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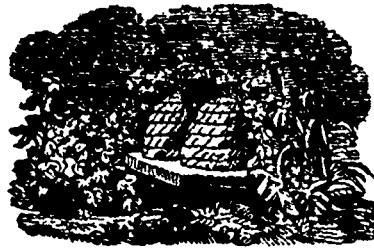
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"JUSTUM, ET TENACEM PROPOSITI VIRUM, NON CIVIUM ARDOR PRAVA JUVENTIUM, NON VULTUS INSTANTIS TYRANNI MENTE QUATIT SOLIDA."

VOLUME III.

PICTOU, N. S. WEDNESDAY MORNING, FEBRUARY 21, 1838.

NUMBER XL.

THE BEE

IS PUBLISHED EVERY WEDNESDAY MORNING,
BY JAMES DAWSON,

And delivered in Town at the low price of 12s. 6d. per annum, if paid in advance, but 15s. if paid at the end of the year;—payments made within three months after receiving the first Paper considered in advance; whenever Papers have to be transmitted through the Post Office, 2s. 6d. additional will be charged for postage. Single copies 3d. each.

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VEGETABLE LIFE PILLS,

AND

PHENIX BITTERS,

FOR the cure of Chronic and Inflammatory Rheumatism, Liver Complaint, Fever and Ague, Palsy, Piles, Injuries from the use of Mercury, Costiveness, rush of blood to the head and violent Head Aches, Salt Rheum, Erysipelas, Eruptive Complaints, Dropsy, Asthma, & Consumption, Diarrhoea Flatulency, Palpitation of the Heart, Loss of Appetite, Heart-burn, Restlessness, Ill-temper, Anxiety, Langour and Melancholy, which are the general symptoms of Dyspepsia, will vanish as a natural consequence of its cure.

For further particulars of the above Medicine, see Moffat's Good Samaritan, a copy of which can be obtained on application at the store of Mr J. D. B. FRASER, Pictou,—where the Medicine is for sale.
December 6. ff

TO BE SOLD, AT PRIVATE SALE:

A LOT OF LAND, situate at Merigomish, bounded easterly by the East River, on the south west by lands belonging to William Hattie, on the north west by lands granted formerly to the Eighty Second Regiment,

CONTAINING 100 ACRES,

granted by government to Walter Murray. The Land is of excellent quality, and is situate in one of the most thriving portions of the Country; fifty acres of which is in a state of cultivation, twenty acres of the same being

INTERVAL LAND.

A more desirable Farm for an industrious man, or a gentleman wishing a retired life, there is not in the vicinity.

Terms liberal and may be known on application to the Subscriber, at Pictou.

THOMAS MEAGHER.

Pictou, 24th January, 1838. 11^om 10

SNUFF.

For sale at the Mecmac Tobacco Manufactory, No. 74, BEDFORD ROW,

A large quantity of SNUFF, of different kinds.

FIG TOBACCO AND CIGARS.

N. B. A large discount to wholesale purchasers of Snuff.

Halifax, August 14, 1837.

From the Novascotian, Feb 7.

We give below a few more of the Public Documents, brought down to the Assembly by the Provincial Secretary on the 30th:

No. 3. *Statement of a proposed Civil List for Nova Scotia, on the surrender to the Province of H. M. Casual and Territorial Revenue; it being understood that the emoluments of certain Officers will undergo revision and reduction as vacancies occur.*

	Sterling.
Lieutenant Governor, the Remainder of his Salary being paid from home	£2,000
Private Secretary (Note No. 1)	200
Provincial ditto	1,000
1st Clerk of do. after 23 years service.	200
2nd Clerk of do.	100
Stationary, Fuel, Messengers and other contingencies, (to be accounted for,) about	75
Chief Justice (on the abolition of his fees) (Note No. 2)	1,200
3 Puisne Judges (do. do.) (Note No. 3)	2,100
Attorney General (Note No. 4)	600
Solicitor General (Note No. 5)	160
Clerk of the Crown & Prothonotary	100
Surveyor General	150
Commissioner of Crown Lands (Note No. 6)	350
Surveyor General, Cape Breton,	100
Commissioner of Crown Lands do. (Note No. 7)	200
Superintendent of Mines, &c.	100
Harbor Master at Sydney	100
Miss Cox's Pension, with premium on bill about	115
Clerk of the Executive (if not Provincial Secretary) (Note No. 8)	100
Contingencies of the Lieutenant Governor to be accounted for (Note No. 9)	200

Amount of Civil List £9,190

Of the preceding Salaries, the Legislature already provide the following:—

Lieutenant Governor (by permanent Act)	£2,000
Three Puisne Judges do.	1,440
Attorney General (by annual votes)	120
Solicitor General do.	80
T	£3,640

Amount of Civil List from the other side 9,190
Deduct amount provided for 3,640

To be provided for by the Assembly £5,550

Note No. 1.—Sir Colin Campbell's Despatches of the 10th March, No. 66; and 23rd July last, No. 85.

Note No. 2.—The present Salary of the Chief Justice being £850, the amount of the commutation now proposed for his fees is £350. These fees fluctuate very much; they have exceeded £800 and have fallen below £200 in the year, but on an average of more than 20 years £500 may be deemed their annual amount, though in the last year they produced only £224.

Note No. 3.—The proposed increase of Salary of each Puisne Judge is £220, which may exceed by about £80 the average amount of his fees here assumed to be given up, a Judge's present Salary is only £480.

Note No. 4.—The Attorney General now receives £400 a year from the Casual Revenue, and heretofore received £200 per annum from the Province, but this

allowance was reduced in the last session to £160 currency or 120 sterling. Referring to Lord Glenelg's despatch on this subject of 28th June last, No. 87, it is now proposed to restore this Officer's Salary to its former amount.

Note No. 5.—The Solicitor General's Salary is only £80, and is now paid out of the Province. It is clearly below what it ought to be, and it is proposed to increase it to £150.

Note, No. 6.—It is recommended that the Salary of the Commissioner of Crown Lands shall be fixed at £350, which is about the average amount of his emoluments, or that they shall consist as at present of 5-6ths of the amount of the sale of Crown Lands, according as it shall be determined by Lord Glenelg or the Provincial Assembly.

Note No. 7.—The same remark applies to the Commissioner for Cape Breton, except that the proposed amount of his salary is £200, which is about the average of his present emolument.

Note No. 8.—If the Provincial Secretary, who is now Clerk of the Council, should be appointed an Executive Councillor, it may be necessary to nominate a Clerk to that Board, and £100 is suggested for his Salary.

Note No. 9.—For more than fifty years the Assembly have annually granted £250, currency or £200 sterling for the Lieutenant Governor's contingencies, but this vote was discontinued last year, and, as much inconvenience has consequently arisen, it is proposed to make it an item in the Civil List, in imitation of the practice in other Colonies.

With the exception of the items noticed in these remarks, all the charges included in this paper, have already received the sanction of H. M. Government, and are provided for.

Government House, Halifax, 26th August, 1837,

(COPY.)

DOWNING STREET, 28th June, 1837.

SIR,

I have received your despatch, No. 74, of the 4th May, in which you have submitted for my consideration the application which (in consequence of the House of Assembly having reduced that part of his salary which is paid by the Province,) the Attorney General of your Government has made—to have the whole of the salary paid from the king's Casual Revenue.

Having already announced to you the readiness of H. M. Government to accept a Civil List in exchange for a surrender of the Territorial and Casual Revenue of Nova Scotia; I concur with you in thinking that the whole salary of the Attorney General should be provided for out of that Civil List, the precise amount and terms of which it will remain for you to arrange with the House of Assembly. In preparing your proposal to that body, I would wish you to advert to the settlement made with the adjacent Province of New Brunswick, as a precedent to be followed as far as the difference of local circumstances may admit.

I have, &c.

(Signed) GLENELG.

M. General Sir Colin Campbell, K. C. B.

&c. &c. &c.

(COPY.)

DOWNING STREET, 21st November, 1837.

Sir,

I have received your Despatch No. 93, of the 25th October, submitting a representation which had been made to you, by the Chief Justice of Nova Scotia as to the inadequacy of the emoluments received by Puisne Judges of the Supreme Court.

I have considered the statement of the Chief Justice with the attention and respect which are on every account so justly due to its author; but I regret that I am under the necessity of referring to my Despatch No. 101, of the 31st ult., for the only answer which it is in my power to make to the Chief Justice's suggestion, that more liberal salaries should be assigned to the Puisne Judges out of the Civil List to be obtained from the Legislature in return for the surrender to their control, of the Casual and Territorial Revenues of the Crown.

I have, &c.

(Signed)

GLENELO.

M. General Sir Colin Campbell, K. C. B.

&c. &c. &c.

(COPY.)

HALIFAX, January 18, 1833.

Sir,

I have the honour to acknowledge the receipt of your letter of the 29th December last, inclosing an extract from a despatch from the Right Honourable Lord Glenelg, to his Excellency Sir Colin Campbell, dated 31st October, 1837, and requesting me to state whether, as Chief Justice, I would prefer to retain my present salary and emoluments, or to receive the increased salary of £1000 sterling per annum, proposed by his Lordship for the Chief Justice, without fees.

If the contemplated change affected myself alone, it would not require a moment's consideration for me to decide in favour of retaining my present salary of £350 sterling, with my fees, which, although they fluctuate very much, may be averaged at £400 sterling annually, but as it is accompanied with an offer that is advantageous to my brother Judges, it would be very painful to me to interpose any obstacle in their way.

Their present salary of £450 sterling, with the small proportion of the fees which they receive on the Circuits, I know to be quite inadequate to their decent support. During the 26 years that I was a Puisne Judge, I can safely say, that the salary and emoluments of my office scarcely covered two thirds of my expenses. Your present Judges are in a worse situation than I was, as the pound currency in which they are paid is now worth but 16s sterling, whereas it was worth 18s sterling during the greater part of the time that I held the office, a change which has occasioned an annual loss of £60 stg. to each of them.

The proposal to relinquish my fees for the increased salary places me in this dilemma, I must either sacrifice an important part of my own income; or prevent an addition to that of my brethren; who so much require it, for it is evident that these fees must be altogether relinquished or altogether retained.

It would occasion great confusion, and be in itself unjust to collect them from the suitors where I presided, and exonerate those on the circuits which my brethren should happen to travel. Under these circumstances, I will not withhold my assent to the proposal, but as I understand from your letter that the acquiescence of the Chief Justice and the Judges is to be made the basis of the communication to the Legislature upon this subject, it would be uncandid if I did not mention that I have already petitioned her Majesty to make me a personal allowance out of her Casual Revenue in Nova Scotia, to compensate me in some measure for the loss I shall sustain by relinquishing my fees. These fees I hold by a grant from the Crown, under the great seal of the Province, and, so long as I fill the office of Chief Justice, I deem my

title to them to be as valid as it is to any part of my real estate. The Legislature certainly have the power to pass a law to deprive me of both, but I cannot think that they have a right to deprive me of either, without adequate compensation.

To accomplish a great public benefit, by providing a more adequate support for the Puisne Judges of the Supreme Court of Judicature, in whose independence every man in the Province is interested: I consent to relinquish them, and not from any doubt of their legality, or from any apprehension that the Legislature would arbitrarily wrest them from me. But as I conceive that this public benefit ought not to entail so great a private loss upon me, I have laid my case before my Sovereign, and trust that my just claim for compensation will meet with a favourable consideration.

I wish it to be fully understood that the pounds sterling are pounis of twenty shillings each, and that the Chief Justice and Judges are not to be affected by any fluctuation that may occur in the value of the pound currency.

I think it necessary to mention also that the fees to be relinquished are the fees paid by the suitors. We do not conceive that the allowance of one guinea per day made to the Chief Justice and Judges of the Supreme Court, for travelling expenses on their respective circuits, under the Provincial Act of 46 George 3d, is to be affected by this arrangement.

The Province will often gain and seldom lose by it, even should her Majesty be graciously pleased to lend a favourable ear to my petition; for the fees collected throughout the Province have frequently exceeded £1000 sterling per annum, and may be averaged at from £850 to £900 sterling.

The proposed addition of the Chief Justice's salary is	£150 sterling,
Do. of £170 to 3 Puisne Judges	510
	£660
Compensation sought by the present Chief Justice during his lifetime	£200
	£860

I have the honor to be, Sir,

Your obedt. humble Servant,

(Signed) BREXTON HALIBURTON.

To the Honourable Sir Rupert D. George, Bart.

&c. &c. &c.

(COPY.)

HALIFAX, 8th January, 1833.

Sir,

We have had the honour of receiving your letter of the 29th of the last month, inclosing an extract of a despatch dated 31st October last, to his Excellency the Lieutenant Governor, from the Right Honourable Lord Glenelg, her Majesty's principal Secretary of State for the Colonies, in reference to a proposed Civil List.

From this despatch it appears that his Lordship has fixed the salaries of the Puisne Judges of the Supreme Court at £650 sterling, giving us however the option of accepting this sum, or retaining our present salary with the fees received by us on actions brought in that Court.

In answer to His Excellency's desire to know our determination on the alternatives offered, we have the honour to state that the agitation of a subject so peculiarly personal to the Judges as that which relates to their own emoluments has been extremely unpleasant and painful to us, and that we therefore should not have hesitated at any time to have acceded to any equitable arrangement for the discontinuing the receipt of these fees, as was done by Chief Justice Pemberton in 1787 and 1788 upon the proposal of the House of Assembly of that day to commute them, and without further remark, which the present proposal might naturally suggest, we accept of the sum propo-

sed by Lord Glenelg in lieu of our present salary and these fees.

We have &c.

(Signed)

LEWIS M. WILKINS,
WILLIAM HILL,
W. B. BLISS.

Sir Rupert D. George, Bart.

&c. &c. &c.

(COPY.)

DOWNING STREET, 29th Dec. 1837.

Sir,

With reference to my Despatch of the 26th ultimo, in which I informed you that I had communicated to the Post Master General the Resolution of the Assembly of Nova Scotia, relative to the Post Office Department of that Province;—I have now the honour to transmit to you the enclosed extract of a letter, which has been received from the General Post Office on the subject, and to instruct you to communicate it to the House of Assembly, as the answer to their proposition for the transfer to their control of the Provincial Post Office Department.

I have the honour to be, &c., &c.,

(Signed)

GLENELO.

Major General Sir Colin Campbell, K.C.B.
&c. &c. &c.

[Extract of a Letter from the General Post Office, to James Stephen, Esq., dated 23d Sept. 1837.]

I am directed by my Lord the Post Master General, to acknowledge your letter of the 30th ultimo, transmitting a Despatch from the Lieutenant Governor of Nova Scotia, enclosing Resolutions of the Provincial Assembly, on the subject of the Post Office of that Province. His Lordship commands me to state for Lord Glenelg's information, that having, in conjunction with the accountant general of this Department, examined the documents submitted by Sir Colin Campbell, he conceives there must be some misapprehensions so far as relates to any surplus Revenue of the Post Office in Nova Scotia, after payment to Great Britain of the Packet postage, as proposed by the Colonial Legislature.

From the accounts of this Office, it appears that the total net Revenue arising from the Posts in the Province of Nova Scotia and New Brunswick, which are united under the management of the Deputy Post Master General at Halifax, was in the year 1836 £2173 1 11, that of this sum the proportion collected in New Brunswick was £1458 7 8, leaving the net produce of the postage in Nova Scotia only £714 14 3.

According to the actual accounts here, the Packet postage, which the Assembly estimates at £1,161 amounted to £1,248 8 6; if, therefore, the proposition to pay over the Packet postage to the British Post Office were accepted, the gain to this Department would be from £400 to £500 a year.

Gleanings from latest Papers.

STEAM NAVIGATION.

THE GREAT STEAM SHIP.—Extract of a letter dated Bristol, England, Dec. 8.—Our great Western Steam Ship is getting on fast, and will probably have her machinery all on board in about two months. It is expected that she will make several experimental trips, and then come round to Bristol to take freight and passengers for New-York.—She is fitted with 4 masts, and spreads as much canvas as a frigate. When she went round to London for her machinery, she outsailed every thing.

ATLANTIC STEAM NAVIGATION.—At last the long talked of attempt to navigate the Atlantic by steam is certainly on the point of being made. Lieut. J. Hosken, of the Royal Navy, arrived here on Thursday, from Liverpool, in the Garrick, for the purpose of making the necessary arrangements for the reception of the "great western steam ship," and for keeping up an intercourse by her means, with

Great Britain. She is now in London receiving her machinery. Having accomplished the object of his present voyage. Lieut. Hosken will immediately return and assume the command of this vessel, in which he expects to arrive at the port in the course of the month of April next.—Her points of departure are Bristol and New York.—She is about 1350 tons burden, and it is calculated will carry about 600 tons of coal.—*N. Y. Courier & Reg.*

CANADA.

Some idea of the importance attached to the Canadian news in England may be judged by the following paragraph:—

Express to London.—The papers by the Shakespeare, from New York, reached Liverpool at a quarter to 6 o'clock on Thursday evening, the 21st December. A messenger, bearing the important Canada news which those papers contained, proceeded by the Grand Junction Railway train at half past six. Owing to the floods, the train did not reach Birmingham till midnight. From that town the messenger proceeded, in a post chaise, to London, a distance of a hundred and ten miles.—The roads were in a dreadful state, yet the express, by the occasional aid of four horses, performed the journey in eleven and a half hours, having reached the Times office at noon on Friday. The news was immediately published in a second edition. The Government, on ascertaining the tenor of the intelligence, promptly resolved to shorten the Parliamentary recess.

It is stated as not unlikely that Upper and Lower Canada would be consolidated into one principality, and that a Prince of the Blood—the Duke of Cambridge for instance—would be sent out as Viceroy.

A Liverpool correspondent of December 30, writes that

“The result of the enquete in Lower Canada will be this: should, as is anticipated, the loyalists get the upper hand—that the two provinces will be placed under one governor and one system, and that either there will be no House of Assembly, or that there will be two or more representatives in the British Parliament, from Upper Canada, Lower Canada, Newfoundland, New Brunswick and Nova Scotia.

In such case, there will probably be the same boon extended to each of our West India Islands.”—*Providence paper.*

ENGLAND.

It has been decided in England that an Attorney has no right to detain the papers of his client, as he has no lien upon them for costs.

O'Connell has declared at the Dublin Trades' Union that such is the erroneous opinion abroad of his influence with Government, that one gentleman recently solicited him to procure him the command of a 74, and another the Colonelcy of a Regiment!

AMERICAN.

PORTLAND, Jan. 30.

The Government has just received dispatches from Great Britain, touching the question of the North Eastern Boundary. Their contents have not yet transpired, though it is currently reported that they contain a proposition to revert to the boundary fixed by the award of the king of Holland. Should the proposition be accepted, we should certainly be placed in a very ridiculous light. We solemnly determined not to accept the award; the negotiations consequent upon that refusal have been pending for some eight years; and now should we eat our own words, reverse our own solemn declaration and accept the very

award we had refused, the portion of territory we should lose by such a proceeding, would be considerable but the portion of national dignity, much larger. We should be playing the part of a child who cries and pouts for a bigger piece of bread and butter, but finally concludes to take what mother sees fit to give.

This subject of the North Eastern Boundary will undoubtedly come up for discussion during the present session of Congress, probably at an early day; and considering the interest which Massachusetts has in the question, perhaps it might be expedient that her voice should be heard upon the occasion.

THE NEWS.

WEDNESDAY MORNING, FEB. 21, 1838.

To our Subscribers.—As a change in the ownership of this Paper is in contemplation, to take place on the 16th of May next, at the close of the present Volume.—it is expected that all accounts due to this establishment, up to that time, will be paid on or before the first day of June following.

Subscribers beyond the limits of this County, in places where we have no Agents, are informed that unless their papers are paid up at the end of the present Vol. they will then be discontinued. We have to pay the postage regularly on these papers, and without prompt payment, it is unreasonable to expect that we will continue to send them.

One of the Despatches we publish to-day, contains the proposed Civil List, and on looking over it, we must confess that the Colonial Secretary has lost sight of the fact, that he is a portion of a reform Ministry, and also of his own previous acknowledgment that Nova Scotia possesses but a scanty Crown Revenue compared with some neighbouring Provinces.

Instead of reductions in the salaries of our officials, which we were led to expect, we observe with regret that many of them are increased; and instead of the wholesome check which the people had over some of them, in their being subjected to annual grant, or affected by local circumstances, they are now wholly to be permanent. Instead of the abolition of Judges' fees which the Province has so long groaned under, and which was paid by the litigants themselves, we are to have their commutation in the shape of £350 sterling additional to the Chief Justice, and £220 to each of the Puisne Judges, and which will come from the pockets of the honest and industrious portion of the people, who are seldom seen in a Court of Law.

The salaries of the Attorney and the Solicitor General are to be increased. That notorious job, the Crown Land Department, is recommended to be kept up as at present, with a £350 commissioner at its head, which usually takes all the proceeds of the Department to pay the Commissioner's salary. Those sinecures of unknown origin, the superintendent of the Coal Mines, Cape Breton; Harbour Master at Sydney, Cape Breton, and Miss Cox's Pension, are to be kept up. The salary of the Provincial Secretary is also out of all proportion to the service he has to perform and the resources of the Province.

We must confess that, looking at the thing as a whole, our Legislature will do well to take some time to consider of it, and if possible, get such reductions made as will prevent these salaries from being a source of grievance for many years to come.

Among the public Documents, we see one from the General Post Office at home, denying that the Post Office Department of Nova Scotia and New-Brunswick yield any revenue over paying its own expenses. Whether this be the case or not, we

hope our Legislature will not shrink from the proposed investigation, nor from taking it under their own management. We are satisfied from facts that have come to our knowledge, that it is not only capable of yielding a considerable revenue but also an increase of post communications. Next week we intend to publish some documents which will let the public see how certain officials have mismanaged that department in a neighbouring Colony, and from which they can draw their own inference.

We are glad to see that the Legislature has taken up the Judiciary question, and that the Inferior Courts are proposed to be abolished. It will be recollected that several Petitions, numerously signed, went from this County last Session praying for their abolition. We believe the opinion of the inhabitants remains unchanged.

By the western mail we have New York and Quebec papers to the 5th instant. They contain the gratifying news that all was quiet along the frontier. Some of them notice the extraordinary fact that the navigation of the Lakes remained open up to the 28th ultimo—a circumstance which the oldest inhabitant does not recollect ever to have seen before.

PICTOU COUNTY ELECTION.—At the close of the Poll at New Glasgow on Friday last, it stood as follows: Dickson 858, McKenzie 907. The Poll was opened at Maxwellton on Monday, and at the close yesterday, Dickson was 35 a head of McKenzie. We understand the Poll will be finally closed to-morrow, and that there is every probability of Mr Dickson being returned.

MARRIED,

On the 9th instant, by the Rev. John McKinlay, Mr Alexander Kennedy, of Merigomish, to Miss Murdoch McKay, from Stornaway, Scotland.

On the 15th instant, by the same, Mr Adam Fraser, to Miss Agnes Queen, both of Chance Harbour.

On Sunday last, in St. James's Church, by the Rev. Charles Elliott, Mr William Morral, of the Albion Mines, to Miss Ann Priest, of Carriboo.

At St. Peter's, P. E. Island, recently, by John Jardine, Esq., J. P., Mr Franklin Sterns, formerly of Pictou, to Elizabeth, eldest daughter of the late Capt. Davidson, of St. Peter's.

DIED,

At the Albion Mines, on Wednesday last, Margaret, youngest daughter of Mrs Argo.

At Rogers' Hill, on the 21st ult., Mr John Matheson, aged 66 years, leaving a large circle of relatives and acquaintances, by whom his memory will long be cherished for the exemplary life he led on earth.

NETNA FIRE INSURANCE COMPANY, OF HARTFORD, CONN.

THE Company having determined to renew its business in Nova Scotia and Prince Edward Island, has appointed the Subscriber its Agent, by Power of Attorney duly executed for that purpose.

From the old standing of this Company, from its well known liberality and punctuality in the adjustment and payment of losses, and from the present moderate rates of premium, the subscriber is induced to hope it will receive that fair share of the business of this Province and of P. E. Island, which it before enjoyed.

By application to the Subscriber, if by letter post paid, the rates of premium can be ascertained and any farther information, that may be required will be freely communicated.

CHARLES YOUNG.

Halifax, N. S. Feb. 14, 1838.

70 BBLs. of prime fall Mackarel, for sale by A. P. ROSS. January 1, 1838.

CHEAP AND ELEGANT PERIODICAL.

THE HALIFAX PEARL is published every Saturday morning on superior paper and type, at the very low price of 13s per annum, if paid in advance. Each number contains eight large quarto pages. The first number of the *new series* of this work, beautifully printed on an enlarged sheet, has just been issued, and may be seen at the different book-stores in town.

The Pearl has been published for the public, not a section of it; and while endeavouring to amuse and improve all readers in turn, it has been very solicitous to give offence to none. It has sought to be entertaining, without violating morality and decorum; grave without tediousness, and moral, without austerity;—to impart useful knowledge, unembarrassed by crabbéd technicalities; to inculcate great principles, irrespective of party bias; or, to diffuse the all-important truths of revelation, divested of controverted tenets. It will ever eschew all political warfare and all polemical strife. The Pearl is confidently recommended, as a periodical unqualified in cheapness, respectable in general appearance, and in a literary point of view, not unworthy of an enlarged patronage. Persons who are desirous of subscribing to the Pearl from the commencement of the present year, are requested to forward their names, as early as possible, to either of the Halifax Booksellers, or to the Printing Office of Mr W. Cunneball, as but a limited number of copies have been struck off.

Postmasters and other Agents obtaining subscribers and forwarding the money in advance, will be entitled to receive one copy for every six names.

Agent for Pictou, A. P. Ross, Esquire.
PEARL OFFICE, Halifax, January 12.

DRUGS AND MEDICINES.

By late arrivals, the Subscriber has received large additions to his STOCK OF MEDICINES, which is now very extensive; comprising a general assortment of every thing usually kept by persons in his line;—all of which are offered for sale at moderate prices, for prompt payment.

JAMES D. B. FRASER,
Chemist & Druggist.

13,000 PRINCIPLE SEGARS in quarter boxes, for sale as above.
December 6.

EARLY SEEDOATS FOR SALE.

The subscriber offers a few bushels *Early Hop-ton Oats*, at 5s per bushel—weighing 42 lbs. They were sown last year on the 5th of May, and reaped on the 6th September, being the earliest cut in this County.

ALSO,

For Sale,—A few bushels superior Seed Wheat.
JAS. DAWSON.
January 31.

FOR SALE.

THAT VALUABLE FARM, occupied by Mr Robert Gass, situated $\frac{1}{2}$ a mile west of this town,—consisting of nearly EIGHTEEN ACRES, all fit for the plough.

There is on the premises, a neat STONE HOUSE, and near it an excellent spring of water. There are two thorn hedges planted the entire breadth of the Lot; and the whole will be delivered completely fenced if required. It will either be sold whole, or in two or four equal lots, as can be agreed on.
For further particulars, apply at this Office.
January 10.

LAND FOR SALE.

500 ACRES of Excellent LAND, at Kemptown, in the County of Colchester, near the head of Salmon River, westward of the road leading from Salmon River to E. Town, about 4 miles North of Mr John Archibald's Inn. The said lot was originally granted to Robert Jorral and Margaret Lindsay. The Land is mostly covered with hardwood and spruce, and is surrounded with good soil, sufficient to make a thriving Settlement in a few years. Two families now reside within three quarters of a mile of said Lot, and others are about to settle in its vicinity. As the Land has lately been surveyed, and lines marked by Mr Alexander Miller, Deputy Surveyor, Turo, persons wishing to purchase may apply to him, or to the subscriber by whom any further information can be given.

ROBERT DAWSON.

Pictou 1st December 1837.

TO LET:

ENTRY FIRST MAY NEXT,

One half of that new and well finished HOUSE, a part of which is now occupied by Mr Charles Robson,—containing A SHOP, CELLAR, KITCHEN, and SIX ROOMS,

Or, the promise can be let as a dwelling, exclusive of the shop.

Apply to J. Dawson [October 11.]

THE Firm of ROSS & PRIMROSE, of Pictou, merchants, is this day dissolved by mutual consent. All persons having claims on the said Firm, are requested to present them to Mr Ross, for liquidation, and all indebted to ROSS & PRIMROSE, are requested to make immediate payment to him.

A. P. ROSS.
J. PRIMROSE.

Pictou, 25th January, 1838.

The business heretofore carried on by ROSS & PRIMROSE, at Pictou, will in future be conducted by the Subscriber on his own account.

A. P. ROSS.

NOTICE.

ALL persons having any demands against JOTHAM BLANCHARD, Esquire, Barrister at Law, are requested to hand them in to the Office of the Subscriber; and those indebted to him are requested to make immediate payment to

JAMES FOGO,
Attorney at Law.

Any person having the loan of Books belonging to Mr B., are requested to return them as soon as possible.
January 31, 1838 m-m

FALL, 1837.

R. DAWSON,

Has received per ship *Westmorland*,

A GENERAL ASSORTMENT OF IRONMONGERY, HARDWARE, AND CUTLERY,

CONSISTING of—English and Swedes Iron; Crawley, German, blister and cast Steel; Borax; spikes, nails, brads and tacks;

PLOUGH MOUNTINGS, complete; pots, ovens, goblets, and sauce pans; copper and iron coal scoops; copper, B. M., and metal tea kettles, griddles;

SADDLERS' ASSORTED FURNISHINGS; coach larrings; cabinet and house brass furnishings; locks and hinges, (variety); fanner mountings; bed screws; garden hoes and rakes; Philad. plate mill saws, frame and other saws; razors, mathematical instruments; pocket compasses, butcher, shoe, table, jack, pen, and desk knives, iron and B. M. spoons; coffin furniture; plough traces; door knockers;

MATHIESON'S JOINERS' TOOLS, (well assorted);

Coopers' tools; lines and twines; Blacksmiths' and other files; collee mills; spades and shovels, brushes, candlesticks, CRIMPING MACHINES, brass sofa and table castors,

COUNTER BEAMS & WEIGHTS sad and box irons, cart and wagon bushe, chisels and gouges; Tailors' and other scissors; combs;

FENDERS AND FIRE IRONS; Franklin, Cooking, and Shop Stoves; Blacksmiths' bellows, anvils, and vices; cuo irons; bullet moulds; patent shot, powder; window glass; putty.

PAINT AND OIL; scythes, sickles; weavers' reeds; fiddlestrings, mirrors, (variety); Tinsmiths' iron and wire; &c. &c.

A suitable assortment of WOOLEN, COTTON, AND SILK GOODS.

A few Chinese and other rich SHAWLS; Palm leaf HATS, by the dozen; stuff and silk Hats; &c. &c.

ALSO:

Hyson, Congo, and Bohem TEAS;
SUGARS, COFFEE, RICE, superior ginger, tobacco, snuff, cigars, molasses, vinegar, crockery, sets China, shoe leather, &c. &c.; Water street, Pictou, June 16.

PORT OF PICTOU.

ABSTRACT OF IMPORTS AND EXPORTS, 1837

Imports from	No. of ships & vessels.	Tons	Men.	Estimated value Sterling.
Great Britain	20	5,718	245	20873 8 0
Havre de Grace	1	284	10	Ballast
Canada, New Brunswick, & Newf'nd, United States of America, Brit. Vessels, Do. Foreign ships & vessels	34	5,445	394	4252 0 11
Coasting	16	1,379	63	1,270 7 6
	171	31869	1172	2729 0 10
	158	11719	547	61218 12 8
Total	560	66414	2431	89889 4 11

Exports to	No. of Ships & Vessels	Tons	Men	Estimated Value, Sterling.
Great Britain	57	18,412	458	23724 18 11
Canada, New Brunswick, & Newf'nd, United States of America, British vessels	73	4,694	334	5630 17 1
Do For. Ships	29	2,082	102	1270 7 6
Coasting	172	32,152	1279	19100 19 8
Ships built.	237	5,069	626	22315 2 4
No. Tons	20	6,039		48312 0 0
Total	568	62320	2701	120356 0 6

In account of the Staple Articles, the Produce of this Province, exported in the year 1836, as compared with the Year ended 5th January 1835.

Description of Articles &c.	Year 1836.	Year 1837.
Beef and Pork	Barrels 2,856	Barrels 2,955
Boards, plank & deals	Feet 3,089,756	Feet 3,629,773
Butter	Firkins 1,718	Firkins 1,948
Coals	Chal. 33,196	Chal. 30,898
Coke	" 62	" 171
Masts and Spars	Number 396	Number 374
Oxen and Cows	" 632	" 645
Staves	" 79,041	" 65,215
Timber (hardwood)	Tons 2,662	Tons 3,204
Do. (pine & spruce)	" 6,932	" 7,904

PROVINCIAL LEGISLATURE.

LEGISLATIVE COUNCIL.

To His Excellency Major-General Sir COLIN CAMPBELL, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant-Governor and Commander in Chief in and over Her Majesty's Province of Nova-Scotia, and its Dependencies, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL.

May it please your Excellency:

We, her Majesty's dutiful and loyal subjects, the Legislative Council of Nova Scotia, humbly beg leave to thank your Excellency for the Speech with which you have been pleased to open the present Session of the Provincial Parliament.

We participate with your Excellency in the painful feelings which the demise of his late most gracious Majesty, King William the Fourth, excited throughout his widely extended dominions. The condescending regard which his Majesty often expressed towards this Province, as the scene where a portion of his early life was spent, has rendered his memory dear to its inhabitants; while the important events of universal interest which have characterised his reign, will ever give to that portion of our history a conspicuous place in the annals of the Empire.

We respond with the deepest emotion to the sentiments of devoted attachment and fealty to our august Queen Victoria, which her accession to the throne has called forth. It gives us pleasure to remember the warm interest which her late Father ever evinced in the wel-

ture of this Province where he long resided, associates her Majesty more readily with its inhabitants, and we feel with your Excellency that her age and sex draw around her the affections of her subjects with deeper interest.

The unhappy events in the Canadas have excited our deep regret, but we find great satisfaction in the assurance that the traitorous attempts of designing men have been suppressed. We rejoice that the gallant militia of Upper Canada met in so distinguished a manner the emergency which called their loyalty and courage into exercise; and indulge with pleasure the hope which your Excellency affords us that the desperate band of wicked and misguided men on Navy Island, still found in opposition to the just authority of her Majesty and the Laws, being deprived, through the intervention of the Government of the United States, of foreign aid, may speedily be dispersed, and the miseries of violence and disorder be altogether stayed in our Sister Colonies.

We feel happy that the Addresses from numerous parts of the Province have conveyed to your Excellency declarations of unshaken loyalty to her Majesty's Person and Government; uniting in our body Members from various parts of the Province, we are enabled to assure your Excellency that such is the universal feeling of Nova Scotia, nor can we fail to use the present as a fit occasion to tender to her Majesty, in unison with her fellow subjects, our own expression of similar sentiments.

In the congratulations expressed by your Excellency on the late bountiful harvest which has diffused prosperity through the land, and is the just cause of the liveliest gratitude and devotion to the Almighty Giver of all our blessings, we most cordially unite with your Excellency.

The increase of the Revenue, and the faithful discharge of all demands upon the Treasury, are very gratifying.

In the application of our augmented resources, we shall not fail to be guided by your Excellency's recommendation for their economical expenditure. Agreeing as we entirely do in the sentiments expressed by your Excellency regarding the state of the militia, we shall readily adopt any measures that may be proper for the improvement of its discipline and the increase of its efficiency.

No effort on our part shall be wanting to ensure harmony in the performance of our Legislative labours, deeply convinced that conducted in such a spirit alone they will be beneficial to the Province, and your Excellency's administration of the Government enables us to rely with perfect confidence upon your co-operation in every measure which may advance the interests, and promote the peace, happiness, and prosperity of the people of Nova Scotia.

HIS EXCELLENCY'S REPLY.

Honourable Gentlemen of the Legislative Council,

I receive this Address with the highest satisfaction, and wish you to be assured that I have a just sense of your dutiful and loyal attachment to her Majesty's Person and Government, and I feel particularly gratified to find that my administration of this Government has enabled you to rely with confidence upon my co-operation in every measure that may advance the prosperity of Nova Scotia, which our Gracious Sovereign has been pleased to confide to my care.

HOUSE OF ASSEMBLY.

THURSDAY, FEBY. 8.—*The Judiciary.*

On this morning the House went into a committee of the whole to consider of the Judiciary, when a printed paper submitted by Mr Young, containing Six Resolutions, with

their recitals, and a number of suggestions to be submitted to the select Committee, was read by the Clerk. The first four Resolutions was as follows:

Whereas the mode of pleading and rules of practice of the Court of Chancery in this Province, the conditions imposed upon appeals, and the determination thereof by the Court as now constituted, and the mode of granting injunctions, and of ascertaining and trying facts therein, have been found in many respects inconvenient and injurious,—*Resolved therefore*, as the opinion of this House, that the principles and practice of the Court of Chancery in this Province should hereafter be modified and altered in these and other particulars, and that the Master of the Rolls be the Judge thereof, and continue to hold the said Court for the hearing and determination of Suits and Actions in equity causes, under such rules and modifications of the proceedings and practice therein as may be hereafter devised and adopted.

Resolved, as the opinion of this House, That the Court of Marriage and Divorce should hereafter be composed of five Commissioners, to be appointed by his Excellency the Lieutenant Governor to serve gratuitously and any three of them to form the said Court.

Resolved, as the opinion of this House, that all Petitions and Orders for the sale of the Real Estate of persons who have died insolvent, should hereafter be addressed to, and made by the Supreme Court in Term, or by any two Judges thereof at Chambers, who shall have power to direct such inquiries, and to order such proceedings in relation thereto, as shall satisfy them that such orders should pass; the Commissioners to be named by the Judges of Probate in the several Counties.

Resolved, That a Committee be appointed to consider under what guards and provisions the foregoing Resolutions can be most effectually and conveniently carried into practice, with power to send for persons and papers, to communicate with the Chief Justice and Judges of the Supreme Court and the Master of the Rolls, and to report by Bill or otherwise to this House during the present Session.

The 5th was to this effect—the preamble, being long, is omitted.

Resolved, therefore, as the opinion of this house, That the Inferior Courts should be altogether abolished, and that the causes now depending therein should be transferred to the Supreme Court.

The 6th went to appoint a Committee to confer with the Judges, and to ascertain upon what terms the arrangement could be carried into effect.

Mr Young opened the debate by observing that he held in his hand, and would now proceed to illustrate, the general principles on which he had framed the resolutions that had been printed at the suggestion of the house. No subject was of more momentous importance than the due regulation of the Judiciary. He would not attempt, by elaborate descriptions, or periods finely turned, to impress more firmly on the minds of the Committee, what every well informed judgment admits. It is enough that the upright impartial administration of justice, is the grand object, as it ought to be the first care, of a good government. And, indeed, it has been justly said, that all its pomp and terrors, its costly machinery and military force, are principally useful as securing to Courts of Justice the free exercise of their functions, undisturbed by foreign invasion or domestic broils. I would lay it down, Mr Chairman, as a maxim, that where a system of jurisprudence has been long established, has obtained a firm footing, and gained the affections, and been accommodated to the habits of a people, any essential change should be attempt-

ed with great caution, and its probable effects surveyed on all sides. Unless it be made clearly to appear, that a necessary practical improvement will be attained, that some positive evil may be redressed, it is the wiser course to pause, and rather "bear the ills we have, than fly to those we know not of." With these views, Mr Chairman, it will be obvious that I would not venture to embody the changes I propose in these resolutions, until I had convinced my own judgement that they would be highly beneficial, and were demanded by the circumstances of the Province. The petitions laid upon your table last year, and which could easily have been multiplied, the bills that have been presented in the session, the tone of public opinion, and the general impressions of members, indicates that some alteration of our Judiciary is wanted; and in preparing for the question, I have thought it best to exhibit in one view what appears to me advisable, with regard to the Court of Equity, as well as to those of common law. I am aware, Sir, that it will not be easy to render a discussion, turning in some measure upon technical points, as familiar and clear as I could wish—but I shall studiously avoid what might be obscure, and will aim at conveying to the Committee a condensed and lucid picture of my own thoughts. And first, as to our Equity jurisdiction, I know there is a division of opinion in the Committee. Some are inclined to think that it might be incorporated with the common law, and be transferred without inconvenience to the Supreme Court. This question has been long debated by some of the ablest lawyers America has produced. During my recent visit to the States, I directed my particular attention to the practical working of the system as it is there exhibited, under both aspects, of an independent and combined jurisdiction, and heard the opinions of many of their judges and practitioners. I enjoyed, too, the advantage of a personal communication with Chancellor Kent and Judge Story—lawyers whose attainments and brilliant reputation are not surpassed by any even in Europe; and gathered this general result, that however the question might be if a new system were to be framed for the first time, it was next to impossible to incorporate the two jurisdictions, where they had existed for any length of time distinct and separate, and the modes of proceeding in either court had been fixed and established. Such is the case in England, where the Equity jurisdictions may be traced back to the days of the Richards and the Edwards, and has grown up in the lapse of centuries, a complicated and stupendous fabric. In our own Province, the Court of Chancery has existed from our earliest records. The first injunction was issued in 1751, before we had obtained a legislature; the first bill for an account was filed in 1753, and the first foreclosure took place in 1761.—It appears by the returns upon your table that upwards of 1200 causes have been commenced in that Court, 460 of which are subsequent to the appointment of the late Master of the Rolls in 1826. An infinite number of titles depend on the decrees in these various suits and the habits of thinking at the bar, and the modes of conducting business, have been so completely moulded on the system of an independent equity jurisdiction, that great confusion must follow any attempt to destroy it.

Yet that such a jurisdiction, or process analogous to it, is indispensable to the due administration of justice—will be denied by no one conversant with the subject; the want of it, has been often felt and lamented in Massachusetts where as many wrongs and even gross frauds, may be committed for which the law of that State, incredible as it may appear, afford no remedy whatever. This singular anomaly

one of their leading barristers was obliged to admit; when impressed on him by a variety of cases in which our chancery following the English principles, would give adequate relief.—Here the learned member illustrated his position by several cases, that had occurred in actual practice, and descended on the nature and operation of the Equity law in the settling of perjury accounts, the restraining of mischiefs by injunction, and the rectifying of mistakes in a deed or policy. I have put these examples, Mr Chairman, as matters of daily occurrence, and which are only a small part of Equity jurisdiction, that its application to the business of life may be clearly apprehended, and no one in my imagination that it could be abolished without the direct management of fraud, injustice, and oppression. Neither do I think, it could now be incorporated into our Supreme Court. The experiment has been tried in Massachusetts, Pennsylvania, and other of the old Colonies. They have not a distinct Equity Court like New York, or Carolina, and the consequence has been deviation from fixed principles, and uncertainty and fluctuation in their Judges bending the rules of the law to the exigencies of a particular case, which deprive their decisions of much of the authority the high character of their Judges would otherwise have conferred on them. And, Sir, when the decision of courts cease to be steadfast and sure guides amid the proverbial uncertainties of the law—no man knows what to advise, and the opinions of the Council, which settle far more disputes than the decrees of Judges, can no longer avert the evils of litigation. But Mr Chairman, while I would thus advocate the necessity of maintaining our Court of Equity, I must admit that there are some defects in its practice and mode of proceeding, worthy of the grave consideration of this Committee. And first of all, I think it indispensable to provide an easy and effectual appeal from the decision of the Master of the Rolls. I shall not urge this necessity, with any particular reference to the Judge by whom that office is at present held. His individual opinion upon questions of Equity law, I look upon as higher authority, of more intrinsic value, than that of any other single mind in Nova Scotia; he has devoted all the energies of a powerful understanding to this science, and confessedly master of it. Having practised much in his Court, I have always received from him the courtesy due to a Barrister, and have the less reason to be dissatisfied with his decisions, as for the most part they have been in favour of my clients. My views of an appeal, therefore, would be the same if the office was held by our honorable Speaker or the Solicitor General, or any of the leading minds at our Bar. And when we consider, Mr Chairman, the mere and importance of the questions that are occasionally decided at the Rolls, and the large amounts of property that pass through the Court—I think it indisputable, that a regard to its permanence and reputation, requires that suitors should have the power to appeal. As it now exists, it is the name only, and not the substance—under the English rule, as adapted as it is to this country a deposit of £20 is insisted on as a guarantee for costs. His excellency not being a lawyer is of course incompetent—though he is the Chancellor, to review the Master of the Rolls; if he call the Judges of the supreme Court to his aid, they need not attend unless they think fit, and when they do, they may be divided in opinions, and look upon it as no part of their regular duty. For these and other reasons it may be said, that in practice there is no appeal, and the decisions of a single Judge are acquiesced in, though in some instances parties would be most anxiously inquired in what way this difficulty may be surmounted, and can devise no

other plan, though by no means free from objections, than to allow an appeal in all cases to the Supreme Court. Delegates cannot be obtained within the Province, and any other Tribunal would be too remote and expensive. Now in the Supreme Court, we have four, of the first legal minds sitting as judges, and competent to understand and apply whatever argument may be addressed to them, whether on a point of equity or common law—where else can we resort but to these Judges? If an appeal is to be had here is the only practicable mode, and properly guarded as the suggestions attached to these resolutions propose, it would remove a fruitful topic of complaint, and lend a new sanction to the decrees of our Equity Court.

The second grand improvement I would aim at, is the submitting of material facts disputed under oath to the verdict of a jury. Nothing can be more cumbrous, expensive, and unsatisfactory, notwithstanding the late enactment, than the mode of taking evidence and investigating facts in a court of Equity. It costs three or four times as much, and never reaches the same precision or certainty as the verdict of a jury. (Here the learned member enlarged upon the two modes, contrasting them in various points of view, and contending feigned issues, as they are called, should be substituted for depositions in writing, and concluded this part of his subject, by a brief illustration of the laws as to injunctions, and the necessity of framing a body of rules to reduce the costs and prolixity of proceedings in equity.) He then went on—and now Mr Chairman, I shall touch very briefly on the resolutions as to the Court of marriage and divorce, and the sale of the real estate of persons dying insolvent. The Governor and Council have formed the Court of marriage and divorce from the first settlement of the Colony, since the most proper tribunal, while the Judges sat at the board. But now that they are entirely excluded it appears to me that the questions which sometimes arise in that court, should be decided by the first judicial minds in the Colony, to be commissioned by the Crown and assemble as cases may occur. This is no violent or radical change—the principles and practice of the court would remain untouched—and without expense we would have a more competent tribunal. For the same reason I would transfer the power of ordering the sale of insolvent estates to the Supreme Court. Under the old practice, though I will not assert that injustice, has been done, orders have been granted without due inquiry, and I am persuaded that a more rigorous scrutiny would introduce a greater degree of caution, and would sometimes save the inheritance for infant heirs and legatees.

And now, Sir, let us turn to the main question which comes directly home to the bosoms of the Committee, and will stir into activity a thousand interests and passions. One cannot look around these benches without perceiving all the evidences of conflicting opinion, and the influence of personal attachments and prepossessions, which are apt to warp and disturb the Judgement. The abolition of the Inferior Courts ought, I admit, to be thoroughly and maturely weighed. The consequence of so radical a change should be contemplated on every side, and if on a deliberate and full enquiry, and meeting the whole question in a manly, independent spirit, the house shall decide that it is proper to sustain these tribunals, let us say so to the country, and the public mind be set at rest. If the majority, again, shall think with me that their organization is radically defective and vicious, let us then apply ourselves to the remedies we have at hand, and, preserving the public faith, relieve the country from the greatest of all evils, an imperfect admini-

stration of justice. These inferior Courts existed in their original shape from the first settling of the Colony. They are referred to in the first Session of our Legislature, were clothed with peculiar powers in 1766, and were the only tribunals out of Halifax till the establishment of circuits in 1774. So they continued, held before the resident Justices till the famous act of 1824 gave them the new character, by placing at their head the three Lawyers, who were then added to our civil list. I purposely abstain, sir, from inquiring into the secret history of that memorable transaction. It had been well for our constituents, well for the profession, had it never appeared in the Provincial annals. Enough, too much perhaps, has been said about it, and I can see no practical advantage in exciting anew, passions that are now dormant, and might turn aside the present debate from its legitimate object. It was on this rock that the discussion, led by my learned friend Mr Murdoch, split in 1829, and my intention now is, to deal with these tribunals as they are, and to inquire into their utility and actual operation. The grand objection that lies against them in my mind is the independent, uncontrolled jurisdiction of the Judges. Each of them is confined to his own circuit—they have no common head, no adequate check on their decisions, no uniform system of practice. What is law at Annapolis, may not be law at Kentville or Pictou. The writ of certiorari to the Supreme Court is found in practice to afford a very inadequate remedy. The rights of parties are affected by many decisions which it cannot reach, and to these which it can reach, it is often difficult to apply it. In point of practice, the granting or refusal of a continuance, the admission or rejection of evidence, affect the interests of suitors and determine the fate of the actions, as completely as a charge to a jury. Suppose one of these Judges decides, as must often happen, contrary to the opinion of the Council and to the law—where is the remedy. Sir, there is no effectual appeal, and these Inferior Court Judges exercise an authority more absolute than those of the Supreme Court. It is in the very nature of things that mischief and injustice must flow from so anomalous and defective a system. Fluctuating and inconsistent decisions from courts of justice are deprecated by every sound thinker, as involving the elements of mischief and decay. And here I cannot but advert to a striking illustration, not found, I will venture to say, in any other dependency of the British Empire enjoying the privileges of freemen. We called, Sir, last Session, for a return of the fees taken by these first Justices of the common pleas. We had an immediate reply from Judge Ritchie, that he had received none; we knew that none were taken by Judge Haliburton—and it is equally notorious, that the fees are taken in the Eastern Division by Judge Sawers; he claims the right, and is said to vindicate himself under the practice of his predecessor, and a high legal opinion, in his possession; he that as it may, mark the anomaly. Under the same section of the Act which gave to these tribunals a legal existence—two, of the Three Judges conceive themselves not entitled to the fees which are demanded by the third, and when such is the case in a matter so deeply affecting the reputation and practical working of the system; how often and how widely must they differ, on points which settle the rights of suitors. With these views, I have no hesitation in publicly and boldly declaring that the legal rights of parties in these Inferior courts, are not guarded with the same sanction as in the Supreme—and therefore that the property, reputation and liberty of the subject, are less secure beyond Sackville Bridgetown in the metropolis. The

assertion is new—as it is startling, but notwithstanding it is true; I call upon gentlemen who are to be arranged on the opposite side to answer it if they can.

I am aware that the honorable Speaker will be inclined to maintain these courts.—(Here the Speaker rose and said he was not the advocate of any system—he was waiting to be informed, and did not know why his learned friend from Inverness should anticipate his opposition.) Mr Young resumed, I did not say that my honorable friend the Speaker was to be the advocate of any particular views—and I certainly have reason to think he will be opposed to mine, and if he is not so, will be agreeably disappointed. But, Mr. Chairman, while I have insisted on what in my mind is the fundamental objection to these courts, there are other considerations equally deserving the regard of this committee. Is there not something incongruous with our condition, something demanding inquiry as well as reform, in the fact that we have seven common law Judges, independent of the Chief Justice, in Cape Breton; who stand in a distinct footing, and cannot be moved. Is it indeed necessary that the one administration of justice in this tranquil and loyal colony, should exhaust one twelfth, at least, if not a tenth of our whole revenue? Where again is the British Province or Island which has modelled her Judiciary on the same extravagant scale—and if it can be shewn that it can be reduced at least one third, what country is there that would not submit to some little inconvenience, that this House may have a larger sum to dedicate to internal improvement—and a mighty improvement it would be, in leaving to the people more unrestrained disposal of their time, by the abolishing of useless courts. Whenever the inhabitants of a district are summoned from their homes as jurors, witnesses or parties, the steady industry of the country is interrupted, and the wealth of the community diminished, by the whole amount which the productive labor thus withdrawn would have yielded. Can there be any necessity or reason for the rural population of this Province, having four courts or even three in a year? And if two, as I contend, are in all cases enough, who shall estimate the extent to which the provincial capital and the habits of the people, are injured by this wasteful superfluity of litigation? The experience of the mother country, and that of the neighboring colonies, is an instructive guide, and as we have wandered apart from it let us not be ashamed to retrace our steps.—(The learned gentleman here explained at considerable length the details of the plan, which were not embodied in the resolutions, but proposed to be submitted to the select committee, anticipating and answering objections as to the periods of sitting, the time of the session, the provision to be made for the first justices until some other office, judicial or otherwise, should be offered to them, the result drawn from the returns of actions and trials, and other particulars—and concluded a speech of about an hour and a half in nearly the following terms.) These, Mr Chairman, are the outlines of the plan I have matured, and although I am far from holding it to be perfect, and doubt not that a multitude of objections will be raised, I have satisfied my own mind that it is practicable. New lights will be struck out in debate, and I shall listen with curiosity and interest, in order to inform my own judgment. I would not have presumed to take the lead in this discussion, had not my professional habits, and close application to the study and practice of the law for nearly twenty years, given me at least the aid of experience. My own motives, resting on public principles, will escape, I am satisfied, all imputation; and should a Committee be moved, I shall be ready

to devote to it my best skill, and all the energies of a mind thoroughly convinced of the soundness and of the practicability of this legal reform.

[Mr Young having concluded, the Speaker rose and said, that as it was late in the day he would remove the adjournment, and in the morning to take an opportunity to review the propositions put forward by the hon. and learned Member from Inverness.]

The debate will be continued in our next.

From Halifax Papers.

LORD GLENELG.—Ever since the despatches have been published, the Nova-Scotia Tories are loud in their abuse of this Nobleman, and are very anxious for a reform of the Colonial Office. In the good old times, when a letter from a Bishop, or a despatch from a Council sitting in Secret, had more influence in Downing Street than the gravest remonstrance from a Colonial Legislature, all was right—there was no occasion for any Reform! Poor souls—we pity them, as we would a monopolist disappointed of unhallowed gains by the bountiful harvest that fills the hearts of a whole People with joy.—*Nova Scotian, Feb. 14.*

GESNER'S GEOLOGY.—This work has been republished in London by John Snow, No. 26 Paternoster Row, and has been favorably noticed in Chambers' Edinburgh Journal, and has elicited an extended and flattering judgement from the London Monthly Reviews.—*Id.*

Extract of a Letter from Parrsbor, dated Jan. 23.—There are a number of cases of small-pox here; and so mild is the season, that vessels still cross the Basin of Mines, without the risk of being caught in the ice.

P. E. ISLAND.—The Legislature was opened on Thursday the 23d Jan. The three Members of Assembly, J. W. LeLacheur, W. Cooper, and John McIntosh, who were placed in custody of the Serjeant at arms in the last Session of the Assembly, and refused to apologise in the terms dictated by the house, have in the present Session, again been handed over to the above named functionary.

R. DAWSON

HAS on hand, a quantity of SHEET COPPER; and BOAT NAILS, assorted.
Also: Codfish Oil. tf January 17.

AGRICULTURAL PRODUCE

Of all kinds, will be received in payment of the Bee.

ALSO,

Coals, Shingles, and pine & hemlock Boards.

NOTICE.

ALL persons indebted to ROBERT HOCKIN, for Horse Doctoring or Farriery, are requested to settle their Accounts before the 25th day of February next; those failing to do so, will then be dealt with as the law directs—let the amount be ever so small.
January 31. b-w

IN THE PRESS, AND SHORTLY WILL BE PUBLISHED A NEW SELECTION OF CHURCH MUSIC, TO BE CALLED "THE HARMONICON."

As but a limited number of Copies are printing, those wishing to become subscribers to the Work will please hand in their names without delay.
May, 1837.

2 TONS OATMEAL WANTED by the Subscriber. J. DAWSON.
February 14. u-w

ADMINISTRATION NOTICES.

ALL persons having any just demands against the estate of the late **JOHN RUSSELL**, chain manufacturer and blacksmith of Pictou, deceased, are hereby requested to render the same within eighteen calendar months from the date hereof; and all persons indebted to said estate, are requested to make immediate payment to Peter Grant, at the residence of the deceased, who is fully authorised to adjust the concern.
JOHN RUSSELL, Jun'r, } Ex'rs.
JAMES McINTYRE, }
PETER GRANT. }
Pictou, Dec. 7, 1836. ca-m

ALL persons having any demands against the estate of **JAMES SMITH**, late of Pictou, Merchant, deceased, are hereby requested to render the same, duly attested, within eighteen calendar months from the date hereof; and all persons in any manner indebted to said estate, are requested to make immediate payment to **JANN SMITH**, Administratrix
Pictou, 13th December, 1837. m-m

ALL persons having any demands against the Estate of the late **ALEXANDER MCKENZIE**, Island, East River, deceased, are hereby required to render the same duly attested to, within eighteen Calendar months from the date hereof, to either of the subscribers; and all persons in any manner indebted to the said deceased, are requested to make immediate payment to **JANE MCKENZIE Ex'rs.**
ALEX. FRASER, Jr. Forks, } Ex'rs.
**ROBERT GRANT, }
East River, 29th November, 1837. ca-m**

ALL persons having any legal demands against the estate of the late **DAVID P. PATTERSON**, of Pictou, deceased, are requested to render the same duly attested, within eighteen months from the date hereof; and all persons indebted to the said estate are requested to make immediate payment to the subscribers.
R. S. PATTERSON, } Admrs.
**ABRAM PATTERSON, }
Pictou, 26th July, 1837. if**

ALL persons having any demands against the Estate of **JOHN DOULL**, late of Point Breuly, Merchant, deceased, are hereby requested to render the same duly attested to, at the office of Henry Blackadar, Esquire, Barrister at Law, Pictou, within eighteen calendar months from the date hereof; and all persons in any manner indebted to said Estate are requested to make immediate payment.
JANE DOULL, Administratrix
Point Breuly, 20th October, 1836. if

ALL persons having any demands against the Estate of the late **WILLIAM CAMPBELL**, of Pictou, in the County of Pictou, deceased, are requested to render the same duly attested, within eighteen calendar months from the date hereof; and all persons indebted to the said estate, are requested to make immediate payment to the subscribers.
ALEXANDER CAMPBELL, } Admrs.
**THOMAS CAMPBELL, }
**ANDREW MILLAR, }
Pictou, 2d May, 1837. if****

ALL persons having any legal demands against the estate of the late **DONALD CHISHOLM**, East River, farmer, deceased, are requested to render the same duly attested, within eighteen calendar months from this date; and all persons indebted to said estate, are requested to make immediate payment to **ELIZABETH CHISHOLM, Adm'rs.**
**HUGH CHISHOLM, }
**WILLIAM ROBERTSON }
East River, Sept. 4, 1837.****

ALMANACS FOR 1838, For sale for 7½d each, by J. Dawson

POETRY.

THE SAILOR'S SONG.

O, Pilot, 'tis a fearful night!
There's danger in the deep;
I'll come and walk the deck with thee,
I do not care to sleep!
Go down! the sailor crew,—go down!
This is no place for thee,—
Fear not,—but trust in Providence
Wherever thou may'st be.

O, Pilot, danger's often met,
We all are apt to slight;
And thou hast known these raging seas
But to subdue their might.
It is not apathy, he cried,
That gives thee strength to me—
Fear not,—but trust in Providence
Wherever thou may'st be.

On such a night the sea engulfed
My father's lifeless form—
My only brother's boat went down
In just so wild a storm:
And such, perhaps, may be my fate—
But still I say to thee
Fear not,—but trust in Providence
Wherever thou may'st be.

MISCELLANY.

EXTRAORDINARY FEAT.

An advertisement appeared in one of the Liverpool journals, announcing the intention of a Samuel Patchett to perform one of the most daring feats, on Monday, which a reckless adventurer ever attempted. Patchett declared his intention to leap from a height of 193 feet into the Victoria Dock. On the first leap he engaged to change his dress while under water; on the second to turn a somerset in the act of descent, and to fire off a pistol. By many the advertisement was regarded as a hoax. In spite of their surmises, and notwithstanding the inclement state of the weather, at the appointed hour, 12 o'clock, the wharves of Victoria Dock were lined with upwards of 12,000 people. The decks, shrouds, and rigging of every vessel, from which a view of the feat could be obtained, swarmed with spectators. Indeed, at one time serious fears were entertained that some of the ships, overloaded by the heavy top weight of the mass of the people suspended in the rigging, would capsize. A few minutes after 12 the adventurer appeared. He ascended the main shrouds of the *Duke of Devon Castle*, and after having reached the royal mast-trunk (at a distance of at least 150 feet from the water), he dared the leap, succeeded in clearing the sides of the vessel, plunging into the dock dressed as a man, and in a few minutes rose to the surface attired as a woman. A few minutes after two, he again appeared to risk the chance of a second leap. On this occasion he engaged to fire a pistol, and to sing a somerset while descending. A severe gale and heavy shower appeared to thwart his purpose. After careful adjustment of his balance, the man sprang from the trunk; his descent at first was rapid and direct, before he reached the lower yards his position was horizontal. At this moment the crowd was breathless. It was feared that if he did not recover his perpendicular position, he would be severely lacerated in striking the water. In a moment, suspense was at an end. He fired off the pistol; and, aware of his danger, contrived to break the force of his fall by projecting his elbows. He grazed the water with his shoulder-blade, neither his head nor his feet being immersed. So slightly was he exhausted, that he rowed ashore the boat that was awaiting

him. This feat, we believe, is without precedent. Patchett is a native of London.—*John Bull*, Dec. 3.

ANECDOTE OF MR. HAYNES, THE COLOURED PREACHER.—It is said that some time after the publication of his sermon on the text "Thou shalt not surely die," two reckless young men having agreed together to try his wit, one of them said—"Father Haynes, have you heard the good news?" "No," said Mr Haynes, "what is it?" "It is great news indeed," said the other, "and, if true, your business is done." "What is it?" again inquired Mr Haynes. "Why," said the first, "the devil is dead." In a moment, the old gentleman replied, lifting up both hands and placing them on the heads of the young men, and in a tone of solemn concern, "O poor fatherless children! what will become of you?"

FORTUNATE BEGGARS.—There are various instances on record, of London street beggars having amassed fortunes, varying from £1500 to £1000. In one or two very rare instances they have been still more fortunate. Some years ago a woman, who had stood with a broom in her hand for about a quarter of a century, in the neighborhood of Charing Cross died worth £2000. She got the name of "the banker" among the fraternity, because she was in the habit of lending small sums to others at an enormous rate of interest. She sometimes lent considerable sums to tradesmen, but never unless she received an exorbitant rate of interest.—It was proved by a bill found in her possession, after her death, that she had lent one tradesman at Westminster £50 for three months but at the monstrous interest of 50 per cent per annum.—But the most extraordinary instance of good fortune in this way was exhibited in the case of a man, a black, who for nearly thirty years swept another crossing at Charing-Cross. He actually saved in that time by his profession £5000, that sum being found at his death in the wretched hotel in which he vegetated, so that none of it could have been the proceeds of interest on stock. Another woman, who for many years swept a crossing in the Kent road left at her death, £1500 to a clerk in the Bank of England, simply because he was in the habit of giving her a penny more frequently than any other passer by she knew.

INFLUENCE OF THE MIND ON DIGESTION.—The state of the mind exerts a powerful influence not only on the stomach, but on the whole process of nutrition, and greatly modifies the quantity which may be safely eaten.—If the mind be gay and joyous, appetite will be comparatively keen, digestion effective, and nutrition complete. Examples of this kind abound in childhood and among easy-minded well-fed peasantry. Whereas, if the mind be harassed, by care and anxiety, or devoured by grief, envy, jealousy, or other troubles and disquieting passions, healthy calls of appetite will be scarcely known, and digestion and nutrition will be equally impaired. The fact is exemplified on a large scale in every commercial country, and especially in times of public distress and political change.

Even experience must have taught every one with what zest we sit down to enjoy the pleasures of the table, and how largely we are inclined to eat, when the mind is free, unburdened and joyous, compared with the little attention we bestow on our meals when we are overwhelmed with anxiety, or have the whole energies of the mind concentrated on some important scheme. There cannot be a doubt indeed, that the over exertion, excitement, or absolute inertness of the mind, in which sedentary people are generally immersed, contri-

butes greatly, along with the want of muscular exercise in the open air, to impair the tone of the digestive organs. In this way, as it is not less justly than forcibly remarked by Dr. Caldwell, "dyspepsia commences, perhaps as often in the brain as in the stomach. Possibly oftener. That this is true of the disease in Europe will scarcely be denied, after a fair examination of the facts connected with it. It is there almost exclusively a complaint of the studious and scheming, who, ever taxing the brains, injure them by toil."

In denouncing active exercise of body or mind, immediately after eating, as inimical to digestion, it is not meant that we should go to sleep, or indulge in absolute listlessness. A weak constitution may require something like a complete repose; but a person in ordinary health may indulge in a leisurely saunter, or pleasant conversation, not only without injury, but with positive benefit; and perhaps there is no situation in which digestion goes on so favorably, as during the cheerful play of sentiment in the after-dinner small talk of a well-assorted circle. The nervous stimulus sent to the stomach, is then of the healthful and invigorating description; and even the dyspeptic, if on his guard against a heavy meal, forgets his woes amid the unwonted vigor of his functions.

HEIGHT OF IMPUDENCE.—Asking a man to drink, and then requesting him to pay for it.

HEIGHT OF ECSTASY.—A correspondent of a paper signing *Esq.*, to the tail of his communications.

PERJURY.—It is said, that, taking into the account oaths of office, oaths at elections, custom house oaths, &c. there are about a million of perjuries committed in England annually.

A PACKED JURY.—During a late trial in one of the interior towns of this state, the 12 jurors were stowed away each night in a single bed in a room 6 feet by eight—*Verburn Sentinel*.

A FOWL UNDERTAKING.—A newspaper has lately been started at a place called "Buzzard Roost," by the name of "The Owl"—published by Dick Dashall.—*N. O. Herald*.

CAUTION TO BOOK-BORROWERS.—A verdict of twenty guineas was lately given in a Sheriff's Court, against a gentleman whose wife extracted some engravings from a work lent to her by a friend.

REEFING TOPSAILS.—We learn from the *Zion's Herald* that Captain John Wode of the city of Boston, but now of New Orleans, has hit upon a simple contrivance, by which all the sails of a vessel can be reefed in a speedy and perfect manner, while standing on the deck. He has just taken out a patent for it at Washington.

AUTOMATON PAGANINI.—Mons. Moreppe of Paris has invented an automaton which will play any piece of music on the violin, however difficult.

CURIOUS DECISION.—It has been decided in England, that a man is not accountable for the support of his wife if she has proved unfaithful to him—but the necessary expenses for her maintenance are chargeable to her father.

AGENTS
FOR THE BEE.

Charlottetown, P. E. I.—Mr. DENNIS REDDIN.
Halifax—Messrs. A. & W. McKENLAX.
Truro—Mr. CHARLES BLANCHARD.
Guysboro'—ROBERT HARTSHORN, Esq.
Tatmagoche—Mr. WILLIAM MCCONNELL.
Wallace—DANIEL MCFARLANE, Esq.