







Poetry.

[FOR THE OBSERVER.]

The following Lines are from a person, who has drunk deep of the cup of sorrow, and should the Editor of the Observer think fit to give them a place in his valuable paper, they are at his service.

Farewell to my home, to my ever dear cottage, The pride of my youth, and the sweet hope of my age; At the shrine of stern exigence, we ever must bow, No future will answer—but duty says now.

Though I have three so dearly—still from thee I go, Like the psalmist's dove, rarely rest I can know; Purchase some kind angel will lend me his aid, Till short life is pass'd and my exit is made.

When fortune is smiling, beneath its bright sun We seem to feel happy, but it smites and is gone; It reverses the action, and changes the scene, Our life's but a vapour, and pleasure a dream.

Once I thought in my cottage I ever should dwell; I had peace, I had pleasure—seldom sorrow could tell; I found by experience the sweet dream had alloy, For a violent gangrene a crowd my joy.

I wish my ambition my grief to redress, But misfortune closed round me as if in excess; I made one last effort my peace to sustain, But grief was the purchase—yea exquisite pain.

Reminiscence is blinding my ocular sense, To reel it I exercise feeble defence; An exile I wander, among strangers I roam, Having left my dear partner, & sweet pleasant home.

Feb. 19. W.

From the Perth Courier.

A Parody on Bruce's Address to his Soldiers.

Friends who never have been led, Wedlock's thorny path to tread, Welcome to the dowry bed Of glorious liberty.

Now's the day and now's the hour, Ere the clouds of marriage loom, Welcome to the blissful bow'r Of calm felicity.

Who wad be a hen-pecked knave? Who wad not submission brave? Who wad be a woman's slave? To Hyacinth let him flee.

Who for freedom's glorious law, Wad not gie his life—his a' Freemen stand on w' me! Bachelors! on w' me!

By starvation's grins and pains; By tormenting wives and weans; While there's blood within our veins, We shall say be free.

Let the thoughts of marriage loom; Women is man's mortal foe; Let each breast with ardour glow, For glorious liberty.

VARIETIES.

A Whig administration has never been able to maintain itself in England. Will the present be the universal interrogatory. It promises well as yet. It speaks flatteringly to the multitude; but we fear it is not destined to a longer existence than its predecessors. Why we think so it would be premature to discuss so early.—Atlas.

The great Hebrew Synagogue in Duke's-place, was on Monday night broken open and robbed by persons as yet unknown. They took from the ark the manuscript of the laws of Moses, which were richly ornamented with massy silver rollers and bells; with the silver they made off, but the manuscripts, which were written on parchment, were torn and cut in several parts, and scattered about the floor. The great loss consists in the manuscripts, which cannot be replaced.—London, Dec. 23.

Railway.—The expense of making the new Railway from Liverpool to Manchester was £35,000 a mile! The canal it has so much affected, and whose shares have fallen so low, was made at one guinea per inch! The total expense of the railway, when finished, is calculated at £1,200,000 sterling. It is said that when there is, by a railway, direct communication from London to Liverpool, the journey will be accomplished in seven hours!—Glasgow Chronicle.

Mental Anxiety.—After Sir F. Biddell's return for Middlesex, he received a bill from an attorney employed by his committee, one of the items of which was—"For extraordinary mental anxiety on your account, 500."

Tailors' M. P.—The Edinburgh corporation of tailors, in their petition for reform, put forward one argument, in a way judiciously in keeping with the fractional characteristics of the craft. They state that "some of the principal cities, such as Glasgow, Aberdeen, Perth, and Dundee, have only a fourth or fifth share of a member."

Newspapers in Great Britain.—The total number of newspapers printed in Great Britain amounts to 295; of these, seventy-two are printed in London only, thirteen of which are daily, and twenty-four weekly; in Liverpool 9, and Manchester 7.

French papers.—The names and circulation of the Parisian journals are given as follows:—Constitutionnel, 14,476; Gazette de France, 2,407; Journal des Debats, 8,830; Le Temps, 1,794; Quotidienne, 4,224; Le National, 2,521; Le Journal du Commerce, 1,528; Le Moniteur, 1,391; Le Globe, 1,158; La Tribune, 215; La Revolution, 186.

A Hint.—In the Chamber of Deputies, at Paris, on Thursday, the members having become very noisy, the President, after ringing his bell in vain for a considerable time, exclaimed with a loud voice, "Really, gentlemen, as we are about to record our thanks to the National Guard for the maintenance of good order, I think it would be as well that we should respect it ourselves!"

Simple Senators.—Duke Bernard, of Saxe-Meiningen, in his North American travels, relates that at Cahaba, the chief town of Alabama, he found the legislature in session, and the senators, in consequence of the poverty of the place, living entirely on salt pork, and sleeping three in a bed!

Dark Eyes.—I never could fancy a dark eye in a woman, notwithstanding the praises lavished upon it by poets. There is something actually wicked in its glance—you feel its power indeed, but it is the power of the lightning—flash, astonishing yet filling with awe. There is more of sublimity in the dark eye, but less of beauty than in a blue—to the fore-

mer, admiration is yielded as a tribute—to the latter as a free gift. We fear the one but love the other.

SPRUCE OR PINE SAW LOGS, Wanted. PERSONS desirous of entering into contract for the delivery of a quantity of SPRUCE OR PINE SAW LOGS, early in the Spring, may do so on advantageous terms, by applying to JOHN ROBERTSON.

NEW GOODS. The Subscriber has received per late Arrivals a PART OF HIS FALL GOODS; WHICH will be sold at his usual low prices. The remainder shortly expected. JOHN SMYTH, Prince William-street, Nov. 16, 1830.

TOBACCO. 80 KEYS assorted Qualities—just received from New-York, via East-port, for sale by E. D. W. RATCHFORD, Jan. 25.

JUST RECEIVED, Per Brig Joseph Anderson, from Liverpool, and for Sale by the Subscriber:— 200 PIECES 9-8 wide White COTTON; 200 Ditto 9-8 wide Grey ditto; 1 Bale Canvas; 40 bbls. Coal Tar; 1 Pipe each boiled and raw OIL; 110 Boxes SOAP. JOHN ROBERTSON, Nov. 23.

RECEIVED THIS DAY, Per Fairy from Liverpool:— A FEW Bales Point BLANKETS; Red FLANNELS; CLOTHS; CAMBLETS, and DAMASKS. —AND— Per La Plata, from Jamaica:— Rum, Sugar, Coffee, Pimento, Arrow Root, Segars, Hides, and Horns. Per Lord of the Isles:— 200 Quarter Drums fresh packed Turkey FIGS. Per Joseph Anderson:— 3 Bales superior Blue and Blue CLOTH. For sale cheap for Cash. CROOKSHANK & WALKER.

CLOTHING & FLOUR STORE. H. P. WHITNEY, TAKES this method to inform his friends and the public in general, that he has commenced Business in the Store of the late SAMUEL WIGGINS, Esq. St. John's-street, in the CLOTHING and FLOUR LINE; where he intends to keep a regular Supply of every description of Fashionable CLOTHES, which will be sold on the most liberal terms.—Also, on hand, Superfine, Fine, Common, and Coarse FLOUR, for sale at lowest prices. Supt. 11.—31

Printing, Wrapping, and Sheathing PAPER. Just received, and for Sale by the Subscriber:— 114 REAMS Super Royal Printing PAPER; 15 do. Log do.; 15 Reams large Wrapping Paper; 50 do. small do.; 15 do. large Tea do.; 25 do. small do.; 1000 Lbs. Sheathing PAPER. Dec. 7.—41 T. L. NICHOLSON.

FURNITURE, LOOKING GLASSES, &c. THOMAS NISBET, RESPECTFULLY informs his Friends and the Public in general, that he has on hand an Elegant Assortment of FASHIONABLE FURNITURE, of all descriptions. Also—A large assortment of DRESSING GLASSES, of various sizes. Hair and Moss MATTRASSES.—The whole at very reduced prices.—Likewise—MARRONERY in Logs, Planks, Boards, and Veners. For Turning and Carving, in the best manner. St. John, Nov. 16.—81

FOR SALE, THREE-FOURTHS the fine Sloop AMANDA, Register 75 Tons, built last year expressly for the River Trade, for which she is in every respect well adapted.—Her outfit is abundant, and of the best description, and she can run for a considerable time at a very trifling expense.—For satisfactory payment the terms will be liberal. CROOKSHANK & WALKER, February 8.

NOTICE. THE SUBSCRIBER respectfully informs the Public in general, that he has purchased the improvements belonging to the BREWERY in Carnarthen-street, Lower Cove, formerly belonging to Mr. JOHN MONAHAN, where he offers for sale the following BEERS—viz: BURTON ALE, MILD Do. PORTER and TABLE BEER. YEAST, GRAINS, and VINEGAR. Having employed an experienced Brewer, he flatters himself, that he will be able to give satisfaction to Customers, and respectfully solicits a share of public patronage. N. B.—Persons having Barley for sale, will please apply to Mr. JOHN MONAHAN, North Market Wharf, or to the Subscriber, Lower Cove EWEN CAMERON, St. John, N. B. 26th January, 1830.

NEW VESSEL. THE subscriber offers for sale a new VESSEL of about 140 Tons—now on the Stocks at Parrsboro'—of the following dimensions, and of the best materials:— Length of Keel, - - - 64 feet, 6 ins. Length from stem to stern, post, inclusive, 72 feet, Breadth of Beam, - - - 21 feet, 5 ins. Depth of Hold, - - - 12 feet. 14 inches dead rise; Floor, 14 feet. The Vessel is Copper Fastened, and will be sold low. Terms liberal.—please apply to E. D. W. RATCHFORD, December 21.

SHIP CHANDLERY, SALT, &c. The Subscriber has received per Ship Wm. Pitt, Thomas Ogilvie, Master, from Liverpool—his usual Supply of SHIP CHANDLERY. ALSO—ON CONSIGNMENT? 20 BARRELS COAL TAR; 4 tons VAS; 2 bales Salmon, Shad, and Herring TWINES; 40 dozen 15 and 18 thread COD LINES; 10 crates well assorted CROCKERY; 75 coils assorted CORDAGE; 20 kegs NAILS; 1 ton SHEATHING PAPER; 2000 bushels SALT.—All of which will be sold at the lowest rates in the market. In Store—1500 bushels Turk's Island SALT; 40 barrels prime Fall MACKEREL; 20 barrels BEER; 400 boxes Digby and Gamble Smoked HERRINGS; 50 cwt. best COD FISH; 2 tons Log Wood, &c. &c. 7th December. W. P. SCOTT.

NEW GOODS. The Subscriber, in addition to his former Supply of BRITISH MERCHANDISE, Has just received the remainder of an extensive Spring Importation of GOODS, suitable for the Season—consisting of— GENTLEMEN'S & Ladies' Gloves, ass'd. Ditto Ditto Shoes & Boots, Ditto Ditto cotton & worsted Stockings and half Hose; A variety of Mecklin and Gimp Lace; Lace Veils; Bathing caps; Gros de Naples; Blue, black and brown, broad and narrow CLOTHS, of all descriptions; Paints and Oil—raw and boiled; Boxes yellow and Windsor Soap; Brown and Bleached Canvas; Flannels; Bombazets; Shalloons; Gent's fine Beaver Hats; mens' and boys' do. assorted; An extensive assortment of furniture, painted and plain CROCKERY, bleach'd & unbleach'd; Silk Handkerchiefs; Coloured and black Lining Cambrics; An extensive assortment of Ironmongery; Nails, Bolt and Rivets, &c. &c. Brandy by the Hogshead; Hollands Gin; Port and Madeira WINE. Prime Mess Pork; Kegs Pearl Barley; Bags Pepper; Indigo, &c. &c. All of which will be sold on moderate terms for prompt payments. JOHN M. WILMOT, June 8.

LATEST IMPORTATIONS. Per Margaret from London, and Miramichi from Liverpool. LOWE & CROCKOCK, have received by the above Vessels, the undermentioned Articles—having been purchased by Mr. CROCKOCK, they will be found suitable for the Season, and are for sale Cheap!— Ladies' and Gentlemen's Coats, of various descriptions; Black & color'd silk, gauze & other Handks. Silk, crapes, and worsted Shawls; French & English gauze and silk Scarfs; Bathing caps and Laces; worsted Cravats; Flannels and Buckets; Ribbons; Gentlemen's half Hose; Gent's lambs' wool & worsted Stockings; Ditto and Boys' Fur Caps; Colored & black Norwich Crapes & Bombazets; Camblets; Mens' Hats; BELLERENOS 1/2 & 6/4—a new article for Ladies' Dresses; Haberdashery, of all sorts; Mulls, and Tippets, of the following Furs—Squirrel, Sable, Fitch, Ermine, Lynx, and Russia Fitch; Swansdowne Stocks; Gloves; Ladies' colored Stays; Umbrellas; Woollens; Cloths; Cassimeres; Knives & Forks; Tin Covers; Saucepans; London White Lead, &c. &c. Hourly expected by the Lord of the Isles—An unusual large and choice Supply of Fancy and Plain Goods. November 9.

RUM and SUGAR. 10 PUNCHONS Jamaica SPIRITS, 5 Tierces Prime SUGAR—Just Received and for Sale by 15th Nov. JOHN ROBERTSON.

JAMAICA SPIRITS, &c. Now Landing ex Brig ALEXIS, from Montego Bay:— PUNS, and Hops, Extra Proof JAMAICA SPIRITS, SUGAR in Barrels; COFFEE; Boxes ARROW ROOT, Do. Superior Spanish SEGARS, A few HIDES, and— 78 Logs MAHOGANY. All which will be sold Cheap from the Wharf. Dec. 7. E. D. W. RATCHFORD.

CABLES, ANCHORS, &c. Just received by the Subscriber, and for sale low for Cash or a moderate credit:— 1 Chain CABLE, 1 1/2 inch, 105 fathoms; 1 Chain ANCHOR—17 cwt.; 1 Skiff or Pineace BOAT—British built, Copper fastened; 1 Double and Single Purchase WINCH; 1 CAMBOUSE; 2 Double JACK SCREWS; 5 Crates Crockery Ware—well assorted, Dec. 14. JOHN ROBERTSON.

RIGGING. For a Brig of 150 Tons. THE Subscriber has received per ship Wm. Pitt, from Liverpool, a complete Set of Standing and Running Rigging, for a Vessel of about 150 Tons, which he will sell on liberal terms if applied for immediately. —ALSO— For Sale, Freight, or Charter—The fine, fast sailing schooner DESPATCH, 87 Tons in the hold. D. 21. W. P. SCOTT.

BOY'S INDENTURES—For Sale at the Observer office.

11th JANUARY, 1831. ON HAND, AND FOR SALE:— 25 PUNS, Windward Island and Jamaica RUM; 10 Puns, Molas-sees and 20 bbls. Sugar; 250 Bbls. Superf. Flour; 50 do. Rye do.; 100 Do. Indian Meal; 50 do. Navy Bread; 15 Tierces Rice; 20 dozen Brooms; 100 Barrels Irish Mess PORK; 50 Do. and 15 Tierces BEEF; 14 Cwt. Irish Bacon; 50 Do. New-Brunswick OATMEAL; 30 Bus. do. common & peat BARLEY; 50 Firkiss Butter; 100 kits spiced Salmon; 50 Bags and Bbls. East India and Jamaica COFFEE; 50 boxes Soap and Candles; 50 Crates assorted Earthenware; 50 Crates ditto Glassware; 400 Boxes ditto Crown Glass; 250 Bolts bleached and unbleached Canvas; 50 Coils assorted Cordage; 200 Casks fine wrought Nails; 100 do. Cut 500 Kegs London White Lead; [do.] 100 Do. Green and Assort'd; 3 Casks and 40 jars Boiled Liusseed Oil; 25 Bags Corks; 100 dozen Woollen Socks; 10 Chests Tea; 1 chest Indigo; Assorted Bar Iron and Copper; Best Madeira and Sherry WINES; 3 Bales assorted Stays; 200 Assorted Writing Paper; 100 Reams assorted BLANK BOOKS; 50 Kegs and 25 bladders Putty; 50 Barrels Day & Martin's Placking; 25 Pieces Carpeting and 50 Hearth Rugs. —ALSO— Lamp Black, in bbls.; Ivory, in bbls.; Whiting in do.; Red Ochre in do.; Yell. Ochre; Casks of Glue; Powder of Litharge; Red Lead; Orange Red; English Umber; Ground Paint; Brushes, and Sash Tools; Patent Floor Cloth and Plotted Baize; Tabbats and Dollies; Kegs of Mustard; Ginger; Bags Pepper; Cinnamon; Rose and Palm Blackets; 300 pale of Flannel Drawers—with a further assortment of British DRY GOODS, in numerous to detail.—All of which are offered at as reasonable rates and terms of payment as possible. J. & H. KINNEAR.

JANUARY 11, 1831. The Subscribers have in Store the following GOODS, for sale at very low rates, and at liberal credit, viz: 50 PUNCHONS Jamaica RUM, 60 Do. W. Island do. 15 Hogsheads and 50 Barrels SUGAR, 30 Dtno MOLASSES, 2 Dtno & 8 Qc. Casks PORT WINE, 2 Pipes O. L. P. MADEIRA, 400 Bbls. SUPERF. FLOUR—part in bond, 1000 Bbls. ALEWIVES. —ALSO— An extensive stock of British DRY GOODS, Hyson and Congo TEAS, &c. &c. &c. CROOKSHANK & WALKER.

W. M. LIVINGSTONE, Surgeon, Accouchour, &c. Licentiate of King's University, respectfully intimates to the Inhabitants of Saint John and its neighbourhood, that he has commenced practicing all the different Branches of his profession; and may be consulted at Mrs. Cook's Boarding House, Prince William-street, every day from 9 a. m. to 12 m. and from 3 p. m. to 7 p. m.—Town and Country Business attended to. As Mr. L. has studied under the most celebrated Quackists and Anacris of the present day, and for the last five years had extensive experience in diseases of the Eye and Ear, parties afflicted with either of these, or any other of the maladies attendant upon the human system, may depend upon being treated upon the most scientific principles. He has also had wide, and very successful experience in all the different diseases of Women and Children, Teeth extracted with the greatest ease and safety upon the improved plan. Mr. L. is in possession of the most satisfactory testimonials of Professional ability from those who he studied under, viz. Dr. James Jeffrey, Professor of Anatomy, Dr. John Towers, Professor of Midwifery, &c. &c. Night calls attended to by ringing the Door Bell. "Be of Advice to the poor GRATIS." May 18.

NEW-BRUNSWICK FOUNDRY. THE NEW-BRUNSWICK FOUNDRY COMPANY respectfully inform the Public, that having lately imported from Great Britain a quantity of the first quality Pila Iron, they are now prepared to execute with promptitude and accuracy, orders for Machinery Castings, of all kinds; Hollow Ware; Franklin's Cooking Stoves, and Apparatus; Grates; &c. &c. Composition Rudder Braces, and Brass Work executed in the best style. N. B. Orders left at the Foundry, Portland, or at HARRIS & ALLAN'S, on the Mill Bridge, will be carefully attended to. WILLIAM ROBERTSON, TAILOR.

RESPECTFULLY returns thanks for the very liberal encouragement he has received since his commencement of business in this City, and begs to intimate to his Customers and the Public generally, that he will continue the above Business, in its several branches, at his shop, North West corner of the Market-square, adjoining the Drug and Medicine Store of Mr. W. O. SMITH, and hopes, by strict attention and a disposition to please, to merit a continuation of their patronage.—All favours will be gratefully received and executed in the best and most fashionable manner, on moderate terms. St. John, August 10.

A CARD. MRS. WALLACE, most respectfully informs her former Patrons, and the Public generally, that she has recommenced her business of DRESS MAKING and MILLINERY, at her residence, Germain-street, next below the entrance to that of the late HENRY WRIGHT, Esq. Also, Ladies' and Gentlemen's Plain Sewing done on the most moderate terms. N. B. A few Young Ladies from the Country can be accommodated as Boarders, to learn the different branches of the above business.—Terms known on application as above. St. John, October 19, 1830.

HOUSES and LANDS. FOR SALE, OR TO BE LET, And Possession given the 1st May next:— THE HOUSE, fronting on Charlotte-street, adjoining the property of Mr. Benjamin Smith. This house can be viewed any day between the hours of 12 and 1, p. m. by applying to Mr. John T. Younghusband, on the Premises.—Further particulars known, by applying to NATHAN GODSOE, St. John, Feb. 1, 1831.

VALUABLE PROPERTY FOR SALE. THAT Valuable and well known Leasehold Property in Indian Town, at present occupied by Mr. George Clarke, as a Tavern and Boarding House. It is elegantly situated for extensive business in the above line, having a shop, sitting room, front parlour, a large pantry, and a never failing well of good water on the first floor; two tea & red-rooms, with a kitchen and other conveniences on the second floor; two large rooms and three bed-rooms on the third floor; and well finished bed-rooms on the garret floor. The ground rent is only six pounds per annum. If the above property is not sold before the first day of March next, it will on that day be sold by Public Auction.—For further particulars enquire of JOHN ROBERTSON, Dec. 14, 1830. North Market Wharf.

FOR SALE OR TO LET, THE CORNER WAREHOUSE on Peters's Wharf, opposite the store of Mr. Stephen Howard, formerly occupied by Mr. R. E. D. King as a Grocery Store, now in perfect repair, having a Shop fitted up in a part of the lower flat, and will be let altogether or without the second and third flats. Any person disposed to purchase, will find the price low and the payments easy, on application to Jan. 11. E. D. W. RATCHFORD.

TO LET, from 1st of May, the STORE in Ward-street, adjoining the premises of G. D. Robinson, Esq. L. HATFIELD & SON, Nov. 30.

FOR SALE OR TO LET, A LOT in the Lower-Cove, fronting on A Main-street.—Apply to Feb. 1. JOHN M. ROBINSON.

FOR SALE OR TO LET, And possession given immediately:— THAT Valuable Freehold PROPERTY, in St. James's street, Lower Cove, consisting a Dwelling House and excellent Tavern establishment, formerly occupied by Mr. James Moffat. Terms extremely low. Also for Sale—A strong hard-working young HORSE, fit for Saddle or Harness, and well adapted for the Lumbering Business. Six months' credit would be given to any purchaser with a good indorser.—Apply at this office.

FOR SALE, THE Two Story framed House, lately erected by Mr. Nelson Hardenbrook, at Portland,—it is yet unfinished, and will be sold low, and on easy terms of payment.—Ground rent, £1 per annum. Apply to Jan. 11. E. D. W. RATCHFORD.

NOTICES. ALL Persons having any legal demands against the Estate of the late HUGH JOHNSTON, Esquire, deceased, will render the same for settlement, within twelve months from the date hereof: And all Persons indebted to the said Estate are hereby required to make immediate payment to J. JOHNSTON, Executor. St. John, 30th March, 1830.

ALL Persons having any legal demands against the Estate of WILLIAM GODSOE, late of Golden Grove, County of Saint John, deceased, are requested to present their Accounts, duly attested, within twelve months from the date hereof: And all those indebted to said Estate, will make immediate payment to NATHAN GODSOE, Adm'r. St. John, May 25, 1830.

CAUTION.—All persons are hereby cautioned against trespassing on Lots No. 8 & 9, Golden Grove, or conveying therefrom any of the Stock, Farming Utensils &c. as in the event they will be prosecuted to the utmost extent of the Law. NATHAN GODSOE, May 25.

ALL Persons having any legal demands against the Estate of WILLIAM WATERS, late of this City, deceased, are requested to render the same, duly attested, to the Subscriber, within Twelve Months from the date hereof: And all those indebted to said Estate, are desired to make immediate payment to SARAH WATERS, Sole Administratrix. St. John, November 23, 1830.

ASSIZE OF BREAD. Published February 1, 1831. THE Sixpenny Wheaten Loaf of Superfine 16s. ea. Flour, in weight, - - - - - 2 4 The Sixpenny Rye - - - - - 3 6 And Shilling, Three-penny, and Penny-half-penny Loaves in the same proportion. LAUCHLAN DONALDSON, Mayor.

WEEKLY ALMANACK. MARCH—1831. SUN MOON FULL Rises. Sets. Rises. Sets. 2 WEDNESDAY - 6 30 5 30 9 46 1 16 3 THURSDAY - 6 28 5 32 10 45 1 48 4 FRIDAY - 6 27 5 33 11 43 2 24 5 SATURDAY - 6 25 5 35 Morn. 3 5 6 SUNDAY - 6 23 5 37 0 40 3 56 7 MONDAY - 6 22 5 38 1 36 4 50 8 TUESDAY - 6 20 5 40 2 27 6 14 Last Quarter 6th, Ob. 47m. evening.

SAINT JOHN: PUBLISHED EVERY TUESDAY AFTERNOON, BY DONALD A. CAMERON, AT HIS OFFICE, IN MR. HATFIELD'S BRICK BUILDING, WEST SIDE OF THE MARKET-SQUARE. Terms—1s. per annum, exclusive of postage, half in advance.

PRINTING, in its various branches, executed with neatness and dispatch, on moderate terms.

PROVINCIAL LEGISLATURE.

HOUSE OF ASSEMBLY, FREDERICTON, Thursday, February 17.

Mr. Partelow, Chairman of the Committee on the Treasurer's Accounts, submitted to the House an interesting report on said accounts: after reading which, the hon. gentleman observed, that, in the detail, he had deviated from the beaten path which had been introduced at an early day in the house, which had been followed by other Committees successively, and which, doubtless, had answered every purpose, while the provincial accounts were but few in number, but would be found entirely ambiguous in the present day. The present report, he trusted, would be found to be clear and comprehensive. It had met with the full approval from the other members of the Committee, and he hoped, therefore, the house would receive it as an improvement.

On the presentation of the above mentioned report, a high compliment was paid by several hon. members, to the Committee, and especially to the hon. Chairman, for the ability displayed in the arrangement and execution of the report. These gentlemen pronounced it the most able and satisfactory that had ever been presented to the house.

Report ordered to be printed by the house, in consideration of the Bill for providing for the expenses of the Judges, &c.

Mr. Weldon briefly advocated the bill. Mr. Simonds was not at present prepared to consent to the continuance of this act, for many reasons. The exertions now making by the mother country, to simplify and lessen the expense of the law, rendered it necessary that this Province should follow her example. The house ought to go thoroughly into the subject. Before continuing an act of that kind, something ought to be done to reduce expenses of the law. That subject should come on, before considering the present bill. A former bill on this subject had stated, that the Judges of this Province had made application to His Majesty's ministers at home, to grant them an allowance for their services. This was refused, on the ground that it was a matter under the control of the Legislature of the Colony. This holds then as a sufficient reason to continue this bill; under the conviction that the allowance given by the bill would be the only one that the judges were to enjoy. But since that time, the judges had made further calls, and had drawn an additional sum from the casual revenue. They now receive double the amount intended by the act.

But this is the age of retrenchment. The house should take care to allow no improper expenses in the province. He (Mr. S.) did not by any means wish to make the judges' allowance so low as to prevent their keeping their proper station in society, but he was unwilling to grant unnecessary expense. If an act were again passed to continue the allowance to the judges, it was highly proper that they should be allowed to take no fees in cases in the Supreme Court. He thought the judges themselves did not wish the continuance of fees. All judges' fees ought to be struck out of the fee table. There could not be a better precedent in this matter than that afforded us by the mother country. He (Mr. S.) was not at present exactly informed as to the amount of the judges' fees, but he believed them to be considerable. If the house should follow the practice of the mother country and strike out all judges' fees, it would do a good thing. It would decrease the expenses of suitors. The salary of judges in England is in lieu of all fees. It had been found that some fees could not be well abolished, and they are now therefore paid into the exchequer. So, in this country, such fees should be paid into the treasury of the province. Let the bill not be hurried. Let hon. members have time to think on the subject; whether it would be advisable to continue the bill at all. It could never be intended that the salaries of judges should be double what the act contemplated. The question, therefore, could be, what sum is necessary, to enable the judges to support the dignity of their station? He Mr. S. would move for the postponement of the bill for a few days.

Mr. Allen concurred. Possibly, in the mean time, his Honor might receive some information from England, as to the disposal of the civil list which might be laid before the House. It would not be advisable to hurry the business.

Mr. Chandler had no objection; but he submitted the propriety of continuing the bill in its present shape for a year or two. The present Lord Chancellor of England had taken great pains to simplify the law; and when that desirable object should be effected, it would undoubtedly be advisable to adopt it in this country. Although he Mr. C. was himself a lawyer, yet he could conscientiously lend a hand to simplifying the law, and to specify what fees should be allowed. He should be very happy to hear that the bill for that purpose was passed in England; and to promote such a bill in this country, after that has been done. But he certainly thought it advisable to continue this bill for a short time longer. The judges and circuit Clerk's fees for travelling expenses were formerly a very heavy burden on the people; a burden which amounted in fact either to a denial of justice, or at least to a grievous imposition on suitors. Consequently, the Legislature had thought fit to make provision for the travelling expense of the judges and circuit clerk; which enactment had proved highly beneficial. It would therefore in his Mr. C.'s opinion be advisable to discontinue that act at present. It would be better to continue its operation for a year or two, till the whole law could be revised. If the bill should now be negatived, the consequences would be very serious to the country; as it would throw very great expense again upon suitors.—He Mr. C. had heard it observed, that the judges now receive more from the public funds than they formerly did; that they received one allowance under this act, and a farther sum from the casual revenue. He believed the reason of this to be, that the duties of the judges had of late years greatly increased; and it was therefore but fair that their salaries should be in proportion to their labours. He felt quite sure that if honorable members would examine the matter, they would be fully satisfied of the necessity of the judges being independent, and possessed very great power of several descriptions. The greater part of their time was devoted to the public benefit. Upon their honor, industry and integrity, depended the property, the reputation, and almost the lives of the people. For these reasons, he should be disposed to continue the present act for a year or two longer, till the contemplated law reforms in England had taken effect, and proved their utility. When that had been done, he would be the very first person to promote a similar measure in this country. He greatly wished to see the mode of proceeding in the law, its forms, and its expenses, simplified and improved. There certainly was, throughout the country, a strong prejudice against judges, lawyers, and legal proceedings, in consequence of the many fees payable to them and the enormous expenses of proving witnesses in civil cases.—He hoped however, the Committee would listen to the continuance of the bill for a short time. Altho' they might not decide the question to day, yet he hoped they would not throw it out altogether just now. Such a proceeding would produce very serious consequences in the present state of things.

Mr. Cunard said, it would be far from him to oppose the postponement of the rejection of this bill for a short and reasonable time; but he rejoiced that the honorable member for Westmorland had pledged himself to lend a hand to the correcting or regulating fees and other law expenses, in due time. This was a subject he would rejoice to see brought before the House. The pledge the honorable member had given was a truly patriotic pledge, and deserved the thanks of the House. When a similar question had been brought before the Legislature of a sister province, the violent opposition it had met with from legal gentlemen, had disgraced the Legislature of Nova Scotia. He would go for the present deterring of the question, until the fees and expenses could be effectually regulated.

Mr. Simonds observed that he believed the Chief Justice of the Supreme Court at present received from the casual revenue, the sum of £100 sterling per annum, which, with the allowance by the act, made his whole stipend from the public funds £500 sterling. The assistant judges, he believed, each received from the casual revenue, yearly, £75 sterling, making their total share of the public funds, each £250 sterling. These were very large sums, when reduced to the currency of the province. The question, therefore, was, whether these sums were not a sufficient allowance to render the judges respectable and independent. He would be very willing to give them a liberal salary, if they merely filled the office of Judges, and were unconnected with political subjects. But the Judges do not confine themselves to their own official duties. They are Members of the privy council of the province, and also of the legislative council. They possess a tremendous and totally unconstitutional power; a power which has been generally reprobated in England. Their official station also gave them very considerable patronage, which is equivalent in estimation to a further degree of salary. Perhaps, then, the Judges would rather wish to retain this patronage with a less salary; than to enjoy the larger salary, and be deprived of their patronage. The immense combination of powers now possessed by the judges, ought not to exist in any free country. They unite in themselves three distinct powers. While this state of things exist, he could not vote for any increase of salary. If the privy and legislative councils should be reformed, and the Judges should retire from their seats in those Councils, then he would be for giving them a very liberal salary. But the House before granting that liberal allowance, must take care that the Judges do not exercise functions not belonging to them. It might be very dangerous to invest Judges with extraordinary powers. There might be no evil arising from it, during the lives of the present Judges, who were well known to be disposed to exercise every power they possessed in the most beneficial manner; but they were so well disposed as themselves, and who might therefore cause much evil. It had been held, that "money is power." If therefore, the house gave the judges more money, it would, in effect, give them an increase of power. The allowing Judges political power, would necessarily make them sometimes members of parties. Hence, it might possibly happen that the judges might be seen canvassing through the country, for the purpose of effecting some particular party object. Such a thing ought never to exist in a British colony. It could not exist in England. Doubts had some years ago arisen on the subject there, and it had been and now is the decided opinion of all the great statesmen of England, that a reform was necessary in this respect. The impropriety of judges holding political situations had been fully proved there. He would therefore recommend to those opinions, which

might serve to guide them in considering the matter, Mr. Cunard replied, that if the constitution was defective, the sooner it was altered, the better for the country. But because the judges exercised various functions, and discharged various duties, under the constitution, was that a reason why they should be paid less than the value of their exertions? He thought it should not make one iota of difference. He had never known an instance of either of the judges abusing their political power. If he were to judge from what had occurred under his own observation, they had always exercised their rights for the good of the country; and were indebted to the unbounded thanks of every man in the community, small and great, poor and rich, black and white, for the manner in which they had maintained the general interests.

Mr. S. Humbert could not concur in what had fallen from the honorable member who had spoken last.—He was very sorry to see this bill brought forward. He thought it required great consideration. As to the contemplated reform of the whole law, it would require honorable members to think upon it, to pore upon it, to meditate upon it. It was no trifling question. He believed, the Lord Chancellor of England's plan of reform would for some time be merely an experiment in a few counties. [We could not distinctly catch some of the honorable member's subsequent observations.] Every man in this country must be thoroughly convinced, either from his own personal experience, or from a knowledge of its effects on others, that reform of the whole law is necessary. As to the Judges: the question was, how much would be a sufficient allowance for them. Of all men, they most especially ought to be independent in every respect. In considering then, the question as to their salaries, it must be ascertained what they now get. Do they now get enough? He was not very well versed in this matter, but his opinion, founded on what he had heard and seen in figures, they got at least £1000 per annum each. The twelve Members of the Council get more than £1000 per annum each, on an average. [We could not hear some observations of the honorable member.] If the Judges since the appropriation made for them by the law, out of the public revenue, have received a further sum from the casual revenue, he certainly could not support this bill. He never had been favored with the honor of meeting the Judges at that House. It had only been passed after he had had the honor of meeting them. But he was of the same opinion now as he had ever been. He now thought on consideration of the whole matter, that for the present it might be postponed.—He would not say he should not vote for it in some shape or other. But the house had better pause a little on the subject.

Mr. Weldon would not press the matter at present.

The Chairman left the chair, reported progress, and obtained leave to sit again.

The bill for facilitating the recovery of Seaman's wages was committed, progress made and sent again.

Friday, February 18.

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