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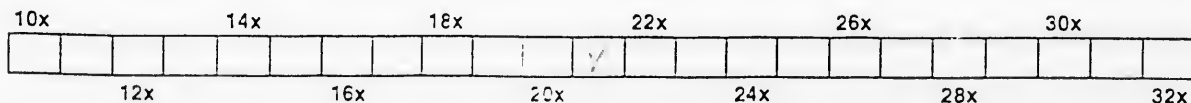
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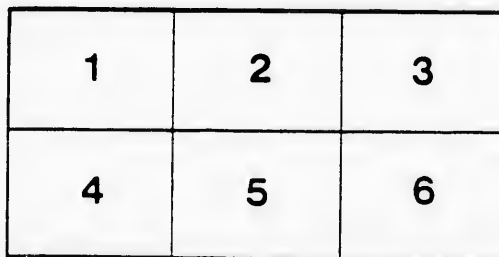
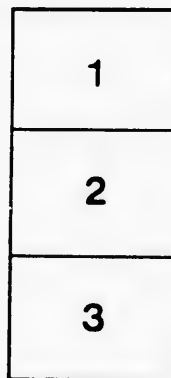
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MR. GLENIES

ADDRESS

TO THE

ELECTORS

OF

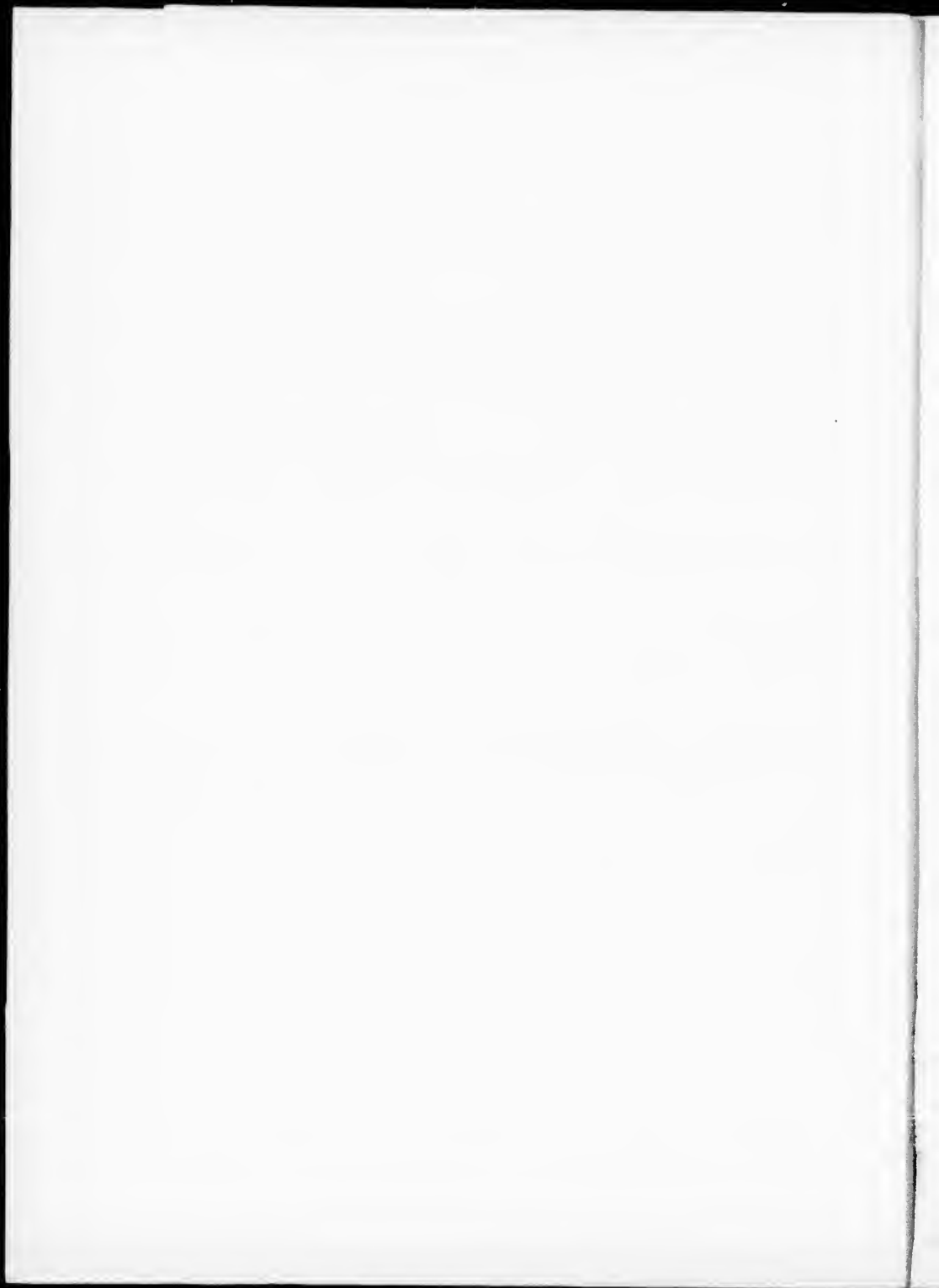
SUNBURY

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1795

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Substance

of the ADDRESS,

of the FREEHOLDERS of the COUNTY

of SURREY,

at the opening of the Poll on Tuesday the 1st
of September instant :

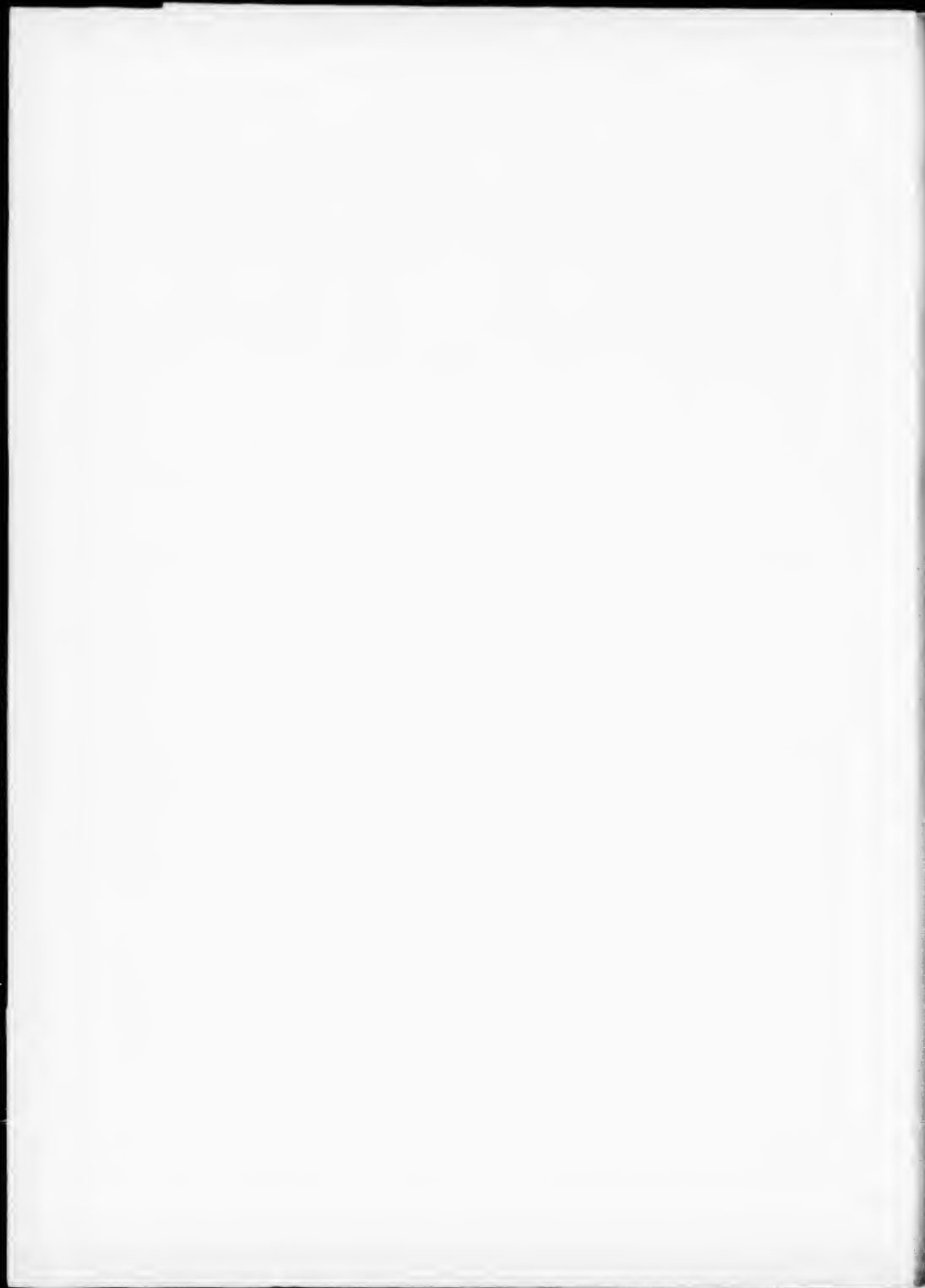
Explanatory of the Proceedings

OF THE LIFE

HOUSE of ASSEMBLY, &c. &c.

Taken by a Person present, in Short Hand, and
Published at the particular Request of a large
Majority of the Electors.

1795.



12th September, 1795.

SIR,

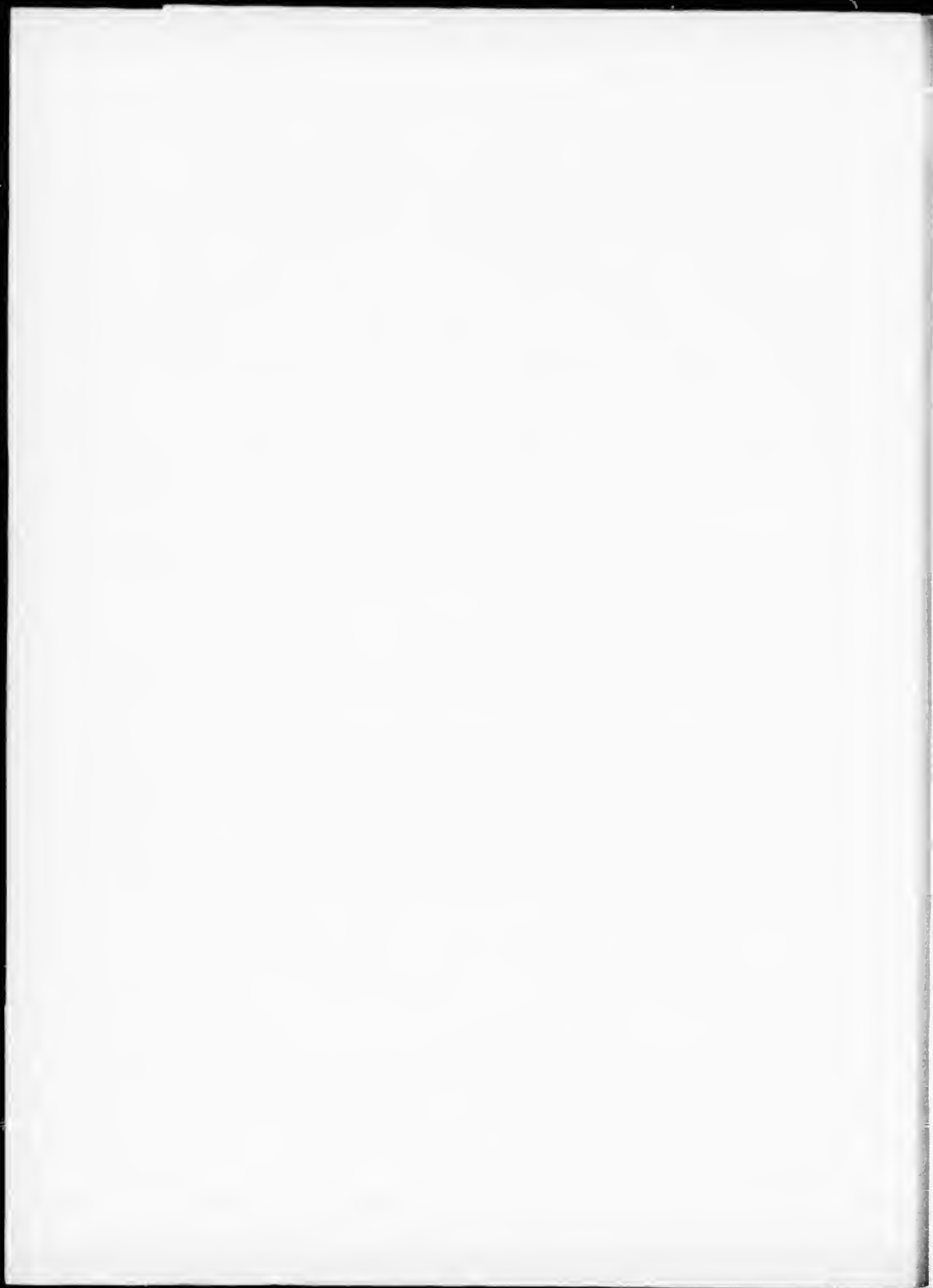
THE following observations contain the substance of Mr. Glenie's Address to the Electors of the County, just before the opening of the Poll in that County, on the first Day of this Month. I took them down in short hand as correctly as I could. As they made a deep impression on the minds of the Electors, were listened to with the most profound silence succeeded by a burst of applause, and furnish the best account, I have met with, of the proceedings of the last House of Assembly, on which some persons have attempted to throw a great deal of obloquy, I embrace this opportunity of transmitting them to you for Publication, at the request of a large majority of the Electors.

I am, Sir,

Your most obedient humble Servant,

A Bystander.

To the PRINTER.



ADDRESS, &c.

Gentlemen Electors,

BEFORE the Sheriff proceeds to open the Poll, I must beg leave to say a few words to you, to prevent both misconception and misrepresentation respecting some particulars, which it will not perhaps be improper for you clearly to understand.—You have now heard the Act for regulating Elections read to you, the very first clause of which sufficiently shews, that there was no connection whatever between His Majesty's approbation of it and the dissolution of the late House of Assembly—for it contains provisions for the regulation not only of any general Election subsequent to it's receiving the Royal assent, but also of any particular one, that might be occasioned by a vacancy in that very House, which framed it.

THIS Act was passed with a suspending clause in 1791, in the fifth Session of the first House, that was called in this Province after its separation from Nova-Scotia.—A second House was summoned in 1793, which has been suddenly dissolved before it had

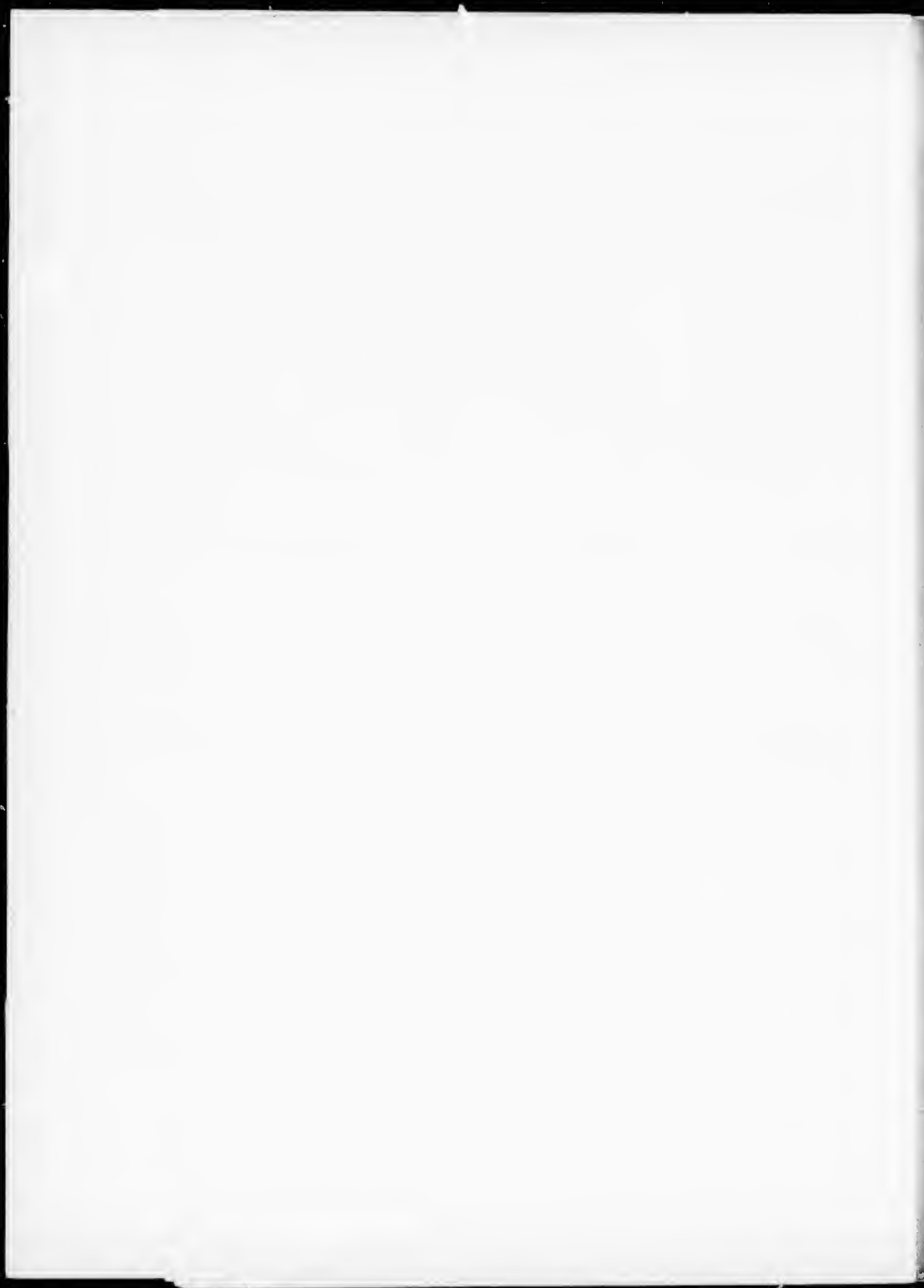


had sat half its natural time—Writs have lately been issued for calling a third one—And I cannot help thinking, Gentlemen, that the sudden dissolution of the late House without any directions from Home, without, in short, any visible or apparent reason for it, ought to excite in all your minds the most serious reflections, and render you on this occasion extremely cautious and circumspect in the choice of your Representatives, whom you are going to intrust for a certain number of years with the guardianship of your Rights, Liberties, Property and Privileges, both civil and religious.—If there have been no orders for it from home, as manifestly appears to be the case, if there is no ostensible reason assigned for it in His Excellency's Proclamation, if none can be drawn for it from the Act you have now heard read, every Man of you must naturally be led to ask himself this question; for what purpose or purposes then has it been dissolved?—Intimately acquainted with the conduct of that House and the differences in matters of opinion that arose between it and the other, I feel myself at no loss to understand the real motives of those, who advised its dissolution.—I must leave you however, on this subject, to form an opinion for yourselves. The mentioning of a few incontrovertible facts may nevertheless enable you to form one with more accuracy, than perhaps you otherwise might do. But before I mention them I will just advert to an observation, which I understand has been made, though it is hardly deserving of notice or attention. It is this—That a House constituted like the last one could not legally sit
after



After the Election Bill came out approved of, as the Members composing it were chosen by Electors differently qualified from those, who are intitled to vote by that Act.—The House, however, which passed it, was constituted exactly as the last was.—His Majesty's approbation of the Bill made neither the one nor the other legal or illegal—and if there be any force in the observation, this Act itself, which professes only to regulate general Elections, subsequent to its meeting with the Royal assent, and particular ones for filling up vacancies in the very House that passed it, must be considered as illegal, and every Act of Assembly in the Province equally so—but it is too ridiculous to merit serious examination or discussion—and I am convinced it will never be given as a reason for the dissolution of the late House, but by those who are incapable of assigning any probable or good one.

The late House of Assembly, Gentlemen, in my opinion, possessed as much political virtue, as sincere a regard for your Interests, and did you as much good as you could reasonably expect, considering the difficulties it had to encounter—It took up seriously, what it considered as real existing grievances, and although it did not succeed in relieving some of them, it directed its Committee of correspondence to write home respecting them, and therefore deserves not the less credit for its exertions—Requisitions were made to it, which if complied with, it imagined would be felt by you and the people at large, as heavy burdens—It therefore found it necessary to summon up all its Branches and to interpose its parliamentary rights and



and authority to shield you against their pressure.

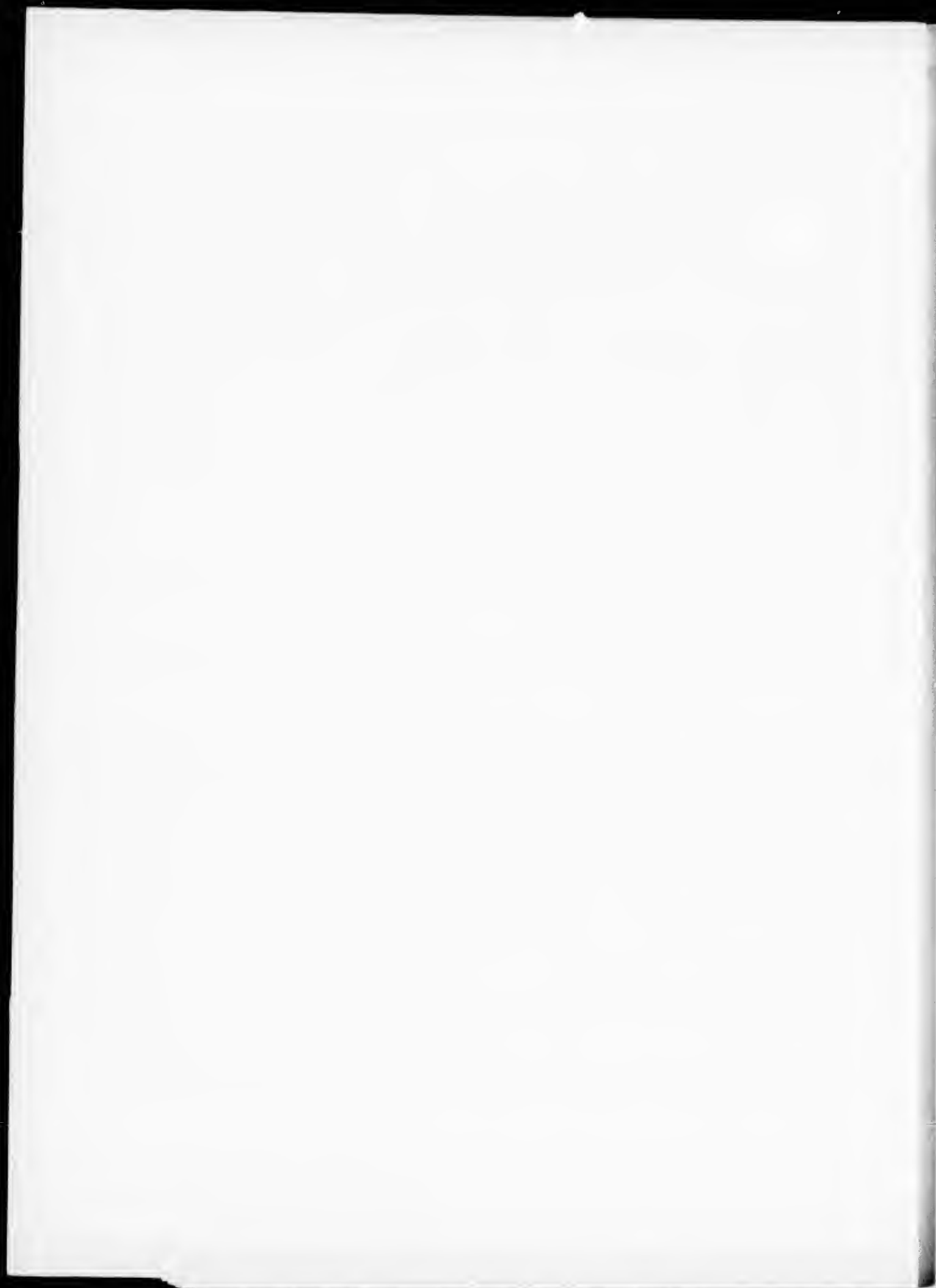
In the first place it discovered for instance a great anxiety as the former House about getting an Act passed for regulating the holding and sittings of the Supreme Court, in order to carry the administration of Justice by that Court into every County and to every Man's door as much as possible; the very purpose, I conceive, for which the Judges receive their salaries.—It is needless for me to inform you, that a Bill of this salutary tendency has five times passed the House of Representatives in General Assembly, and has as often dropped on the other.—Last winter the House desired to know the reasons of the Council for setting it aside, but could get none—I delivered a message myself putting them in mind of it as a Bill tending greatly to promote the happiness and convenience of His Majesty's subjects in this Province. Finding its endeavours to get the Bill passed into an Act fruitless, it directed its Committee of correspondence to represent the matter to Mr. KNOX the Provincial Agent at home as a grievance severely felt throughout the Province and particularly in the Counties distant from Fredericton, and to request him to do every thing in his power to get it redressed.—In this respect then it certainly has not neglected, but zealously consulted your interest and happiness.

SECONDLY. It passed a Bill last winter reducing both the width of roads and the number of days work to be performed on them—but this salutary and beneficial Bill was also lost in consequence of some alterations made by the Council.

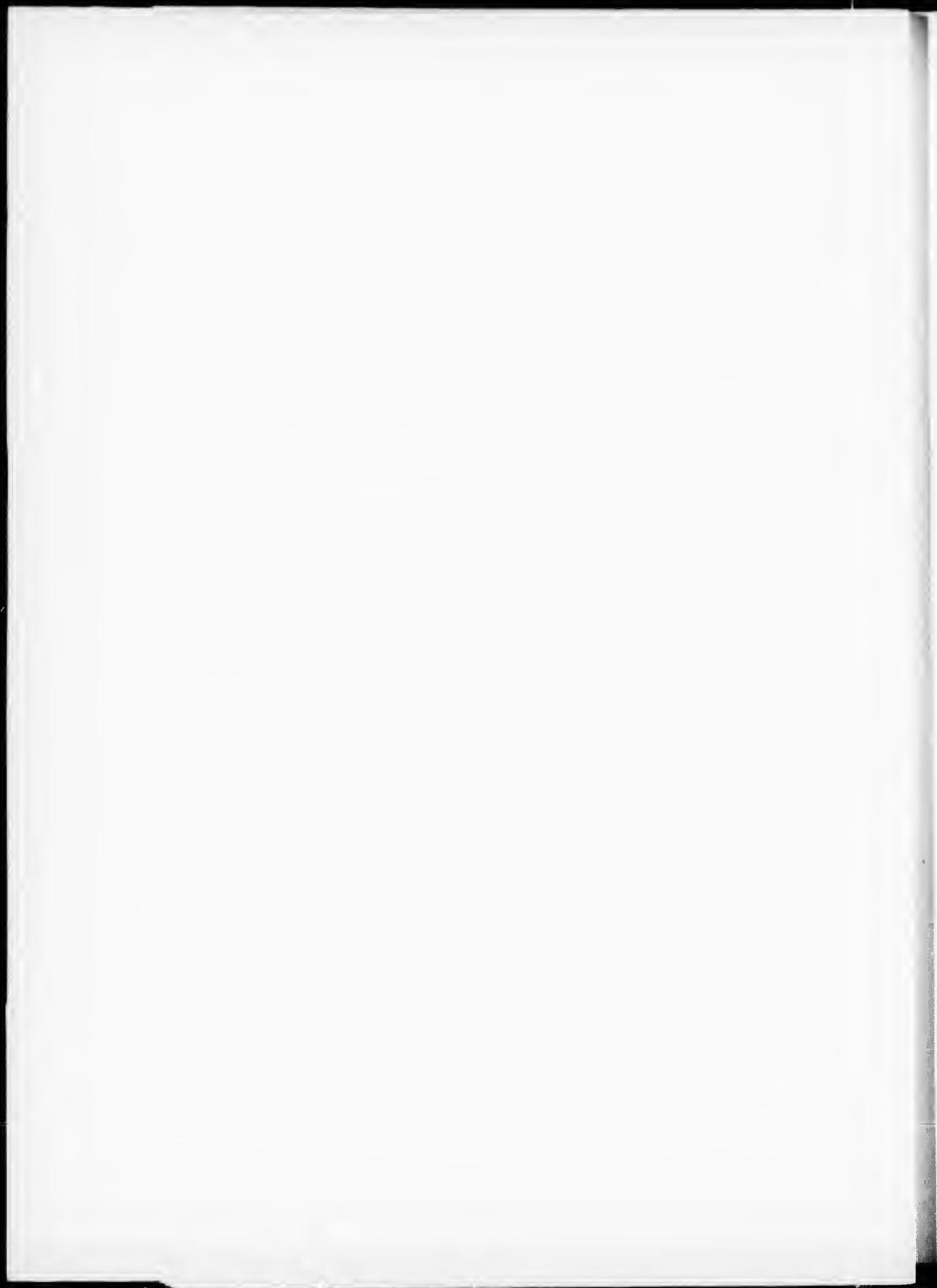


which the House thought it could not give its concurrence consistently with the duty it owed to its Constituents and the Public—In this particular it did not lose sight of your ease and convenience.

THIRDLY. It declined granting Money for erecting Buildings of accommodation at Fredericton for the General Assembly and Courts of Justice, thinking the Province not in a situation to bear without great inconvenience to the people, the raising of such sums as would have been necessary for these exertions.—In this instance of non-compliance it surely did not neglect your Interests.—In 1791 it was recommended to the first House to fit up part of Fredericton Church for this purpose.—In 1792 Judge Saunders presented a plan for such a Building, with an estimate amounting to £1177 : 19 : 10.—I have erected, Gentlemen, more military works and public buildings than any other person in this Province, and I never saw an estimate for one yet, even when made by experienced, intelligent and skilful Engineers, who must be supposed much more capable of forming estimates, than the Gentleman who presented this, that did not fall greatly short of the actual expence of execution—Besides, this was in the nature of a recommendatory estimate, and such estimates calculated chiefly for procuring approbation, are generally kept as low as possible, and seldom amount to one third part of the real expence of erection. We may therefore very fairly and reasonably conclude, that had this plan been once adopted to be carried into execution, £3000 would hardly have been sufficient for completing it. For projectors frequently frequently

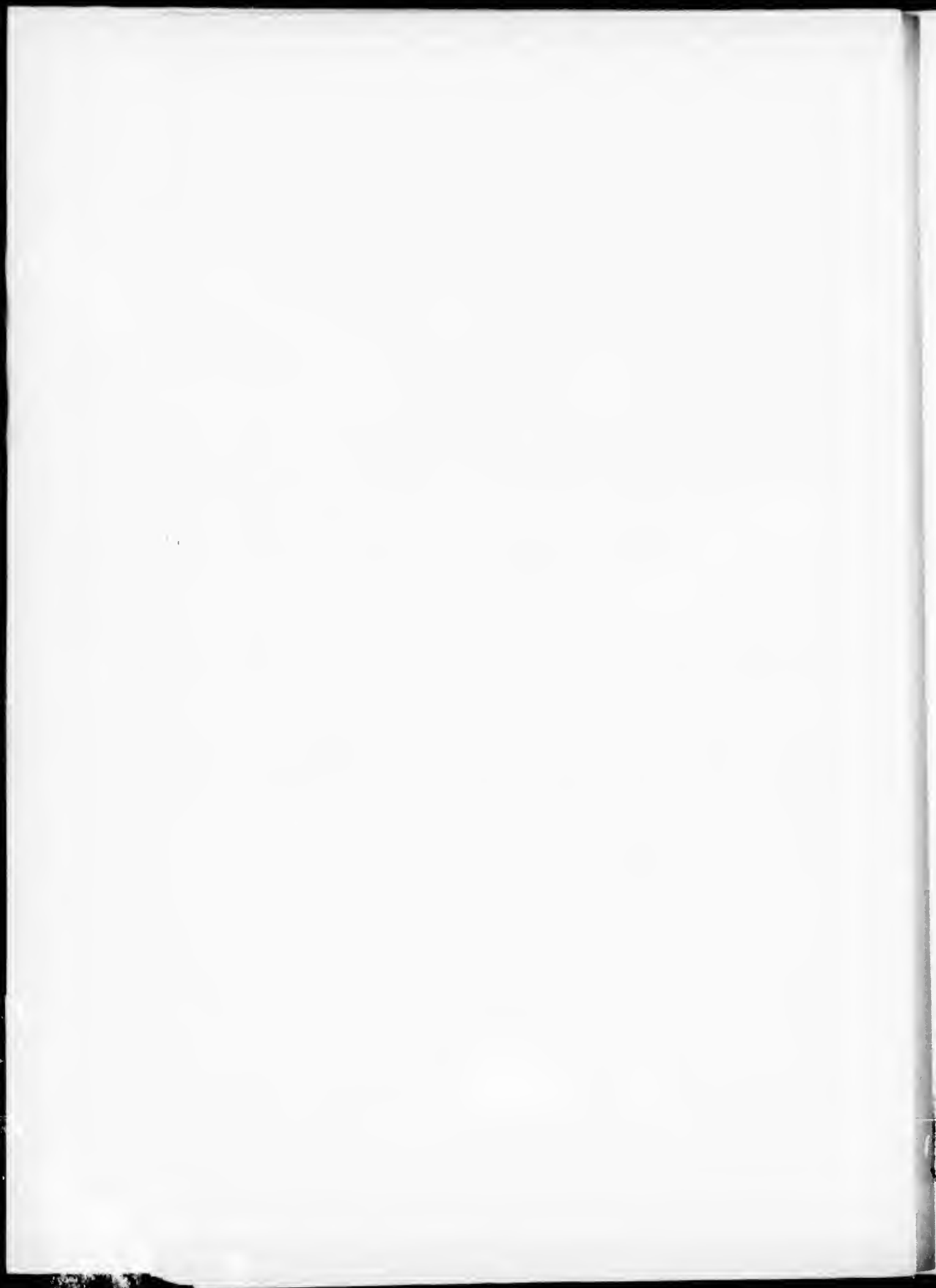


frequently imagine, that if they can only see their plans approved of by keeping their estimate very low, they will afterwards succeed in getting them finished.—Such a building of accommodation was particularly and earnestly recommended in His Excellency's speech in 1793 at the opening of the first Session of the last House, together with an allowance for a collegiate establishment.—They only pledged themselves however to make such provision for these objects, as the abilities of this infant Province would enable them. But finding like the former House the inability of this barely-existing Colony to defray the expence of erecting such buildings and supporting such an establishment, for which the allowance proposed is not half sufficient, and which without Parish-Schools to prepare Children for it, they conceived would be useless and nugatory, they have left both these objects repeatedly recommended to them as unprovided for.—They very judiciously considered that Parish Schools, which disseminate generally a certain degree of information and learning, ought naturally to precede any endowment for a College, which without them is only calculated for the accommodation of a few Individuals, and has a tendency to monopolize education—And however much some persons may dislike the general dissemination of knowledge among the people and reckon it dangerous, it ought in my opinion to be the first object of attention in every well regulated state. For we can hardly view reason itself as a gift from the beneficent Author of our nature, unless we allow, that whatever improves the understand-

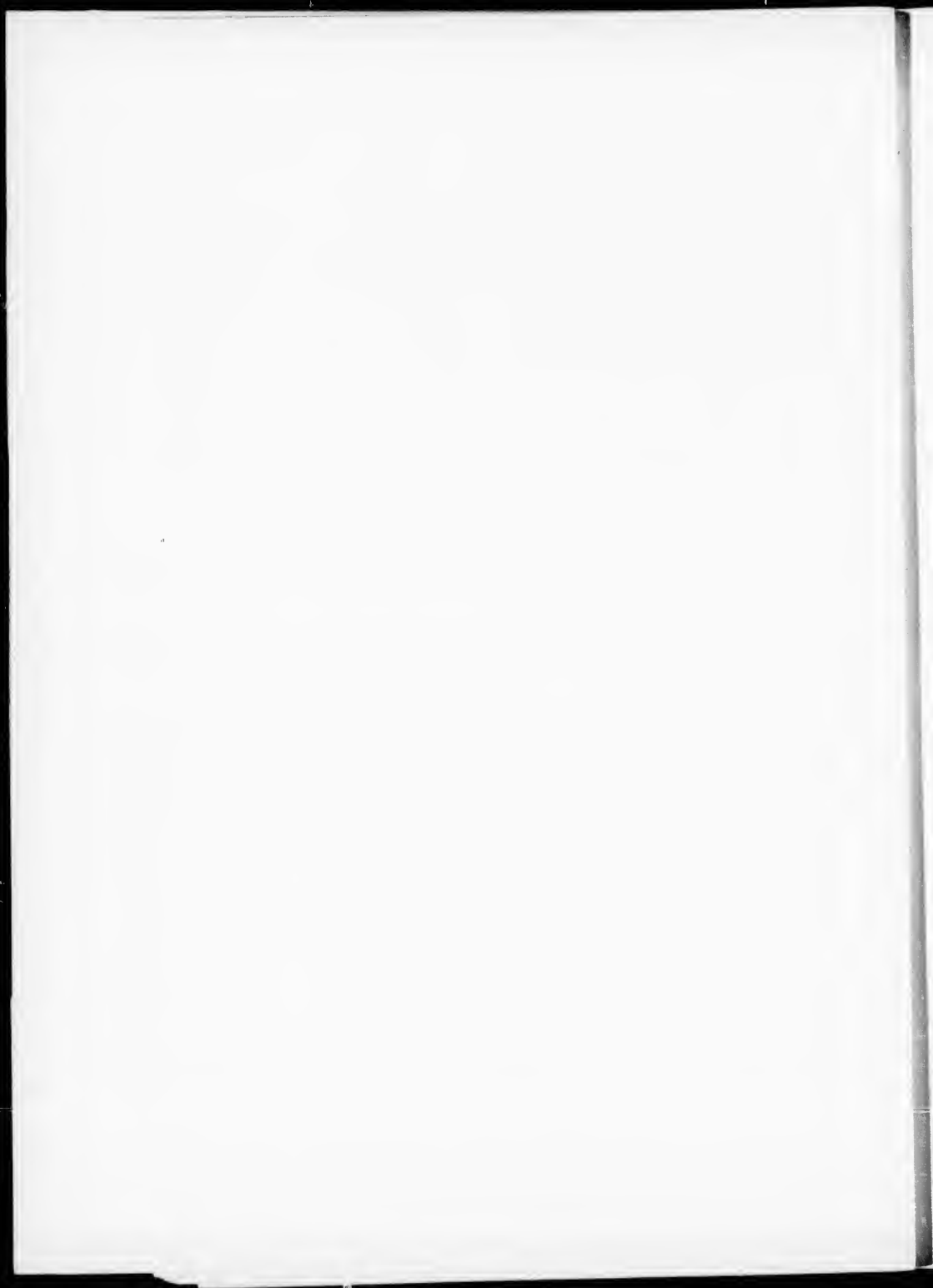


g tends also to better the heart.—The small sum of £1000 allowance proposed for the College was £1000 per annum, which at 5 per cent. is the interest of £20000, and of about £25000 at 4 per cent.—It is every one knows that double or even triple that sum annually would scarcely be sufficient for supporting an establishment capable of affording a tolerably good College-education.—Colleges are for the purpose of giving the finishing touch and polish to that knowledge of language which young men have acquired at School, and of instructing them in the various branches of science. But neither one nor two Professors are able to discharge their duty properly.—Even decent collegiate buildings for the accommodation of the Students and Professors could not be erected under 6 or 7 thousand pounds. What we hear now so pompously of the College at Fredrickton, would not in Europe be considered as even an inferiority with a common country School. It was incumbent then on your Representatives to be extremely cautious how they embarked seriously in the execution of this project—A great majority of them were so, and have thereby merited your applause.

FOURTHLY. Last winter the House was applied to for money to defray the expence of erecting the Batteries at St. Andrews and the city of St. John. On that occasion I thought it my indispensable duty to point out the unprecedented nature of such an application, and the regular channel of payment for such expenditures, which is through the estimates for army extraordinaries, annually presented to the House of Commons by the Secretary.



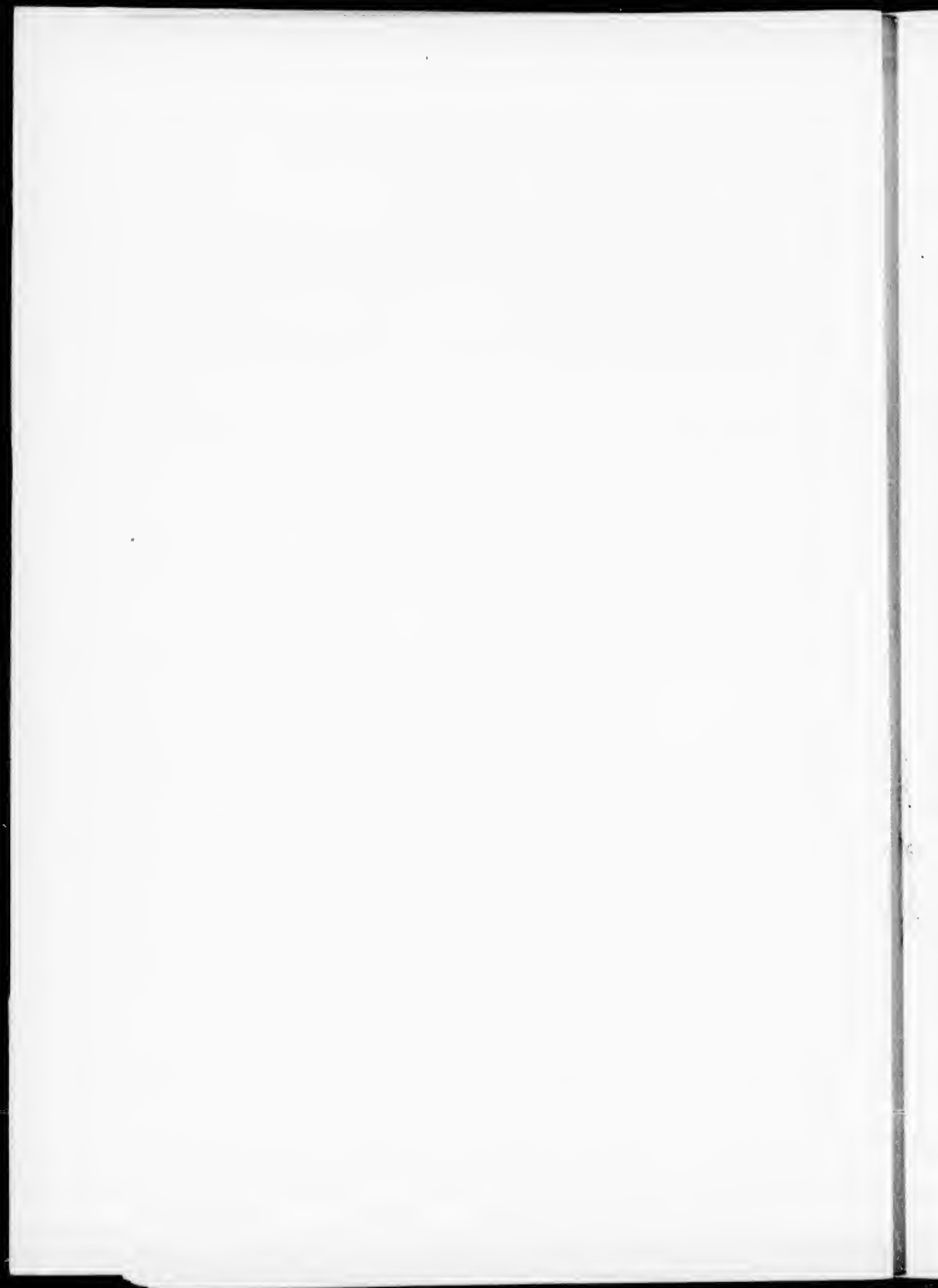
tax at war—I then delivered it as my opinion, (and I must confess I have seen no reason as yet to alter it) that the House might with equal propriety have been called upon to grant money for defraying the expence of erecting the new Barracks at Fredericton or to pay the New-Brunswick Regt.—The Barracks are a military erection; so is each of these Batteries—The Regt. is for the defence of the Province; so are the Batteries.—Here I think it also was sufficiently attentive to your interests and manfully discharged its duty in refusing to establish such a precedent. A further consideration of this subject was recommended to it, but no attention was paid to this recommendation. From that moment the harmony and good understanding, which is always to be wished for between the two Houses, seemed to be at an end. The following doctrine was almost immediately afterwards advanced by the Council, and strenuously maintained by their Committee of conference on the appropriation Bill, viz. that it is unparliamentary and unconstitutional in the House of Assembly to dispose of any public money for any other purposes or services than those recommended by His Excellency, or (which comes to the same thing) than those, which they choose to advise him to recommend, as they are a Council of advice as well as Legislation.—An acquiescence in this declaration on the part of your Representatives I was then of opinion, and am so still, would have been tantamount to an absolute surrender of your property, rights and liberties, into the hands of the Council at once. But they found the idea of



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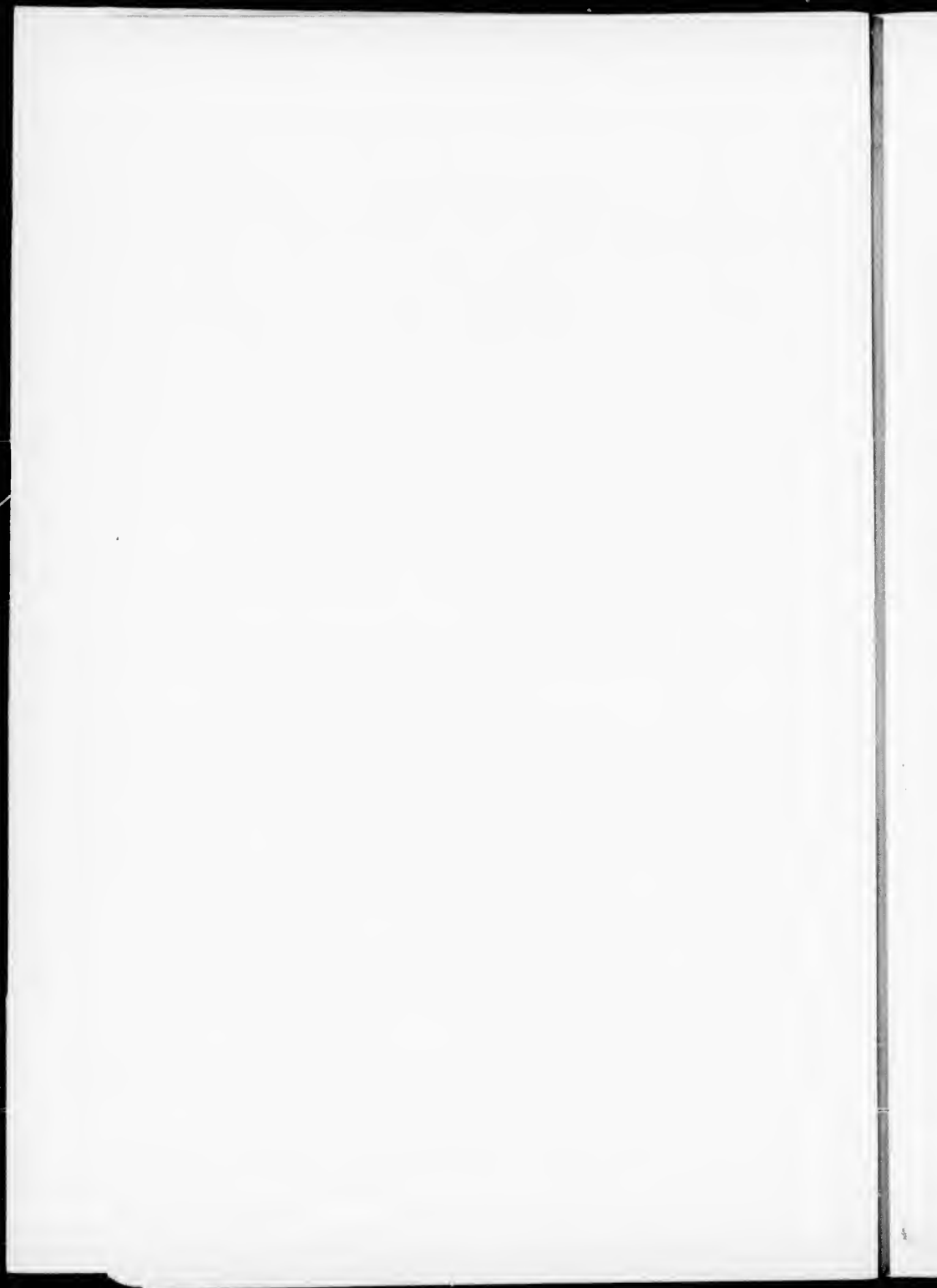
ever assenting to such doctrine, and acted on the occasion with that temper, firmness and spirit, which became the representative body of the people. It is a proposition, to which I hope in God no House of Assembly will ever give its assent.— For it is a parliamentary maxim as old as parliament itself, that those who have the sole right of granting have an unquestionable right to dispose of what they grant. It also passed the declaratory Bill, which it would be improper for me to enter into an explanation of at present. Respecting that Bill therefore, unquestionably the most important and salutary one in its tendency, which was ever introduced into that House, I shall only observe, that it was calculated to ascertain what Laws you live under, to remove even the power or possibility of capricious conduct from the Bench in regard at least to their operation by fixing constitutional limits for the Judges in giving their decisions, and to put you in possession of all the beneficial statutes of England and Great-Britain, applicable to our colonial situation down to a much later period than the restoration, which in my opinion, has been very erroneously fixed on.—It has been printed in the Newspapers for some months. But none of those, who were so clamorous against it on its first appearance, have as yet ventured to step forward and question either the principles or authorities on which it is founded.

LASTLY. Unwilling to open your purses unnecessarily, they also declined making Mr. ODELL an allowance for acting as Clerk of the Legislative Council, otherwise than conditionally, till they should



should be perfectly informed whether he does not receive part of his salary from home for doing that duty.—My opinion, I must acknowledge, was decidedly in favour of the conclusion, that he does, as his designation in the civil establishment of the Province, printed in the Journals of the House of Commons is, "Secretary Register and Clerk of the Council," with a salary of £ 250 sterling, independent of his fees and perquisites of office.

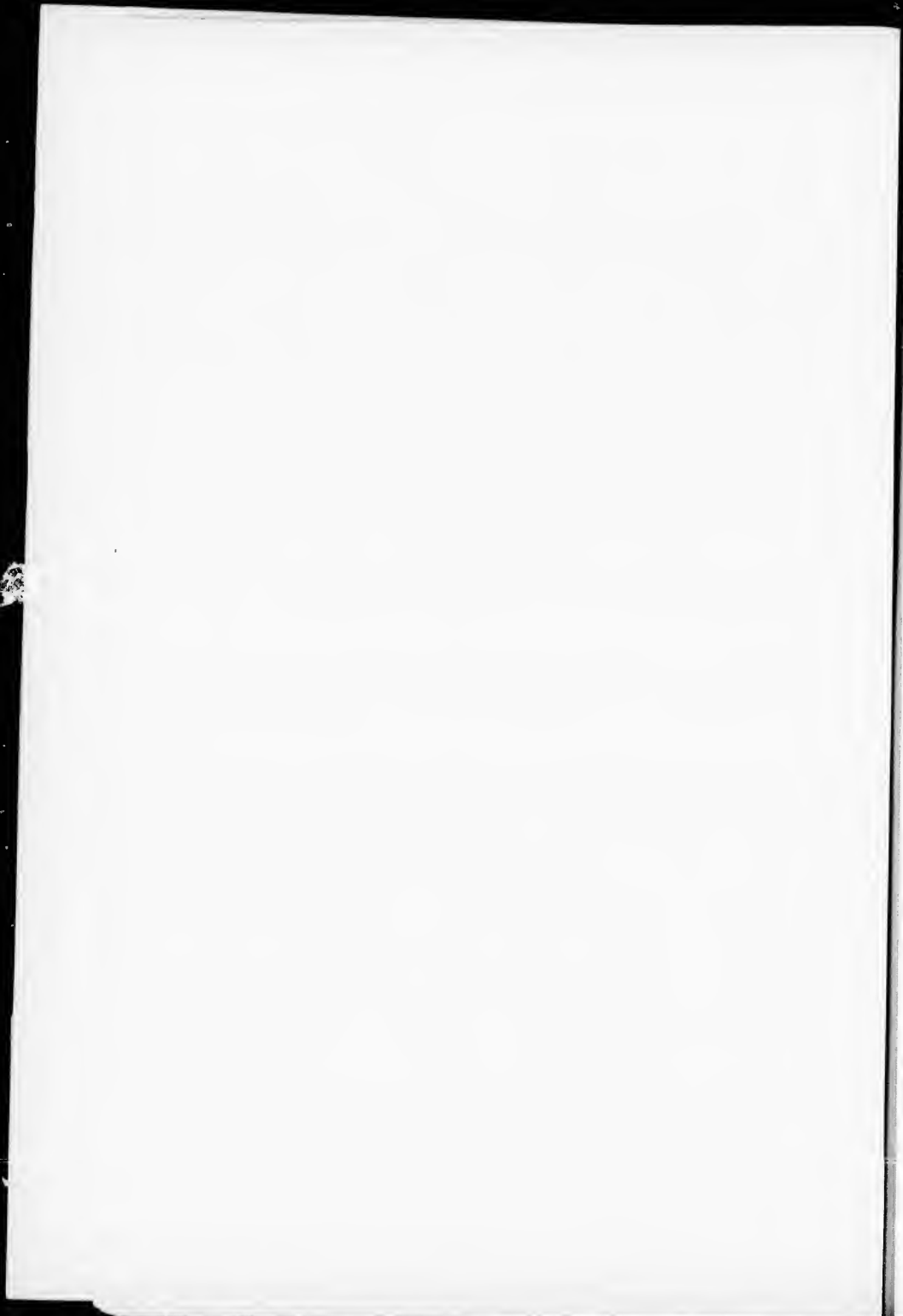
In regard to the qualifications of Representatives, Gentlemen, I shall say but little.—I cannot help observing however, that I think you ought to consider Independence, particularly on the Government of the Province as the first, and to be extremely careful not to choose any person, who holds offices under it, that may tend to subject him to influence from the other two branches of the Legislature.—For offices like gifts have a tendency to corrupt the heart. Our colonial constitution is unfortunately in several respects widely different from that of the mother country.—True it is, that our Legislature consists of three distinct branches, like that of Great-Britain.—The two Legislatures are however essentially different.—The House of Lords or second Branch at home, is a dignified, opulent and independent body.—The Peers hold their seats by writ, patent or inheritance, and no authority in the State short of an Act of the British Legislature can remove them from them.—But the members composing the Council or second branch here hold their seats not hereditarily, not even during good behaviour, but during the pleasure of His Majesty's servants and Ministers, and are remova-
ble



ble at their pleasure, without any reasons assigned.—There is also another circumstance, which renders the difference still more striking, which is this, that even the Judges of the Supreme Court, who sometimes form a majority of the Legislative Council during the sitting of the General Assembly, are not only dependant on the servants of the Crown for their seats in that House, but also for their seats on the Bench, and are liable to be dismissed at a moment's notice.—If therefore an attentive, watchful and vigilant opposition has ever been found necessary in the House of Commons to preserve the rights and liberties of the people in Great Britain, it must certainly be doubly requisite here, where two Branches of the Legislature are in a great measure thrown into one scale.

KNOWLEDGE OF Information I think occupies the next place to Independence among the qualifications of a Representative, particularly if it be of a parliamentary and constitutional nature.—It tends even to create Independence.—For the more information a man has, the more capable is he of forming opinions for himself and the less dependant on those of others. It is a knowledge of the privileges and authorities belonging respectively to the different component Branches of our colonial Legislature and that alone, which can enable a Representative to discern and successfully oppose their encroachments on one another, and preserve the just equilibrium between them.

As for probity, candour and integrity, we must naturally conceive them to be much more frequently the companions of knowledge, than of ignorance;



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norance ; which we can allow ourselves to form a supposition dishonourable and disgraceful to our nature, that the improvement of the understanding has a tendency to pollute the mind. 'Tis the mutilated selfish and defective education that teaches trick and chicanery.—A liberal one instils sentiments of generosity, justice and honour.

I will not take up your time by entering into an explanation of my own conduct in the two Houses of Assembly, in which I have had the honour to represent you.—As it was ever public, open and avowed, I have always wished to have it subjected to the most scrupulous examination.—I never made a sacrifice of your rights and liberties to please any man or set of men.—I never shrunk from the discharge of those duties I owed to you and the community at large, through fear of offending any man.—I have ever opposed to the utmost of my power measures, which I conceived to be unconstitutional, dangerous in their tendency, or injurious to your real Interest and those of the public.—And should you think it proper to choose me on this occasion to represent you in the House, that has lately been summoned, you will, I flatter myself, find me to be as watchful a guardian of your liberties and privileges and as attentive to your convenience, prosperity and happiness, as, I am conscious, I hitherto have been.



