LEGISLATIVE COUNCIL CHAMBER,

MONDAY, May 1.

EXCLUSION BILL.

The hon. Mr. HOLL.—In moving the second reading of the Bill intituled "an act to secure the Independence of the Legislative Council and assembly," my observations will be few, and the little I may say in support of its merits will not, perhaps, be of much avail, from the expression of hostility which has been manifested on the part of your Honors; nevertheless, the advantages that would result to the public interests if the provisions of this Bill were fairly carried out would be far greater than some of your Honors may be willing to admit. If passed into a law it would have the effect of placing you on a high eminence in public estimation and beyond the reach of every imputation of self interest and motives of private consideration. And it is with a view to procure an encrease of public respect towards the members of this honorable Body that I am the advocate of this measure; under a conviction that in order to possess the confidence of the people, and that our acts and deliberations may have due weight, our first and best efforts should be directed to the establishment of the independence of both branches of the legislature. Private considerations will, in spite of all that may be said to the contrary, too frequently prejudice the judgment but when we have the highly responsible duty to perform of framing and maturing measures in which great public interests may be involved, and by which the well-being of every individual in the colony may be more or less affected, it behoves us to come to the consideration of them with an unbiassed and patriotic spirit, altogether uninfluenced by private and personal considerations. The Bill is the same in principle with that which has been recently carried in Canada. (The hon. Col. Swabey "I deny that it is") I beg leave to differ with his Honor and am prepared to prove, that if the relative position of this colony and Canada, as regards extent and population, be taken into consideration, the number of salaried officers who will be allowed to hold seats in the legislature here, by the Bill before us, is as great in proportion, as is allowed in Canada. Knowing, however the opinion entertained by certain of your Honors and your determination to reject this Bill, I shall without further preface move the second reading of the Bill.

The hon. Col. GRAY.—In seconding the motion of my hon. friend for the second reading of the Bill, I deem it almost superfluous to offer any comments upon it at all. During the last 18 months that I have been in the colony numbers of my fellow countrymen have been, I know, sincercly anxious that such a measure should be passed, and I am satisfied that their prayers will be met by this Bill if it be carried. I am certain that ⅔ds of the people are in favor of this Bill, and in copying the example set by Canada we are doing well and following in the right path—In one of our late debates when this subject was incidentally introduced, it was asked, what was the corruption in the late Government? and I now reply that it is for the purpose of guarding against such a thing that I wish that certain officers should not be in the legislature, and that practice has been followed in England for many years; and so rigidly is the law in that country enforced that if any one employed in the collection of her Majesty's revenue should interfere in Elections he shall be not only dismissed from the service but fined in the sum of £100: and if such a rule is considered absolutely necessary in so old and well regulated a country how much more necessary is it in so young a country as this, with a view to avoid even the appearance of corruption, that certain public officers in the pay of government should not hold seats in the legislature. When I find that this bill has been carried in the lower house by a majority of more than two to one I am satisfied I never can do wrong in upholding such a system of responsible Government as I am well aware of the private opinion entertained by the late nobleman and his talented legal adviser from whom this blessing originally emanated, and my firm impression is that it will be a joyful day for this country when it becomes a law.

The hon. Col. SWABEY.—In one of our late debates the subject now before your Honors was introduced and received then so much attention, that I think it would be taking up too much of your time to go over the same ground again, and, therefore, I will not say another word than I said on that occasion. If the principle recognized by the bill were conceded, no body in the slightest degree vested in political subjects could suppose that it would receive the Royal allowance. It prevents and cramps the people's means of choice and goes down the scale so low as Commissioners of Roads and small debts, taking away from the choice of the people the best of the population. If that Bill were carried, the people would not have a sensible man to represent them in the legislature. I feel it to be my duty to oppose the second reading of the Bill.

The hon. Mr. DINGWELL.—If I thought that the Bill would be for the good of the country I would certainly vote for it, but being of quite a contrary opinion it cannot receive my support; and, without in the slightest degree seeking to make improper reflections on or even to intermeddle at all with what concerns the House of Assembly, I feel convinced that in sending up that Bill the members of the other branch knew well that it would never pass this House. Such being my conscientious convictions and fully coinciding in the sentiments expressed by my honorable friend, Col. Swaby, I shall feel it to be my duty to vote against the second reading of the Bill.

The hon. Mr. HOLL.—I maintain in reply to his Honor Col. Swabey that Commissioners of Roads should be excluded and think his Honor has made an unfortunate selection from the list in objecting to the application of the principle of this Bill to such officers. I think it wrong that any officer who first votes for a grant of money for the public service then in his official capacity expends it, and has thirdly to audit or pass his own accounts, should hold a seat in the legislature. I do not say that any evils have resulted from the system, but abuses might arise and this bill will prevent them.

The hon. Col. SWABEY.—As the subject of Road Commissioners has been introduced into the debate I avail myself of the opportunity afforded me of contradicting an unfounded charge that has recently in the lower house been preferred against a certain Road Commissioner in Queen's County, for I know it to be a fact that the late Road Correspondent, who was also the Colonial Secretary, had that Road Commissioner's account strictly audited before he passed his account, and therefore a great injustice has been done to that officer. He was pulled up before a Committee of the House of Assembly and his conduct improperly commented on after his account had been proved and certified by the auditors to be correct.

The Hon. JOSEPH HENSLEY.—Only a few days ago when this House was in Committee on the address to the Lieut. Governor, the principles of this Bill were fully debated, and I then had an opportunity of stating my opinion upon it. I consider it unnecessary on the present occasion to take up the time of the House with further discussion upon it. I am still opposed to the Bill, and do not think that corruption, if it existed among the public officers, would be prevented by its provisions. I am fully justified in drawing this conclusion from what I find now actually to be the case, in that respect, in the United States, where political corruption exists to a fearful extent. The argument made use of by His Honor Mr. Holl to convince us, that a Road Commissioner should not have a seat in the legislature, if of any value, applies equally to the Colonial Secretary who acts as Road Correspondent, as a member of the Legislature votes the Road money, as correspondent disburses it, and again in the Assembly sits in judgement on his own accounts. There is this very material difference, however, between a Road Correspondent and the Colonial Secretary, that whilst the former receives only £10 a year for his services, the latter receives £400 a year.

The Hon. Mr. HOLL.—My opinion is that the Colonial Secretary should not be Correspondent of Roads also,—the offices are incompatible, the duties of the latter interfering too much with those of the Colonial Secretaryship—in fact these offices should be separated.

The Hon. Col. SWABEY.— No, I would oppose any thing of the kind.

The Hon. COL. GRAY.—As to the expediency of the Attorney General and Colonial Secretary having seats in the Legislature, many I know do not admit it but rather consider it as an evil. As for myself, I would rather exclude every salaried officer from the Government, but it would appear, from the recommendation in the Despatch of several Secretaries of State for the Colonies, that they have conceived it necessary that these particular officers should be in the Legislature but none of the others were required to be so.

His Honor the PRESIDENT.—I will not occupy much of your Honor's time with what I have to say on the subject under consideration. I look upon this Bill, as having been introduced in consequence of the Address of your Honors to His Excellency the Lt. Governor, and I verily believe, that it would not have been introduced at all this Session, had the Government not felt themselves urged by the pressure of this House. And your Honors, when I look to the Officers that are by the Bill, to be excluded from a Seat in the Legislature, I can never believe that the other members of the House of Assembly entertained one serious thought, that it would meet with the sancton of this House, (the hon. Mr. Holl, "Mr. Fraser voted for it.") For it excludes all the leading men in the country, and I am also sure, that such a Bill was never submitted to the consideration of a Legislature in any other Colony. I deny that such a system prevails in Canada, as had been asserted in this House a day or two ago, and an Act (the hon Mr. Holl asked for the Act in question, but it could not be found.) I rather think, indeed I believe that the majority in the House of Assembly entertain feelings of a particular description towards certain members in this Hsuse, for the opposition they have had the hardihood to exhibit to their Government, and if it had not been so, such offices as the Judge of Probate, the Adjutant General of Militia, the Registrar of the Court of Admiralty, &c.,would not have figured in the Bill before us,—but really such a piece of of petty legislation is entirely beneath the grave consideration and dignity of this House—is not founded on justice—but has been framed with a view to carry out some purpose, which may well be called insidious. Your Honors, I feel indignant that such a Bill should have been brought up to this House. We are told too, save the mark, that is to purify!—that it is intended to make this Legislature independent! I did not know, your Honors, that this House had become so deteriorated—so sunk—so impure and so spotted with leprosy, that it stood in need of such a novel mode of purgation and cleansing, nor do I believe that it has, or that it is at all necessary for me to entreat you to pause before you pass this purging and purifying Bill. But his Honor Mr. Holl, also states, that it is necessary for the purpose of placing hon. members above all personal motives. I have been in this country now nearly 16 years, but unless the inhabitants are very much changed in their character, from what I have ever known them, they cannot with justice be accused of insidious designs or interested motives, (the hon. Mr. Holl, "the inhabitants of the City of Stagnation.") Then my hon. friend Col. Gray, comes to the charge and tells us, as an astounding fact, that two-thirds of the population are in favor of this Bill, and we are told that although his Honor has been here only some 18 months, that during that space of time, he has been able to discover more of what is reprehensible in the conduct of this community, than other hon members who have been far longer in the Colony. There is my hon. friend Mr. Dingwell who has told your Honors, he never before even heard of such things, far less seen them. Perhaps his Honor (Col. Gray) will excuse me if I ask for the evidence. His Honor may refer me to the present majurity in the House of Assembly. I think, however, that we have already expressed our opinions how they have been returned—whether they do or do not represent the people, we have nothing to do with that matter just now—but Petitions have been signed for the dissolution of the present House, by about nine thousand souls, Freeholders and Tenants (an hon. gentleman "half the number women and children.") I think his Honor would not have said so if he had seen the Petition.

The population may be taken to be	70,000
½ for women,	35,000
	35,000
Family consists of one man and five children, (Population Statistics shew this to be the average), being ¼th	8,750
Of the children ⅔ are either girls or minors, being ⅓,	2,916
Amount of Voters in the Island under the new Franchise Act,	11,666

At the present moment, and if we take the number of Petitioners, it will be found we have a very large majority, and consequently his Honor's statement cannot fully be substantiated. I doubt not that his Honor believes the statement he has made, but he will pardon me when I say that he is mistaken both in his premises and calculation. And my hon. friend thinks that Responsible Government is a great boon when carried out in the way he represents it should be, and produces joy throughout the land, but your Honors, instead of joy, in my opinion, and I am sure I will be borne out by your Honors when I say it, if this Bill should pass, it would create sorrow and mourning throughout the length and breadth of the land. I think so, because the people are so well satisfied with that form of Responsible Government which was introduced by His Excellency the Lieutenant Governor, and are so properly tenacious of the glorious principles of the British Constitution that they will never allow it to be assimilated to that form of responsibility which exists in the neighbouring Republic: and I am astonished that my hon. friend who has served his country so faithfully would even for a moment think of advocating one so infinitely beneath it in every respect, and so repugnant to every British feeling. Such being my conscientious opinions I have the pleasure to support the motion that the Bill be read a second time this day 6 months.

The Hon. Mr. HOLL.—I suppose his Honor is perfectly satisfied that every signature to the Petition is genuine and from the hands of male adults.

His Honor the PRESIDENT.—I certainly think that it has not been signed by women and children.

The Hon. Col. SWABEY.—I know that very great care has been taken not to take any signatures but from those entitled to vote under the new Franchise Bill.

The hon. Col. GRAY.—In the absence of his Honor Mr. Holl, during the time his Honor the President alluded to the conduct of the Government, an observation fell from his Honor (the President's) own lips, which as a member of the Executive I cannot pass by without giving it a most emphatic denial, it was this, that the Judge of Probate and Adjutant General of the Militia, owed their names being included in the present Bill to the circumstance of these hon. gentlemen having voted for and been instrumental in getting up the Address to his Excellency the Lieutenant Governor reflecting upon the representatives of the people. Your Honors, I deny the truth of the assertion, and I have had the means of knowing that this was not the cause; and I will remind his Honor the Judge of Probate, that it was in the power of the Executive to have displaced that Judge, and I will prove it from a despatch of the Secretary of State for the Colonies (An hon. gentleman "No you cannot) Yes, and I will read it, with your Honors' permission—It was transmitted in the year 1848 (here his Honor read it) That document is signed by Lord Grey, and the very first time I heard of the Petitions that were getting up by certain parties for a dissolution of the House of Assembly, it occurred to me that these parties would be much better employed in reforming themselves than in attempting to reform other people. With respect to the means resorted to in procuring signatures, or to their genuineness, I know nothing whatever of my own personal knowledge, but I have been assured by a number of highly respectable individuals that a large portion are not bona fide signatures.

The hon. Col. SWABEY.—I can hardly think that his Honor is serious when he adduces that letter of the Colonial Secretary as if it could by any possibility be applied to the office of a Judge. Why, your Honors the crown itself without a vote of Parliament cannot displace any judicial officer. It is a mistake for any one to suppose any such power exists.

The question having been put by his Honor the President on the amendment that the Bill be read a 2nd time this day 6 tmonths, the House divided as follows:

Contents.—The hon. Messrs. the President, Swabey, Birnie, Haythorne, Dingwell, Beete, Beaton, Joseph Hensley.

Non Contents.—The hon. Messrs. Holl, Gray.

So the Bill was lost.

A TRAVELLING POTTERY.—A Wisconsin paper say that a resident in that State (probably a Yankee by birth) has built in the town of Menasha a singular looking craft, one hundred feet long by twenty-five feet wide, containing a cabin for the residence of the proprietor and his family, and also a large pottery manufactory, with a full set of machinery for grinding clay and manufacturing earthenware. The machinery is propelled by a windmill, which is elevated above the deck. The proprietor designs, as the navigable season commences, to descend the Wisconsin and Mississippi rivers in his ark, stopping wheresoever night overtakes him exhibiting the manner of manufacturing the article, and selling his wares to the benighted inhabitants of the region. He anticipates a profitable as well as an agreeable trip.

GLEANINGS FROM LATE PAPERS.

The Royal Mail steamer Africa, at New York, from Liverpool, brought 113 passengers.

The Africa is heavily armed, and is fitted with port holes.

Sardinia and Holland repudiate privateering.

The tide of Emigration is fast turning from the United States towards the British North American Colonies.

A split has taken place, at Preston, among the operatives on strike, and it is evident that they will soon come to terms with their employers. At stockport the men are returning to work on the master's terms. At many places the advance made to workmen is about to be withdrawn.

The Emperor of France has ordered a prize of 6000 frances to be offered for the most useful invention tending to improve steam navigation or the construction of steamships. The Academy of Sciences is to award the prize.

A grain of "mummy wheat," combalmed, it is supposed, 2000 years before the Christianaer, was planted last year in the Isle of Cumbrae. Last harvest it yielded 517 grains, all healthy and good, which have been re-sown this spring.

WILLOW DOCK—SOMETHING NEW.—The La Crosse (Wis,) *Democrat*, of the 7th inst., states that the "willow dock at that place is nearly completed. It will cost about $3,000. It is constructed entirely of willow twigs, about 12 feet long, bound in bundles one foot thick, which are so ingeniously arranged and woven together, *a la Rhine* that it is impossible for the sand to work out or the water to work in."

These docks are used freely upon the banks of the Rhine, in Germany. The one at La Crosse is 235 feet front on the river, 160 feet deep, and 12 feet high; each bundle contains about 100 small trees, and it will take about 60,000 bundles of these willows to complete the work. It is said that these willows will sprout up and grow, rooting firmly together, thereby forming a living superstructure, which will last for ages without the least tendency to decay.

NEW EMPLOYMENT FOR WOMEN.—In working the telegraphs at the liverpool, Manchester, and London stations, a contemporary says that young women are now engaged. Their agile fingers, we have no doubt, will rattle over the keys with more rapidity than any yoong man's

AMERICAN NEWS.

NEW YORK CRYSTAL PALACE.

We learn from a Circular issued by the Directors of the Crystal Palace, under date of the 14th April, signed by the President, Mr. P. T. Barnum, that there was to be a popular re-inauguration on the 4th of May, under the most flattering auspices. All the suits and proceedings that had been taken against the Proprietors, and other causes of discouragement and discomfiture, having been removed, in part, through the liberality of a number of private individuals, among whom we believe Mr. Barnum was the chief, the Palace is to be a permanent Institution for the Exhibition of the Industry of all Nations. It is announced that the Dutch Government have just contributed a choice variety of singularly unique articles from Japan—about a thousand—which will tend to throw much light upon the peculiar habits of this exclusive people; and that, in consequence of the disturbed state of Europe, an unusually great number of Paintings and valuable *Chefs d'Œuvres* in Sculpture will be placed at the disposal of the Directors, and forwarded without delay. Arrangements have also been made for the purchase of copies of all the celebrated Statues of the Antique. Many more objects are noticed in the Circular, which cannot fail to render the Crystal Palace highly attractive, as well to the practical operative as to the patron of fine arts.

NEW YORK, April 20. It is now ascertained that the ship Powhattan, which was lost near Egg Harbour, left Havre with 311 passengers, but no cargo.

A letter in the *Herald* says the Powhatten went ashore on Saturday morning and remained until five o'clock on Sunday afternoon before she went to pieces, the passengers all the while clinging to the leeward bulwarks, with the sea washing over them. The ship was so near the shore that the captain's voice was distinctly heard giving orders, cheering up the passengers, and calling to the shore for assistance. It was impossible however to render them any as no boat could have lived a moment in the surf. A great number of trunks belonging to the passengers have drifted ashore, but not one of the passengers or crew reached the shore alive, so far as could be ascertained by those who watched the ship from the beach.

At 7 o'clock the ship's masts fell, and almost immediately afterwards the hull burst asunder, when the officers, crew and passengers went down, and the ship soon disappeared. Captain Jennings, the wreck master, remained on the beach all night, but as above stated, no living being was rescued, The names of many of the passengers have been ascertained from books and other articles found in their trunks. The majority of those washed ashore are women and children. The officers and crew belonged principally to Maryland and New York; there were no Eastern men among them. The Powhattan was insured in Philadelphia and Baltimore.

One hundred and thirty bodies had been washed ashore up to yesterday noon at Absecom, Brigantine and Long Beach. They appear to be of the better class of German emigrants. The younger persons were in their night clothes. Not a particle of the wreck had then come ashore.

BALTIMORE, Feb.19.—The liquor prohibition law passed the Maryland House of Delegates yesterday by a vote of 42 to 23. It contains all the Maine law restrictions, including the power of search, destruction of licuor, &c., and is to go into operation in May, 1856, if previously approved by the people.

GOVERNOR SEYMOUR'S VETO.—The members of the New York Legislature who voted for the law prohibiting the sale of intoxicating liquors, have issued an address to the people of the state in reply to the governor's veto,and urging the friends of prohibition to a renewed effort on its behalf.

FEMALE INFANTRY AND LANCERS.—Our city is to be visited on Tuesday next by three uniform companies of organized and disciplined Female Infantry and Lancers, from Pennsylvania and New Jersey, known as the "Fairy Guards." commanded as a battalion by a masculine Colonel and Lieut. Colonel, but the several companies will be officered throughout by ladies, including Captain on horse back.

The Fairy Light Guard is composed of some of the best educated and most esteemed young ladies of Peterson and Elizabethtown, N. J. and at Harrisburgh, Pa, and all its members between fourteen and eighteen years of age. A daughter of a late Governor of New Jersey is one of the company.—*The State of Maine.*

CALIFORNIA.

A true bill has been found against the Mexican Consul for hiring and enlisting men into the service of his Government—M. Luis del Valle, the Consul, plead "not guilty," but subsequently withdrew the plea, and dented the authority of the Court to try the case. The question has been taken under advisement by the Court.

Well-founded fears are entertained in some quarters, says the *San Joaquin Republican*, that California is producing more wheat than will be required for her own consumption. If San Joaquin county alone produces 1,250,000 bushels, and this is the estimate of the farmers themselves, and if the crop of San Joaquin county presents any index to the crops of other counties, then we shall have a crop of 20,000,000 bushels. Then comes the question—What shall we do with all this grain? The milling facilities are not of sufficient capacity for the grinding of even a fraction of this enormous amount. Under these circumstances it would appear that the millers will make enormous fortunes, while the farmers will lose.

ARREST OF THE MEXICAN CONSUL.

Tne San Fransisco Herald of the 1st April says:

At talf—past one o'clock yesterday, the United States Marshal proceeded to the Consular residence of Ma. Luis del Valle, Consul for the Republic of Mexico at this port, and arrested that gentleman for violation of the laws of the United States by enlisting men within the territory of the United States, into the service of a foreign government.

It is charged against the consul, that in obedience to certain instructions purporting to have come from the government of Mexico, he has been engaged in enlisting in this part a band of three thousand men, who were to proceed to Guaymas, there to be enrolled into the Mexican army. The advance of this force was to have sailed on board the Challenge. The ships, however, was detained by order of the Collector of this port, for a violation of the revenue laws of the United States. We understand there is abundant proof of the enlistment of these men as soldiers, and of the issuing of commissions to officers.

This proof consists, besides other things, of the despositions of two gentlemen of the highest respectability in this city. The public will see from these facts, that we have not hitherto spoken unadvisedly concerning the numbers and the object of this expedition.

The instructions from the Mexican government to the Consul at this port, were as follows:

To send down to Guaymas about three thousand men, to be enlisted into the Mexican army for one year.

The cost of transportation to be defrayed by drafts drawn by the Mexican Consul on the National Treasury at Mexico.

The force to be composed of Germans, Irish, Italians and French—the latter to be preferred.

Mexican citizens to be counsulled to leave California, and ships to be employed by the Consul for that purpose. Such is a brief abstract of the instructions.

SAN DIEGO.

The San Diego *Herald* of the 18th March says:

The regular spring business of quarrelling, fighting, cutting and shooting, has just set in, and promises a handsome return for the small amount of capital invested.

Just as we were making up our inside form, we heard of a duel which had just come off between our pugnacious little ex-postmaster and some gentlemen to us unknown, in which some three shots were fired by each party, with no