indeed is not so much to be wondered at when it is reflected that the people, in the mass, are almost entirely ignorant of the powers vested in the men they have chosen to represent them, and indeed, it is to be regretted that more trouble has not been taken, by those who had the means and abilities, to open their eyes to the immense advantages which the country must derive from a Local Government, when composed of efficient and honest men. The film however, is fast dropping from their eyes, and the blessings of a Local Government, will soon be felt and appreciated; and like the sun's beams, give energy and new life to all within its influence.

We neglected to state, in our last number, that the Benevolent Irish Society of Conception Bay, very much to their credit, recently distributed 63 barrels of seed potatoes to the poor of this district.

The Marriage Act received the Governor's assent on the 9th inst., at which time the House was adjourned till the 12th, then to proceed to any business which may require its attention, previously to a final separation.

We perceive, by the "Patriot" (the first number of which came to hand last night) that Mr. Archibald had refused to accept the appointment of the House, in consequence of which Mr. Kent proposed that the House should elect another, Mr. Pack only, of all the members present, voted with the hon. mover. Thus has the House refused to exert a power which, but a few days previously, they declared themselves to possess.

MURDER, ARSON, AND ROBBERY.

It is our melancholy duty, this week to record the occurrence of crimes, which have created a ferment in the public mind, that will not be soon allayed. On Thursday night last, at about twelve o'clock, the house of Mr. Bray, in Harbour Grace, was perceived to be on fire by a man who was watching some pigs that had been confined under the Nuisance Act. He, in company with Mr. Pynn proceeded to the spot, and gave the alarm, which soon collected a large portion of the inhabitants, but the fire burnt with such rapidity that the premises were destroyed before it could be extinguished. The bodies of Mr. Bray, his infant son, and servant were discovered so dreadfully burnt that it was with difficulty they could be recognised. On Friday it was conjectured that the fire originated by accident, but on the following day, many suspicious circumstances came to light, (among the rest, that although money was known to be in Mr. B's possession, none could be found) which induced the jury to have the coffin, which had been closed up, opened, and the bodies minutely examined, this was done by W. Sterling, Esq., Surgeon, who gave it as his opinion that the deceased gentleman and his servant were murdered. The following is a report of the inquest, obtained late last evening, by the kindness of J. Stark, Esq., the coroner, which is all the authentic information we have been enabled to procure. No clue has yet been discovered to lead to the apprehension of the perpetrators of this fiendish act. Mrs. Bray, the morning of the day, on which she was rendered a widow and childless, left Harbour Grace on a visit up the Bay. The bodies were interred on Sunday last.

CORONER'S INQUEST.—On Friday last, at Harbour Grace, an inquisition was taken before John Stark, Esq. Coroner, and a respectable Jury, of which Joseph Soper, Esq. was chosen Foreman, on a view of the bodies of Mr. ROBERT CROCKER BRAY, his infant son, SAMUEL C. BRAY, and the servant GIRL, ELLEN COOMBS, the Inquest sat for many hours, re-assembled again on Saturday, and again on Monday last, when the painful but necessary investigation closed. The sittings were held at the house of Mr. Thomas Dunford.

It appeared in evidence, that the body of Mr. BRAY, was found upon the kitchen floor with the face smeared with blood, and some marks of blood upon the neckcloth, but the parties who saw the body, became alarmed and ran away, in consequence of which, the bodies were not discovered till the House was entirely consumed by the flames—it was then discovered that there was a wound with some sharp instrument on the back of Mr. BRAY's head—blood was plainly seen upon the collar of his coat, and upon the remains of his shirt. The servant Girl was found with the child in her arms, with her hands closed over her breast, as if in the attitude of imploring mercy, with a cut on the right side of her head, evidently caused by external violence. After a most minute investigation, and an acute examination of the witnesses by the Jurors, who all took a lively interest in the proceedings. The Jury brought in a Verdict of Wilful Murder against some Person or Persons at present unknown.

(From the Royal Gazette, July 9.)

ANOTHER CONFLAGRATION!

We are sorry to state that a most extensive Fire has again occurred in this truly unfortunate Town, attended by circumstances more melancholy than any which we have heretofore had to record. On Sunday morning, between the hours of two and three o'clock, the House of Mr. J. B. Thompson, Merchant, in Water-street, was discovered to be on Fire—the flames bursting from the roof;—and so rapid was the progress of the destructive element, that before many persons had assembled on the spot, the adjoining buildings were also enveloped in an unextinguishable blaze.—The Town and Garrison Engines having arrived, endeavours were made to prevent the Fire extending to the opposite side of the Street, but unfortunately without effect—as from the immense body of Fire and intense heat, the Engines could not be worked sufficiently close to be available, and in a short time both sides of the Street were in flames. At the cross-