

we shall have nothing at all to pay, and then farewell to that Civil List for which we have been so eager, and which we have affected to consider as a matter of such extraordinary importance.—This £20,000 is about half the Annual expence of a Regiment in the British service, and members might rest assured that Great-Britain, rather than have any difficulties upon the subject, would most willingly withdraw the bone of contention. In commencing, as proposed by the hon. member for Huntingdon, to reduce the salary of the Governor in Chief, would be to commence on a point the most delicate and offensive to the dignity and independence of the Crown, which solely was invested with the power of appointing to that elevated Office, and, necessarily, of conferring such salary as it might deem suitable to the dignity and importance of its Representative in this Colony.—but, says the hon. member, our Governor in Chief has the supreme command of these Colonies in British North America, while he is paid by us only. The hon. Gentleman takes it then for nothing, that we have the advantage of being the seat of Government in British North America, that we have the benefit of all the advantages incident to this circumstance, and a considerable military establishment exclusively paid by Great-Britain. Let us for an instant suppose, that we should refuse to pay the first Magistrate of these Provinces, and that the British Government should, in future, fix his residence in some of the sister Provinces. It would then be found, that his hon. friend, and those who were now of his opinion, would be as ready to clamour against the injustice of the British Government, as the Province in which he should be ordered to fix his residence, would be proud of paying the difference for the advantages of such residence. He had observed, with pain, that the hon. member had alluded to persons paid by the Province, who dashed about, cracking their whips, in fanciful vehicles in our streets.—To whom was this addressed?—Surely not to a liberal and enlightened House. The hon. member had been so caud as to say he did not address himself to the passions.—Why then dwell upon this subject. In a word, he was not at all averse to a call of the House, but he certainly was averse to the reasons upon which the honorable member urged its expediency, and he felt persuaded, that a call of the House would be attended with a result the reverse of what the hon. member from Huntingdon proposed, as the good sense and meaning of the Province, could not be more clearly ascertained, than from the full convocation of all its representatives within those walls.

MONDAY, MARCH 2.

On this day the following Message was transmitted to the House of Assembly by His Excellency the Governor in Chief, through Mr. Secretary Cochran :

The Governor in Chief informs the House of Assembly, that having transmitted their Address to His Royal Highness the Prince Regent, of the 25th day of February 1817, with their Proceedings against Louis Charles Foucher, Esquire, one of the Justices of the Court of King's Bench for the District of Montreal, he has it in command from His Royal Highness the Prince Regent, to signify to the House of Assembly the decision of His Royal Highness, that in this and in all similar cases of Impeachment by the Assembly, the adjudication of the Charges preferred against the Party accused, shall be left to the Legislative Council.

His Excellency has it also in command from His Royal Highness, to express to the Legislative Council the confident expectation of His Royal Highness, that they will so discharge the important duties which under this arrangement will devolve upon them, as to give complete satisfaction to all Classes of His Majesty's Subjects in this Province.

The Governor in Chief further informs the House of Assembly, that not having received from His Royal Highness any instructions as to the manner in which this his decision is to be carried into execution, he has been under the necessity of recurring to His Royal Highness for his pleasure in this respect, and for such instructions as His Royal Highness may see fit to give thereupon, and he will not fail to communicate to the House of Assembly the Commands which he shall receive in this behalf from His Royal Highness, as soon after they shall be conveyed to him as may be practicable.

J. C. S.

Castle of St. Lewis, 2d March, 1818.

FRIDAY, 6th MARCH, 1818.

Mr. Davidson from the Committee to which was referred the Petition of the Merchants of Montreal, acquainted the House, that in order to proceed upon the enquiry arising from the papers referred, it became necessary to ask some assistance from the

House, and he should in consequence apply that a Message be sent to the Legislative Council, to request that the Collector and Comptroller, who had been recently summoned to that body, should be permitted to appear before the Special Committee.—*(After some conversation in the House Mr. D. altered the mode of obtaining the assistance wished.)*—He said the measure appeared at first sight like a reflection upon the general proceeding of the Custom House Officers; he however, individually had no cause of complaint, but, at the same time, he would never shrink from a Constitutional discharge of his public duty. The degree of humour manifested by the Mercantile Body in general, made some investigation absolutely necessary; for at a moment when the Fees, were considered as greater than the Trade could afford, an additional Tariff, which would amount to a very considerable Tax, had been announced.

The proceedings at Jamaica had very naturally a considerable effect on the minds of the Merchants here, and led them to expect, that this House would proceed upon a question which very materially interests them; and it is but an act of justice that it should do so.—He said, that he had until this moment supposed, that the practice of fixing fees exercised by Commissioners in England, which had obtained, and as he imagined, without resistance or remonstrance for so many years, must be founded on something more than usage; it must, however, be admitted, that as far back as 1711, the Jamaica Legislature had exercised a right in the matter.

The object of the present enquiry would go to ascertain the table of Fees as it now stands, at Quebec and Montreal—by whom the amount of fees is regulated—and under what Statute those persons act.—to establish the right will be very important, as it may prevent, perhaps, serious difficulty during the next summer, and enable the House to take measures which will tend to redress any grievance that can be fairly proved to exist.

Mr. Davidson then moved, that an humble Address be presented to His Excellency the Governor in Chief, requesting that His Excellency will be pleased to direct the principal Officers of His Majesty's Customs in this Province, to lay before this House a Table of the Fees exacted at the Custom Houses at Quebec and Montreal, and that they do state by whom, or in virtue of what law or authority the said fees are regulated and established.—Agreed to unanimously.

FRIDAY, MARCH 13.

The following Message was this day transmitted by His Excellency the Governor in Chief, to the House of Assembly :

The Governor in Chief calls the attention of the House of Assembly to the present state of the Court of King's Bench at Montreal, and to the delay of Public Justice both Civil and Criminal which will probably result therefrom: one of the Judges of the said Court having been directed to abstain from the exercise of his Judicial functions on account of the charges preferred against him.—another from conscientious motives declining to sit in certain very important Criminal Matters that come before that Court, and a third labouring under a grievous malady which will probably render it necessary for the Governor in Chief to comply with his request for leave of Absence to repair to England for the cure thereof; and the Governor in Chief recommends to the Assembly to consider the expediency of making such alteration in the Judicature Act, as shall enable him in the present instance, and generally whenever similar circumstances shall occur in future, to provide for the Administration of Public Justice, by the appointment of one or more Assistant Judges to carry on the business of the Courts, until the other Judges shall be enabled to resume the exercise of their functions.

Castle of St. Lewis, 13th March, 1818.

J. C. S.

THURSDAY, 19th MARCH, 1818.

In Committee of the whole House on the Civil List.

Mr. Taschereau—rose to say, that as it had already been determined that the Civil List should be assumed by the Province, it only now remained for the House to determine upon the sums to be appropriated for the several Public Departments in the Province, which, to enable the House to give them that ample consideration which the subject deserved, he would propose in regular succession as they stood on the Estimate which had been printed for the use of Members. He observed, that the Civil List proposed was nearly the same as that which for several years previous had existed in the Province. The Estimate was divided into fourteen heads, which he meant to propose as follows:

1. Salaries to Officers of Government: not included under the head of any Department.
2. The Legislative Council and House of Assembly.
3. The Executive Council.
4. The Salaries of the Judges, and other expences attending the Administration of Justice.
5. School Masters,

6. Divers Per-
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