

Mrs. Cox and Painter, of Great Malvern, have received from a lady residing there, a cheque for £1,000, to be forwarded to Mrs. Nightingale, at Scutari, to be applied by her as she considers necessary.

SPAIN.—Madrid, March 8.—The Government has received confidential communications from General Concha with respect to the state of the island of Cuba, which is evidently such as to inspire the Captain-General with considerable uneasiness, although he confidently trusts to surmount all difficulties, especially if the Ministers and Cortes attend to his suggestions with respect to the line of colonial policy to be observed.—He considers the relative position of Spain and Cuba to be very similar to that of England and Canada in 1837, and wishes the example of England to be followed, and concessions to be made to the colony. Cuba, in his opinion, should send deputies to the Cortes.—Care should be taken not to alarm the slaveowners by talking of emancipation. Such a measure would inevitably throw the island into the arms of the United States. To declare the slave trade piracy would also be a most dangerous step, but General Concha is using his very utmost exertions, and will continue to do so to prevent the traffic. The island is evidently not to be governed as it has been hitherto; and a garrison of twenty thousand men will be found all sufficient to preserve it to Spain, if the inhabitants be not conciliated by liberal legislation. Cuba has greatly changed within this last few years, and there can be little doubt that General Concha begins to note a wide difference in the state of the public mind now, and during his former residence there as Captain-General. The late conspiracy was very extensive, and dissatisfaction is wide spread.

Provincial Legislature.

LEGISLATIVE.

THE Legislative Council, in Committee on Bills, on Thursday, March 22, deferred the Bill to amend the Revised Statutes concerning offences against public morals. The object of the Bill, among other things, was to prevent desecration of the Sabbath. It is much to be regretted that our Legislators cannot draw a distinction, between acts which are innocent in themselves, and those which violate the Lord's day, by breaches of public order and disregard of the precepts of religion. There is room for a great deal of good to be done, still stopping short of the attempt "to make people religious by Act of Parliament." Thus, a law might be of advantage to the community, which while it did not prevent a walk, or even a ride on the Sabbath—would still make it criminal to continue that walk or ride to a country tavern or place of entertainment, for the sole purpose of spending the time in pleasure. A law to prevent skating, or fishing, or fowling, on that day—need not interfere with any occupation dictated by necessity. A law also to prevent the sale of spirituous liquors at country taverns or places of entertainment, need not we think, involve persons proceeding on a journey, in cases of necessity. So in towns or cities, it would be attended with great advantage to public morals, if children were prevented playing at marbles, pitch-and-toss, and any other game, on Sundays. It is to be hoped that the friends of morality and religion, will not be deterred by the ill success of this measure, from again making an attempt to place upon the Statute Book, a law, which divested of puritanical coercion, will recommend itself by its reasonable provisions to the sense of religious propriety of all denominations and classes.

The proceedings on the Bill for abolishing the Court of Chancery, in so far as they have turned upon pensioning the Master of the Rolls, are important, and we dare say it will be agreeable to our readers to be advised of them. The question of principle, to-wit, that in abolishing the office, the rights of the incumbent should be preserved, is affirmed by every honest mind. The interest of the proceedings turned upon two other questions—Could the Officer not be made further useful? Would not his usefulness also save money to the Province? If these can be satisfactorily affirmed, either a grave personal objection to the Officer, or something radically political, and favouring of secret motives or machinations must be the chief reasons for rejecting the usefulness and the saving that might be effected. The Master of the Rolls has expressed his willingness to accept a seat on the Supreme Court Bench. One of the Judges (Haliburton) wishes to retire upon his former pension of £300 per annum.—Were this plan carried into effect, an efficient judge, we mean more particularly as regards the practice in equity, would be substituted for Justice Haliburton, and a saving of £100 per annum be made. No recognition of a pension principle would be established, as Judge Haliburton would merely fall back upon that to which he had a prior claim, and which being conceded under a former mode of government, the new state of things was not responsible for. We take the view merely, of the advantage to the Province from accepting the services of the Master of the Rolls in a judicial capacity: for we presume it will be generally conceded that it would be difficult to find his equal as a Judge. If as is generally surmised, the objection to his appointment to the Supreme Bench, cheaply purchased at the present time, thro' no other retirement should take place, arises from the design of those in power to appoint a political hack to the judgment seat, when the extra business has demonstrated that another Judge cannot be dispensed with, the country will be badly compensated by such a procedure. It is a pity

that political considerations should at all interfere in a matter in which the good of the country is so intimately concerned.

The Bill passed a third reading on Monday. The following Resolutions were moved by Mr. Marshall, and discussed as a party opposition to the Bill—as it is "with all other motions,—a deplorable state of things, which will continue until the people determine that it shall exist no longer:—

"Whereas, The duties of the Judges of the Supreme Court, increased as they have been by the changes introduced into the practice of that Court, will be further augmented by the abolition of the Chancery Court; and as the Bill now under consideration provides no defined practice for the Chancery business transferred to the Supreme Court, great judicial experience, knowledge and research will be required in regulating the proceedings in Equity cases as they arise, and in bringing into efficacious operation the changes designed to be made in the law:

"The Master of the Rolls from his study and experience of the principles and practice of the Court of Chancery, united to long practice in the Courts of common law, is peculiarly qualified to be useful in carrying out successfully the union of Chancery and common law jurisdictions contemplated by this Bill; the House has been officially informed that he has communicated to the Lieutenant Governor his willingness either to accept a pension or to take the office of Judge of the Supreme Court: and the section of the Bill under consideration discharges the Master of the Rolls from all judicial duties on a pension of £400 cy.

"And Whereas of the five Judges of the Supreme Court, two only reside in Halifax where the increased business will principally be accumulated, and of those the Chief Justice has passed the age of 80 years after having spent more than 50 on the Bench—and of the three resident out of Halifax, one (at present absent from the Province) has by petition informed the House of his desire to retire from his office on his former pension of £300 cy.

"Resolved, That in the opinion of this House it is unwise by rejecting the services of the Master of the Rolls to impose on the two Judges resident in Halifax an accumulation of duties which they may be unable or unwilling alone to perform; and which may force from the Bench an aged and universally respected Judge.

"That a just regard to the interest of society demands the adoption of every practicable means for securing the successful introduction of the important changes made by this bill in the administration of the law, and under existing circumstances, the transfer of the Master of the Rolls to the Supreme Court Bench is a wise and prudent measure in relation to the beneficial issue of an experiment in which the welfare of the country is so deeply involved.

"That in the pecuniary aspect of the question, it is less expensive to the people to retain the services of the Master of the Rolls than to fix on the civil list the proposed pension.

"That the transfer of the Master of the Rolls to the Supreme Court, does not require, and ought not to induce the permanent maintenance of six Judges, if that number should not be necessary, and this house is of opinion that it would be the duty of the Government, whenever a vacancy occurred, to abstain from making any new appointment, unless sanctioned by the Legislature. Hence, in relating the judicial services of the Master of the Rolls, the only pecuniary expense that can be estimated, is the difference between his salary and pension, for the period that may intervene until a vacancy occur: in return for which the country receives the benefit of his experience, in initiating and framing a system of practice, and of his services in assisting to overcome the perplexities and obstacles incident to important changes; and when the vacancy takes place five Judges alone would remain, without any pension being entailed.

"That on the other hand, while the pensioning of the Master of the Rolls deprives the country of his services, at a time when the public interest peculiarly requires them, this injurious result is brought about at an expense to the people of £400 a year, for an indefinite period, with the possibility of the necessity being found to exist, for the appointment of another Judge, should the two Judges in Halifax be inadequate to meet the exigencies that shall arise, or unwilling to assume without assistance the additional duties imposed on them.

"That the only benefit that can arise from the pensioning of the Master of the Rolls is, that it induces an increase of Government patronage, and will place in the hands of the Executive the nomination of a Judge of the Supreme Court, when a vacancy shall occur, which would not be the case were the Master of the Rolls to be retained in the judicial service of the country. But this house is of opinion that the increase of Government patronage is too dearly purchased by fixing on the revenues of the country a pension of £400 a year, and endangering the successful result of a measure which affects important interests.

"That in the opinion of this house, the pensioning of the Master of the Rolls under these circumstances, needlessly increases the civil list, and the annual expenses of the country; wantonly offends against the known feelings and principles of the people of Nova Scotia, on the subject of pensions; and both in its judicial and financial results is unwise and injurious; that it sets an evil and dangerous precedent; violates the principles on which the Government of this Province has been established, and is inconsistent with the professions in which the party in power obtained office at the hands of the people of Nova Scotia.

And therefore Resolved, That the clause granting a

pension to the Master of the Rolls be struck out of the bill, and an address be presented to His Excellency the Lieutenant Governor, informing him that in the opinion of this house, the interests of the country will be promoted by the Master of the Rolls being transferred to the Bench of the Supreme Court—and that His Excellency be further informed that this house does not intend thereby to indicate that six Judges of the Supreme Court are permanently necessary, and that it is the opinion of this house, should the Master of the Rolls be placed on the bench, it will be proper in the event of a vacancy occurring in the office of Puisne Judge of the Supreme Court, that such vacancy should not be filled until the Legislature shall have considered, and decided on the necessity of doing so."

These resolutions being lost, the following was moved by Mr. Marshall. Also lost.

"That the 13rd clause be struck out of the Bill, and instead thereof the following clause be inserted:

"That on this Act coming into operation, the Hon. Alex. Stewart, Master of the Rolls, be appointed a Puisne Judge of the Supreme Court, with the authority and power, and be entitled to the salary and emoluments of that officer as appointed by law.

A string of very curious, but significant resolutions, was moved in the Legislative Council, on the 26th by Hon. Mr. Almon, as follows.

"Whereas it has been made apparent to this house, by the admission of the Provincial Government, that the sum of £225 has been paid to John Spry Morris, Esq., since his deprivation of the office of Surveyor General. Be it Resolved, therefore, that there hath not existed, nor does there now exist, any law of this Province for such appropriation of its public funds.

"Whereas it has been made apparent to this house, by the admission of the Provincial Government, that a sum at the rate of £600 per annum, commencing on the 1st day of April last, has been paid to James B. Uniacke, Esq., for his services as Surveyor General—therefore, be it Resolved, that there hath not existed, nor does there now exist, any law of this Province for such appropriation of its public funds."

These were met by amendments, moved by Hon. Mr. McNab, in a series of resolutions as follows:

"Whereas, John Spry Morris, Esq., late Commissioner of Crown Lands in Nova Scotia, was absent from this Province on leave till the month of April, 1854, having previously signified to the Executive Government his willingness to accept a retiring allowance of £300 per annum for life, and has remained absent hitherto.

"And whereas, a resolution, passed in the House of Assembly on the 23rd of March, 1854, authorizing the payment of a retiring allowance not to exceed £300 currency, per annum, to the then Commissioner of Crown Lands;

"And at the next session that that House would make provision therefor.

"And whereas there now lies on the table of this house a bill which has passed the house of Assembly, redeeming that assurance and pledge,—

"Resolved, therefore, that while the said bill is ready, and merely waiting to the action of this house in order to perfect the same preparatory to becoming law, it would be unwise to prejudge the principles therein involved, and to express an opinion of this house thereon, by way of resolution.

"Whereas, the Hon. James B. Uniacke, Commissioner of Crown Lands, was appointed to that office on the 1st day of April, 1854;

"And whereas the salary secured to his predecessor was £600 per annum, and the law securing the same expired on the 1st day of September, 1854, and since the last general session of the Legislature, no legal provision existing since that time for paying any salary to any person holding said office.

"And whereas a large increase of labor has devolved upon the department of Crown Lands since April, 1854, and a corresponding increase of revenue has been received, the revenue for 1853 being £5,567, whilst that of 1854 is £11,209.

"Resolved, therefore, that in the emergencies of such a case, the Executive Government would not have been warranted in withholding a salary from the Commissioner of Crown Lands, thereby disorganizing the whole department, until by an act of the Legislature the payment of a salary could be legalized by act of Parliament.

"Resolved, further, that in the opinion of this house the Executive Government are and ought to be indemnified for the payment of the usual salary to the present Commissioner of Crown Lands for that portion of the year 1854, commencing with the 1st of April.

The amendments were discussed and adopted 10 to 9. The Bill granting a pension of £300 per annum to Mr. Morris, late Commissioner of Crown Lands, passed a second reading. It was opposed by the Hon. Messrs. Harris, Brown, Cutler, Almon, Black, Fairbanks, Keith, Crichton, and Morton, on the ground that the retirement of Mr. Morris was not requisite, and that the pension might have been saved by another arrangement.

The House of Assembly on Monday last, by a majority of 23 to 20, reconsidered the question of reducing the duty on Molasses, that had previously passed the House, which reduction if it had been made a law would have lost to the Revenue of the Province about £7000. The Revenue from all sources will be little enough for the demands upon it. The reduction would not have cheapened the article to the consumer, altho' it might have been a benefit to the importer.

The Legislature will probably be prorogued on Tuesday next.