

The Carleton Sentinel.

SATURDAY, DECEMBER 2, 1854.

WAR IN EUROPE.

The following is the latest intelligence we have received from the Seat of War. It is by Telegraph from New York. We have to caution our readers against paying much attention to news from American sources, especially in relation to this subject. We have withheld the publication of several despatches, received through the same channel, purporting to be correct intelligence of the war in the Crimea, and have invariably found by subsequent arrivals that we were fully justified in so doing. Whether it is that the sympathies of the American people are in favour of the Autocrat and despotism, or whether such matters are generally got up for the sake of speculation we are not prepared to say, we are quite certain, however, that wilful misstatements have been frequently made within the last two months. It would be absurd to expect that such a war could be prosecuted without checks and reverses occurring. The Allies have a powerful foe to contend with. Sebastopol is a place admirably adapted by nature for defence, and the appliances of art and science have been so lavishly bestowed as to render it, in the opinion of many, totally impregnable to an invading foe. Nicholas is said to have been astounded when the intelligence reached him that the Allies intended to assault his strong-hold in the Crimea. The reduction of Cronstadt and other places of strength in the Baltic, as well as Odessa in the Black Sea, he seems to have calculated would be attempted, but late accounts convey the idea that he could not credit the fact of an attack upon the Gibraltar of the Euxine. We mention this to show his idea of the strength of the city and fortifications now besieged by the Anglo-French army. It would be unreasonable to suppose that such an indomitable foe as the Russian would not strain every nerve to harass and defeat the enemies of his country. Both sides it appears claim the victory. It is said that the Allies are outnumbered, but that the siege is prosecuted with unabated vigor. Sebastopol must fall, and the enemy of civil and religious liberty will be humbled. While we doubt the correctness of the despatch, we deem it well that our readers should be apprised of the intelligence, whether true or false, leaving them to form their own opinion.

Should any later news reach us before going to press, we shall not fail to give it place.

NEW YORK, Nov. 27.

The Baltic arrived yesterday. News from Sebastopol caused intense sensation in England and France.

Reinforcements have been urgently sent for and fifty thousand French are already waiting conveyance.

Steamers Europa, Alps, Indiana, and several others have been taken up by Government.

On the 4th Nov. there was a sanguinary engagement, and on the 5th a terrible combat including a sortie and general attack by Menchikoff's whole army. The battle lasted from daybreak until four P. M. Both sides claim the victory. The English took some hundred prisoners, the Russians stormed several batteries and silenced the guns.

The loss of the Allies was 5000, that of the Russians 8000. The Czar's two sons were in the battle. On the 9th the battle was resumed by the Russians, but the result is yet unknown. Garrison of Sebastopol numbers 65,000, and large force under Menchikoff in the field. The Allies are outnumbered but the siege is continued with desperate valor.

BREADSTUFFS.—Market quiet, with decline 6d. on flour, 2d. on wheat, and 6d. on corn. Consols, 90, 1-4 to 92.

MELANCHOLY CIRCUMSTANCE.—Herbert Newton, fourth son of the Honble. Charles Connell, while skating last Wednesday morning, broke through the ice and was drowned. Every effort was made to resuscitate life but without avail.—We sincerely sympathise with the afflicted parents on the loss of a very promising youth. We hope that the melancholy event will be a warning to our young friends, and induce them to refrain from such amusement until the ice be perfectly safe.

We are indebted to E. J. Jacob Esqr. for the first No. of Vol. 2 of "The Journal of the New Brunswick Society," which the crowded state of our columns prevented our noticing last week. Our readers are doubtless aware that this very ex-

cellent work is devoted to the encouragement of Agriculture, Home Manufactures and Commerce throughout the Province. The No. before us abounds in useful and highly interesting matter. We have selected an article from the Journal on "Horse Shoeing," which we think cannot fail to be read with much interest. We do not profess to be conversant with the science of Horse Shoeing yet we cannot avoid perceiving that Mr. Cumming has treated the subject in an able and masterly manner. Our readers will do well to preserve the Nos. of the Sentinel containing the work, as they will no doubt find them useful as a reference on this important subject.

The "New Brunswick Reporter" has been enlarged and much improved in appearance. The Editor and Proprietor, Mr. Hogg, appears determined to spare no pains to give his readers a paper well worthy of their patronage. We hope to follow suit in a short time, as our Advertising patronage and Subscription list have increased beyond our expectation.

THE WEATHER.—Snow fell the first of last week to the depth of about nine inches, but subsequent rains carried it off. On Thursday morning last we had another fall of about six inches, and from appearances it is doubtful whether that will remain.

Several items have been crowded out this week.

THE MUNICIPAL COUNCIL AGAIN.

Last week we promised to give a brief sketch in relation to the Bye-Laws adopted by the Municipal Council of this County in the month of August last. We proceed to redeem our promise, regretting that our limits will not permit our giving so full a detail as we could have wished. In order to keep up a proper connection we shall find it necessary to revert to some remarks previously made on this subject. Our readers, we hope, will overlook the repetition of ideas that could not well be avoided.

Some time in the month of July last, when it was feared that Woodstock might be visited by Cholera, then proving so alarmingly fatal in St. John, George W. Cleary, Esqr., with a promptness that did him much credit, wrote to His Excellency the Lieutenant Governor, on the subject of a Board of Health, who immediately replied, directing attention to 13th Victoria Cap. 33, by which he showed that the responsibility of taking proper precautions for securing the public health rested upon the Justices in Session. Two days after His Excellency again addressed Mr. Cleary, informing him that as Carleton had become incorporated, (which fact had escaped his memory,) the responsibility of "acting or not acting," rested on the County Council. This correspondence Mr. Cleary very properly submitted to some of the Councillors, who at once addressed a Requisition to the Warden, requesting a special meeting of the Council "to take into consideration the precautions necessary to prevent the spread of Cholera in this County, &c."

A special meeting was accordingly held on the 8th of August, when a number of Bye-Laws were unanimously adopted, that were almost a literal transcript of a series that had been passed by the City Council of Fredericton, a short time previously, for the same purpose, and published as the local regulations by which that city would be governed during the prevalence of Cholera, should it be visited by that malignant disease. Yet strange to say Sir Edmund, no doubt with the concurrence of his Council, thought proper to withhold his assent.

These Bye-Laws were returned to the Secretary Treasurer on the 15th of August, with a number of suggestions that His Excellency was pleased to offer for the consideration of the Municipal Council. His Excellency appears to have entertained an idea that immediately on the receipt of his communication another meeting of the Council would be called, and that his expressed wish to have the proposed Bye-Laws revised would have been carried into effect. But such was not the case. No attempt of the kind was made of which we are aware. When it is considered that the Councillors of this County are spread over a large extent of Country, it must be evident that a call to attend another meeting at that busy season of the year must be attended with much inconvenience. Besides, it was conceived that the alterations suggested would have rendered Bye-Laws for the preservation of health almost a nullity, and a Board of Health acting under their provisions powerless in endeavouring to discharge the functions of so important an office.

That communication contains as we stated a few weeks ago, the following declaration, "The Council may constitute themselves a Board of Health."

This language is rather significant and is certainly at variance with an assertion made by His Excellency in a communication dated 9th September, as follows.—"The Municipal Council are themselves a Board of Health, already constituted, and at once competent to exercise all the functions of such a body, and are responsible for the due discharge of the duties appertaining thereto."

On the 15th of August we are told that the Council may constitute themselves a Board of Health, and on the 9th of September we are informed that the Council are already constituted as such, &c. Which of these opinions is right, or as Paddy says, whether both is right, we leave for the Lawyers to decide. We can scarcely avoid, however, arriving at the conclusion that our learned and esteemed brother of the Head Quarters had been taken into His Excellency's Council and had induced an opinion directly opposed to that expressed not quite a month before.

The following is the communication referred to bearing date the 9th September.

SECRETARY'S OFFICE
Fredericton, 9th Sept., 1854.

SIR,

His Excellency, the Lieutenant Governor, in compliance with a request conveyed by Charles Connell and Richard English Esqrs., M. P. P., in pursuance of a Resolution passed at a Public meeting held in Woodstock, has directed an advance of £100 to be made in order to enable the Board of Health to meet any expense urgently required by the outbreak of Cholera in the County of Carleton. His Excellency regrets deeply the appearance of the disease among you, and he has no doubt that the money now advanced by the Government will be expended with all possible care and economy. The Board will, of course, cause a detailed account of the outlay to be kept, and submitted hereafter to His Excellency.

His Excellency thinks it necessary to take this opportunity of correcting an error into which the Carleton Municipal Council have fallen. It seems to be supposed that there is no power to appoint a Board of Health. In fact, however, the Municipal Council are themselves a Board of Health, already constituted, and at once competent to exercise all the functions of such a Body, and are responsible for the due discharge of the duties appertaining thereto.

The money now advanced is entrusted to them in that capacity.

The Attorney General certainly advised that the Council had no authority to associate other persons with themselves or to delegate their own powers.—They can however appoint Health Officers. The Bye-Laws disallowed by His Excellency in Council were disallowed, not because the Municipal Council were incompetent to make any Bye-Laws, but because those they submitted appeared in some respects objectionable and contrary to Law. They might have framed others if they had seen fit so to do, and will probably find it necessary to do so now.

I have the honor to be sir,

Your most obed't serv't,

(Signed) J. R. PARTELOW.

MR. JAMES MCLAUCHLAN,
Secretary Treasurer to the
Municipality of Carleton.

Do our readers ask, then of course the Council got the money? "Not a bit of it." What, not get the money, and held responsible for the due expenditure thereof? Exactly so. Have patience dear reader, and we will give you a new 'wrinkle' in our system of responsibility. The money was paid to the Overseers of Poor for the Parish of Woodstock, as we have been informed by the direction of Mr. Street. We suppose that the late Attorney General, knowing that Messrs. James Grover and D. L. Dibblee (and perhaps more faithful public officers could not well be found,) were responsible to the Municipal Council for the due discharge of their Parochial duties, and therefore in accordance with his idea of the bug-bear Responsible Government, he concluded he would hence make the Municipal Council responsible to the Executive. Shades of Blackstone and De Lolme blush for your knowledge of the British Constitution.

As His Excellency has stated most distinctly that the money was transmitted to the Board of Health, is it not fair to assume that his advisers were of the opinion that the Council were not a Board of Health, and that they deemed it their prerogative to constitute one, viz:—the Overseers of the Poor for Woodstock.

The following reply from the Secretary Treasurer explains why it was written.

CARLETON MUNICIPALITY.

SECRETARY TREASURER'S OFFICE,

Woodstock, 15th Sept. 1854.

SIR,—I beg to acknowledge the receipt of your communication of the 9th inst., and in reply have to state that no money has been received at this Office, and that none of which I am aware, has been placed to the credit of this Municipality for the purpose alluded to by you. I have heard that Messrs. James Grover and D. L. Dibblee, Overseers of the Poor, for the Parish of Woodstock, had received an order for £100, but the Municipal Council cannot be expected to account for the expenditure of that over which they have no control.

With all due deference to the more matured and more experienced opinion of His Excellency, I most respectfully submit that there is in reality no Board of Health in the County of Carleton.

I find the following paragraph in the communication before me,—"They might have framed others if they had seen fit so to do, and will probably find it necessary to do so now."

As it is highly probable that the Municipal Council will not again be in Session until the Month of December next, I deem it a duty I owe to that body to state the following facts for the information of His Excellency. From the peculiar circumstances of this County—under the local control of sixteen Councillors, scattered over a large extent of country, it is evident that to convene more than two Councillors at a time, must be attended with some inconvenience, unless at stated periods, and when called for special occasions.

It was owing to a communication from His Excellency to George W. Cleary, Esq., on the subject of a Board of Health, that a special meeting of the Council was held on the 8th of August last. At that meeting it was unanimously agreed to adopt the Bye-Laws and Regulations that had been recently passed and adopted by the City Council at Fredericton for the same purpose—a literal transcript of which, with a few mere verbal alterations, was submitted for the approval of His Excellency. The Municipal Council had no hesitation in taking such a guide and pattern for their own, feeling confident that a code of Bye-Laws which they naturally supposed had received the sanction of the legal gentlemen of Fredericton, and had been published as the local regulations by which that City would be governed during the prevalence of Cholera, would not be designated by the Attorney General as "carelessly and inaccurately drawn up" when applied to the County of Carleton.

It is to be regretted that the Bye-Laws thus submitted were of that nature as to call for His Excellency's disapproval. Some of their sections were doubtless very stringent, and in the language of His Excellency, appeared "to be somewhat arbitrary and unnecessary." But the exigency of the case required that stringent measures should be adopted. Filth of various kinds had been accumulating for a length of time in the yards and back premises of various portions of our village.—Our local authorities possessed no power to cause their removal, and they consequently remained.—The Medical gentlemen of Woodstock agree with the opinion expressed by His Excellency, on the 15th of August last, in reference to the introduction of Cholera—that it was here—in these accumulations of filth—that the seeds of Cholera fixed themselves and germinated where the soil was fully prepared for them; and fatal indeed has been the result to many who, but a short time ago, were useful members of this community.

His Excellency will, no doubt, recollect that according to the Act 14 Vic. Cap. 38, half yearly meetings of the Council must be held in January and July, and that no special meetings can be called unless on application of any four members of the Council. I am well aware that the Warden of this Municipality is prepared to call a special meeting whenever so required. It will be readily conceived, however, that there might be some difficulty, under such circumstances, in procuring another application for that purpose.

I have the honor to be

Sir, your obedient servant,

JAMES MCLAUCHLAN,
Secretary Treasurer &c.

HONBLE JOHN R. PARTELOW,
Provincial Secretary.

QUEBEC Nov. 18.—The legislative assembly last night unanimously voted \$100,000 towards the support of the widows and orphans of the gallant soldiers who have fallen or may fall in the present war.

The packet ship New Era, from Bremen, with 360 German immigrant passengers, went ashore off the Jersey coast near sandy Hook on the night of the 12th, and only the captain and 20 passengers were saved.