many Proprietors have themselves commuted their Quit Rents or bought their Lands free from this Render. Such Proprietors should not be again made liable to it, except in the event of the imposition of a general Land Tax, or of their being taxed as absentees—with regard to the latter, the Committee turn the attention of the House to the Provincial Statute, 5 Geo. 3 chap: 5 by which these Lands, except in Halifax, are made subject to be leased for the non-payment of highway labour or for nonpayment of their proportion of County and Town charges.

In endeavouring to frame for the consideration of the House, efficient Provisions for enforcing the levy of a Tax upon Absentees, many difficulties have occurred to the Committee. For instance, what period of time the Land Owner should be absent to constitute him an Absentee. Whether his absence should be continuous—whether if he sold portions of his Property to Purchasers who cultivated such portions—he should for the remainder be the subject of a Tax. Whether he should be afforded an opportunity of improving his Land before he were subjected to Penalties for not doing so—in what manner such Lands would in the practical operation of a Tax for taxing the Lands of Absentees, be distinguished from those owned by resident Proprietors. The Committee are of course speaking of their Wilderness Lands only,—those under cultivation being occupied by Tenants or others, who contribute their allotted portion to the Provincial burthens. It will occur to the House that if, as it is but just, Absentees should be afforded an opportunity of making improvements upon their Lands before they were rendered liable to be taxed or sold, the Tax in many cases would be easily evaded by their Owners, causing small clearings to be made thereon.

The Committee have been equally unsuccessful in devising a Plan whereby the Wilderness Lands of the large Landholders may be made an available source of Revenue to the Province. If, for instance, it was made to operate upon all who owned uncultivated Lands of the quantity of 500 Acres and upwards, it is obvious that nearly the whole of the productive meadow Marsh and cultivated portions of the Province, would altogether escape, while Owners of the Wilderness Lands, many of whom although comparatively poor, accumulate this number of acres whereon to settle their children, but from which, in the interim, they derive no profit, would be set apart as it were as fit subjects of taxation. If 1000 acres were fixed as the maximum of untaxed Wilderness Lands, in numerous instances 20 or even 10 acres of marsh or Meadow Lands at once more valuable and more productive to their Owners would be exempt. But why should not all who have been relieved except those who are unable to pay, bear a fair portion of a burthen imposed upon the whole community for the benefit of all? If again, uncultivated Lands of the value of £100 or any other specified sum were selected for taxation, the tax could and would be evaded by their Owners making the formal clearing before mentioned, or by the erection of a log hut or the sale, or transfer of a portion of the soil. Besides, from the scarcity of a circulating Medium in the Country, Land is generally estimated at much above its pecuniary value, and thus again the poorer Landholders would become to a considerable extent liable to a Tax. To enforce its payment would require numerous Provincial and Local Officers and Legal powers of an Inquisitorial nature for the ascertaining the Ownership and the value of the taxable Lands. The Committee are apprehensive that much litigation would be the inevitable result of such a Law. Lands subject to, and free from its operation, would pass together to buyers, and be included in one instrument, and the Purchasers, while they would probably be obliged to pay the Provincial Tax, would find it difficult from the defective Deeds and other conveyances which abound in the Colony to obtain any effectual remedy against the sellers.—It seems to the Committee somewhat questionable how far the large Landholders only should be rendered liable to pay the Annuity recently given. The amount of it is imposed upon the whole community, of it the large Landholders form a part, and as such pay a considerable portion of it. It is clear, therefore, that if their Lands were exclusively taxed towards its payment the Owners will be made to pay twice.

The legitimate reason therefore for selecting them as fit objects of taxation, is the improvement of the Province, by obliging them either to sell or cultivate their Wilderness Lands, but this consideration equally applies to all the Proprietors of uncultivated Lands, and not merely those who have been released from the Quit Rents.

The Committee will regret if it shall be found impracticable to frame a Law by which the Owners of large tracts or Wilderness Land may be compelled either to cultivate or to dispose of it to others at a moderate rate. The Lands of such Proprietors derive value from the labor of the surrounding cultivators of the soil, they contribute nothing to the Poor and County charges, or to the making and improvement of the Roads, and through them in many cases, Highways are made at the Public expense. But influenced by the foregoing considerations the Committee recommend that the further consideration of the whole subject be deferred until the next Session. During the recess, Members may consult their Constituents, and probably receive such suggestions, as will enable the House to adopt a Plan for rendering the Wilderness Lands and those of Absentees an available source of Revenue to the Province, free from the objections which have pressed so forcibly on the minds of the Committee.

Committee Room, 25th Jan. 1835.

(Signed) A. STEWART, Chairman.
JAMES R. LOVETT.
JAMES B. UNIACKE.
JOHN JOHNSTONE.
THOMAS DICKSON.

Provincial Legislature.

House of Assembly, Feb. 27, 1840.

Mr. Woodward, from the Committee appointed on the 29th day of January last, to take under consideration the several Petitions presented at the last as well as the present Session, praying return of Duties on articles destroyed by Fire, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee, to whom was referred the Petitions of sundry persons praying for return Duties on Goods destroyed by Fire on the 17th of August last, at Saint John, report, that they have had under consideration the following:—

	Provincial.			*Imperial.*		
Petition of J. T. Hanford, 60 hhds. Sugar,	69	17	6	0	0	0
Charles M'Lauchlan, 25 hhds. sugar,	31	0	7	71	12	2
T. P. Crane and J. M'Grath, sugar, molasses and flour,	28	17	5	76	17	6
Crookshank and Walker, 17 casks wine,	76	18	6	19	19	7
Alex. Robertson, tobacco, flour and saleratus,	6	9	10	41	16	4
T. Parks, wine, brandy, gin, whiskey & sugar,	290	3	4	94	15	0
John V. Thurgar, wine, brandy, sugar, molasses, rum, & dry goods,	613	4	6	133	0	2
J. Otty & Co., goods liable to 2 1-2 per cent	17	3	0	0	0	0
D. & F. Leavitt, sugar & flour,	19	0	0	66	18	6
T. M'Avity, goods subject to 2 1-2 per cent.	112	10	0	0	0	0
W. O. Smith, sundry goods, drugs, &c.	24	11	11	30	15	6
Hon. J. Robertson, sundry goods, liquors, &c.	94	13	6	105	15	10
J. Adam, W. Davidson, James Alexander, John Alexander, J. A. Barry, 151 hhds. molasses,	73	2	5	0	0	0
Crookshank and Walker, 8 casks wine,	15	18	11	0	0	0
	1,472	9	5	641	10	7

"The foregoing are Petitions presented at the Short Session in September, 1839, on which the Select Committee to whom they were referred, recommended 'that the Duties should be granted to such of the Petitioners as shall, on an investigation, appear to be entitled to the same,'—which your Committee now report as being duly attested and certified as to the loss of the property, and payment of Duties on which such Duties are prayed for, and recommend that the claims of the Petitioners be granted

	Provincial.			*Imperial.*		
Amount brought down,	1,472	9	4	641	10	7
"Petitions presented in Feb., 1840:—						
Henry Blakslee, Church Music,	17	8	0	0	0	0
Barlows and Ketchum, wine, pork, flour, glass, soap, nails, hats, earthenware, paints, &c.	56	0	9	18	6	10
Wm. Leavitt, 89 barrels wheat flour,	0	0	0	25	13	5
Crookshank and Walker, 181 boxes cigars,	6	10	7	26	2	1
Crookshank and Walker, 5 hhds. molasses,	1	17	4	2	3	1
J. Kirk, dry goods, loaf sugar, brandy,	42	15	11	0	0	0
Ratchford and Brothers, rum, brandy, sugar, molasses, wine, whiskey, gin, lime juice, ale and other merchandize,	369	14	5	144	8	1
J. Lockwood and Company, tobacco, wheat flour, wine and raisins,	72	14	4½	148	2	6
W. Hammond, sugar,	39	12	6	0	0	0
	2,106	3	3	1,006	6	7
				2,106	3	3
Total amount in Currency,				3,112	9	10

"Your Committee recommend that the claims prayed for in the Petitions presented at this Session, being all duly verified by certificates and affidavits, be also granted to the Petitioners.

No. 8. Is the Petition of William P. Ranney, of Saint John, praying for return Duties on Wine, Brandy, Geneva, Whiskey, Porter, and Ale, consumed by Fire at Fredericton on 2d August, 1839, amounting to £43 13 7. There is no affidavit of the loss, nor certificates of the payment of the Duties, either at the Custom House or Treasury, they therefore leave the subject to the decision of the House.

"All which is respectfully submitted.

"J. WOODWARD,
ALEX. RANKIN,
WM. M'LEOD,
W. END.

Mr. Rankin moved for leave to bring in a Bill, to make more effectual provisions for the regulation of Seamen within this Province. The Rule of the House, limiting the time for bringing in Bills, being in this instance dispensed with,—Leave was granted. The said Bill being brought in, was read a first time.

A Message from the Legislative Council. Mr. Miller, Master in Chancery, informed the House that the Council had agreed to a Bill to alter the time for holding the Inferior Court of Common Pleas and General Sessions of the Peace for the County of York; and a Bill to continue the Act to provide for the collection of County and Parish Rates, without making any amendment thereto. And that he was also directed to communicate the following:—

"*Legislative Council Chamber, Feb. 27th.*

"Whereas an Act of the Imperial Parliament, passed in the second and third years of the Reign of Her Majesty, intituled 'An Act for the prevention of loss of life and vessels clearing from Ports in British North America, wholly or in part laden with Timber, with deck loads, from 1st September, 1839 to 1st May, 1840, has been construed as applying to vessels clearing for Ports in the West Indies, as well as Great Britain, although the former are neither wholly nor in part laden with Timber, (properly so called): And whereas the said Act so construed has been found by experience injuriously to affect the West India Trade of this Province, as well as that with the United States and the Coasting Trade; therefore "*Resolved*, That an humble Address be presented to Her Majesty, praying that the said Act may not be continued, so far as relates to the Trade with the West Indies, the United States and the Coasting Trade; and further *Resolved*, That the House of Assembly be requested to join in such Address.

Monday, March 2.—Hon. Mr. Johnston, Chairman of the Committee appointed to enquire into the state of all the Roads of Communication in the Province, and to report what monies it may be necessary to appropriate for repairing and improving the same, have had under their consideration the subject of Great Roads, as also the expediency of making certain Special Grants for Roads, and recommend that the sum of £25,240 be granted and appropriated as follows, viz:

Saint John to Nova-Scotia line,	£2500
Do. to Saint Andrews,	1500
Corporation, Saint John, for Piers and Landing places, in connexion with the Steam Ferry Boat,	1200
Fredericton to St. John, *via* Nerepis,	1000
Nerepis to Gagetown,	200
Dorchester to Shediac,	150
Shediac to Bend of Petitcodiac,	120
Richibucto to Chatham,	500
Newcastle to Bathurst, including 100*l.* for Little River Bridge,	850
Bathurst to Campbelltown,	1500
Fredericton to Woodstock,	3000
For the Bridges already contracted for on the said Road,	1500
Woodstock to the Canada Line,	500
Fredericton to the Finger Board,	700
Fredericton to Newcastle,	3500
Fredericton to Saint Andrews,	2500
Salisbury to Hopewell,	600
Shediac to Richibucto,	400
Woodstock to Houlton,	200
Waweig to Saint Stephen,	60
Bridge over the Oromocto river & approaches,	1000
Hammond River to Hopewell,	200
Oromocto to Gagetown,	150
Towards widening the Bridge, and for improving the Road to Indian Town,	500
Bend of Petitcodiac to the head of Richibucto,	100

Resolutions on Lord John Russell's Despatch.

By Mr. End, Resolved,—that previous to the Despatch of Lord John Russell, the tenure of Public office in this Province was highly satisfactory to the people; and that despatch, by depriving certain of the public functionaries therein enumerated, of all discretion and freedom of action; and reducing them to the situation of mere instruments, in the hands of the administrator of the Government: has excited a feeling of distrust, and must waken, if not destroy that influence which honest, independent, and conscientious public officers, would under the old tenure, naturally obtain in the minds of a loyal people.

His Honor the Speaker, stating it as the opinion of the Committee that the rules hereafter to be observed, as respects the tenure of public offices, should be highly gratifying to the House, as affording a sincere desire on the part of Her Majesty, to infuse into Colonial affairs, principles analagous to the British Constitution.

By Mr. Partelow,—that there is nothing in the Despatch to call for any expression from the House on the subject of Colonial Government: and that in the event of any thing taking place to disturb the tranquillity of the Province, the House felt satisfied that any representation would receive due consideration on being laid at the foot of the throne

By Mr. L. A. Wilmot,—that the exercise of all Executive functions should be controuled by a due regard to the attainment of such objects: and claiming the right of the Assembly to advise and assist in such controul and direction; and resolving that the House should view the Despatch as distinctly recognizing an efficient responsibility on the part of Executive Officers to the Representative Branch of the Provincial Government.

Continued Debate on Responsible Government.

Mr. End rose and said, that having now heard the opinions and arguments of many hon. members, he was fully and firmly persuaded, that the view he had taken of this despatch, when he had the honor to open the debate yesterday, was correct in substance and in fact; and that all the arguments he had heard from the other side of the House, had only the effect of rivetting him to his first opinion. Indeed none of those hon. members who spoke as if the responsibility question was involved in the despatch, had ventured to assert, that it would be there found plainly expressed in ordinary language; and it was only by some complicated process of ratiocination, that they could accomplish the object they desired. He would quietly ask those hon. members, whether it was at all reasonable or probable that a question of such importance, would be placed before the House or the Government in any other than the plain language of truth, such as an Englishman could understand? Was such an idea consistent with the reputation of Lord John Russel—or the manly frankness which breathes forth in every line of the "Circular Memorandum."—He happened in the course of reading, that very morning, to take up a work on Religious controversy—it was a subject, as the Committee would suppose, on which he had burnt very few candles and no oil; and probably the Committee would pardon him, and not convict him of impiety or a desire to treat sacred things with levity, if he was to allude to the work. It appeared to be a controversy on the doctrine of purgatory; and it was asserted by those who opposed the doctrine, that it was not to be proved by any positive text in the New Testament, that it was only to be defended by inference, and comparison of certain texts; and that therefore it could not be a true doctrine, in as much as it was not to be supposed, that a doctrine so very important, would be suffered to depend on mere inference. As to the doctrine he said he could not presume to give an opinion upon it, in that place, nor was it necessary that he should; but this much he would say, that if it or any other doctrine political or religious, were sustained by mere inference alone, and not positively recognized in direct terms, the argument against it was both fair and reasonable; and he would take the liberty in the present debate, of pressing the same argument abstractedly upon the consideration of hon. members. Responsible government was a most important political doctrine; so important as to elicit the beautiful and eloquent speech, which had just been pronounced by Mr. Wilmot; he could not smother the voice of nature in his breast, when the subject was alluded to, and he burst upon them in the full tide of his powers. But even he did not tell them that it was to be read of in the despatch, and he was compelled to reason and to argue, and to draw deductions in order to connect the Resolution which he proposed, with the despatch now before them; and the hon. gentleman is reduced to such a condition, that at last he is compelled to argue, that "because he finds the despatch giving encreased powers or responsibility to the Lieut. Governor, he infers that it must have been intended to give that Branch encreased power also; these encreased powers can be nothing except they are a power of controlling the government;" in a word of reducing the government to be subservient or responsible to whatever the opinion of a majority of this House may happen to be,—and this he presumed was the true definition of responsible government,—that was a species of special ingenuity, to which he could never agree.—Was it to be considered, because one of the branches assumed, or was invested with unconstitutional power that the other branches were to extend beyond their settled boundaries, and by error, correct error? No, the duty of the other Branches in such a case would be, not to extend themselves,—but to exert themselves to restrain and repel the invasion; and reduce the sinning branch to its ancient boundaries. That was the course pointed out by the constitution, and the adoption of this course and none other, would ensure peace and harmony. The learned member for York had felt the difficulty, and had managed the case as adroitly as possible; but the position was not tenable, and must be surrendered. If the hon. member had no other argument, by which to correct the despatch and the Resolution, they must remain disunited. Let members look to it dispassionately and honestly; let them not hesitate to give their unbiassed opinions, and may no man's constituency ever truly say—our Representative basely deserted us in the hour of need, and shrank from his post like a coward. He said he had yesterday questioned the prudence of Lord John Russell's declaring to the whole Province, that certain salaried officers of the Government were required to be obedient, and support its views in all things; but it was merely in reference to the character of those officers, and because such a declaration ruined their influence in the country. He believed in point of fact, that the bulk of the people cared very little whether the Attorney General or the Solicitor General, or the Secretary of the Province, or several other officers named in the despatch, were marked with the broad arrow or not; but as a matter of prudence and expediency he had no doubt of that part of the question. As regards the Executive Council however the case was far different, from these public functionaries, the people and the House of assembly did expect independent action. He would not insist on the administrator of the Government, paying a blind obedience to their advice; but he could not divest himself of the opinion, that they ought to have the power to advise, and that it ought to be their duty to offer a free and unfettered advice and opinion.—This was his objection to Lord John Russell's decree, and with all due deference to that nobleman, he must still think that the decree was made unadvisedly, and in no accordance with those liberal declarations which were perpetually streaming from the mouths of the whigs.—He felt sure that the Tories would never have hazarded so tyrannical a decree; and he felt exceedingly for the position in which it might necessarily involve the Queen's Representative. Military men were always sent here to be our Governors; and he was one of those, who gave his hearty assent to that course of proceeding, because he admired that manly bearing which is the characteric of a true soldier; but it sometimes happened, that men of the highest military merit were deficient in the science of civil government. It was an undoubted fact, that "expediency" was a word not to be found in a soldier's book, but expediency was a word, and a useful one, in the civilian's book; and if a soldier Governor, acting under the dictates of his own feelings, and despising the expedient, in his prospect of the right, could, as Lord John Russell's despatch authorises, reject all advice from men of reasonable expediency, and even punish the advisers by expulsion; he (Mr. E.) without much of the gift of prophesy, was under great apprehension, that measures might be adopted justly unsatisfactory to the people.—He had no idea of arraying the popular feeling against the Government.—God forbid, his desire was to unite the people and the Government, and he thought the plan of calling persons from the House to the Council of the government, was a happy suggestion and served to convince the people, that those men in whom they placed confidence, in whom they confided, in whose hands they entrusted the care of their dearest privileges; were men of worth and integrity worthy of being the Queen's advisers also. But their freedom of action must not be quenched; they must not be enslaved or required to assent to all measures, suggested by the administrator of the government; for if so, how was the voice of the people ever to reach his ears. The despatch would be a curse to him, a curse to them, and a curse to the whole colonial system; and where was the necessity for it. Let Lord John Russell apply his nostrums to Canada or any other colony; but why perplex us in this happy colony, we who are quiet in the land; our system worked well during two reigns, so Lord John Russell admits, and he goes on to say "therefore it is time for a change."

And is it true then that change is the dominant passion of the whigs; and must every system, every institution be changed, merely because "*it has worked well for two reigns;*" and was Lord Eldon, that great defender of our most valued institutions, was he right when he declared that "with some it was a sufficient reason for throwing down an establishment, if they saw that it was an establishment." The learned gentleman said he at one time supposed that this was the language of debate, but now he was convinced that it was the language of deliberate truth, and just appreciation of the true principles of the whigs. Must our Executive members in future be creatures, so happily described by Goldsmith;

"Those skilled to fawn and seek for power,
By doctrines fashioned to the varying hour;"

or let them rather remember the noble sentiment of the old English ballad,

"How happy is he born and taught,
That serveth not another's will;
Whose armour is his honest thought
And simple truth his brightest skill."

In conclusion, he would earnestly entreat the Committee to submit to no delusion or subtlety of argument; they were plain and well meaning men. Let them then take up the question in all honest simplicity; and rest assured, that their simplicity would eventually become wisdom.

Communications.

[For the Chronicle.]

Mr. Editor,—My communication in your paper of the 28th ult., has I perceive, called forth some remarks from some person under the signature of *Verax*, which from the free use he makes of the vituperative terms, "mendacity," "impudent assertions," "impudent scribbler," he doubtless thinks very severe. It is not the first time, I believe, that this gentleman has used his pen in defence of the Lieut. Governor, and I hope his well meant, but ill executed exertions, will not go unrewarded: I sincerely hope when *honorable* men are driven away in disgust, from her Majesty's Councils, and the service of the crown, by the "blessings of responsible government," a fitting place will be reserved for him. I should feel inclined to animadvert upon the letter of Verax, were it not for two considerations. In the first place, I doubt whether his officiousness in thus giving double publicity to the transaction, will procure for him any thanks from Government House: and secondly, the history he gives is looked upon by every one, and in every quarter, as not a *contradiction*, but a clear and decided *corroboration* of my statement, except in one unimportant particular. Nay more than this, it conveys to the public a piece of additional information, viz: "that a fair statement of Capt. Tryon's claims has been forwarded to the Colonial Minister,"—with which, I am quite sure, every native of the Country will be highly gratified. I will merely ask him—if he knows of the interview which took place between Mr. Baillie and Capt. Tryon *prior* to the resignation, and what passed at it? If he did know, when he wrote his letter, what did pass on that occasion, *Mendax* would have been a more appropriate signature for him than *Verax*, if he did not know, he ought, I think, to have made himself acquainted with the facts of the case, before he presumed to meddle with other people's business, and to make use of insolent abusive language. W.

[For the Chronicle.]

Mr. Editor,—It would be impossible to discover in the annals of this, or either of the other Provinces, a more apt illustration of the truth of the old adage, "parturiunt montes, nasciturr ridiculus mus" —than that afforded by the late two days debate in the House of Assembly, on Lord John Russell's famous Despatch. For two whole days did they

"argue debate, chatter and prate,
"and make a ridiculous muss":

but at last come to the important conclusion, that there was nothing in the subject matter of their arguing, debating, chattering, prating, and ridiculous mussing, to call forth any expression of their sentiments with respect to it. All this would be very droll and funny, and highly laughable, were it not for the lamentable melancholy fact, that this arguing, debating, chattering, prating, and ridiculous mussing, cost the country a good deal more than £200. Look where you will, never will you be able to *ditto* that famous display of senatorial wisdom and eloquence. Great was the preparation for it. The day before it took place, almost every man in the House who can write his mother tongue, seems to have put in his resolution, so great was the "variety of resolutions laid upon the table."—I have seen *seven* of them,—how many more there might have been I know not: but *six* of that seven are quite enough for any man's stomach, who is not a thorough going Yankee. As Jonathan says, (for as Yankee diplomatic language, and yankee politics, are the order of the day, I suppose I must also adopt a yankee mode of expression.) five out of the seven resolutions, *approbated* the Purge: one *reprobated* it: and the remaining one *made a great fouss about it*, but came to no decision on it one way or the other. The history of this famous debate on the Purge, and its accompanying Memorandum is as follows.

Mr. End was, I believe, the first who laid a resolution on the table; but the sentiments which it expressed, being not agreeable to the popular faction, a copy of it was not sent down to the Courier, "by Mr. Woodward Member for the city," along with the others. It expressed decided *disapprobation* of the Despatch, in its operation on public functionaries; and declared that it has excited a *feeling of distrust*. In this resolution as far as it goes, I most cordially agree; but both in it, and in the admirable speech with which Mr. End followed it up, there is a most grievous omission; which though it does not excite in me "abhorrence and contempt." I most deeply lament. I allude to the utter silence which is maintained on the only point, which the country need care a farthing for,—*the bearing of the Despatch upon the Legislative Council*. The Governor may treat his Executive Council just as he does his groom and footman; he may order them about, and use them just as he pleases; and if they choose to submit to it, that is their own business, and the country need care nothing about it. If they dont like their treatment, they can resign as Mr. Botsford has done, and there's an end of it. All the Country need care for, is the independence of the Legislative Council. Upon this most important point Mr. End's resolution says nothing: and according to Mr. Ward's report, his speech is equally silent.

The three sets of resolutions, which in my last, I designated as "ought to be kicked out, more ought to be kicked out, most ought to be kicked out"—got their deserts: they were kicked out. They are however worth referring to, for the purpose of shewing the decided change, if not of sentiment, of expression which was brought about. Mr. Partelow's first set with reference to the Legislative Council declared, that by this famous Purge, they had been reduced to such a wretched, miserable, degraded, dependent condition, "that some great alteration is necessary" in its construction: while his fourth Resolution contains an expression of "the *highest confidence* in his Excellency's present Council," and in his Excellency, so long as he asks "information and advice" from them. Now this expression of confidence he did not dare to press: he did not dare take the sense of the House upon it: if the question had been taken on the expression of confidence, the Ministry would have sustained a more disgraceful defeat than they have already suffered: and an instantaneous resignation of Ministers, or dissolution of the Assembly, must have followed. As it is the resolution of the *Prime Minister* being negatived, I do not see how he can continue in office. (How truly ridiculous does British Parliamentary language sound when applied to our puny Legislature.) How vastly pleasant it must have been to the Premier, in his office of Speaker, to receive from the Chairman of the Committee the report of his own defeat, how royled he must have felt; how *streaked* he must have looked! No wonder he swore he would resign! When he said he would, nobody believed him; no one could realize anything so very desirable.

But as usual, Mr. L. A. Wilmot made himself more conspicuous than any body else. His expressions, not his sentiments, underwent a great change. He laid aside in his amendment the moderate language of his original set of resolutions, and went *full split* along with the hon. member from the Yankee lines; and adopted his very words, and republican enough they are,—"efficient responsibility." I shall presently do this hon. and learned and gallant gent. the honor of making a few remarks upon—not his speech, but an article in the Fredericton Sentinel of the 4th inst. purporting to be a report of his speech. I am particular in stating this, because the learned gent. has an ugly trick, when his temper is royled, of getting the Speaker to send the Sergeant-at-Arms after a printer, if any reflections are cast upon his speech. I therefore beg to say, for your security, that my remarks are made, not upon Mr. Wilmot's speech, but Mr. Ward's article.

The Sentinel tells us that the debate turned upon a resolution introduced by his Honor the Speaker, to the intent that the Despatch "affords a gratifying proof of a sincere desire, to infuse principles into the administration of Colonial affairs, *strictly* "*analagous* to the principles of the British Constitution." With all due deference to the Hon. Speaker, I must beg to observe, that the question so far as the Despatch is concerned, and he took very good care to keep clear of the Memorandum, is one not of *principle*, but wholly and entirely of *practice*. The principle involved is as old as the Colonies,—the alteration is to extend only to the practice. The principle on which Colonial office has always been held, is the *Royal pleasure*; but the practice has been to consider it a tenure *during good behaviour*. The Speaker talks of a *strict analogy*. Now I will beg to remind him, that Colonial affairs may present a faint resemblance, an approximate similitude, to those of the Mother Country, but there can be no *strict analogy*. When the position and powers of the Governor are strictly analogous to those of the King; the Legislative Council to those of the House of Lords; the House of Assembly to those of the House of Commons; the Executive Council to those of the Cabinet Council and Privy Council together; the Province Secretary to those of the Secretary of State; the Province Treasurer to those of the first Lord of the Treasury; the President of the Legislative Council to those of the Speaker of the House of Lords; and the Speaker of Assembly to those of Speaker of the House of Commons;—when there is a strict analogy, between the component parts of the mass, or between any one of them, then will it be time to talk of a strict analogy between the masses them selves. The language is absurd, and used merely to cover ulterior designs which are not yet ripe, or which cannot be as yet avowed.

But there is one point of analogy which I should like to see carried out. When Lord John Russell came down last April to the House of Commons, to ask for a vote of confidence, he pledged himself and his colleagues to resign if he failed of getting it. When Sir Robert Peel in 1835 failed of securing a majority in the Commons, he did resign.—When too Mr. Huskisson voted against the Wellington Cabinet, on the East Retford question, he was forced to turn out. And in general whenever the Premier has not been supported by others in the Cabinet, he has compelled them to resign. In the late debate on the question of confidence, our Premier and leader of the House of Assembly was left in a minority twice. His resolution was defeated by an amendment. His colleague Mr. Weldon voted against him twice. His other Cabinet Ministers Messrs. Johnston and Crane instead of supporting him, absented themselves from the division. According to analogy therefore, whether strict or faint, the present Ministry must resign. Mr. Simonds cannot continue in office. We shall soon see, I suppose, how much respect Mr. Simonds has for the "principles of the British Constitution."

Mr. Wilmot begins his "efficient responsibility" resolution, with a grand display of parliamentary learning. His premises however are incorrect.—The right which he says the Committee cannot waive or forego, is not peculiar to the Assembly, is a right which belongs as much to the Legislative Council as to them. We have seen an instance of the responsibility of the Executive to the House of Lords, in the late committee on the administration of justice in Ireland. In fact either House is as competent, one as the other, to enquire into the "exercise of any of the Executive functions, and to remonstrate against the abusive exercise of those functions." This though is only *simple* responsibility, and is as old as the Hills; but Mr. Wilmot says that the Despatch "distinctly recognises an *efficient* responsibility," and this recognition in another quarter is called "a new and improved constitution." Wherein is it new, and how does it differ from simple responsibility? Here lies the mystery, and this only can it be solved. They must want to make every officer of Government, dependent upon the annual vote of the Assembly for his salary, that as they serve the Provincial Secretary and Attorney General, they may sometimes grant it, and sometimes withhold it, or move it about at pleasure, from the ordinary to the extraordinary services, and always debate about it: and make every officer not receiving a salary, dependent upon them for his continuance in office. This is what must be meant by efficient responsibility for in this sense only can it be called new.

In the Sentinel report of Mr. Wilmot's speech, there are two passages worthy of especial remark. The first of them is as follows—"When the present "Lieutenant Governor assumed the government "of the Province, surrounded by the avowed op- "ponents of the very policy he was required to "adopt, and pursue; *it was no difficult thing to* "*trace out the origin of the Despatch before the Com-* "*mittee. No doubt Lord John Russell had been ap-* "*prised of those difficulties and he immediately per-* "*ceived the remedy at hand and directed its applica-* "*tion.*" Here is a direct confirmation of an assertion made in the Chronicle a week or two ago, but denied by many—that Sir John Harvey had obtained from Lord John Russell this precious Purge.

The second is as follows, "they should be care- "ful how they expressed themselves with regard to "a system which had so far worked well, and "*which gave them an influential representation in the* "*upper branch.*" Here is again a confirmation of what has been asserted in the Chronicle, that the gagging and mouthpiecing the Executive Councillors, and Government Officers, who are members of the Legislative Council, has placed them in such a situation, that they are in point of fact, nothing but *the representatives of the Assembly*. Mr. Wilmot I thank you heartily for this admirable passage. They are the only wise words that, in my opinion, ever fell from your lips; and they are really not only wise words, but as true as they are wise.—Twelve members out of sixteen in the Legislative Council, are reduced through Johnny Russell's Purge, to the rank of *representatives of the Assembly*. Truly it is a new and improved Constitution!

Gagetown, 9th March, 1840. P.

[For the Chronicle.]

Dear Mr. Editor,—For several days past, your Journal and its several communications have been the theme of nightly animated discussions in this Town and its neighbourhood. From the strictures and positive facts, so often and so ably set forth, and which are so well known to all respectable persons in this quarter, you must not wonder at the anger felt and expressed by those few fawning sycophants who dare not meet the truth in open light.—In this community no paper or journal is scarcely ever spoken of but the "Tory Chronicle;" at evening parties our most talented ladies appear all on the Chronicle side in argument, and in them you have a host of friends.

In consequence of a report in circulation that our Radical House of Assembly had secretly resolved upon sending their Serjeant-at-Arms after you, a goodly number of your supporters, legal characters and others, have made it their business to discuss the matter very freely, and from those discussions much valuable and solid information has been obtained.—In the first place, it seems to be fully established, that no Colonial Assembly has a right to arrest or imprison a British subject for the liberty of speech; and secondly, that the Serjeant-at-Arms, who is the immediate servant of the Assembly while in Session, cannot be invested with any authority *beyond the walls or precincts of the House of Assembly*. Thirdly, that the Speaker of a Colonial Assembly has no *legal right* to call upon any Magistrate, petty Constable, or any other person, to carry into effect any written order or mandate issuing from him, which shall trench upon the liberties of the subject. Fourthly, that the Serjeant-at-Arms, if sent by the Speaker beyond the walls or precincts of the House of Assembly, were to attempt to arrest any British subject, by placing his hands on the person, or by using any sort of compulsion towards the subject, such Serjeant-at-Arms could be immediately committed to prison for the assault, and be there detained until securities were found for his appearance before the constitutional tribunal of his country.

Fifthly, it was resolved, that should the malignant feelings of the Speaker, or the revengeful dire of *Major Plunkty* be determined to carry the majority of the House of Assembly or Executive against you, for the purpose of prosecuting, or in other word to *gag and mouthpiece the Press*, your numerous and staunch supporters will unite in a subscription which shall bear you harmless against all the Responsibles and Gagging Radical Republicans in the Province of New-Brunswick. LEGION.

Fredericton, 10th March, 1840.

THE CHRONICLE.

SAINT JOHN, MARCH 12, 1840.

By the arrival of the ship "*Flora*" from Liverpool, we have been furnished with Liverpool papers to the 7th of January, but they contain no important intelligence.

Arrival of the Great Western.—We are informed that this noble steamer, arrived at New-York on the 7th instant, having performed her passage in 16 days. Her gracious Majesty, Queen Victoria was married to Prince Albert on the 10th of Feb.

The Chartist rioters, Frost, Williams and Jones, had been tried for treason, and sentenced to banishment. They had arrived at Portsmouth and were on board one of the hulks.

[The Mail by the Great Western, has not yet reached the city, otherwise we should have felt much pleasure in furnishing our readers with a bundance of European intelligence.]

Prosecution for Libel.—On Saturday last, the House of Assembly sat with *closed doors*, to investigate the subject of a communication which appeared in the Chronicle of the 28th ult., signed "W." The result of their sitting terminated in a recommendation, that His Excellency, the Governor, would order the Crown Officer Her Majesty's Attorney General, to prosecute us for the said communication.—The following Resolutions were adopted, so that the Liberty of the Press shall no more receive countenance from the supporters of *Responsible Government* in New-Brunswick.

House of Assembly, March, 7.

LIBEL ON THE QUEEN'S REPRESENTATIVE.

Whereas a false and scandalous Libel against the Queen's Representative in this Province has been published in a weekly Newspaper printed in Saint John, called *The Weekly Chronicle*, under date the 28th day of February last, entitled "Another new and improved Constitution," which is calculated, if unnoticed, to bring the Provincial Government into contempt; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to give directions to Her Majesty's Attorney General to adopt proceedings at Law, against the Author or Publisher of the said Newspaper, for the said false and scandalous Libel; and farther

Resolved, That the Legislative Council be requested to join in said Address.

To which Mr. Street moved as amendment—To expunge the whole of the foregoing Resolution and substitute the following:—

Resolved, That the Libellous article contained in the Saint John Chronicle of the 28th February last, under the Signature of "W." is too ridiculous and contemptible in its nature to call forth any notice from this House; inasmuch as His Excellency's character stands too high in the estimation of the People of this and the adjoining Provinces, and is too well known to be injured thereby, and inasmuch as it might only have the effect of giving to the article in question a degree of importance and notoriety, of which it is altogether unworthy.

And upon the question for adopting the amendment, the House divided as follows:—

Yeas—Messrs. Street, Barberie, Wilson.

Nays—The Hon. Mr. Weldon, Messrs. Partelow, Palmer, Stewart, Hannington, M'Almon, Allen, End, J. M. Wilmot, H. T. Partelow, Taylor, Connel, Beardsley, Freeze, M'Leod, Jordan, Gilbert, Brown, Boyd, Rankin, Hayward, Hill, L. A. Wilmot, Fisher, Woodward.

Whereupon it was decided in the negative.

The question was then taken upon the original Résolution, when the House again divided—

Yeas, 23. Nays, 5.

And so it passed in the Affirmative.

Ordered thereupon, That Mr. L. A. Wilmot do communicate the said resolution to the Council.

Legislative Council Chamber,
Monday, 9th March.

A Message was brought from the Assembly, by Mr. L. A. Wilmot, with the following Resolution:

Resolved, That the Public Newspaper, printed in Saint John, under date the 28th day of February last, called the "Weekly Chronicle," and containing the false and scandalous Libel against the Queen's Representative in this Province, referred to in the Resolution of this House of the 7th inst. be forthwith communicated to the Legislative Council.

The paper referred to in the Resolution from the Assembly, as containing a false and scandalous Libel against the Queen's Representative in this Province, being read, and also the Resolution of the Assembly upon such Paper, and consideration being thereon had.

Resolved unanimously, That this House do agree with the Assembly in the said Resolution and Address.

Ordered, That the Master in Chancery do acquaint the Assembly therewith, and return the paper, communicated to this House by the Assembly.

[A Committee consisting of Members of both Houses will be appointed, probably to day, to wait upon the Lieut. Governor with the Resolution and Address,—we shall publish His Excellency's reply thereto in our next number.]

From the Royal Gazette.

Provincial Appointments.—The following Persons to be Sheriffs of the different Counties for the ensuing year:—Edward W.