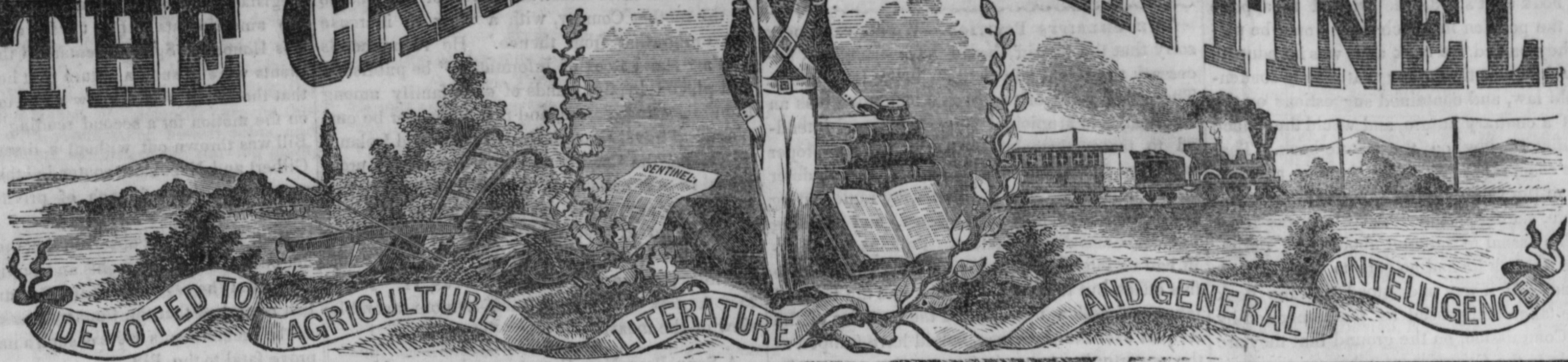


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By James S. Segoe
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HOUSE OF ASSEMBLY.

[From the Head Quarters Extra.]

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

Mr. Rice thought the Honorable Member for Carleton (Mr. Connell) displayed much anxiety in behalf of the County of Victoria, but as he did not appear to be thoroughly acquainted with the proceedings he had attempted to describe, he would, for the information of the House, give a correct version of the affair. The petition requesting the Sheriff to call a meeting was properly got up and signed—he signed it himself—due notice was given by the Sheriff, and everything was right, and according to law up to the day the meeting held. He had signed the petition in favor of the meeting simply to give the people of his County the opportunity to be incorporated or not, as they liked. After he had signed it several of his constituents called upon him and stated that they were opposed to the measure, and asked his advice as to how they should prevent its being adopted; his answer was, "go to the meeting and vote against it." On the day appointed for the meeting he attended, and in his opinion there were at least 700 rate-payers present, having a right to vote; but more than half of them went by the middle of the afternoon without voting. The reason was, they could not get a chance to vote. He himself had tried, but was jostled and driven back from the window where the votes were received, and obliged to give up the attempt; a gang of rowdies had surrounded the window, who made way for those they intended should vote, and beat and drove back others. Among those who were struck and driven back was Colonel Coombes, an old and respectable inhabitant; as he attempted to approach the polling place he received a violent blow in the face, and was driven back a great distance. He (Mr. Rice,) then told the people to go away, and he would take care to acquaint the Government with the proceedings, who would no doubt see them righted; he had accordingly acquainted the Government with the facts as he now related them. While many of the inhabitants were deprived of the privilege of voting, in the manner he had described, several American citizens, living on the opposite side of the river, went forward and voted three or four times. For his own part he cared not whether the County was incorporated or not, but he considered the Government fully justified in the course they had taken.

Dr. Thompson was of opinion that if every County in the Province was incorporated, they would witness nothing but jarring and wrangling, the same as had been described by the Hon. Member as having taken place in Victoria. At present peace and good will prevailed, and the people were content, excepting where they were stirred up by demagogues. They should endeavor to get along as they were, and not seek to introduce these radical changes. Talk about incorporations! The Province was incorporated, and that was enough. The County affairs were better managed by the Magistrates than they would be by a corporation, and if the Magistrates done wrong the Government could remove them; and if the Government failed in their duty, they were responsible to the House. The people did not want this agitation, and he did not see why the present system was not as good as for the people to elect Councilors to manage the affairs of their respective Counties,—they would be very likely to elect demagogues, who would deceive them. The House saw a proof the other day that the people are not in favor of these changes, for the County of Queens—a County inhabited by quiet intelli-

gent men, whom he much respected—had made known to the House, through their representatives they were tired of the manner in which the law for the election of Parish Officers operates, and desired its repeal so far as that County was concerned, and that they might be permitted to return to the old system, and leave the appointments in the hands of the Magistrates; and the House had complied with their wishes. He considered the people of Queens entitled to the respect of the Province at large for the course they had taken, and for setting an example worthy of imitation; (laughter.) Providence had been kind to the people of this Province, and they ought to be content. Were the several Counties incorporated, every election day would become notorious for strife and bickering, the same as had been described as having taken place in Victoria, and he considered that the Government were not only entitled to the thanks of the people of Victoria for the course they had pursued, but to the thanks of the people throughout the Province. He hoped this would operate as a check upon the people in other Counties; Municipal institutions would occasion riots in every County; rowdies and interlopers would vote, while the peaceable inhabitants would be driven away. An attempt had been made in his own County to get a charter of incorporation, and a public meeting of the rate payers had been called at St. Andrews, to decide. He had mustered as many as possible of those who were opposed to it, and went to St. Andrews and voted, and made use of all his influence against it. A few respectable people voted for it, but they had since discovered their error, and would vote against it should the attempt be renewed. As to the press advocating the change, that did not convince him of its necessity, it had the contrary effect on him. He had lately been reading one of the works written by the celebrated American author—Cooper; and one of his remarks was that the newspaper press in the United States misled the people, and that those who read most newspapers were the most illiterate portion of the people and the worst informed. Talking of governing themselves; did not the people govern themselves when they elected their own representatives to come to the Legislature and make laws for them? What more did they want? He hoped they would endeavor to get along without so much debate; if they did not pursue a different course they would not get through this winter; they had scarcely, as yet, touched the usual heavy business of the session. He hoped Hon. Members would see the necessity of allowing the codified laws to pass without amendment.

Mr. McLeod said he agreed with the sentiments expressed by the Hon. Member who last spoke. He did not hear all the debate yesterday, having been absent when it commenced, as no discussion was expected; but he had heard enough to inform him as to its nature, and the occasion which gave rise to it. His opinion was, that they should pass the codified laws as they were placed before the House by the Law Commission. The Hon. and learned Member for Kent, the Hon. Member for Northumberland, and the Hon. Member for Westmorland (Messrs. Cutler, Johnson, and Smith) reminded him of the story of the boys and the frogs; and so it was here,—what was fun to the three Hon. Members—he meant their interminable speeches—was death to other Hon. Members who were sitting listening to them; and if Municipal Corporations were extended to every County it would be death to the country. He contended that the people did already enjoy self-government,—he could speak for the County of Kings, where the people were

quite satisfied with the management of their affairs by the magistrates. The representatives of the County of Carleton might boast of their County being incorporated, but certainly the people of that County did not manage their own affairs, for they came before the House and got more Legislation at their hands than almost any other County in the Province; he believed that if they were called upon to legislate as much for every other County as they were called upon to do for Carleton—which no doubt would be the case if they were all incorporated—the three hundred and sixty-five days in the year would not give time enough for them to get through. It was not an English system, for the Counties in that Country were not incorporated; only the boroughs. He could not vote for the amendment, and if there was a motion before the Committee to strike out the whole chapter he would vote for it. If the County of Kings, or any other County, did not wish to be incorporated, why should they be coerced? Why not let them remain as they are, if they are contented with the management of their affairs under the present system. He hoped this would be the last discussion they would have upon the principles of the Codified laws.

Mr. Smith wished to know if he was the Member for Westmorland the Hon. Member for King's had alluded to.

Mr. McLeod,—Yes, I alluded to the Hon. Member not as one of those in favor of forcing Municipal corporations on the people of this Province, but as being connected with the queries, replies, rejoinders, and retorts by which the progress of the Committee has been retarded.

Mr. Cutler had taken no part in the discussion until the whole subject was opened up. He had been taken to task yesterday by the Hon. Attorney General for the manner in which he had expressed himself, and as the Hon. Member for Carleton had replied to a similar attack, he should follow his example. When he had stated it as his opinion that the Government had not furthered the establishment of Municipal Corporations in 1851, he had alluded particularly to the Bill they had brought down,—a ponderous document of fifty sections, calculated to frighten the people, and defeat its ostensible object, and he was justified in forming the opinion that the ponderous measure with all its machinery, was not calculated to facilitate the introduction of Municipal Institutions, but to retard them. He had not said the Government intended to prevent Municipal Corporations from being established, but if he had, and was challenged for it, the best defence he could make would be to point to the present imperfect and tedious law,—a law the people would not accept, because they were frightened at it, and frightened also at the assertions repeatedly made by the opponents of the system, that it would increase local taxation, which was not necessarily the case. What the people wanted was a simple mode of being empowered to elect their own officers and manage their own affairs, which should be comprised in a Bill of three sections, and not a ponderous, complicated machine calculated to inspire them with alarm. The Hon. Member for King's was wrong when he asserted that the Province was incorporated. It was not so. He hoped, however, soon to see a simple act in force, incorporating every County and Parish in the Province. Municipal Institutions defined and circumscribed the rights of the people. Had he been anxious to argue as to the intentions of the Government, he would take up the Bill they introduced in 1851, display its ponderous and unnecessary machinery, and expose its defects, the whole being based upon the absurd principle that the minority shall

rule, instead of the majority. Notwithstanding the assertion made by the Hon. Member who had just addressed the Committee, he believed that if a simple measure of incorporation was submitted to the people of King's, a majority of them would accept of it,—he believed they would be glad to embrace the advantages of self-government. (Mr. McLeod,—“They have it now.”) He (Mr. C.) denied it. He could understand the assertion if it came from the Hon. and learned Doctor from Charlotte, but he did not understand it when it came from the Hon. Member for King's. Under the system, while the Magistrates—the nominees of the Government—ruled, the rights of the people were disposed of without that care that would be taken if the managers were elected. If the people of King's were satisfied with the management of their affairs by the Magistrates, it was not so with the people in some Counties he could name, where larger sums were levied by assessment than was necessary, and in some places proper accounts showing how the money was expended had not been produced. He believed that complaints of this nature had been made in most of the Counties in the Province, although not so likely to occur again, as the Grand Juries possessed more power than they formerly enjoyed. He apologised for taking up the time of the Committee, but he could not avoid it, having been specially referred to yesterday by the Hon. Attorney General. He would not have interfered with the passing of the chapter as it was printed, had not the Secretary to the Law Commission shewed in the amendment, and the Hon. Attorney General opened the discussion by approving of the first proposition contained therein. Thus the Hon. Members who had charge of the laws moved their amendments whenever they thought proper, and commenced a discussion, but when other Honorable Members took part in the discussion they cried out at their interference, and deprecated their taking up the time of the Committee in useless and unprofitable discussion.

Dr. Gordon thought the understanding come to by the Committee some days ago was to be binding,—that they were not to alter the principle of the codified Laws, but to carry out the recommendations of the Law Commission, and when any Hon. Member saw anything he wished to amend not to make the attempt to attach an amendment to the report, but to try the question by bringing in a separate Bill. Some Hon. Members had carried out this arrangement in good faith, and he regretted that others had not done the same. He cared not whether the amendment were carried or not, as it would not coerce the people, but allow the majority to decide whether they would be incorporated or not. The people of Gloucester, whom he had the honor to represent, were not prepared for a Municipal Corporation, nor did they want it, but whenever the time came that a majority of the rate-payers of that County desired to be incorporated he would not oppose it.

Mr. Johnson said Hon. Members might say what they chose about breaking the arrangement entered into, but he did not understand that they had bound themselves to swallow the book as it stood, and if any arrangement was broken in provoking this debate it was done by the Hon. Member who was Secretary to the Law Commission, and the Hon. Attorney General who had charge of the bill. The Secretary had moved the amendment, and stated that it was placed in his hands by the head of the Law Commission, and the Honorable Attorney General had immediately risen and seconded the first proposition, stating his uncertainty about the second, and his disapproval of the third. The amendment, therefore, was to carry out the suggestions of the Law Commission.