

### PROVINCIAL LEGISLATURE.

#### BEFORE OF ASSEMBLY.—FREDERICTON, Wednesday, March 4.

When we entered the house this morning, we found Mr. End on his legs, energetically contending for the propriety of paying the Legislative Council, but heard only the cone of the agent of his speech. We found the hon. member had moved for leave to bring in a Bill for such purpose, and was speaking in support of his motion. The motion, however, was not seconded, and consequently no other hon. member spoke on the subject.

**PRIVILEGES.—CLERKS' PAY.**  
The House then immediately went into Committee of Supply.—Mr. Hayward in the Chair.  
Mr. Weldon moved a resolution to grant to the Clerk of the Legislative Council and the Clerk of the House of Assembly, the sum of £ each, for their services during the present session.—The hon. member observed, that the former received £150 and the latter £100. It was the usage in both the Canada and the House of Assembly to grant to the clerk of the Council and £200 to the clerk of the House. It had been proposed by the Legislative Council, because, since the division of the Council, it had been the inevitable usage to give an equal salary to those Officers. That usage had been departed from on the other day, by the vote of the Legislative Council, the pay of the former, and therefore the Council had rejected all the clerks' grants. Whether that body thought those grants too much or too little, he (Mr. W.) could not say; but he certainly thought the house ought to make the salaries of the two principal clerks equal. It was the usage in both the Canada and ought to be so here. If the clerk of Assembly had additional duties to perform, out of regular hours, or was compelled to employ additional assistance, the house could specially remunerate him by paying him for extra services; but as each clerk was equally obliged to give his attendance to the Legislature throughout the whole time of session, each ought to be paid alike for the duties of the session; and in remunerating them, the house ought not to consider merely the amount of manual labour, but the standing of the parties and the responsible trust reposed in them.

Mr. Speaker said that in Nova Scotia the clerk of the Legislative Council was also clerk of His Majesty's Council; he performed the duties of the former office during session, and the additional duties of the latter out of session, for all of which he received only £100 per annum, while the clerk of Assembly there received £200; therefore the clerk of the Legislative Council here who had done one office only, discharge, would receive a much greater proportion of remuneration if he was paid £150, and the clerk of Assembly £200. But the real question was, who was to be the judge as to the manner in which money raised from the people, was to be appropriated? Who was to say what was the amount of remuneration to the officers of the Legislature—the Council or the Assembly? The house, might, perhaps, again have debated on the question, as to giving the clerk of the Council additional compensation, had it not been for the resolution on the subject sent down to the house by that body, which, indeed, was the most arbitrary and unconstitutional resolutions ever framed. They acknowledged the grant to the clerk of this house to be a proper one, but they had thrown it out, and attempted to dictate to this house, because they did not consider that the grant to their own clerk was enough, but would readily resist any grant to the officers of the house; and if the house should once submit to such dictation from the Legislative Council, they would be prostrated in the dust, and would be no longer worthy to represent the Province of New Brunswick. He (Mr. Speaker) would be anxious to see such dictation submitted to. Could any hon. member point to any page, any letter or authority in the whole history of British Legislation, where a similar attempt had ever been made by the British House of Lords? If they could, there might be something to build up this resolution upon; but in the whole rolls of Parliament, no such instance could be found, nor was any such instance recorded in the writings of any author who had ever treated on the British constitution. Then were the house prepared to receive commands from the Legislative Council, as to what amount they should pay the officers of the Legislature? If so, how they could resist under their rights and privileges at once, and pray His Majesty to repeal or abrogate that part of the Provincial constitution, whereby a representative constitution had been given to New Brunswick; because, if they once submitted to such things, they had no business here as representatives of the people. The house then ought to go to all constitutional lengths, in maintaining all their rights and privileges, and whatever the consequences might be, let them fall where they ought. He (Mr. S.) cared not what might be the consequences of their constitutionally upholding their rights, but would steadily resist any infringement on them to the end. What would be the consequence? If the matter came to a collision, it must be referred to His Majesty's Government for settlement; and could it be supposed that that government, acting under the provisions of the Reform Bill, would say that the Legislative Council should dictate to his house as to the way in which they should dispose of the public money? No; it was such a monstrous principle, that there could be no doubt the British Government would say to the Council, either abandon your principle or your seats. He (Mr. Speaker) was very happy to represent the representatives of the people, that the house would be disgracing themselves in the dust, if they submitted to the dictation of such a resolution as the Council had sent down. It certainly was a most gross breach of privilege, and a most arbitrary attempt at dictation. If the house submitted to it, the Government of the Province would become a complete oligarchy, and would fall into the hands of a dozen or fourteen individuals. He (Mr. Speaker) was quite sure the majority of this committee were not prepared to yield their rights and privileges so tamely; and he would predict a great deal of trouble in the province, before matters were settled between the House and the Council, and the sooner matters came to an issue, the better. There would be no peace, so long as the Council was constituted as it is at present; it was a matter of impossibility, he made the prediction on a perfect conviction of its truth, and he believed that whoever lived to see it proved, would live but a very short time for such purpose. The man that would submit to such infringements was not worthy to be a representative of the people. He (Mr. Speaker) could not therefore admit of any resolution to pay the clerks varying one penny from the former grants; for cause any variation would be sacrificing the rights and privileges of the house, and betraying the trust reposed in them.

Mr. End thought that very evil times indeed would come, whenever any branch of the Legislature chose to consider itself as the Legislature, without reference to the other branches. He considered the arguments of the hon. Speaker, to be like a painted sepulchre; fair to the eye, sounding to the ear, and exhilarating to the feelings, but rotten in substance. (Cries of *Oh! Oh!*) He meant merely in a parliamentary point of view; he thought the hon. Speaker's arguments, parliamentarily considered, showed soundness and corruption on its very face. But if the house deceived themselves, and flattered themselves that they were the Legislature, without reference to the other branches, they would soon involve themselves in confusion and anarchy; but long as they lived themselves to be only an integral part of the Legislature, and allowed the negative privileges of the other branches, they would not deceive themselves, but would hand down their own rights and privileges unimpaired to posterity. Let not the house suppose that they had any right to propose any money appropriation to the Council, without allowing them a deliberate voice upon them; or that they had any right to give away the public money, without the consent of the other branches. Such a position could not for a moment be sustained. As to the rolls of parliament; he (Mr. E.) would like the hon. Speaker to show any part of those rolls, or any other authority whatever, where the House of Commons had exercised a right to give away the public money, without the consent of the Lords and the Executive; on the contrary, the very principle of the British constitution was, that one house was a salutary check on the other; and the house here was consequently called upon by the hon. Speaker, to set themselves up as sole and independent branch of the legislature; and he (Mr. E.) therefore warned the committee, that if they allowed themselves to be deceived, and arrogated to

themselves a power which they did not constitutionally possess, very evil days would come, and they would come quick.

Mr. L. A. Wilnot said, in reply to Mr. End, that every book which he (Mr. W.) had read, every book which that hon. member had read, and every book which any man had ever read, treating on the British Constitution, declared, as with one voice, the exclusive, inalienable, inherent right of the lower branch of the Legislature, to propose all grants of money, and also the same kind of right in refusing money. He (Mr. W.) held one of the best of those books in his hand, (*De Lolme*), in which that doctrine was clearly laid down; and in fact, all such writers generally allowed, that right and privilege of the Commons consisted not so much in granting, as in refusing money grants. The hon. member for Gloucester evidently had not understood the hon. Speaker, and did not wish to understand him, because, of his whole speech in reply to Mr. Speaker, none of it applied to the hon. Speaker's arguments. The hon. Speaker had not argued any such principle as the hon. member had commented upon, but had merely argued that if the House allowed themselves to be dictated to by the Council, they would sacrifice one of their dearest privileges; and so they would; and also, that they had the sole right to grant money; and to regulate the amount of their grants; but not that the Council could not refuse their grants, without alteration; they could only *face to face* direct. The hon. Speaker had most correctly said, that the resolution sent down by the council, was one of the most arbitrary and unconstitutional resolutions ever passed; and by making their extraordinary remarks, regarding those money grants, and by the face of that resolution, and then sending it down to this house, they had committed a gross breach of the privileges of this house. The house had not only the sole right of granting and refusing money, but had also the sole right of saving what should be the quantity of such grants; and it was no consequence that the Council had merely rejected these grants, that he (Mr. W.) would oppose any alteration in them, but because they had given such an extraordinary reason for so doing, and had attempted to dictate to the house, that one of those grants must be increased. Let it not be said, that the hon. Speaker had granted to infringe the constitution. In the reign of the Tudors, the Council of England held on to one plank, in preservation of their privileges, when everything else was wrecked; and this one plank was, their sole and indisputable right of granting and refusing supplies, and this plank brought them safely out. Therefore, this usage is not infringing any constitutional principle; but if any hon. member would prove that it was not a constitutional privilege of the Commons to manage such matters, he (Mr. W.) would then go with the present resolution, but not till then. He thought, also, that the house ought to express their opinion, freely and independently, on such principles; and he thought it was wrong to care to sit another day as a representative of the people, if they resolutely held on to all such rights and privileges. He would go with them; but he would at any rate oppose any such arbitrary, unconstitutional infringements, which had been made by the Council, and which he would never consent to. He (Mr. C.) thought the Council had a gross violation of the rights and privileges of the Legislative Council. Well; the house had sent up those particular grants to that body, and they had rejected them; but the Parliament of Great Britain, the hon. member for York had said, nothing more would have been said about it. Then, what was the dictatorial power complained of? Not that the council had thrown out the grants, but that they had ventured to give their reasons for so doing; and this was the sum and substance of all that they had done; and he thought it was most extraordinary to see that the Council should be commencing upon the matter. He (Mr. C.) thought the Council had assumed a most extraordinary shape; that because the Council had thought proper to put their reasons on the journals, they had exercised a dictatorial power. He did not think so; and he considered it only a question, whether those reasons were sufficient or not. That was the real matter for consideration. He would not now say whether those reasons were sufficient or not; it was mere matter of opinion; but the moment it was admitted that the Council had a right to reject money grants, it must also be admitted that they had a right to express their reasons. He could not go with all the violence and strong assertion displayed on this subject; but if it really was the case, that there had been a gross violation of the rights and privileges of the house, the Council ought to take it up, but this committee was not the proper body to consider it. He supposed, however, the hon. member for York had a resolution on the subject ready, which he would move in the house, and then it would fairly and properly be discussed; but the question now merely was, whether this grant should pass or not.

Mr. Speaker, in reply to Mr. Chandler, said, that that hon. member appeared to find fault with him for taking any part in debate, and for saying that the conduct of the Council was unconstitutional and dictatorial. He (Mr. Speaker) now repeated that assertion, and would again say, that if the house submitted to this dictation, they would consent to make a grant, which they considered lavish and improvident.—With respect to that hon. member differing in opinion with him, he (Mr. Speaker) was very happy to differ in opinion with him in the present case; because if they did not so differ in opinion on this matter, there would be no necessity for the hon. member to take any part in this matter. He (Mr. W.) had said that the house had always sent up those appropriations by resolution; but such was not the fact. That practice began in 1823, but it was a very improper and unconstitutional surrender of their rights to the house; but still the house had, since that period, so often taken up for themselves, that they never yet surrendered to the council the right of dictating what amounts they should grant; and as they had already surrendered so much, it was now time to make a stand against yielding any more.—The hon. Speaker then proceeded at some length to maintain his previous position, and to express his regret at the unconstitutional nature of the resolution from the Council, and to express his regret at the probable consequences, which might arise from the present circumstances.

Mr. Johnston said, that when the grants to the clerks of Council and Assembly were discussed on a former day, he was of opinion that both should be paid alike, and he still thought so. It appeared that the Legislative Council entertained the same opinion, and therefore they had sent down their disallowance of both appropriations. He did not approve of this mode of proceeding; for the Council did not think proper to concur in the grant to their own clerks, they would have done very well by rejecting it; but at the same time they ought to have allowed the other grants to remain untouched, particularly as they made no objection to their amount, and then the house might perhaps have been induced to go into further consideration of the matter, and the difficulties might have been got over. But as they had thrown out all, he (Mr. J.) certainly could not consent to this resolution.

Mr. Partelow said that he had given his reasons on a former day for voting for those grants which the Council had now disallowed; and he had heard nothing since to change his opinion on the subject. He therefore could not go for the present resolution. He also so fully concurred with much of what was said by the hon. Speaker, that the hon. member for York, that it was not necessary for him to go over the whole ground again. But he would observe, that the House of Commons in England, and of course, the Assembly here, were the sole constitutional judges of what should be the amount of compensation for public services; there could be no question about that; and if the house here were to be dictated to by the Council in such matters, it was their duty to resist it. The hon. member for Westmorland, (Mr. Chandler), had said that the Council had merely expressed their reasons for disallowing these grants; but there was a

very nice distinction to be drawn in the case. If they had given their reasons, without communicating them specially to the house, that would have been all very well; but as they communicated them to the house as they did, it was a most unquestionable breach of privilege.

Mr. Brown confessed that he was not well acquainted with questions of this nature; but it appeared to him very extraordinary, that whenever any money bill was introduced in the slightest degree by the other house, this house would not allow it to pass, although the amendments might agree with their own opinions. If then, there was any consistency in this matter, it must be because the house had the sole right of managing money matters; and if so, then the resolution sent down by the Council was an infringement of the privileges of this house. He would read an extract from the preamble of the Revenue Law, and would then ask hon. members, especially those of the learned profession, what it meant. It was as follows:—"We, His Majesty's dutiful and loyal subjects, the Associates of New-Brunswick, in General Assembly convened, for raising the supplies necessary to defray the expenses of His Majesty's government of the Province, have freely and voluntarily resolved to give and grant to the King's Most Excellent Majesty, the several rates and duties herein after mentioned, and therefore pray your Excellency that you may be graciously pleased to cause the same to be enacted."—This was a singular way of introducing a bill, and that peculiarity must be because the house had an exclusive right as to all money matters, and if they had, then the doctrine of the hon. member for Gloucester could not be a constitutional doctrine; because here was an exception in such matters, but it could only be *in toto*, not in particulars; because here the House of Assembly prayed the Lieutenant Governor that the bill might be enacted. Then again, at the close of the Legislative session, the Speaker always carried up the Revenue Bill and the Money Bills, together to the Lieutenant Governor, and prayed his Excellency to cause them to be enacted. Therefore all these things seemed to shew, that the house had an exclusive right in such matters; and he (Mr. B.) when he first came into it, he was indeed greatly surprised at finding separate bills to be introduced, sent up to their own clerk; and if they had done so now, the question would have been considered on its merits, merely as to the amount of compensation; but now he (Mr. C.) was not disposed to go with this resolution.

Mr. Johnston said, that the hon. member who spoke last had completely misrepresented his sentiments, as he was just going to refer to the instance of 1833, and to make similar remarks upon it. [The hon. member read the proceedings from the journals.] This shewed that the Council then thought their clerk not paid enough, and that the others had a fair and reasonable compensation. Now if they had confined the present case to the same point, he (Mr. B.) for one, would not have hesitated to sustain the grants to the same amounts as 1833; but as the Council had thrown all out, and sent down such a resolution with them, he entirely agreed in the sentiments advanced by the hon. member for Gloucester, who said that the Council was decidedly opposed to the present resolution.

The question was then taken, and negatived, upon division.—Yea 27.

[The COMMITTEE OF SUPPLY closed this day.]

Thursday, March 4.

QUIT RENTS.

The House went into Committee on the Messages, and proceeded to take up the subject of Quit Rents.—Mr. Taylor in the Chair.

Mr. Chandler said, that the first communication received by the House, as to the views of His Majesty's Government, relative to the Quit Rents, was contained in a copy of a despatch from Sir George Murray, then Secretary of State for the Colonies, in 1830, which proposed a commutation of them by a permanent grant of £1500 per annum. This proposal the House considered the same session, and resolved to express their opinion on the subject, praying for their remission. In 1831 no proceedings were had in the matter; but in 1832, the collection was actually proceeded with for the first time. In 1833, the subject was again brought before the Legislature, in connection with other matters relating to the Casual and Territorial Revenues, when they addressed His Excellency the Lieutenant Governor, praying for a suspension of the collection, which was replied to by a message, stating the reasons why his Excellency could not comply with the request, unless the House would pass a permanent law, to commute the Quit Rents by an annual payment, or to redeem them at a gross sum. In the summer of 1833, however, in consequence of a general order from H. M. Government, referring both to the province of Nova Scotia and this Province, the collection was for a time suspended; this was not in consequence of the address from this Province, but because the collection was suspended in Nova Scotia. Last year, the subject was again taken up, and a despatch then communicated, intimating the probability that the collection would be resumed. No further steps, however, had since been taken; but the house had now been informed by his Excellency the Lieutenant Governor, that he had received commands from H. M. Government to resume the collection. This, then, was the state of the matter; and it evidently appeared, from the whole of the official information before the House, that it was the intention of the Government, beyond all doubt, to proceed forthwith to the collection of the Quit Rents, and that intention had already been given in the Royal Gazette; and now the question was, what course the House should take. It appeared to him (Mr. C.) that the legality of the claim could not for a moment admit of a question; therefore it would be needless now to enter into an argument on that point, because, whatever might formerly have been the opinions of hon. members in that respect, he thought none would now attempt to advance such an opinion, as that the claim was not strictly legal. If, however, any hon. member still thought it illegal, such members could not consent to commute the Quit Rents, and therefore they must vote against the resolution he intended to offer, which was founded altogether on the claim being legal. The claim, however, being admitted to be legal, the next question was, whether the Government was really serious in intending to collect them; and if so, whether they would be collected. There was an official communication of that intention to the house. Whether as much would be realized from collecting them, as the Government might expect, or whether the whole amount would not be nearly absorbed in the collection, was another question, with which he could not concern himself; but there could be no doubt, that they would be collected. The only question then for the consideration of the house, was not with regard to the expediency or policy of collecting the Quit Rents, but whether it was for them to grant a certain sum for their commutation or not. He took it for granted, that it was a perfectly legal claim, and then the simple question was, whether it was expedient, for the good of the country, that the question should be definitely settled by the House. The question for consideration was not as to the application of those funds at all; because if the funds arising from Quit Rents were all thrown into the sea; if they were entirely wasted, if they were not in any way to be applied to provincial purposes, as they undoubtedly would be, still the question would simply be whether, as the claim is legal, it would not be better for the good of the country that the matter should be promptly and positively settled. In the view also, the subject should be taken up and considered, because the right of the crown to collect and dispose of those funds could not be disputed. If collection, if proceeded with, would cause great confusion and dismay in the country; that was admitted on all hands; lands, originally purchased under this reservation, had been divided and transferred to various parties, without reference to it, and now the difficulty would be, to find who should pay the Quit Rents for such lands. The difficulty would be entirely as to the persons; because the Government would claim on the lands, they would not enter into the question of who was the liable party, but would at once proceed against the lands, and the whole difficulty would be thrown on the people. Independently of this, a great deal of litigation must now grow out of it; because, who subsequent purchasers had bought their lands without such liabilities, they would naturally come upon the original proprietors for indemnification. The whole evil would fall peculiarly hard on the poor; because he (Mr. C.) believed all those who were able to pay, either had

already paid their Quit Rents, or would do so promptly when required; therefore the difficulty would not fall on them, but on the poorest description of inhabitants throughout the province. Then again there would be the universal dissatisfaction, in all those who would be created throughout the country; and though he admitted this was well worthy the consideration of H. M. Government, yet, still it was not the question for the House to entertain; the simple question for them was, as to what the Government meant to do. And if they wished to remain, as he hoped they long should, an integral part of the British Empire, the question really was, whether they should submit to the law of the land or not; and therefore, as they were all deeply interested in having every man satisfied with the Government under which he lived, it was their duty to do every thing in their power to promote such satisfaction, and content. On this principle, he contended for commutation of the Quit Rents; if he was anxious to create and to continue agitation throughout the country, he would certainly be decidedly against commutation; but he believed no hon. member would oppose it on that principle, and that the time was not yet come, when any one would wish to create excitement and discontent against the British Government, under whose fostering auspices this Province happily prospered. But in addition to all other reasons for commuting the Quit Rents, was the fact, that Nova Scotia had already done so; she was an older sister, she was situated similarly to ourselves, her territory joined ours; her Legislature had taken the lead, and decided on commutation by a large majority, and the measure had given universal satisfaction throughout the country. This was one strong reason why this Province should take the same course. The Quit Rents in that Province were estimated at nearly £9000 per annum, and they had fortunately been enabled to commute them for a permanent grant of £2000 per annum; and he (Mr. C.) would be disposed to offer the same rate of commutation for this province, viz., one half the estimated value, which would be £1500 per annum. He thought a majority of the Committee would be satisfied to do so, and he felt convinced it would be one of the best things the House could ever do for the country, which they lived under British Government, if they could thus succeed in settling this matter. He was his view of the question, he thought it would be well to propose a resolution for the consideration of the Committee. The hon. member then submitted a resolution, the tenor of the declaratory part of which was, that in the opinion of the committee it was expedient to offer a permanent grant of £ per annum, in lieu of all claims for Quit Rents, which the house should address to his Excellency the Lieutenant Governor, praying him to communicate this resolution to H. M. Government, and to suspend the collection of the Quit Rents till the issue of the negotiation could be known.

(To be continued.)

EXTRACTS FROM THE JOURNALS.

Tuesday, March 3.

Mr. Clinch moved the following—*Resolved*, That a humble Address be presented to His Excellency the Lieutenant Governor, praying that he would be pleased to give directions to the Province Treasurer to grant a further term of nine months to the Administrators of Cadwallader Murray's lands, and that certain Bonds entered into by the said Cadwallader Murray, for Provincial duties, pursuant to a recommendation of a Committee of this House, providing the said Administrators give sufficient security to the Province for the whole amount of said Duties.

Upon the question for sustaining the same the House divided.—Yea 20, Nays 6.—and it passed in the affirmative. *Ordered*, That Mr. Clinch, Mr. Brown and Mr. Hayward, be a Committee to wait upon his Excellency with the Address.

LEGISLATIVE COUNCIL.

Tuesday, March 3.

Pursuant to the Order of the Day, the House was called.

*Present*.—The Honourable Ward Chipman, President; the Hon. William Black, George Shore, Thomas Baillie, Harry Peters, F. P. Robinson, Richard Simons, Joseph Cunniff, James Almsbury, John S. Saunders, William H. Robinson, James Macdonald, the Attorney General, George H. Hazen, Thomas C. Lee.

Pursuant to the Order of the Day, the House was put into a Committee of the whole, to take into consideration the Resolutions moved on the 24th of February last.

The Honourable Mr. Shore took the Chair.

After some time the House resumed. The Chairman reported, that the Committee had gone through the said Resolutions, which they recommended to the adoption of the House.

*Resolved*, That the Members of the Assembly be admitted as auditors of the debates of the House, or any other person introduced by a Member of this House.

*Resolved*, That any Member may, at any time, desire the House to be cleared of strangers; and the President shall immediately give directions to execute the order, without debate.

*Resolved*, That the above two Resolutions stand as the 43rd and 44th standing rules of this House.

And the question of concurrence being put on each, they were severally agreed to by the House.

On motion—*Resolved*, That the foregoing standing orders do not go into effect until the next Session of the General Assembly, and that in the mean time the necessary arrangement be made for carrying them into operation.

COLONIAL.

From the Halifax Noviciarius, March 4.

THE PRESS OF NOVASCOZIA.

With a heart swelling with gratitude to the Giver of all good, and a tumult of feelings that nothing but the excitement of the last two days could have aroused, and which we should in vain attempt to describe, we announce to our numerous readers in the interior and in the neighboring Provinces, that the PRESS OF NOVA SCOTIA is again to appear. Its long absence has been established by the frankness and intelligence of twelve impartial men, on whose rational and inextinguishable principles of reason and English Law, that our ancestors tried out and determined—; and which, while they are amply sufficient to guard society against its abuse, are essential to the protection of the rights of the individual. We copy from the Times of yesterday the following notice of the trial, to which the letter of His Majesty's Attorney General, that we published a fortnight since, had reference. Copious notes having been taken by a Gentleman, who is an excellent Stenographer, we shall endeavour to furnish next week a full report of the proceedings. Meanwhile we return our sincere and cordial thanks to the community, by whose sympathies we have been sustained through this struggle, and to those individuals in particular, by whom we were so promptly supplied with whatever they conceived might strengthen our defence:

SUPREME COURT, March 2.—*The King vs. Joseph Hince.*—This was an action for libel, brought at the suit of the Magistrates of Halifax, on the part of the Crown, against the Printer and Editor of the *Novascotian*, and contained in that paper of the 1st of January.

Considerable excitement on the subject has been manifested, and such anxiety displayed both by the Magistrates, who considered their character as a body, assailed by the imputations against some of their number; and also by the public, who from repeated instances of mismanagement had good reason to be dissatisfied with the manner in which the fiscal affairs of the Colony had been conducted.

Mr. GRAY having been deputed by the Attorney General to open the case on the part of the Crown, very ably explained the nature of the libel, and the bearing of the laws on the case, and read the prominent passages in the *Communication*, which more immediately formed the basis of prosecution. He then endeavoured to impress on the minds of the Jury, that if the law protected individuals from the malicious intentions of their enemies, promulgated through the Press, of how much more consequence it was, that such a body as the Magistracy—so intimately connected with the character of the Town, should be preserv-

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