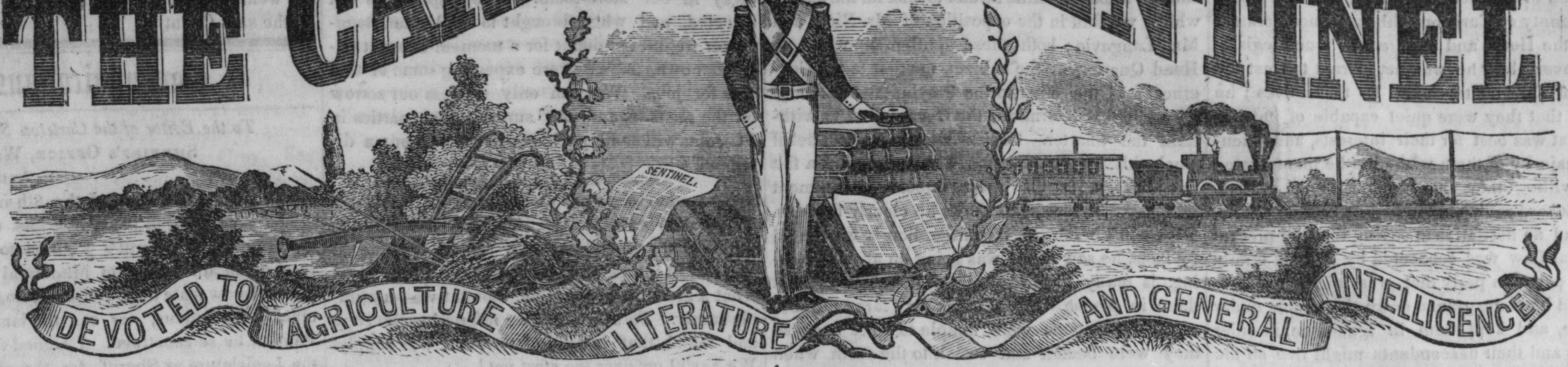


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Mr. Russell

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## HOUSE OF ASSEMBLY.

[From the Head Quarters Extra.]

FREDERICTON, N. B., Feb. 17, 1854.

### MR. JOHNSON'S SPEECH CONTINUED.

"Whereas for the better protection and management of the local interests of Her Majesty's subjects, it is expedient that Municipal Authorities be established in this Province."

That was the very opinion that he (Mr. Johnson) himself entertained, and if it was correct,—if Municipal Corporations were good for the people, as the preamble stated,—surely he ought not to be censured for expressing his opinion that it should be adopted in every County where a majority was found in favor of it. How the Hon. Attorney General had fired up yesterday when the Hon. Members from Kent and Carleton (Messrs. Cutler and Connell) expressed their doubts as to whether the Government was sincere or not when they introduced the Municipal Corporation Bill! With that, however, he (Mr. Johnson) had nothing to do. But the Hon. Attorney General, in his wrath, turned round and accused him of factious opposition. Now the Hon. Attorney General should have considered that it was as much of an attack upon him to accuse him of factious opposition, as the insinuations of the Hon. Members for Kent & Carleton were an attack upon him, (the Hon. Attorney General), and that while he was repelling one attack he was making another quite as bad. Now a factious opposition, if he understood the meaning of the term, was the opposition of men combined to oppose a certain party for their own selfish ends, without regard to justice or the welfare of the people. He would not retort as the Hon. Att'y General had done, he would not say that it was *wholly unfounded*, but he would say that it was *as unfounded* as the insinuations of the Hon. Members of whom the Hon. Attorney General complained; he would go no farther, for to say it was "*wholly unfounded*" would be unparliamentary. The Hon. Attorney General, feeling the Government strong in the House, was not very choice in his language towards the Opposition; the time was when he was not so proud of a strong majority at his back; he had stood there defending himself when parties were nearly equally balanced,—when, had a two-third vote been required, the Government must have fallen. A change came over the spirits of some Honorable Members since that period. The Government had waxed strong, while the opposition ranks had dwindled away until but a very few remained; but the few who remained still fought under the same colors,—they still held the same opinion, and whatever might be said of them, they could not be charged with inconsistency; (Hear, hear.) Taking all these circumstances into consideration—taking into account the Hon. Attorney General's position at the time the present House first met—it was hardly magnanimous in him to charge the opposition with having been factious. He (Mr. J.) denied the charge; he was not factious, and never had been; he was the same man now as he was at the time of the last general election, and if he did not represent the sentiments of his constituents now, it was they who had changed and not him,—it was a question for them to decide, for if they had changed he was not the proper man to serve them. He had looked around him since he had been a Member of the House and the more he saw the more he was confirmed in the opinions he first started with. The march of free institutions and self government was onward; and although it had retrograded in France for the season, it was only gathering strength for another struggle.

not seeking to force taxation upon the people, but to establish the principle that the majority shall govern; that was the meaning of the amendment then before the Committee. He would now tell the Hon. Attorney General what he *might* have done to deserve the opprobrium of being called factious. If he had been a Member of the House for sixteen years, and sat there and opposed every Government that came in and went out during that period, because he was not taken into the Government, then might he be styled "factious,"—if he had opposed every patriot that had fought the battles of his country within the walls of that building,—all those who struggled for Responsible Government, and an enlightened Colonial Secretary—then might he be accused of factious opposition;—had he opposed many younger men than himself who, because their policy was more liberal and enlightened, had gone ahead of him, and received from their country the reward they merited, then might he have been charged with factious opposition;—if he had gone on the hustings of the last general election and accused the Government of being politically dishonest, and had, almost immediately after, joined them, and by his deserting the ranks of the Opposition, prevented them from being overthrown, then might his conduct have been termed "factious." None of these things had he been guilty of; (Hear, hear, and laughter); but he had opposed the Government because they did not advance in accordance with the wishes of the people; that was the opinion he entertained of them at the last general election, and he did not perceive that they had changed much since that period,—at all events no favorable change had taken place in consequence of their having taken the Hon. Attorney General into their ranks; (laughter.) He believed that the policy of the Government was not such as the people wanted. He had no doubt but there were men in the Government conscientiously opposed to giving the people the power to manage their own affairs, believing it would operate to their injury; while there were men in the Government of a more liberal turn of mind, who would give the people this power, if they were not prevented by their colleagues,—there was one Member of the Government in favor of the people voting by ballot, while other Hon. Members of the Government were so horrified at the innovation that when it was carried in the House they withdrew their election Bill. Now if supporting the ballot principle was factious opposition, then was the Hon. Provincial Secretary amenable to the charge; and at all events if the ballot was not a principle the Government was not prepared to support, and the Hon. Provincial Secretary supported it against the wishes of his colleagues, it proved that the Government was formed of discordant materials, and should not remain together. He repeated that the Hon. Attorney General, when he defended himself against the insinuations of two Honorable Members, should have shown a better example than to wrong another Member worse than he had been wronged himself,—the Hon. Attorney General laughed.

Honorable Attorney General.—Yes, I am delighted.

Mr. Johnson had no doubt of it; the Hon. Attorney General was one of those who could not see the position in which he stood. When he rose again to address the Committee he only hoped the Hon. gentleman's colleagues in the Government would not have more reason to fear his speech than they feared the opposition; (laughter.) He (Mr. J.) was not seeking for Executive honors,—it would be time enough for him to do so many

when the Government of the day might be willing to take him into their ranks, *for the want of better material*, as a similar circumstance had happened, (laughter,) and when, being a member of the Government, he rose to address the Chair he hoped his doing so would not have the effect of making his colleagues look on with fear and trembling lest he commit himself; (much laughter.)

Mr. Boyd said Hon. Members who were absent when this debate commenced had censured other Hon. Members unjustly. The debate would not have occurred if the Hon. Member who was Secretary to the Law Commission had not moved the amended Chapter, which had been first suggested in the margin of the printed report, and then handed to him by a Member of the Law Commission with a request that he would move it. One of his Hon. colleagues had stated that none but the rabble, and the idlers about the shire town would vote for the incorporation of a county, but they had one trial in the County of Charlotte, and came within fifteen votes of carrying the majority prescribed by law, notwithstanding the opposition of every Magistrate present but one, and the hostility of every Government official, who exercised all their influence to prevent the adoption of the measure. Every nerve was strained by these gentlemen, and the law was interpreted to suit their purposes, for many rate-payers were turned back and not allowed to vote because they occupied a part of a building and did not occupy the whole. They were told that they did not come under the designation "householders;" (laughter.) Another of his Hon. colleagues came into St. Andrews at the head of a brigade he had enlisted to oppose the measure, and he did his best to prevent the vote from being carried, as he had boasted today in the House; he (Mr. Boyd) was mistaken, however, if some of the electors did not recollect it at the next general election. Some Hon. Members had asserted that Municipal Corporations must increase taxation, but in Carleton—the only County incorporated in this Province—instead of that being the case the old debt was paid off, and the taxes had decreased. He would not take up the time of the Committee any longer, and as there appeared to be a strong feeling against altering the principles of the codified laws he hoped the Committee would pass the original chapter, and make such alterations in the law as they considered necessary when they went in Committee on the bill introduced by the Hon. Member for Victoria.

Mr. Smith would not have risen at this stage of the debate had he not been personally alluded to by the Hon. Member for King's, (Mr. McLeod.) That Hon. Member had dragged into the debate an old school-boy fable of the boys and the frog, and had compared the Hon. Member for Kent, the Hon. and learned Member for Northumberland, and himself, to the naughty boys who killed the frog. "What is fun to you is death to me," said the Hon. Member. Well, he (Mr. Smith) had not supported the amendment, as it happened; but if it was death to the Government now to oppose the principles of the Municipal Corporation bill introduced by them in 1851, how was it the first session the Hon. Member held a seat in the House? By referring to the Journals for that year he found the Hon. Member's name recorded as being opposed to the Government, and voting to turn them out. He would advise the Hon. Member, instead of challenging the conduct of others, to return to his first love. In reference to amendment before the Committee, he did not think the Commissioners had acted wisely in recommending any organic change of the old laws, in codifying them. Had he been a Member of the House in 1851 he would

Municipal Institutions not suitable for the rural districts where the population is scattered. It had been adopted in the County of Carleton, but it had not lessened the legislation required by that county in the General Assembly, and if he was correctly informed it had not lessened the bickerings and ill-feeling towards one another which previously existed in that county. If the working of the measure in Carleton was to be taken as a test, the House was bound to oppose its extension to other Counties. Some Hon. members had objected to the principle of the two-third vote; but a vote of two-thirds of the members present was necessary to carry certain measures of importance, in the Senate of the United States, and this was a measure of great importance to New Brunswick. If the establishing a municipal corporation in a county was left to a bare majority, they would thus establish a principle that a majority of the people should be law-makers. He should therefore vote for retaining the provision for a two-third vote in this law. If the people wanted a change let them elect their own magistrates.

Mr. English had certainly considered the understanding come to by the committee in the same light as had been described by the learned doctor from Gloucester, and in consequence thereof he had refrained from offering amendments where he thought they were called for, being anxious to get through with the business. The amendment then before the committee, however, was recommended by the Law Commission, and moved in accordance with their request,—and he thought very properly so. It was of no use to make long speeches on the subject, and as honorable members understood the subject he hoped they would decide at once, and either adopt the amendment or throw it out.—He must correct one statement made by his hon. colleague, in reference to the adoption of a Municipal Corporation by the County of Carleton,—all the Government officials were not opposed to the measure, for the officer of the Customs, and the Postmaster, had supported it. (Mr. Connell,—I meant all those holding local offices.) Neither were all the magistrates opposed to it, as some of them voted in its favor; and he did not know of any improper influence made in that County against its adoption. In answer to the allusions of some honorable members in reference to the practical working of the institution in Carleton, he would merely observe that they had got a Municipal Corporation there, and were content with it. He believed the system of simultaneous polling in the different parishes right; it was almost impossible to get a proper vote at a County Meeting, where the County was large,—the people would not attend. It was not right to call the people to the shire town; why not elect the members of the Assembly in the same manner!—why establish the system of simultaneous polling for that purpose? He would support the first proposition; and he would also support the second, because he thought the majority should rule. As to the third proposition,—he was not a Son of Temperance, and was therefore unacquainted with the system, the Law Commission had recommended. He thought it was quite easy to decide for or against the amendment, and he hoped the committee would be influenced entirely by its merits—that much was due to the Law Commission, by whom it had been recommended.

Mr. Gilbert said Honorable members might talk about the necessity of giving the people self-government; why, one would think to hear them that the people were sadly oppressed, instead of this, being one of the freest countries in the world. He would vote for the amendment, however, because it was recommended by the Law Commission, and