of France to Charles X and his family, and that which united Belgium to Holland. When the Minister of Foreign Affairs asks, whether we could go to war, in violation of treaties, I answer—Yes, both for France and Belgium; and the King's Government ought to make the same reply. For I take upon me to say that these treaties have not been entered into between the Chief of France and her enemies, but imposed upon France by her enemies, who, by force of foreign bayonets, placed one of their own society in the Tuileries, to traffic with our independence, and convert it to their own profit.—(Cheers from the Left.)

When called upon to explain in this Chamber, and in the presence of Ministers, my notions of the system of non-intervention, I said, that wherever the right of sovereignty was claimed by the people, every intervention in the affairs of that people should be considered as a declaration of war against France. These are the principles we ought to defend, be the consequences what they may. Should we by this fidelity to our principles be forced into a war, we shall, to apply the words of Mr. Canning, "enter into it with our eyes open and not with our eyes shut." We shall be supported by 500,000 regular troops, and by the 1,500,000 National Guards, of whom the Minister of War has rendered us so good an account, and for which I thank him. I shall now proceed to the affairs of Belgium, with regard to which the conduct of Government has been perfectly consistent. It is true that scarcely was our Government established, when we were called upon to protect the sovereignty of the people of Belgium; and we immediately signified to the Ambassadors of all Foreign powers, that the moment a foreign soldier set foot in Belgium, it would be considered as a declaration of war against ourselves. This was in strict conformity with our principles. Here I confess I would have stopped. When the Belgians asked for counsel I would have said—Be what you wish to be; if you wish to become a Northern Switzerland, become so, except as to the Aristocracy (laughter); if you desire to have a Foreign Prince for your Sovereign, choose whom you will, we will support you: and if they had elected the Duke de Nemours, I would have recommended ministers to advise the King to give his consent.

As to the re-union of Belgium with France, I would not have stopped to inquire whether it might be displeasing to this or that power; all the inquiry I should have made would have been whether it was the desire of the majority of the Belgian people to effect, and the will of the representatives of the French nation to accede to the union; for it is not within the Government of either country to offer or accept it. I should have not been restrained by the fear of offending England, who acceded to the treaties of Loneville and Amiens, which secured the union of Belgium with France, under Napoleon, for whom it cannot be imagined she had more regard than she has for Louis Philip;—or can she have less fear of us now that we have recovered our liberty. With regard to Poland, a greater politician than myself has given you sufficient reasons why it would not only be in the interests of humanity, but in accord with the political interests of the continental Powers, to see this barrier against the incursions of the northern hordes once established; and, above all, to see that liberal condition fulfilled, which has entered by chance into the act of the Congress of Vienna. (The happy introduction of the words 'by chance' excited the smiles of the Deputies.) I know that Prussia yielded with reluctance to the partition of Poland, and that Austria viewed it with extreme regret. I have heard even the least liberal of Austrian diplomatics express their wishes that Poland might recover her rights. As to the sentiments of England in this respect, it ought to be recollected that the men now forming the Government of that country were those who most loudly and uniformly declared against the division of Poland. England is also jealous of Russia, and if this spirit was manifested in favor of the Turks, I see no reason why it should not have its influence in the case of the Poles. I therefore should have counselled ministers to succour Poland.

I will now notice that spirit of conquest we are said to inherit from the revolution and the empire. If we have made so many conquests, it has been because we were constrained by the blindness of our enemies, and by the faults of Kings, who then formed a league with their people against us. These People and these Kings are our allies at the present day—and so will remain, for some time, some few days perhaps, and then will become our implacable enemies."

A Deputy said—"Who would dare to attack us? Is it Russia? She has Poland and Turkey to contend with! Would it be Austria? She knows that with 50,000 men, we should give her occupation in Italy. Would it be England? With steam-boats we could carry arms and battalions into Ireland!!—With 500,000 regular troops and a million and a half of national guards, it is impossible to say, what we might not effect."

BRITISH NEWS.

PARLIAMENTARY REFORM.—The Liverpool Times of Feb 1, holds the following strong language on that subject:—

The question of Parliamentary Reform is that on which the fate not only of the administration but of the country depends. The House of Commons, constituted as it is at present, has entirely lost the confidence of the people, and without an essential change in its constitution it never can regain it. The educated classes are too enlightened to submit any longer to the monstrous delusion which has so long been practised upon them; and the mass of the people feel the evils of the present system too severely to remain much longer tranquil in the midst of the commotions by which they are surrounded. We must have a Reform or a Revolution, and that very speedily. If the first is refused, those who have the folly to refuse it may prepare themselves for the second. This is no agreeable prospect, but it would be weakness and cowardice to turn away our eyes from it; by so doing we should not decrease the danger, but we should throw away the only chance which now remains of averting it. We do not mean to assert that the immediate consequence of the refusal of Parliamentary Reform would be a popular insurrection, though we are not at all certain that that would not be the case. But even if no immediate explosion should take place, the government and the people would in a very short time divide themselves into two distinct and hostile parties, who would be ready to commence the struggle at the first favourable opportunity; and who can doubt that in the present state of Europe, such an opportunity would soon present itself? A timely reform will remove all this danger; for the people, though discontented, are not disaffected; they wish to see the constitution improved, not destroyed; and nothing but a "dire necessity," and an obdurate denial of justice, will ever induce them to have recourse to violence.

James Cooper and Henry Cook, for rioting in Hampshire, were executed on Saturday at Winchester. Nothing was said by either of the sufferers, who appeared fully resigned.

NEW-BRUNSWICK.

LEGISLATIVE DEBATES.

(Continued from Supplement.)

Tuesday, March 15.

JUDGES' EXPENCES.

According to notice, Mr. Weldon this day moved for the commitment of the bill to provide for the circuit expences of the Judges; and it was accordingly committed.—Mr. Smith in the Chair.

The debate on this bill occupied the greater part of the day, and would require almost half a dozen reporters, to transcribe the whole, in the interim between the rising and sitting of the House. It gave rise to a long and irrelevant discussion, respecting the conduct of Mr. Simonds some years ago, with regard to the respective rights and privileges of the Council and House of Assembly; some Hon. Members charging Mr. S. with having on that occasion advocated principles different from those he now maintains. This charge the Hon. Member unequivocally and positively denied; and the arguments on the question occupied much time, both during and subsequent to the consideration of the bill, until it was at length relinquished at the suggestion of Mr. Speaker.—We must endeavour, therefore, to give as concise a compendium of the arguments on the main point as possible; their extreme extent rendering a thorough transcript impossible.

Mr Weldon observed, that there existed a necessity for circuit courts throughout the province; there could be no doubt on the minds of the Committee on that point. If, then, there was a necessity for them, additional duties were imposed on the Judges, which required from them additional expences. Whenever the House imposed additional duties on any public officer, it should also provide for the attendant expences. If a Judge was required to travel throughout the country, he should do so in a manner suitable to his station in life. As to the Judges' present salaries, he (Mr. W.) believed that when they had been originally fixed they had reference only to holding of Courts in Fredericton; and the Judges therefore received no salaries for holding Circuit Courts. The bill introduced in 1826 gave them something like a guinea a day for their travelling expences; which he thought not any too large a sum for a Judge to receive. He could not think that a Judge, travelling the Circuit, could be called on to pay his expences from his own private purse; all such expences should be defrayed at the public charge. As to the Judges holding other than judicial stations, that was not now the question before the House; although it had been referred to the other day, and, as he (Mr. W.) thought, improperly so. If the Committee should be of opinion that the Judges should not hold such other situations, the more dignified way to proceed would be, by bringing the matter under the consideration of his Majesty's Government at home.—When such a question should come before the House, it would be quite time enough to consider it; but whenever the House should go into Committee on the subject, he (Mr. W.) would be against the measure; because he did not think the country at present at all prepared for so important an alteration of its constitution. As to the expences of the Clerk of the Circuit Courts, it appeared absolutely necessary to provide for them; otherwise they would fall on a few individuals alone; the suitors themselves must pay them. Circuit Courts were a general benefit to the country. They brought justice nearer to every man's door than could otherwise be the case. Previous to the first passing of this act, the heavy charges for the Circuit Clerk's travelling expences almost amounted to a denial of justice in many parts of the country. If this bill should now fail, it would be a great injury to the country. It might not affect York county, wherein all the Courts were situated; or St. John which was so near to them; but in the remote parts of the country, it would very seriously affect the community. As to the contemplated reform in the whole law, when that measure should be brought forward, he (Mr. W.) would go heartily with it; but till then the present bill must be continued. He would propose two years for its duration; and he trusted the Committee would allow it to pass for two or three years under present circumstances. Probably, in the course of next session, if it should be found expedient to repeal it, in consequence of any general alteration, it might be so done.

Mr. Simonds said, that as it appeared Mr. Weldon thought it necessary to continue the act at present, because the Judges were not sufficiently paid, he (Mr S.) would like to get information on that point. He might probably be of the same opinion, if he knew what they now get. He would like to know what they got from the casual revenue, from fees, &c.

Mr. Partelow did not consider that information of material consequence as to the passing of the bill. What the salaries of the Judges were, was not the question. It was, whether Circuit Courts were necessary, and whether the Judges were bound by law to travel for the purpose of holding those Courts. If they were not bound to do so, it was necessary to provide some salary to pay their travelling charges. The salary now was about, [we could not hear the sum named,] which he (Mr. P.) trusted would not be considered more than a compensation for their services, or than sufficient to maintain the dignity of their station, even if they did not travel the Circuits. There was an absolute necessity for Circuit Courts, to bring justice to every man's door, and provision was, therefore, necessary for their support. What provision, was matter for the Committee to determine. He (Mr. P.) believed the whole amount hitherto allowed the Judges for travelling expences had never been drawn. As to the salary of the Clerk of the Court, there could be but one opinion as to the re-establishment of that. Under the operation of the old system, the Clerks' travelling charges brought the costs of suitors to an enormous extent. As to the city of St. John, one of the Judges resided there. The Circuit Clerk also resided there. [Here we lost one or two observations.] But the House was not legislating for the city of St. John alone; but for the whole province. If the Judges were not bound to travel the Circuits, some provision to defray their expences ought to be made.

Mr. Simonds said, that till he saw a greater necessity for granting money to the Judges than he then saw, he certainly could not consent to the bill. He would not go over the whole of the ground that he had travelled over the other day, but would merely make a few observations. The committee was not legislating on mere Pounds, Shillings and Pence, but coupling that consideration with great constitutional points, which it ought to meet very gravely. In the first place, he (Mr. S.) had the other day made a mistake as to what the Judges receive from the casual revenue. He had said that the Chief Justice received £100 sterling, and the three assistant Judges £75 sterling each. But he had now discovered that they received exactly double this amount from the casual revenue. He believed the whole salaries were established somewhat in this way: each assistant Judge received a salary of £500 sterling, which would amount to about £600 currency. They had also each £150 sterling from the casual revenue, amounting to £166 13 4 currency; and the lowest average of their fees, he believed, would amount to £140 per ann. These sums added together, made the emoluments of each of the assistant Judges about £906 13 4. The Chief Justice, he thought, received about £1200, or perhaps a little more. Now the question was, whether these sums were not ample for all the purposes which could possibly be required by the Judges; whether it was not money enough to enable them to maintain their proper station in society in the fullest manner. There was no question of it, in his (Mr. S's.) opinion. £900 was a very large sum; enough to provide for all the wants and all the luxuries of any man in this country, without any such further allowance as contemplated in this bill. Suppose this amount were doubled. Suppose the salary was made £1800 a-year. It would not add one jot to the comfort of the Judge. An additional £800 would only create more wants, and be a burden to the possessor. The more we increase our income beyond a certain amount, the more we add to the burdens of life, and to our cares. £900 might increase the possessor's wants to the amount of £1000, and would thus take £100 from his comforts. There was no necessity for any salary in the Province being more than £900. That sum ought to be the maximum of all salaries, except that of the Chief Justice. But the mere matter of Pounds, Shillings and Pence weighed but little in his (Mr. S's) mind, in comparison with other matters. The unconstitutional powers the Judges now exercised were weighty reasons with him. They possessed a triple power, as privy counsellors, as executive counsellors, and as judges. This was a monstrous association: which hereafter might be attended with great danger; altho' not so, perhaps, at present. But it should be combatted in good time. It had been seen in times past how these powers had been exercised, even in this Province. [Here the hon. member proceeded to detail the circumstances of an occurrence some few years ago, during the administration of Governor Smyth; on which occasion the Privy Council had determined for the future not to pass any bills containing matters relating to themselves, unless they were included in separate and distinct bills. [The Hon. Member read some quotations from the Journals in support of his assertions. The circumstances did not clearly reach our station; but it was this statement that gave rise to the very excursive discussion before mentioned.]—The Hon. Member asked, were not these powers which ought not to be exercised by the same persons? He thought they were so. Not for one moment should they be so exercised. What must be the consequences of such a union of functions? In case of any political discussion arising in the country, the Judges must necessarily become members of a party. They must be on one side or the other, unquestionably. He (Mr. S) knew by experience, that they were occasionally members of a party; and this must always be the case, unless they were more than mortal, more than mere human beings. Those disputes generally engendered strong feelings, strong prejudices and prepossessions. Every one must be aware of that. Supposing it, then, to be the case that a cause of great importance came into Court, the Plaintiff and Defendant in which were on different sides of a political dispute. This would place a judge in a very difficult situation. In deciding the cause, he must take one side or the other. But instead of calmly listening to and considering the cause, he would be carrying on a conflict in his own heart, striving to get rid of the feelings engendered by the party prepossession. He would be oppressed with this perpetual struggle in the discharge of his judicial functions, for he would see the necessity of it. This was a very unfortunate situation, and one in which a judge never ought to be placed. But so it must be, as long as judges are politicians; and the same difficulties would arise, even if they were merely executive counsellors as well as judges.—(The Hon. Member put another suppositious case.)—Suppose an article were to appear in a newspaper, even, for instance, this very week; which should be deemed obnoxious, and concerning which it should be necessary to make enquiry. The privy counsellor would be summoned, of which the judges formed a majority. It might be there determined that the matter in question reflected on the government—that it was in fact a libel. It would there be determined to prosecute the offending party. Here, then, would be the judges exercising the functions of a grand jury: they might be said to find a true bill of indictment against the offender. They would then direct the attorney general to file an information, and bring the matter into court. Then came the difficulty. The very case already actually decided by the Judges in Privy Council, would come into a court of law, and be again decided by them! Was not this a case that ought to be deprecated in every free country? Surely so. No one could for a moment deny it.—This very question had been considered very maturely in the mother country; and there was no question on which the public mind there was more settled.—[The Hon. Gentleman then proceeded to state in detail the opinions on this question, which had been broached in England by the Earl of Eldon, Earl Mulgrave, Lord Hawkesbury, Mr. Canning, and Viscount Castlereagh, and other authorities; all which the Hon. Gent. read, and briefly commented on *seriatim*.] These were the authorities to which he (Mr. S) had alluded on a former day. The opinions of such men as those ought to weigh deeply on the minds of the Committee. Before granting any more money to the judges, which would be in fact increasing their tremendous power, the House should see their duties confined to their proper functions as judges of the Land.—The report of the Committee of the House of Commons on Canadian affairs corresponded exactly with the opinions of those eminent men already mentioned. That report recommended, in the strongest terms, that the judges should not be allowed to sit in the Councils of the Colonies. The Hon. Member here quoted other written authorities; and proceeded to contend, that under existing circumstances the country could not get such laws passed as is required. This he knew by many years painful experience. The best bills of the house had been thrown out by the Council; and he verily believed, by means of the influence of the judges. This shewed the impropriety of their holding such situations. It appeared that those facts were so striking, that the Committee would fail in its duty, by granting any additional allowance while they held such tremendous powers. They might not do injury now; he had the fullest confidence in the present judges. But the house should have an eye to posterity, and must take care not to establish a power, which may hereafter be exercised to the prejudice of the country. This was a very important duty of the house.—There was another circumstance to be considered; the difference between the judges of this Province and those of the mother country. There the judges are not allowed to take any fees. Their salary is in full allowance for all fees, and emoluments. Such fees as could not be abolished were paid into the Exchequer, and became a part of the revenue of the country. So it should be in this Province. It was highly improper for any judge to have a pecuniary interest in any suits in court; which he must have as long as he is allowed to take fees.—This was a glaring impropriety in our constitution. He (Mr. S.) would like to see an act passed in this province, similar to that lately passed in England, (6 Geo. IV. cap. 34.) abolishing all judges fees. The judges would then have no pecuniary interest in causes tried before them. He did not say that the judges now made a bad use of it; but a time might come, when such a use would be made. He had every confidence in the judges now; but the house should look forward: their views should not be confined to the present moment.—There was another circumstance to be mentioned. When the act now sought to be renewed was before the house in 1826, he (Mr. S.) well recollected the arguments of a former member of that house in support of it. He had stated, that the judges salaries were not then sufficient, without a further allowance of travelling charges; that they had applied to the parent government for an increase, and had been answered, that the Government could not grant it, but that the judges must apply to the Provincial Legislature; and that, consequently, the application was made. Now it appeared that ever since that time, the judges had annually received a grant from the casual revenue, (the chief justice of £200 sterling, and the three puisne judges £150 each,) over and above what this bill gave them. Had it been known at the time, that this bill would never have been passed; because it was understood that they received nothing from the casual revenue. This, therefore, was a proper reason for repealing it now. He (Mr. S.) had no objection to the allowance of £250 to the clerk of the circuit; because the payment of his expenses would reduce the costs of suitors. It was very proper therefore to continue his allowance; but he (Mr. S.) could not by any means consent to the rest of the bill. He would certainly be against any further allowance under the present circumstances. While they would keep this power in their hands, they ought not to expect any such grant.—The hon. member then made a few observations on the Patronage possessed by the judges, which he considered to be equivalent to money; and added some allusions to the late debates in Canada, on the same subject, and especially as to the opinions of Mr. Speaker Papineau. Should the House sleep over this matter from year to year, and not make some alteration in the system?—He (Mr. S) hoped the committee would divide on the question, and let the country see that, at least, some few Members would stand up against this improper grant; this very lavish and improvident grant. If the Judges were confined to their proper duties, he would then certainly be for giving them a very liberal salary; a salary not dependent on any contingencies, but settled for life, or during their continuance in office; but he never would consent to it while they possessed so much power. He hoped a great majority of the Committee would deem it expedient not to continue the bill, except so far as to grant £250 to the Circuit clerk.

Mr. Partelow observed, that his Hon. colleague had wandered in so strange a manner in his argument, that it was almost impossible to reply to him. He had certainly given the House a great deal of valuable information, as to the various powers of the Judges, &c.; which would have been very useful the other day, when the House was in Committee on the general state of the province, and might then have induced the House to address his Majesty on the subject. But he (Mr. P.) asked his Hon. colleague, what on earth it had to do with the bill now before the House? The simple question now was, Is it expedient to continue Circuit Courts or not? He (Mr. P.) would confine himself to this question. The Hon. Member (Mr. S) had talked about adding to the cares of the Judges by giving them more money. He (Mr. P) believed the Judges were perfectly willing to put up with such an addition of cares. He had not the smallest doubt of that. As to the sum total of the present salary of the Judges, his Hon. colleague had very modestly calculated the rate of exchange and premium on bills, and had thus stated that the Judges enjoy £900 a year each. But the proper way to ascertain the real amount was, to take the various sums. [Here we lost a few words.] He (Mr. P.) was of opinion that the full amount was no more than £800 currency. That he would consider a very fair salary, if the Judges did not travel the Circuits. It would not be too much, even if they were confined to the Courts in Fredericton; and they should therefore be allowed a fair and reasonable sum for travelling charges. Whether it was proper for the Judges to take fees, was not the question now; but he (Mr. P.) trusted that the labours of the Committee of which his Hon. colleague was a member, [Mr. P. did not say what Committee,] would bring up the question, as to putting the Judges on a permanent and handsome salary; very near to £1000. That sum, in comparison to the salaries of other officers in the province would not be by any means too much. [The Hon. Member then made two or three remarks as to the Circuit Clerk.] He (Mr. P.) would like to know, whether the Judges were bound to go the Circuits, and whether they would go, if the House did not provide for their expences. If they were not bound to do so, and did not go, then the burden and expence of the attendance of witnesses, parties, &c. at Fredericton, would render it impossible for the House to devise some provision for Circuit Courts.

Mr. S Hombert would not say whether the information given by Mr. Simonds was relevant or not; but as to his assertion, that increase of money gave increase of care; it was one of the cases continually occurring in human nature. It was a general maxim, that the more a man gets the more he wants. As to the question. The Judges some years ago, it was supposed had an adequate salary for all their services. They then travelled the Circuits, and did the duty, without even asking for an increase of salary. They were content; the province was content; and all parties were content. But, somehow or other, at length an increase of salary was wanted. At that time, such was the demand for more, and perhaps there might have been a necessity for it, that one of the Judges actually went home to England for the express purpose of asking an increase. His labours proved effectual: he obtained his request; and no doubt, there was great triumph over the result of his mission. Bye and bye it came out, that the Judges wanted more salary: but prior to that, after the decease of the Judge already mentioned, the province made handsome appropriations to his family, on account of those very services, in leaving this country and getting the Judges that salary now paid from England. But the mind of man was always expanding and extending: the more he gets the more he wants. Then came the Judges bill before the House. For several years it was decidedly negatived; but at last, after a very great struggle, it passed in 1826, and the appropriations were granted. But what was the purport of the bill, and why were those appropriations granted? Look at the act itself. It was to defray the necessary expences of the Judges, in holding all Courts then or thereafter to be appointed. This enactment comprehended all their services then and all their services now. It was a compensation for holding all the Courts to be appointed thereafter. Was it not, then, contemplated at that time, that no further demand should be made? He (Mr. H.) believed it was; that it was the intention of the House when it passed that law, that no further appropriation should be made. It was most extraordinary, then, that another demand should now be made. If the House could not lay its hands on the casual revenue, and have the controul of it as civil list, it ought to grant no further allowances. [The rapidity of the Hon. Gent. here gave us only a few unintelligible scraps.] He (Mr. H.) reasoned on fair principles. He had nothing to say against the Judges themselves; but surely when it was considered that they already have sufficient to maintain the respectability and independence of their station, he presumed that no man of common sense and sound reason, knowing the situation of the country, would say they ought to have more. He could not be for the bill, unless it was made conditional, that the Judges should receive nothing from the casual revenue. The assertion had been treated as a mere joke, that the more we get, the more we extend our ideas. But it was a scriptural idea: it was a maxim to be found in the word of God. If the House now gave more, all it so gave would be mere surplussage. Why, then, should it give more? If the Judges really did not want it, the House ought not to give it. That was his (Mr H.'s) reason; and it was founded in common sense, and was sound reasoning. [We could but very imperfectly hear the remainder of the Hon. Gentleman's remarks.] If the House had the casual revenue at its disposal, and its own civil list to pay, perhaps he might think differently from what he now did. But the House should now cut the coat according to the cloth.—[The Hon. Gentleman had no objection to the salary to the Circuit Clerk; which, however, he thought very handsome, as that officer also received fees.] As to the power of the Judges, the assertions made, and the authorities quoted by Mr. Simonds shewed, and the Members of that House knew from experience, that they do possess a most tremendous power. Nothing could be more unconstitutional. It had been conceded at home, that the Judges ought not to sit in the Council. But this was not, perhaps, altogether relevant; but he (Mr. H.) thought, as it had a bearing upon the question, that it ought to be taken into consideration. He thought the Judges now received quite sufficient, according to the state of the Province, the general price of things, &c. to make them highly respectable and independent. He should only be for the bill, as far as it related to the Circuit Clerks' salary.

Mr. Chandler said that he rose with very great reluctance on this question; because his professional character might induce an opinion, that he was influenced by professional prejudices. But he solemnly assured the House, that he had endeavoured to bring as much impartiality, as much calm and unbiassed deliberation, to this question, as any other hon. member. The first question was, as to the necessity of this measure. He (Mr. C.) had no doubt, that if the House merely looked at the ordinary conveniences of life, that the Judges were well paid now. But he contended, and he could, if necessary, produce authorities to prove, that the Judges should be placed in a situation above all or any thing like want. It was a maxim admitted on all hands, that they should be rendered completely independent, both of the crown and the people at large. Their stipend should be such as to induce the very first professional men to undertake the office. If the salary was small, who would go into the situation? It was always good policy, and one of the wisest things any government could do, to make the Judges wholly independent. The amount given them ought to be such, as to render them utterly inaccessible to any pecuniary temptation. They should be independent in property, in station, and in every circumstance. If this view was correct, it should next be seen what the Judges of this Province now are. The duties of the Judges were, to hold the supreme court—the four courts ordained by law; and they were bound only to hold these courts. Their commission did not compel them to go the circuits. On the contrary, he (Mr. C.) would state for the information of hon. members, that the Judges have it in their power, in every cause which must by the law be tried by a Jury of the county where the cause of action arises, to compel a Jury, even from the most remote county in the province, to come to Fredericton. Witnesses, Jury, and all parties must, if the Judge require, come here to the trial. That was a power which the Judges possessed, but to which they had never resorted, and to which he (Mr. C.) trusted they never would resort. But he mentioned it to shew what was the actual fact. As to the Judges' fees, &c. it had been shewn by Mr. Partelow, that the whole amount of their salary was about £800 currency.—Granted. If the Committee were of opinion, that this sum was amply sufficient to pay the Judges, for all purposes, and for all services, then there was an end of the question. But the question now really was, not as to any increase of salary, but whether a bill which had been in operation five years, should be renewed; and if so, for how long. For his own part, he (Mr. C.) would not be inclined to renew it for more than two years, under present circumstances. But the bill had been found very useful, very salutary; and if it were not now passed, the old system might again come into effect. He would urge the renewal for two years, till the question of general law reform should be decided. As to the power of the Judges. Here, also, he (Mr. C.) felt that he had a very painful duty to perform, as far as regarded the present judges, because one of them stood in a near relationship to himself. But he believed that individual would not long retain his present situation. He (Mr. C.) could venture to assert, that if that Judge's resignation should be accepted at home, he would vacate his seat in the Council before another session. In the first place, then, as to the power of the Judges; the Judges sat in the Council from the very necessity of things. It could never be contradicted that such a system was inconsistent with the theory of government; but he would ask, whether under all circumstances, the talents, the wisdom, and the influence of the Judges of this Province, as exerted in the Council, had not been generally found useful and beneficial. It was from necessity alone that they were placed there. The moment they received their appointment to office, they went into the Council. But their situation as councillors was no sinecure: their duties were very arduous; and they received not one farthing for attending the Council, and discharging their duties there. As to patronage. He (Mr. C.) would ask, what particular patronage, possessed by the Judges of this province, gave them such material advantage as had been mentioned! Did the appointment of magistrates, or of the officers of the courts give it? What official appointments in the whole country gave such a profit as had been implied? Where were there such offices? Where was such patronage, and where had it been so exercised? If he (Mr. C.) were made a Judge to morrow, he should not weigh the patronage as half equal to the labour of attending the Councils during a whole session; for which they received nothing; while for a similar period every Member of that House, would receive £50 or £60. But as to the unconstitutional power possessed by the Judges. The House had been told by Mr. Simonds, that they had exercised it in a manner obnoxious to the privileges of the people, and the attention of the House had been called to a particular instance. Now he (Mr. C.) was astonished to find, that in the course of thirty years, only one such circumstance had been pointed out; and he was still more astonished to find, that in that circumstance, every step had been maintained in perfect accordance with the constitution of the country. [The Hon. Member then spoke to the particular circumstances detailed by Mr. Simonds, respecting the question formerly at issue between the Council and the House.] It was extraordinary that in the whole career of the Council, only one such instance could be pointed out. He (Mr. C.) thought, if the whole proceedings of the Legislature from its first organization, were reviewed, it might be found that some of the proceedings of the House of Assembly had been equally obnoxious to the privileges of the people. But the question merely was, what had been the general conduct of the Judges in the Council. He thought they had formed a very salutary check on the other branches of the legislature. They had certainly negatived bills, in some of which he himself had felt a deep interest; but that was not a reason for condemning their proceedings. If they were bound to pass all the bills sent up by the House, the salutary check of the Council would be at once done away with. It had been said that the authorities quoted should weigh deeply with this Committee; but he (Mr. C.) would ask, even if all the arguments adduced were correct, what had they to do with the present question? The principle they maintained would be a fit subject for consideration in a proper shape. If a petition to his Majesty on the subject were proposed, it might perhaps meet with no opposition. If a sufficient number of individuals qualified to sit in the Council, could be found, without calling on the Judges, the government might be disposed to alter the present system, the Judges would have no wish to stay. But why was all this brought forward, on a question merely whether a bill which had been in operation five years should be continued? If it was found expedient at present that the Judges should receive fees, that they should hold Circuit Courts, &c. was it fair to bring forward their power, as a subject in this question? He (Mr. C.) thought it was not. The whole question turned on the propriety or impropriety of giving the Judges fair and proper salaries, so as to put them into a proper and independent station in life, and to enable them to discharge all their duties without interest or bias. He (Mr C.) again declared, that he viewed and argued this matter, without passion, prejudice, or any improper feeling; and he had no hesitation in saying, as a legislator, and not as a lawyer, that it was expedient to continue this bill for two years; because the system of Circuit Courts was now in operation, and must be supported. By the end of that period, most probably, there would be some general alteration as regards the law and its officers, which would remove much of the odium which now, probably, attaches to the profession. Then, most likely, there would be no Judges fees whatever. Till then the bill must be continued; otherwise it would look, as if the House had refused to pass the bill, because the Judges sit in the Council. This would not be a manly, fair, or honorable course, for the House to pursue: it would be much more so to address his Majesty's government on the subject.

Mr. Simonds replied, respecting his former statements as to the "monstrous claims of the Council;" which reply brought up counter replies, demurrers, rejoinders, rebutters, interrogatories, &c. almost *ad infinitum*; but which it is impossible, and, perhaps, unnecessary to transcribe in this report.

From the Journal.—The Chairman reported, that having the Bill under consideration, an amendment was moved, continuing the said Act, so far as the same may relate to the sum granted to the Clerk of the Circuits. Whereupon, the Committee divided as follows:—YEAS, Messrs. *Simonds, Clinch, Dow, Gilbert, S, Humbert, Hayward, Miles, Taylor, Harrison, Barlow, J. Humbert*,—11. NAYS, Mr. *Speaker*, Messrs. *End, Scott, Partelow, Vail, Cunard, Chandler, Weldon, Ward, Slason, Wyer, Brown, Allen*,—13. And it was decided in the negative; and that the Committee had then agreed to the Bill without any amendment.

Upon the question, that the report be accepted and the Bill engrossed, the House divided as follows:—YEAS, Messrs. *End, Scott, Partelow, Vail, Cunard, Chandler, Weldon, Ward, Slason, Wyer, Brown, Allen, Smith*,—13. NAYS, Messrs. *Clinch, Dow, Simonds, Gilbert, S Humbert, Hayward, Miles, Taylor, Harrison, Barlow, J' Humbert*—11. It was therefore carried in the affirmative.

EXTRACTS FROM THE JOURNALS.

On motion of Mr. Vail,—the House went into Committee of the whole, on the report of the Commissioners, with the documents relating to the contemplated Bridge over Hammond River, laid before the House on the 1st inst. by command of His Honor the President.

Mr. Weldon, Chairman of the Committee, reported, that they had gone into consideration of the matter referred to them, and had passed a resolution; which he read, and is as follows:—

"*Resolved*. That it is the opinion of this Committee, that a Bridge be built over the Hammond River, near Ketchum's the ensuing summer, or as soon as practicable; and further resolved, that it is the opinion of this Committee, that the present line of Great Road from Saint John to Westmoreland, should be altered between the former place and Hampton Ferry; and that a new line be laid out and substituted in lieu thereof, by the way of John Hennigar's. Agreed to.

"*Council Chamber, 1st March*, 1831.

"Read a second time, the bill to explain and amend an Act to exclude certain descriptions of persons from serving in General Assembly.

"On motion—Resolved, that the further consideration of this Bill be put off for three months."

March 11.—Mr. Vail moved for leave to bring in a Bill, to authorize the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Kingston, to convey their right to the land whereon the Court House has been erected, to the Justices of the Peace of King's County, in exchange for other land, and to establish a Public Square in the said Parish.—Leave granted.

On motion of Mr. Weldon—The House went into Committee of the whole, on a Bill to authorize Ministers of Congregations, dissenting from the Church of England, to Solemnize Marriage in the Province.—Mr. Barlow in the Chair.—The Chairman reported, that they had gone into consideration of the Bill referred to them, and agreed to the same, with amendments.—*Ordered*, That the report be accepted and the Bill engrossed as amended.