

my opponents and the enemies of reform would have accused me of fear of the result, but here I stand, obedient to your will, at your service if I can be serviceable to you—but willing to remain at home if such be your decision. I will not spend my means to procure your suffrages—I do not wish to proclaim upon the floor of the House that I had purchased my seat—I must be elected with your independent voices or not at all—I have been 8 years already your servant—it remains for you to say if I am any longer to continue so.

[From Mr. Taylor's Reports.]

## Provincial Parliament.

### LEGISLATIVE COUNCIL.

THURSDAY, April 14.

Hon. Mr. Robertson wished to ask the members of the Government whether it was the intention of the government to bring in any measure for the purpose of remedying any evils likely to arise by the operation of the 14th section of the Act, to prevent the traffic in Intoxicating Liquors. He considered it one of the most extraordinary and arbitrary sections ever introduced into a Bill, as it might effect the property of Minors, Lunatics and others in a most extraordinary manner, and also where persons in business had taken mortgages and other securities for debts. He had no idea that there was such an extraordinary section in the law until a few days ago, when his attention was called to it.

Hon. Mr. Hazen.—The Government does not intend to introduce any Bill effecting the law whatever. He most fully agreed with the hon. gentleman who had asked the question, that the section was one of a very extraordinary character, as it would have a tendency to affect property for 10 or 12 years back.

Hon. Mr. Robertson would wait for a few days to see what the Lower House intended to do respecting the law. If they done nothing in the matter, he would bring in a Bill to repeal the section in question; as for the remainder of the bill he cared little or nothing about.

Hon. Mr. Robertson in the Chair on appropriations. Several Grants passed without discussion, when a Grant of £20 came up to W. Gilmore for teaching a School at Heron Island, Restigouche. Hon. Mr. Steves would like to know why this Teacher did not receive the School money in the ordinary way.

Hon. Mr. Robertson.—It appears to me this money is asked for before it is due, or before the work is done.

Hon. Mr. Botsford.—This Island is situated out in the sea about three miles, and cannot be received into any of the Parish School districts, which accounts for the money being asked for in this way.

Hon. Mr. Hazen.—This Grant may be all right, but thought it might have been drawn in the regular way, if properly certified.

Hon. Col. Hatch would like to hear the Petition read, favoring the grant, that they might not be called upon to vote in the dark.

Hon. Mr. Chandler thought the Grant ought to pass. The School was a very necessary one, and could not be kept up without Provincial aid, as the Island where it was kept was so situated that it could not be included in any one of the School Districts.

Hon. Mr. Hamilton observed that there were a great many children receiving an education at this School, who would be destitute in this respect if aid was not afforded to keep it up. The grant, he thought, a very proper one, and hoped it would pass.

Agreed to.

A discussion took place on a Grant of a £100 to Michael White, for his services as a Clerk in the Clerk of the Peace Office.

Hon. Mr. Harrison would like to hear from their honors before the grant passed.

Hon. Mr. Hazen thought that Mr. White was a most laborious and faithful public officer, as much so as any one Clerk in any of the public offices, and thought that £100 for his services little enough.

Hon. Mr. Steves.—Before the present incumbent took office, he knew that the law only provided £250 for the duties of the office, therefore he had no reason to complain. If it was considered that a Clerk was really necessary, and that the present sum as provided for

in the law, be not sufficient to pay the Principal in the Office and for the services of a Clerk, the law ought to be amended in this respect and a Bill brought in for that purpose by the Government. He considered the present mode very objectionable.

Hon. Mr. Chandler.—It will be remembered that the former incumbent received about £900 a-year. A law, some few years ago, passed to pay £500 per annum, which probably was not a great deal too much. When the present incumbent took office he was aware, he knew what salary was attached to it; but it certainly was a very small salary for the duties to be performed. He thought a Clerk was very necessary, as Mr. Carman frequently, in the course of the year, had to attend the Courts; and then if there was no Clerk the office would have to be closed. All the papers belonging to the Court were kept in that office, the duties to be performed were arduous. An Assistant, he considered, absolutely necessary, and £100 was not too much for the duties to be done.

Hon. Col. Hatch thought that one person was not sufficient to do the duties of the office. He agreed with an hon. member that the salary ought to be provided for by bill, and then the Clerk could employ whom he pleased.

Hon. Mr. Wark said that the question had been agitated for the last ten years; he always thought that £250 was too little for the services to be performed, and would at the time the bill passed, rather have seen £350 put in the Bill, or even £400, to pay the Principal and a Clerk, and thought that a Bill had better be introduced for that purpose.

Hon. Mr. Ryan thought that there could be twenty Lawyers found who would be willing to do the duties for the sum already provided. If the Clerk is paid at all, he ought to receive a larger sum than the Principal, as he done the most of the work.

Hon. Mr. Hazen said Lawyers were getting scarce, as they were leaving the country, and there were but few students. He did not think there could be found twenty lawyers, or any thing like it, who were at all competent to do the duties, who would be willing to perform them for the sum named.

Hon. Mr. Robertson.—If the Grant is thrown out, Mr. Carman could not justly complain, as he knew the amount of salary before he took office. If an assistant is to be provided for, let it be done by bill. He would oppose such Grant in Supply, if it ever came up in this way again.

Hon. Mr. Botsford.—The services have been performed, and he believed faithfully, and he would vote for the Grant. He considered it necessary that an Assistant should be in the office.

Hon. Mr. Hill.—No doubt but what Mr. Carman, when he took office, anticipated an increase of salary, or that a Clerk would be provided for. The salary was reduced during a very extraordinary fit of economy. He would vote for the Grant.

Passed.

A short debate took place on a Grant to pay expenses incurred by the authorities of the County of Restigouche, in conveying a Lunatic from that County to the Lunatic Asylum, St. John. (To stand over for a day or two for further information.)

FRIDAY, April 15.

Progress made in a Bill to prevent the burying of Dead Persons in the town of Saint Andrews.

Hon. Col. Hatch.—The object of the Bill is to close up the present Burying Ground, and purchase another piece of land for that purpose. He would inform their honors that having the Burying Ground as at present, was found to be very injurious to the inhabitants, as the water used by the people was affected by it. There was a piece of land belonging to St. Andrews that could be purchased on the eastern side of the town, containing 80 acres. He would move an amendment to the Bill, that the Magistrates be allowed to purchase about 10 acres for that purpose.

Hon. Mr. Robertson thought the Bill could not pass at present, as it was very objectionable in its present state, and that it would be wrong to interfere with the land spoken of, without the consent of the parties.

Hon. Mr. Brown.—He had no doubt as to the necessity of the Bill, and thought that it ought to pass as it then stood, as he did not think it would be right to take possession of the land spoken of by the mere motion only of that House.

Hon. Mr. Botsford said, if the lands spoken of were public property, it would be easy to pass a measure to occupy the quantity necessary for the purposes of a Burying Ground.

Hon. Mr. O'Dell thought that the people ought to be made acquainted with it before an Act passed for any purpose whatever.

Hon. Mr. Hill thought if the Bill passed at all, it had better remain as it was; he thought the Burying Ground ought to be a considerable distance from the town, as no doubt the town would increase very much when the Railroads went into operation. (Progress reported.)

A Bill to increase the Capital Stock of the St. John Water Company. (Passed.)

Several Appropriations passed.

An increase of £50 to the Deputy Treasurer's salary, W. Jack, Esq. of St. Andrews caused a short debate.

Hon. Messrs. Hatch and Brown said that Mr. Jack was a very efficient officer—that he had grown gray in the service—that he had to attend to the duties all the year round, and therefore could not attend to other duties—that he depended upon his salary alone to support his family, and that £250 was little enough for that purpose. (The reasons given satisfied the Committee, and the Grant passed.)

[From the Head Quarters.]

## HOUSE OF ASSEMBLY.

WEDNESDAY, April 6.

Provincial Secretary lays before the House the Blue Book for 1852.

Mr. Kerr's bill relating to relief of poor and Parish settlements, committed.

After some discussion in which many objections were urged to the working of a poor law system in this country—progress was reported.

Election Bill re-committed.

Attorney General.—The present electoral system as it is to be found in our Statute Book is undigested and difficult to be understood.—The first great object of the Government in the preparation of the Bill now introduced to the House was to codify in a simple and intelligible order all existing laws which it is thought ought to be preserved. The subject is one of great importance, and peculiarly for consideration and discussion of the popular branch. The Government entertain no wish to practice coercion or undue influence in this important matter. We have held out no expectation of great radical changes, and I have already stated that I was not prepared to recommend or sanction the vote by ballot, though admitted that the Bill I should offer would permit that system to be incorporated in it if such was the desire of the House. I do not hesitate to declare that I am opposed to the ballot, but it may be considered an open question to be governed by the discretion of the committee.

The Bill before us codifies the existing laws where these are to be preserved—marshals the different classes of voters, and of candidates qualified for seats in the Assembly and regulates the number of members to be returned by the several constituencies. This last point may require alteration; the provision in this bill is intended rather to bring the subject before the House than to confine it to the present numbers, though I must say, my own opinion is that the present adjustment is a fair and proper one. Then the Bill regulates the duration of Assemblies, in which no change is made. We have proposed the extension of the franchise to specified classes of leaseholders, and we think in this we make a fair, judicious, and safe extension to a valuable class of proprietors, who are well entitled to the privilege of voting and will use it for the public good. We are quite aware that great diversities of opinion prevail on the subject of franchise—even in the Government some differences exist on this point, yet after mature consideration we have concluded that it would not be safe to extend the franchise further than it is carried in the provisions of this Bill—the idea of giving a vote to every rate payer would be equivalent to universal suffrage, and I have no hesitation in declaring my entire opposition to it. The manner of conducting elections is not changed in principle, except that this Bill does away with the scrutiny before the Sheriff, which has been found us less or worse than useless in practice. The oaths and affidavits which are scattered without order through the old acts are here all collected and assorted in the appendix. The chapter which directs the manner of conducting controverted elections is altogether new. In my own experience I have found the present mode fraught with evil, with great expence to the parties and the public, and with ruinous delays; for these reasons I have attempted to provide a remedy. Indeed in this matter some change was imperative, and whether the one proposed in the Bill shall meet with the approbation of the House or not, something must be done to relieve the country from the intolerable evils of the present system. We are prepared for differences of opinion on this point, the subject is of great importance and interest, the provisions of the Bill are novel, but they are the best we could devise. The appointment of the Commissioners by the Governor may be objected to, but this is a matter of detail to which we are by no means wedded if any other system more satisfactory to the House, and which will give it more control over the choice of their commissioners, can be suggested. The leading advantage expected from the change proposed in this chapter is that the contest will be settled in the County where the parties and witnesses reside, and in addition we have spared no exertion to secure an impartial and competent tribunal for the determination of the very difficult and perplexing questions which arise on scrutinies. The provisions of the old law for vacating the seats of members in certain cases are very unsatisfactory. I found the inconvenience of them on the occasion of my own appointment to the office of Attorney General, and they occasioned in that case delay in the public service. This Bill provides for the immediate vacation in the seat in such cases, and also the means for instantly re-filling it.

Now if we cannot boast of any great change of principle in this measure, we think we are entitled to praise for simplifying the obscure and intricate in a subject of great importance. The Provincial press has contained a great deal lately in praise of ballot voting, but I cannot reconcile myself to its secrecy or the fraud to which it opens the door. It is generally argued very confidently that it works well in the United States, but I am prepared with authorities which will be used by myself, or one of my colleagues, to prove that it does not really work well with them and that it is being abandoned in some of the States which have been familiar with its operation and have learned its evils. Open voting is an old and honored British practice; our greatest statesmen have approved it and denounced the ballot.—Macaulay, the great statesman and historian, said in his celebrated speech at Edinburgh,—"honest men do not want the ballot, and rogues should not be trusted with it." Lord John Russell, the leader of the present Imperial Government in the House of Commons, is opposed to it, and I heard the honorable member from Kent (Mr. Cutler) read the other day from John Randolph, of Roanoke, that "the ballot was only fit for a nation of rogues or to make a nation of rogues." You can not have ballot voting without a system of registration. If a cheap and effective registry could be devised, I would readily adopt it. Indeed, I would not resist an enlarged franchise with it, if such was the clear inclination of the House, but no effective registration can be devised unless it be attended either with great expence or a radical revolution in the franchise, to neither of which will I give my consent. I would prefer to carry the franchise as far as it has been carried in Nova Scotia to the adoption of the ballot, thought in this opinion some of my colleagues do not concur.

It has been an arduous duty to prepare this Bill, and the introduction of it involves a serious responsibility. If the Government had not brought down some Bill on this subject it would have exposed itself to the charge of