



On Thursday, the 18th instant, pursuant to leave granted, the Master of the Rolls appeared at the Bar of the House of Assembly and addressed the House to the following effect:—

My Lords.—Having accidentally learned that a measure had been introduced into this House, by the Hon. and learned Attorney General, having for its object the reduction of the salaries of the Judges, and no communication having been previously made to the Judges of this intention, I have deemed it advisable to address the House on the subject. A further reason for so doing arises out of the somewhat anomalous constitution of this country. The term *Governor* is adopted from England, and the term *Minister* from the Ministry were designated from the functions they perform. A colony differs from the mother country inasmuch as it has no question of peace and war, no foreign diplomacy, no Army and Navy, and the remaining subjects with which the Ministry in England are charged are in this colony confined to no one subject, but being discharged by the Lieutenant Governor and Executive Council, and another part directly by the House.

For instance, the appointment of the general superintendant of affairs, as referred to the Lieutenant Governor and Council; while, on the other hand, the determining the amount and value of the duties to be levied, and the mode in which the Revenue shall be appropriated, which in England rest on the responsibility of the Ministry, are here directly regulated by the House of Assembly. This House, in fact, and considered as the Executive Council, is in addressing this Hon. House, in a manner, and perhaps the most effectual manner, address itself to the Government of the country.

There is a third reason, occasioned by the entire exclusion of the Judiciary from the former performed executive duties, which I believe with the general concurrence, have long ago ceased, more recently they had ceased in England. In this respect, the Legislature of this Province differs from that of England, in that country legislation reflects the lights of the Bench on the Legislature, the Bench and the House, the former from the Upper House, the latter from the Lower. Here it reflects the lights derived from the Bar alone. The consequence is, that the subject of legislation, the Bench and the House, can communicate their views to the Legislature only in writing or through the public press. All connection being thus ended, there is therefore no channel of communication through the Legislature Council.

Under these circumstances, and believing the subject before the House of much greater importance than it has hitherto been deemed, I thought proper to lay before the House the grounds of my objection to this measure.

I object then to this measure, because it violates private rights—because it attempts to do so, it contravenes a great principle of public policy connected with the administration of justice—and because it places this Province in a false position with the mother country.

It is almost unnecessary to say that the well being of every civilized community depends on the proper adjustment of the three great branches of Government, the Executive, the Legislative, and the Judiciary. In some countries, the two first of these several departments are entirely distinct and separate, in others they are more or less blended, but all will be well being of the community in a very great degree depend on an independent Judiciary.

In proof of this I look at the state of many countries of the East, where the Executive and the Legislature are alike at the mercy of their more powerful neighbours, the petty chiefs who tyrannize over their persons and their property, and who have no other power than to oppress them.

But consider well the force and import of the expression, the honor of the Crown of England, and power, the progress of her navy, and all the laurels of Waterloo and Trafalgar, have shed their glory on the British name, and all the moral powers among the nations of the world, and her pure, unspotted faith, which has made the word of England unassailable through the world. The Crown of England, and the honor of the Crown, are the two most valuable possessions of this Province. The Hon. and learned Attorney General, himself, last year told you that the crown on his seal, as the Lieutenant Governor to give his assent to a Bill touching the present incumbents.

But it is not the declaration of the Colonial Secretary, but the bar to interfering with the salaries so secured, if Lord Russell, Lord Stanley, Lord John Russell, or Lord Grey had any objection to do, as a Minister of the Crown, they would have been equally instrumental. The action arises out of the nature of the case, and not from the opinion of the Colonial Minister, and every constitutional lawyer would have returned the same answer.

When George the Third came to the throne, historians inform us that his address to Parliament on this subject was universally regarded as a most happy and judicious one. His memorable words on that occasion were—

My Lords and Gentlemen.—Upon granting new commissions to the Judges, the present state of their offices fully answers all consideration.

And for what is all this? what is the advantage proposed to the debarment to the Crown of the bench of public faith, and the overthrow of Judicial independence? why, the saving contemplated by this bill, as far as the debarment from the Bench is concerned, is not more than £12,000. This will make about one penny in the year to each individual Judge, and as the number of Judges is only about 12, the saving will amount to one penny and one half to each Justice.

But I have said this measure, if carried, will be a breach of public faith. Is there a difference in which contract relation exists—whether they were or were not carried I cannot say. They were however introduced into the Nova Scotia Legislature, by the Provincial Secretary, and may therefore be taken as the opinion of the Executive Government. The subject was the reduction of the salary of the Lieutenant Governor, and one of the resolutions affirms that as that Salary was fixed in the Act of 1793, and that it was not to be altered without the assent of the Legislature, the subject was transferred to the Province, and that the Legislature of that Province should be consulted on that point.

But I have said this measure, if carried, will be a breach of public faith. Is there a difference in which contract relation exists—whether they were or were not carried I cannot say. They were however introduced into the Nova Scotia Legislature, by the Provincial Secretary, and may therefore be taken as the opinion of the Executive Government.

It is that since last year the power of this Legislature has been enlarged, and it is the first use to be made of your enlarged powers to commit an act of this nature. It is the first use of your enlarged powers to commit an act of this nature. It is the first use of your enlarged powers to commit an act of this nature.

The following is the Address of the House of Assembly, to Her Most Gracious Majesty the Queen, relative to an Elective Legislative Council.

My Lords and Gentlemen.—The Hon. and learned Attorney General, himself, last year told you that the crown on his seal, as the Lieutenant Governor to give his assent to a Bill touching the present incumbents.

Reciprocal Free Trade with the United States.—Information having been received from various quarters that a reciprocal Trade is about to be established between the United States and Canada, without any reference whatever to this Province or the other Lower Colonies, a Meeting of the Chamber of Commerce was held yesterday, the Hon. James Kent presiding in the Chair, when, after much animated discussion, the following Resolution, addressed to His Excellency the Lieutenant Governor, was adopted, and ordered to be signed and forwarded to His Excellency.

We trust that our Government will be able to execute themselves efficiently, to make up for their past apathy, as it is a matter in which the whole Province is deeply interested. If a new Trade cannot be opened for us, we are much afraid that our Loyalty will get starved out.

JOHN W. WELDON, Speaker of Assembly, Fredericton, 26th April, 1850.

The British Mail of the 26th April, per steamer ship Niagara, in a passage of 14 days to Halifax, was the longest time taken by any mail steamer since the Niagara was launched at Halifax by the Rev. Mr. Harpe, Baptist Missionary from Nova Scotia, who sailed on that ship in 1802, and returned in 1812, and who was the first to cross the Atlantic by sea.

The money market is easy, and the rate of discount unchanged. The bill on bank has also slightly decreased. Consols have fluctuated very little, but are now at 94 1/2 per cent. The 3 per cent. stock is at 102 1/2 per cent.

The Bishop of Landaff has begun to preach in the Welsh language, to the great satisfaction of the people of that diocese. He has also been preaching in the English language, and has been very successful.

Another vessel from Portland, between two and three o'clock on Monday morning, a fire broke out in a dwelling house on the North East corner of the Bridge leading from this City to Portland, and the vessel was destroyed.

The Rev. Mr. Irvine, and Mr. Lewis Allen, of the Episcopal Church, were recently in England, with a view to obtain a licence to preach in the United States, and to visit the friends of the Episcopal Church in that country.

Bank of New Brunswick.—The annual meeting of the Shareholders in this Bank took place on Monday, the 1st inst., when Mr. J. M. McCulloch, Mr. D. H. De Vries, Thomas Leavitt, Thomas M. Milne, H. B. Boyer, and Wm. W. Wright, Esquires, were elected Directors for the ensuing year.

ST. JOHN'S, MAY 14, 1860. The English Mail of the 26th April, per steamer ship Niagara, in a passage of 14 days to Halifax, was the longest time taken by any mail steamer since the Niagara was launched at Halifax by the Rev. Mr. Harpe, Baptist Missionary from Nova Scotia, who sailed on that ship in 1802, and returned in 1812, and who was the first to cross the Atlantic by sea.



