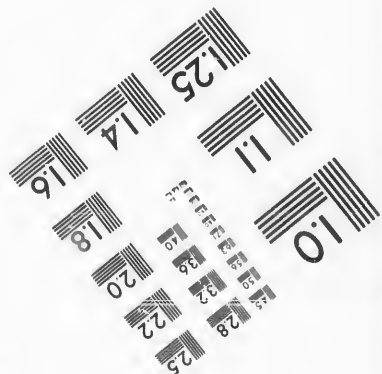
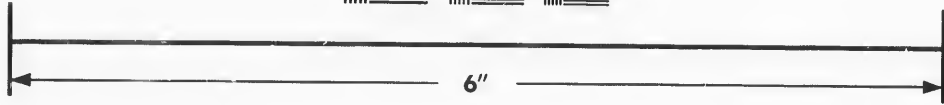
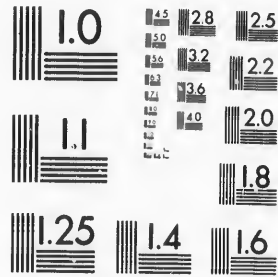


**IMAGE EVALUATION
TEST TARGET (MT-3)**



**Photographic
Sciences
Corporation**

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

1.5 28
1.6 32
1.8 22
2.0
2.5

**CIHM/ICMH
Microfiche
Series.**

**CIHM/ICMH
Collection de
microfiches.**



Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques

10

© 1987

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Coloured covers/
Couverture de couleur | <input type="checkbox"/> Coloured pages/
Pages de couleur |
| <input type="checkbox"/> Covers damaged/
Couverture endommagée | <input checked="" type="checkbox"/> Pages damaged/
Pages endommagées |
| <input type="checkbox"/> Covers restored and/or laminated/
Couverture restaurée et/ou pelliculée | <input type="checkbox"/> Pages restored and/or laminated/
Pages restaurées et/ou pelliculées |
| <input type="checkbox"/> Cover title missing/
Le titre de couverture manque | <input checked="" type="checkbox"/> Pages discoloured, stained or foxed/
Pages décolorées, tachetées ou piquées |
| <input type="checkbox"/> Coloured maps/
Cartes géographiques en couleur | <input type="checkbox"/> Pages detached/
Pages détachées |
| <input type="checkbox"/> Coloured ink (i.e. other than blue or black)/
Encre de couleur (i.e. autre que bleue ou noire) | <input checked="" type="checkbox"/> Showthrough/
Transparence |
| <input type="checkbox"/> Coloured plates and/or illustrations/
Planches et/ou illustrations en couleur | <input checked="" type="checkbox"/> Quality of print varies/
Qualité inégale de l'impression |
| <input type="checkbox"/> Bound with other material/
Relié avec d'autres documents | <input type="checkbox"/> Includes supplementary material/
Comprend du matériel supplémentaire |
| <input type="checkbox"/> Tight binding may cause shadows or distortion
along interior margin/
La reliure serrée peut causer de l'ombre ou de la
distorsion le long de la marge intérieure | <input type="checkbox"/> Only edition available/
Seule édition disponible |
| <input type="checkbox"/> Blank leaves added during restoration may
appear within the text. Whenever possible, these
have been omitted from filming/
Il se peut que certaines pages blanches ajoutées
lors d'une restauration apparaissent dans le texte,
mais, lorsque cela était possible, ces pages n'ont
pas été filmées. | <input type="checkbox"/> Pages wholly or partially obscured by errata
slips, tissues, etc., have been refilmed to
ensure the best possible image/
Les pages totalement ou partiellement
obscurcies par un feuillet d'errata, une pelure,
etc., ont été filmées à nouveau de façon à
obtenir la meilleure image possible. |
| <input type="checkbox"/> Additional comments:/
Commentaires supplémentaires: | |

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	14X	18X	22X	26X	30X
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12X	16X	20X	24X	28X	32X

The copy filmed here has been reproduced thanks to the generosity of:

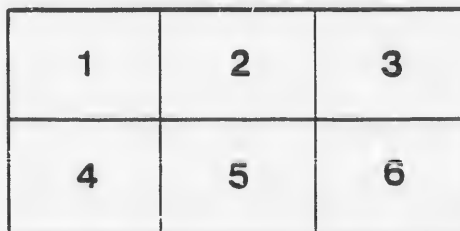
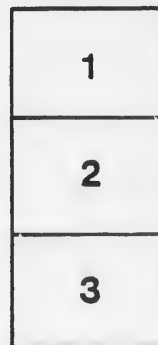
The Nova Scotia
Legislative Library

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol \rightarrow (meaning "CONTINUED"), or the symbol ∇ (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

The Nova Scotia
Legislative Library

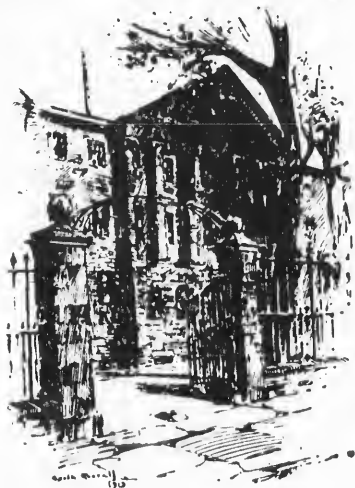
Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole \rightarrow signifie "A SUIVRE", le symbole ∇ signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

NOVA SCOTIA
LEGISLATIVE LIBRARY



PROVINCE HOUSE

A
LETTER

TO THE

PEOPLE OF HALIFAX,

CONTAINING

STRICTURES

*On the conduct of the Magistrates, with regard to the
Police Office, Court of Quarter Session, Work
House, Poor House, Jail, &c.*

ALSO,

STRICTURES

Supreme Court

*On his Majesty's Council and House of Assembly,
Bank Bill, Militia, issuing Tickets for Fiats,
Digby Election, Raising
the Pay, &c. &c.*

==
BY A NOVA-SCOTIAN.
==

PRINTED FOR THE AUTHOR.

1820.

MS
347.9
N

ect

NS
347.9
W

To the People of the Town of Halifax

GENTLEMEN,

So many complaints have arisen, with regard to the improper expenditure of the taxes levied annually upon you, and as I know these complaints to be founded on facts, I have undertaken the task of displaying in a very small compass, how woefully and unskillfully the taxes have been misapplied. In doing this, I have been actuated by no malice or vindictive feelings against any man or set of men, but on the contrary, to give them their merits, if they possess any.

But on the perusal of the foregoing, you will be of the same opinion. I am, therefore,

Yours, &c.

THE AUTHOR.

1538

A LETTER, &c.

The first institution I shall take into consideration, is the Police Office; and as I intend to go into *facts*, respecting the whole institutions, that shall come under review. I shall not descend to have the sheets of this pamphlet polluted by any falsehood; but on the contrary, to have them supported by facts, which cannot be controverted nor contradicted.

This Police Office, to do it justice, I must call it a scene and sink of iniquity, infamy, corruption and pollution; and calls loudly for a reform in the most essential branches of it. To effect a reform in this highly necessary office, the immense salary of its clerk, which is 300*l.* per. annum, ought to be reduced, and a proportion of this reduction ought to be given to the Police Constables; for exclusive of this the Clerk of this Police Office exacts for each writ issued for assaults, thefts, &c. 2*s.* 6*d.* Now how can it be expected, that the Police Officers, obtaining this paltry sum of about 26*l.* per year, will ever faithfully and effectually execute the trust reposed in them? The very contrary is to be expected, from the insignificance of their salaries; and by reducing the salary of the clerk and raising theirs, more good will be done for the protection of lives and property, than has ever yet been accomplished by the fertile head, and delicate hands of this truly valuable Clerk.

I shall now take notice of the whole body politic of the magistrates; and shall show to you the various changes, I intend to bring against them.

First, receiving money sufficient from the rents of the public buildings, lots leased on the common, beef market, fish market, truckmen's licenses, general

pedlars and special licenses for retail of liquors, &c. &c. sufficient to pay the whole of the country rates, poor rates, road money, &c. &c.

The Court House Building pays per year,	225l.
The Green Market, let as shops,	170
The lots on the common,	250
The licences for truckmen,	8 2 6
The Beef Market,	200
Part of the <i>Beef Market</i> let to Mr. Mc'Leod,	40 0 0
Fish Market,	40 0 0
General, special and pedlars' licences,	1800 0 0
	<hr/>
	2713 2 6

This sum, at least, the magistrates receive annually from the public buildings, of which the people of this town have already had to pay for; and in addition to this, they or their friends have assessed and receive this present year (1819)

For Country Rates,	1566l.	11 9
For Poor Rates,	670	3 0
For Road Money,	1800	0 0
For Wells and Pumps,	327	0 0
	<hr/>	
Making together the sum of	7076	17 3

that annually pass through their hands. Now this immense sum, they say, has every year been faithfully expended. We must take their truly *faithfully* honest words for it; for never did any elector or any other person of this town, ever see an account of the expenditure. True it is they will tell you, you may go before the grand jury, and there see an account of the expenditure; but what *individual* will ever make himself so conspicuous, as to go and argue the improper expenditure of so many pounds, before the very persons, who so liberally pocket a very *hand-some* proportion of it themselves?

9

None ever did, and I hope and trust, that none will ever so far forget himself, as to run the risque of being torn in pieces by these ruffians of municipal authority. The magistrates of Edinburgh were at one time something similar to our own, fond of feasting upon the public, and neglected to publish their accounts, until a Mr. Thomas Hamilton, a merchant of that city, by a process before the Exchequer Court, forced them to do so. Much need, God knows, have we in our town, of a Mr. Thos. Hamilton, or any other SPIRITED character, who would undertake to enforce such a salutary regulation. But we feel so many oppressions from the magistracy, that we live in a thoughtless age, lulled to servitude; and nothing, but the most ignominious thralldom, is intended for us, by our municipal rulers.

The next charge, I shall bring forward, is illegal imprisonment. For the most trivial offence, such as intoxication, quarrelling, &c. &c. are the citizens of this town sent to Bridewell, a place expressly declared for the reception and confinement of the most notorious THIEVES and VAGABONDS: and if ALL such characters were sent there, so many of our magistrates would not be seen every day, parading about the court house and other public places.

The next charge, I shall bring against them, is with regard to their Court of Quarter Session, and I shall now incontestibly prove, that they have sold the public justice of the country in the most shameful and disgraceful manner. A number of instances might be quoted, but one will suffice for the present. In the month of September, three men, of the names of Caton, Cashon, and Coleman, were tried for an assault on a man, of the name of Hickey, and by the jury found guilty. The sentence of the court was as follows—you Caton shall pay a fine to our SOVEREIGN LORD AND KING of 25*l.* you Cashon and Coleman shall be imprisoned, for the space of six months. Caton not having the amount of the fine in his possession,

yc.
es,

2 6
0 0
0 0
0 0
—
2 6

ally
this
on to
ceive

11 9
3 0
0 0
0 0
—
17 3

y this
hfully
y hon-
y oth-
he ex-
ay go
of the
make
e im-
re the
hand-

was imprisoned until the fine should be paid.* Now, this mere phantom and shadow of justice was managed in this pretty manner, that Cashion after laying a few days in prison, bought his release from the Magistrates for 10*l.* and was told, on his discharge; "Had we have known, that you had been possessed of any monies, you never should have been sentenced to confinement, as we would rather receive pecuniary compensation for these misdemeanours, than personal or solitary confinement."

Now will any person inform me what becomes of the hundreds of pounds, they every year receive in this extraordinary and shameful manner? No. This is carefully kept in the back ground; it is *kept as dark* as the land of Egypt; it is fine upon fine to our *Sovereign Lord and King*; but neither king nor subject has ever heard or seen how truly HONEST and charitable has these immense fines been disposed of. Why do not the magistrates come boldly forward, and declare in the face of the public, that it is employèd to their own use, in eating, drinking and revelling, in scenes of riot and dissipation, which is as notorious as sun at noon day?

The next charge, I shall bring against the magistrates, is their conduct, with regard to a place of great fame and uncommon celebrity; I mean the Work House, and without any extraordinary declamations or empty sounds of high sounding popular expressions against it. I will call your attention to facts, which are stubborn things, and cannot so easily be got over, as to them it may appear. The monies, I have already shown they annually receive, they will not have the unparalleled impudence to deny; yet, strange to say, that in the year 1817, the people of this town was taxed 1140*l.* for the support of this Work House.

The expences of keeping prisoners in the Work House, is 16*d.* per day; the average daily earnings of each about 2*s.* 2*d.* the average number of prisoners,

* Caton has since paid 25*l.*

28. A
there
guinea
of ini
and c
such
the p
is it d
privat
magis
their
saffro
I now
me he
will b
tice
penet
pocke
furthe
shall
tho' a
the b
of ve
fold s
and s
of th
drive
in pos
TH
their
all o
care,
by th
ceive
it. I
all th
magi
bette
men

28. According to this scale, which is *true*, every day there is a balance left to be accounted for, of one guinea. Now through what deep and dark mazes of iniquity, corruption and infamy, could these GREAT and GOOD men have tax'd the inhabitants of this town such an enormous sum? Is it because they employ the prisoners to their own private use and benefit, or is it done (as I think it is) that they may pay their own private debts out of the purses of the people? The magistrates say, the inhabitants of Halifax bear all their taxes patiently and without repining; and like saffron flourish the more they are trodden upon. But I now pledge myself by all that is sacred and dear to me here and hereafter, that when it is in my power, I will bring them to the public and patriotic bar of justice to my country, and there reduce them to their penentials, for having thus coercively plundered the pockets of the laborious labourer. Nay, I will go further. I will so punish them, that they themselves shall acknowledge in their hours of tribulation, that tho' a *nolle prosequi* might have screened them from the bar of justice, yet the unknown hand of a minister of vengeance has hunted them out, behind the seven fold shield of MIGHTY patronage. I will go further and say to the magistrates in the name of the people of this province, that we are governed by a set of drivellers, from whom we can expect no remedy, but in POISON, no relief but in DEATH.

The next charge, I shall take into consideration. is their total neglect of the Poor House, a building of all others, that comes more particularly under their care, and which of all others is the least attended to by them. I am at a loss to account for this, as I conceive there may be something handsome made out of it. But perhaps the present commissioners may do all that is necessary in that way, which precludes the magistrates reaping any benefit from it. For the better government of this institution, I would recommend a COMPLETE change in the commissioners, and in

their room to substitute good *honest* tradesmen, who I know would cheerfully undertake the task (which is far from being arduous) and as they pay nearly the **WHOLE** of the taxes for the support of it, I have no doubt, they would give us an honest and satisfactory account of the expenditure which has *never* yet been done. I am glad that some writers in the newspapers have at last brought the subject under discussion; I hope that some good may ensue from it; for we all know there is much need and much room for it.

I shall now proceed to animadvert upon the Jail.—
Two years ago the magistrates obtained about 2000*l.* to build an addition to this very necessary building. Whether it was to benefit the prisoners or themselves, I know not; but the latter forcibly strikes me; and I will now explain why I think so too. It never has been used but in **ONE** solitary instance, and that was to accommodate two splendid ladies. In winter's cold or summer's scorching heat, in humour or out of humour, by day light and by candle light, are all the poor *unfortunate* debtors crowded together in **ONE** room, without distinction to age colour or character. Now what was this enormous sum expended for? Does it not *positively* prove, that it was not expended for the poor *unfortunate* debtors? And is there not strong **PRESUMPTIVE** proof, that it was expended for the benefit of our wealthy friends, acting under commissions from the **Executive** authority, as **MAGISTRATES**?

I have been informed, and I believe my information to be true and just, that the present Jailor receives an additional salary than his predecessor did, to prevent his taking **JAIL FEES**. Now these fees are exacted, and **VIOLENCE** used to obtain them. I know clothes to be kept from the poor debtors for the amount of them, when these clothes were actually necessary for comfort, and I think as fully necessary, for the sake of decency. Why do not the magistrates interfere? The reason appears to me obvious; that they are willing to countenance **PLUNDER** from their

inferi
lently
If you
may
disgr

Th

regar
right
respe
the b
the r
stalls

last

and

let a

40*l.*

tion

visio

the

and

the r

cal l

that

man

for.

that

migh

deri

pam

port

to s

sion

Mr.

T

of,

Hig

Cha

que

is in

inferiors; as the people of this town are to sit silently down, and be plundered by their superiors. If you will adhere to the assertions of the Jailor, he may saturate your souls with information, which is as disgraceful to him, as it is folly to you to listen to it.

The last act, I shall at present take notice of, with regard to the magistrates, is with regard to downright and effectual robbery; I mean robbing a very respectable and highly useful class of people; I mean the butchers; and I will explain to the satisfaction of the most sceptical how this was accomplished. Six stalls at the south end of the beef market, during the last summer, have by the magistrates been destroyed, and a partition made from the market, which is now let as a grocery shop to Mr. M'Leod for the sum of 40*l*. This partition effectually stops the free circulation of air. In consequence of this, more animal provisions have been destroyed, to the great detriment of the butchers, this summer, than ever was before; and all this for the sake of a paltry sum of money, that the magistrates will never account for. In the technical language of the magistrates they call it *BYE* money; that is it being in a *BYE* place, it is devoted in so *BYE* a manner; that by the *BYE*, we never see it accounted for. It will appear obvious to every candid person, that a great many more charges of minor importance, might be brought on the carpet; but as I have undertaken, that this shall be published in a cheap pamphlet, so as the poorer class may have an opportunity of purchasing it; I therefore do not wish to swell it to a volume. I positively disclaim all allusions to Mr. Liddel and Mr. Howe; nor do I think Mr. Heaviside so culpable as some have imagined.

There is another grievance, I shall now take notice of, "The Court of Commissioners." I have read of a High Commission Court in England, in the reign of Charles the first; and we all know the fatal consequences that attend it. Now our Commission Court is in *miniature* what that was in the *great*. I will not

undertake to say that such a court ought not to exist ; but I think one could be framed on more *just* and *liberal* principles, and I will now show the grievances complained of. and point out the remedies. However trifling the sum you sue for, you cannot proceed to judgment, under 12 or 13s. and if you sue for 10*l.* the amount of the expenses is the same. Now I know two poor people engaged in litigation, where the plaintiff thought he had good and sufficient cause of action. Now this poor person could not obtain a hearing under 8s. When this was paid, the court decided against him. In vain was his remonstrating against it ; for these *just* and *generous* judges would not listen to any argument for to refund this trifling amount to them (though great amount to this poor person). This is one instance out of HUNDREDS, that occur in this court. To remedy the innumerable ills complained of, I will point to a plan which will at once eradicate them. Could there not be found thirty six gentlemen, patriotic enough to decide justly between man and man, in cases under 10*l.* ? I will prescribe the form. Let a list of thirty six gentlemen, who would undertake it, be struck off. Let three of them as they come in rotation, sit the first Monday and Tuesday in every month, without fee, emolument or reward. By this plan three men devote two days in every YEAR, for the benefit of their fellow citizens, and will be paid by the gratitude and best wishes of a generous public. Thus would 5s. be struck out of the expenses. To obtain a greater reduction, let the clerk of the court be paid in the following manner ; and under the pressure of the times, I conceive it a HANDSOME remuneration for his trouble. For every writ issued, 2s. ; recording the judgment of the court, 1s. ; issuing an execution, 1s. This with the constable's fee, which is only 1s. (and I think *little* enough) would bring the expenses to 5s. This is no wild and visionary plan ; but one that can completely be carried into effect. With regard to the constable who carries the orders

of this
against
to som

Gre
prop
instan
observ

One
in Hol
tituted
expen
dwelli
Halifa
other
date
He ha
his ow
insigni
ceitful

I sh
judicia
person
of DE
been
fence,
the se
second
perpe
reason
plain
of stri
inhabi
ed, an
a mor
legisla
EVERY

WH
I shall

* Pr
election

of this court into effect, I have never heard a complaint against him. I wish I could pay the same compliment to some other officers employed in public institutions.

Great noise has been made, with regard to the improper expenditure of the Road Money, and one instance with regard to it, has come under my own observation.

One of the commissioners of the roads, who lives in Hollis street, and is also a magistrate; and a prostituted* member of the House of Assembly, &c. has expended more money in the road, that leads to his dwelling, than has been expended in any ten roads in Halifax; and all this done with the connivance of the other commissioners, who are as willing to accommodate him as he is to return the compliment to them. He has also an understrapper employed under him, of his own choosing, who is as vile, corrupt, brutal, and insignificant in his place, as his master is ignorant, deceitful and fraudulent in his.

I shall now call your attention to a defect in our judicial proceedings. By the laws of the land, any person convicted of burglary, must have the sentence of DEATH pronounced against him. Innumerable have been the convictions that has taken place for this offence, and never in the course of my recollection has the sentence been carried into effect. Thus for the second greatest crime, known to our laws, do the perpetrators of them escape with impunity; for what reason I know not. But the judges, I am sure, can explain it to the satisfaction of EVERY person; for men of stricter integrity is not to be found in any part of the inhabitable globe. This law then ought to be repealed, and expunged from our Statute Book; and one of a more lenient kind substituted in its stead. If our legislators will not agree to such a measure, then let EVERY law have its full force and effect.

While I am upon the subject of our jurisprudence, I shall show an evil that exists in our supreme court,

* Prostituting the principles he professed previous to his election.

which calls loudly for redress. That is the numerous special juries summoned every term, which I conceive interrupts the justice of the country. If a lawyer wishes to have a trial put off, on the first day of the term he will move for a SPECIAL jury. A day is then appointed for the trial; and if TWELVE of the jurors do not attend, he refuses to have it filled up by talismen. By doing this the cause is put off, until another term. Thus an ENDESS turn of terms pass away without forcing the delinquent to pay what he truly owes. This the poor tradesmen know to their sorrow, disappointment and mortification. If these SPECIAL jurors were better informed than the petit ones; and could administer more conscientious justice, than they do, no complaints would be made. But I will give you a fact, that proves directly to the contrary. In the last Michlemas term a special jury was summoned and sworn to decide in the cause of STEALING and HOFFMAN, a Mr. Fairbanks, who is a *magistrate*, came twenty miles to be chosen to the honourable trust, as foreman of it. After retiring for a number of hours, this jury returned with a verdict, "If the parties will agree to pay each of them half of the expences, attending this suit, *then* we have come to a decision." This of course could not be recorded. The Judges laughed at their ignorance; the lawyers grumbled at their presumption; and the audience swore at their demerits, insignificance and deceit. This judicial farce ended by one of the jury fainting* when they were all dismissed, to the entire satisfaction of judges, lawyers and audience. Now does not this prove the futility of summoning special juries? Did any petit jury ever offer, or attempt to form such a stupid, disgraceful and ignorant verdict?

I shall now proceed to take into very serious consideration the conduct of one of the legislative branches; I mean His Majesty's Council; and en-

* Mr Thomas Leonard.

* Mr. Fairbanks was then at Porter's lake.

dear
that
that
cial
the
but
Thi
that
han
that
this
argu
lend
A
the
Hal
the
goo
a v
two
erv
are
the
cil
me
wor
wor
mor
the
ver
des
low
und
pov
the
suc
Th
at
in t

deavour clearly and precisely to show the defects, that exist in it, and to point to beneficial measures, that they have sejected in the last session of provincial parliament. This council is composed of twelve of the most respectable and honest inhabitants of Halifax; but I intend to argue, that they are also too *wealthy*. This may appear at first sight to be a weak argument, that men's fault should exist in honestly obtaining a handsome independency. But I will so clearly prove, that these gentlemen ought not to be admitted into this branch of our legislature, as will set the best arguments for it at rest for ever, in the land of silence and eternal oblivion.

After a long discussion in the House of Assembly, they at last agreed to establish a bank in the town of Halifax. I have read the bill that passed through the House. It appears to me to be fraught with good wholesome purposes; it is to encourage trade in a very great degree; it is to facilitate payments between man and man; and has for its object the preservation of the *precious* metals, which we all know are hourly going to benefit the commerce of the United States. Yet, strange to say, the council rejected it. The reason they did so appears to me very obvious. Would they agree to a bill, that would effectually annihilate their own interests? It would do so; for it would prevent them lending their money at *exorbitant* interests. But they tell us that they rejected the bill, on the representations of some very *respectable* merchants. But well I know how to describe such merchants; little, paltry, pedling fellows, venders of two penny wares and falsehoods, who under the idea of trade sell every thing in their power, honour, trust and conscience: and such is the unfortunate lot of humanity and *this town*, that such characters are to be found in *every* street in it. They are men, who have no lasting attachment, but at the shrine of mammon, and are always to be found in the greatest plenty, when any measure is proposed

for the interest of their country. The House of Assembly might have predicted the fate of the bank bill, for it was presenting a cup of poison to SICK men, as a remedy for a disease. The interest of the public was put in competition with theirs, and they decided in favour of their *own* dear selves. We are precluded from knowing the members, who thus wilfully destroy the interests of the community, by not having admittance to hear the debates. Much good would ensue from the erection of a gallery, where all might see and hear. The Governor has the power to dismiss the members from the council. If they refuse to pass this bill, in their *next* session, I would strongly recommend to his excellency, to enforce his prerogative, and to admit, in the room of those dismissed, none but those, who have the *real* interests of their country most at heart.

I shall now take into consideration the conduct of our representatives, and what they have done and left undone in their first session. Great were the expectations of the people; it being a body just chosen by the free and independent electors; it being seated in a senatorial palace, erected for them at an *immense* expence. But all our expectations have been disappointed, by the line of conduct they have pursued, and which I think they intend to follow. The first charge I shall bring against them, is issuing tickets for their *friends only* to be admitted into the front seats of the gallery. What? a popular assembly met and deciding upon the rights, honour and interests of their country, while the *principal* part of their constituents are debarred from even seeing their true *worthy* representatives, who by this mere act of self love and friendship, have already forfeited the good opinion of the freeholders of this province, the ever steady friends of liberty, of loyalty, and of their country? One of our citizens, for his temerity to gain admission into the front seat, was by these truly *faithful* representatives sent to jail, until

he
plo
gla
sub
Th
and
so s
pro
con
to l
I
Ass
dis
Ele
Ro
Dig
maj
aga
oug
deb
the
to h
of a
gen
a co
tho
Rep
124
my
tion
bod
thei
of th
T
as th
the
ity o
to th
ough

he should with bended knees, and uplifted hands, implore their forgiveness. This he refused to do and glad am I of it; for they discharged him without submitting, to so servile and ignominious a homage. Thus we have a picture drawn at length, how truly and faithfully they guard our rights, which they have so solemnly promised to perform, and which I will prove they never intended to perform, but on the contrary, to have chains put on our necks, and they to be the *men* to rivet and to fix them.

I have watched the proceedings of the House of Assembly with a vestal's vigilance, and shall now fully display their conduct, with regard to the Digby Election. A gentleman of the name of Wm. H. Roach took his seat as member for the township of Digby, being fully qualified by law, and elected by a majority of ONE. A Mr. Hughes petitioned the House against Mr. Roach, declaring in that petition that HE ought to be the sitting member. After several days debating on this very important point, a majority of the House decided, that the seat of Mr. Roach ought to be vacated, and a new writ issued for the election of a member to represent the township of Digby in general assembly. Now if ONE vote does not decide a contested election, I would be glad to know if one THOUSAND would. Yet the members of our House of Representatives have decided that 123 is more than 124, and their resolutions on that occasion affects in my opinion the very VITALS of our chartered constitution, they being subversive of the rights of the whole body of electors in this province. They being so, then, they ought to be expunged from the journals of the House.

This House of Assembly is created by the people, as the other House, I mean the Council, is created by the representatives of His Majesty; if, then, a majority of the House of Assembly declare in contradiction to the writ of the sheriff, that a duly elected member ought not to sit, tho' qualified BY LAW, and duly chosen,

then the House of Assembly is SELF CREATED and SELF EXISTING, and by practising these arts, they may have a house of representatives so chosen by THEMSELVES, that not a single friend of the country is left in it.

I will explain how this happened, and how the House was deceived. It was on the Representations of a Mr. Ritchie, a member for the county of Annapolis. This Mr. Ritchie requested Mr. Roach to vote for him as speaker of the House of Assembly, in opposition to Mr. Robie. This Mr. Roach refused to do. In consequence of this refusal, Mr. Ritchie brought up Mr. Hughes, the Sheriff, and a number of other witnesses, the distance of 140 miles, put the country to an expence of upwards of 200l. and all this done to satisfy the spleen and vengeance of Mr. Ritchie. The facts will bear me out in my assertions. For on a new election Mr. Hughes would not appear on the hustings, being disgusted at the trick played upon him by Mr. Ritchie, and gave his vote and interest to a Mr. Ruggles, when after a long and severe contested election, Mr. Roach was declared to be duly elected by a majority of eighteen.

If these arts are those allowed to be practised, the original idea of the people choosing representatives will be lost, for the majority of the house, choose the minority, and this they would gladly do that they might have a majority of their own creatures, to vote against any measure brought before them, that would conduce to the benefit of the country.

The House of Assembly have also refused to listen to a plan for better regulation of the Provincial Militia. They have not only done this, but have insulted the Messages of the Governor, respecting it, declaring that they were unintelligible, and moved for a committee to be appointed to ask his Excellency what he wanted, when his language was as plain and as explicit, as the English language is capable of producing. A well constituted militia is the only constitutional de-

fenc
state
fects
use
ing,

ed th
plin
negl
mor
W
and
on t
wh
For
of "

H
and
Brit

T
put
unth
peo
Per
qua
cour
not
bar
raz
cob
the
tise

"I
one
jun
I fe
exor
160
thes

fence of a free state and popular government. The states of Europe, and especially *Germany*, feel the effects of neglecting to encourage their yeomanry to the use of arms, and are every where enslaved by a *standing*, regular force.

The United States of America, when they declared their independence, sorely felt the want of a disciplined militia, and I hope *all* other countries, who neglect to encourage such a force, will feel *ten times* more numerous ills, than they did.

We have a numerous standing force always at hand, and we do not know how soon they may be called upon to annihilate our rights and liberties, especially when we consider the *complexions* of their characters. Foreign mercenary hirelings is one part, and the scum of "Brittons, rascals, runaways," the other.

Here then have I shown the necessity of a perfect and sufficient militia, founded on the firm basis of the British constitution. I desire no other.

The House of Assembly have also rejected a bill to put a stop to the quackery, which is practised on the unthinking and ignorant part of the community, by people calling themselves physicians, surgeons, &c. Perhaps the members thought, that as they followed quackery in the *political* line, they ought also to encourage it in the *healing* one. If a bill of this kind is not carried into effect, I expect shortly to see the *barber* lay down one bleeding instrument which is his razor, and take up the lance as a substitute; and the *cobler* lay down his awl and pairing knife, and take up the *probing* pin and *dissecting* knife; and all this practised with impunity.

The last act, and a most shameful and disgraceful one it is, is their increasing their pay, at this critical juncture. The province labouring under debts, which I fear it can *never* redeem, a *diminished* revenue, *exorbitant* taxes, an *enormous* civil list of upwards of 16000*l.*! the plunder in the public offices under all these direful and distressing circumstances, have the

patriotic members of the TRULY honourable House raised their pay from 900*l.* to 1500*l.* per year!!!

I shall now explain how this grant obtained the sanction of the Governor and Council, and prove that they have dealt in an *unfair* and *shuffling* manner, with these two branches of the legislature.

A bill of such importance, as went to take money out of the pockets of their constituents, ought to have been one, involving in itself ALL the measures that were necessary for its object, so that a COMPLETE discussion could have taken place with regard to its policy; but they too well knew its fate, if it was offered in this form; and what did they do to prevent it? Why, they tacked a clause allowing 1500*l.* to be distributed among them, to the bill of supply. Here the fraud was consummated! For neither Council nor Governor can *dissect* a bill sent to them by the House of Assembly, but must agree to it *in toto*, reject it, or send it down with amendments (in all cases except a *money bill*). The bill of supply, is *exclusively* a money bill, therefore, no amendments could take place.

Now what would the consequence have been, had they rejected it? Why no revenue could be received; consequently, no money could be paid for roads or bridges, agriculture or fisheries, &c. &c. In this dilemma the Governor acted like a wise man and gave his sanction to it, not forgetting to upbraid them with their mercenary dispositions.

In all civilized governments, the supreme authority must lodge some where *operatively* and *effectually*; and that power in Great Britain and the colonies is lodged in the executive.

Now if the members of the House of Assembly continue to practice these fraudulent measures, the authority of the crown will lose its lustre and effect, and will be transferred into the hands of the Representatives of the people, and then we will be governed by a democratic faction, in *direct* contradiction to the principles of our invaluable constitution.

If the Governor had known the just indignation raised in the minds of the freeholders, against their representatives, in consequence of raising their pay, I have no doubt he would have dissolved them, and reverted to the wishes of the people to substitute more independent and good men into that House, of which the freeholders are the most competent to decide. I hear hourly complaints made against one of the members for this town, for having by his *thread bare* professions of *candour and moderation* lead the people into unnecessary snares of taxation, of which he himself declared he would be the first to remove and reprobate. That I may not include the innocent one, I will tell you the guilty one. He is a *deputy* Grand Master of the Lodge of Free Masons, a magistrate, a commissioner of the roads, a member of Parliament, and the people execrates his name, and their own folly in voting for an *object* which is now their derision and disgrace.

With regard to representation of this colony, in the elective branch, my opinion is it is grossly defective. In the first formation of this colony by our chartered constitution, our House of Representatives was declared to be then, as it is now; yet, strange to say, that after the lapse of so many years, and the great increase of wealth and population, the same *insignificant* number of members represent this year ten times more the number of freeholders than their predecessors did, in the year (if I am not *deceived*) 1756; when the first formation of this colony took place.

Taxation implies representation (according to all our law books, and according to the great volume of nature.) If this is a sound principle, and none will doubt it; then a great many freeholders pay taxes, without being *represented* in parliament, where the imposition of taxes only can be levied.

Under *existing* circumstances, I have my doubts, if good will ensue from an increase of representatives, for if they should appear to be of the same cast, as our

present ones are, then an *additional* tax must be laid upon the people, in order to encrease the pay of the newly chosen ones. But, as I think the *worst* sheep in the flock have already been chosen, the better ones might gain an ascendancy, and abolish remuneration for such an honorable place for ever.

I should recommend a bill of this nature to originate in the Council; and if the Assembly *reject* it, we will then know to a *certainty* that they *only* intend to feast upon the loaves and fishes, paid for by their constituents.

a
b
I
a
g
c
th
in
p
h

p
ex
b
ry

th
im
br
a p
th
to
ju
for
or
an
se
ist

GENERAL REMARKS.

I have now brought these strictures to a close, and every reader will plainly see, that it could have been extended to an immense volume. The reason I did not, appears in a preceeding page; and sorry am I, that I only have brought to light the *outlines* of grievances; which, with a strict regard to justice, could have been filled up, without encroaching upon the truth. I promised to a great many respectable individuals, that this statement should be as concise as possible, and if I had have acted otherwise, I would have basely betrayed the trust reposed in me by them.

In the hurry in which this pamphlet has been composed, I have forgot to mention several expressions, expressive of my ideas, such as the conduct pursued by our judges, with regard to the crime of Burglary. They think like a German prince,

“ That nature’s rights no law could have
To take that life, the God of nature gave.”

I have also to mention the conduct of the clerk of the court of commissions, who had the confidence or impudence (*call it what you will*) to defend an action brought against him in the supreme court, brought by a printer, for the amount of printing summonses &c. for that court. Now his defence was, that the printer ought to obtain the amount of his demand from the *grand jury*; pretty language this, that the public should pay for these very writs, that he receives for each *2s. 6d.* or *3s. 9d.* yet this doctrine was forced; but judges and jury gave it a decided negative. Here then we see what *would* be done, if the powers of the magistrates was exerted without controul.

I have just now been informed that the commissioners and builders of the college, erecting in the grand parade, are putting the people to a very unnecessary expence in building *unnecessary walls* around it, which must be pulled down in the spring; and that the carpenters work is doing at an *exorbitant* rate in consequence of its not being done by contract; which is certainly the cheapest and fairest way of doing all public and *I believe* private work.

I do not vouch for the authenticity of my information, but it has been given me by tradesmen, who, I know are competent judges of what is going on.

I have now to conclude, humbly hoping that the reader will excuse the many errors that occurs in orthography and grammar, and attribute them solely to the hurry that I have composed these pages. You must therefore take the will for the deed, while I remain, with best wishes,

A NOVA-SCOTIAN.

on-
and
ary
ich
car-
nse-
h is
all

ma-
o, I

the
n or-
ly to
You
I re-

