

The Carleton Sentinel.

SATURDAY, JULY 19, 1856.

We have devoted almost the whole of our inside this week to the Debates of the House, believing they are the most interesting matter that we can at present lay before our readers.

We have much pleasure in complying with a request to publish the following Address presented to the Hon. S. L. Tilley, and his reply thereto. Want of space precludes us from giving but a small portion of the names attached to it, as also from making any comments upon it.

The Address was presented to Mr. Tilley, at the Commercial Hotel, on Thursday, the 17th inst., by a Committee, consisting of the following gentlemen:—Messrs. E. R. Parsons, J. Snow, S. G. Woodforde, R. A. Hay, D. I. Day, Jas. Everett, and L. R. Harding.

TO THE HON. S. L. TILLEY.

Sir,—This being your first visit to this County since your entrance upon political life, we cannot permit the opportunity to pass, without an expression of our decided approval of the course pursued by you, not only as a member of the Assembly, but as a member of the Government for more than two years past.

The circumstances which brought about a dissolution of the late House of Assembly, and which operated so prejudicially to your success at the recent election, are the more to be lamented, as having deprived the country of the benefit of your services at a time when your knowledge of the financial affairs of the Province was beginning to inspire confidence in the statements laid before the public, wherein all could see, for the first time in many years, the exact state of the Provincial funds.

Although for a time excluded from an active participation in public affairs, we hope the period is not far distant, when you shall again occupy your proper position in the Councils of the country.

Accept our best wishes for your welfare, and believe us, your obedient servants.

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| George Clowes, | L. R. Harding, J.P. |
| H. Cowperthwaite, | A. B. Sharp, J.P. |
| G. W. Wheeler, | Joseph Burpee, J.P. |
| J. S. Carville, | G. L. Raymond, J.P. |
| John Bubar, | Elisha Baker, |
| William Hayward, | Stephen Parsons, |
| Geo. M. Giberson, | C. H. Bull, |
| M. Giberson, | S. W. Gray, |
| Robert Hay, | Amos C. Telford, |
| Wm. Gray, | Samuel Watts, |
| George Weade, | Geo. N. Bull, |
| Amos Gallop, | Robert Davis, Senr., |
| James Woodd, M.D. | Hugh Davis, |
| G. A. Brown, M.D. | R. S. Bull, |
| James Jordan, | E. J. Smith, |
| Wingate Weeks, | R. A. Hay, |
| H. Stoddard, Senr., | Henry R. Baird, |
| John Harper, | F. P. Sharp, |
| William H. Sisson, | &c., &c., &c., |

REPLY.

GENTLEMEN,—I thank you for this unexpected expression of approval of my conduct, while a member of the Legislature, and one of Her Majesty's Executive Councilors for this Province. It is always gratifying to me to know that my acts as a public man have met with the approval of any portion of my fellow-countrymen; but more especially so when they are endorsed by the intelligent constituency of this flourishing County.

I do not regard the dissolution of the House on personal grounds; but I still entertain the opinion that the public interests will not thereby be advanced. I have always considered the dissolution of the Assembly by His Excellency the Lieutenant Governor, in opposition to the advice of his Executive Council, an undue exercise of the prerogative, and without precedent in the Colonies since the introduction of Responsible Government, or in Great Britain for the last century and a half; and whatever may be the verdict of the people at the present time on this question, I feel assured that ere long it will be so considered by a majority of the electors of New Brunswick.

In laying before the country, through the Legislature, a full statement of the financial condition of the Province, I was but discharging my duty.—Had our predecessors given equal publicity to their financial statements, our political opponents would not have succeeded in making any portion of the public believe that the present debt of the Province had been created under our administration.

Whether as a private citizen, or a public servant, I shall not cease to feel a lively interest in every measure that is calculated to advance the general interests of this Province, and the moral, social and political condition of its inhabitants.

Again thanking you for your expression of confidence, I have the honor to subscribe myself, Your obedient servant,

S. L. TILLEY.

Messrs. E. R. Parsons, J. Snow, S. G. Woodforde, R. A. Hay, D. I. Day, &c. &c.

We are requested to state that Bye Road Commissioners may draw immediately for one half the amount apportioned for their expenditure, and the balance on the completion of their contracts.

Goody's Lady's Book for July has been forwarded to us by the publisher. This monthly is always interesting, but the number before us is particularly good. The plates are superb, and the other press cannot be bettered.

KENT BYE ROADS.

The following persons to be Commissioners to expend the undermentioned sums of money in the Parish of Kent, being the Appropriations of 1856:

JAMES DYER.	
To repair Checkerdehawk bridge,	£7 10 0
For repairs on the road leading to Miramichi,	7 10 0
For the road between the Chickerdehawk creeks,	5 0 0
For the road from O'Donald's, to G. M. Giberson's mill,	5 1 8
	£25 1 8

GEORGE HAWTHORNE.	
For the road from main road through Brown settlement to George Giberson's mill,	5 0 0
For repairing ferry landing at W. Jones, For Holmes' road,	2 10 0
For the road from Michael Powers' to Giberson's mill,	5 0 0
For the road from school-house to Hatheway's,	7 10 0
From Holmes' road to Moose Lake,	5 0 0
From Holmes' road to Giberson's mill,	5 0 0
	£35 0 0

ISAAC S. BROAD.	
For road from Moose Lake to M'Dougald's,	5 0 0
From Moose Lake to Solomon Hunter's,	2 10 0
For the ferry landing at Henderson's,	5 0 0
For the road from Cox's corner to M'Dougald's,	5 0 0
From Cox's corner to County line,	5 0 0
From the main road to Cox's corner,	5 0 0
From R. S. Wharton's to Moose Lake,	5 0 0
	£32 10 0

WOODSTOCK, July 25, 2, P. M.—Thermometer 93 in the shade.

Another has been added to our already efficient list of physicians, in the person of Dr. Smith, late of Prince William. See advertisement in another column.

HOUSE OF ASSEMBLY.

The following is the proposed answer to His Excellency's opening speech:—

To His Excellency the Honorable JOHN HENRY THOMAS MANNERS SUTTON, Lieutenant Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.

THE HUMBLE ADDRESS OF THE HOUSE OF ASSEMBLY.

MAY IT PLEASE YOUR EXCELLENCY,

1. We, the faithful Commons of New Brunswick offer our thanks to Your Excellency for your Speech at the present Session.

2. We acknowledge with satisfaction the propriety of Your Excellency's having recurred to the sense of the people, and believe that so judicious an exercise of the power entrusted to Your Excellency by the Constitution will not fail to be attended with most beneficial effects.

3. The law which prohibits the importation, manufacture of, and traffic in, Intoxicating Liquors affecting as it does the social and financial interests of this Province, is a subject for earnest deliberation, and any measure bearing thereupon, which may be submitted to us, will receive that grave consideration which its importance demands.

4. We cordially agree with Your Excellency that the maintenance of liberty and order can only be secured by a uniform adherence to the principles of the Constitution, and by preserving in their just balance the rights of each branch of the Legislature.

5. We feel assured that your Excellency has no wish but to consult the general welfare and preserve unimpaired the Constitution, and we regard the promptitude with which Your Excellency has called the Legislature together, as affording an additional proof of your watchful care for the public interests.

6. We shall proceed to our labours with the hope that under the guidance of Providence, they may conduce to the peace and prosperity of the Province.

[From the St. John Courier.]

Friday, July 18, 1856.

To-day were introduced—A Bill to enlarge the powers of Justices of the Peace with respect to the Chaf limits, by Mr. Gillmor;—A Bill to amend the Charter of the Moncton Rural Cemetery Company by Mr. Botsford—read a first and second time;—A Bill to prevent certain persons from holding seats in the Assembly, by Mr. Smith;—A Bill to encourage the destruction of Beavers, by Mr. Kerr; A Bill to incorporate the St. Andrews Rural Cemetery Company, by Mr. Boyd.

The bill to provide for the expenses of the Legislature, introduced on Thursday by Mr. End, was read a second time. The pay is the same as last session; but the pay of the Speaker and President of the Council for the short session, is limited to £50.

Mr. Fisher gave notice of an address for the Minute of the Council, respecting the appointment of Postmaster General, and what regulations and alterations were made in the department since the appointment.

Mr. Hatheway presented the petition of Mr. McNaughton, making allegations respecting the election at Gloucester, and conduct of scrutiny, and praying that the return be amended.

Mr. Johnson afterwards in a speech corroborated the statements of the petition that McNaughton had one majority—that the scrutiny was demanded—that McNaughton's council objected to the Sheriff, End's son in law, holding the scrutiny, as he was also Register of Deeds, and must be witness and judge—that the sheriff then appointed Gustavus McLauchlan, an active partizan of End's, by special deputation, and they protested against his acting, as none but Under Sheriff could act without consent, and Under Sheriff must be gazetted and give bonds, that on these reasons they declined entering into the case, although they had at great trouble and expense procured certificates from Fredericton, to prove some of End's votes bad, were ready to engage in a scrutiny before the Sheriff, and could strike off vote for vote. Johnson put the case thus:—that there was no legal scrutiny, therefore no scrutiny, and the candidates should be placed in the same position as if no scrutiny ever had been held, leaving Mr. End to petition the House. Mr. End contended that the objections were frivolous and vexatious, the whole design and object was to throw the laboring oar on him—that they thought the Sheriff more timorous or more ignorant than he was, and could be deterred—that he had acted as near the law as possible without sacrificing the rights of the electors—that it was impossible to have appointment of Under Sheriff gazetted in time—that chapter of terms provided that the Coroner may act as sheriff in any case where sheriff is disqualified, and Mr. McLauchlan was Coroner: complained of the way he had been treated, describing the conduct of McNaughton, Johnston, and others in Court, as most insulting and contemptuous—he had a large number of certificates of no grant and of no deed, and the court being regularly opened every day, he was finally declared duly elected by a majority of 39. Johnson in the course of his speech, referred to the connection of the Sheriff and Mr. End, and said the complaint formerly made against the Sheriff for having interfered in favor of End, but in an investigation he was honorably acquitted. End contended that Johnston did not add this until forced by him. From this, argument arose that proceeded to extremity—each talked of manly character, and manly parts, and intimated that he was prepared to act a man's part out of doors, could be found, &c. &c. and each was very severe on the other, talked of honesty, principle, purity, &c. &c., was called to order, and after a time grew quiet.

Mr. Allen thought the discussion premature; the question must be settled by a Committee, the House having no power to call witnesses or make enquiry, Barberie, Smith, Fisher and Street spoke briefly—finally petition was received and ordered to lie on the table. Hatheway gave notice of address for returns and all papers connected with the election—thought the House a proper tribunal to determine in the first instance whether the return was correct on the face or ought to be amended, and as soon as the papers were laid on the table, he would move that the House go into consideration of the question. Some thought the House should determine the question, others that a select Committee is the only judicial tribunal in election cases. Mr. Gillmor gave notice of an address of the copies of the petitions presented to the Governor for a dissolution, with signatures and date of reception, as there was much difference of opinion on this subject. The Attorney General seemed to promise that it would be furnished.

House adjourned at 1 o'clock, until 10 to-morrow.

(Signed) T. W. ANGLIN.

Saturday, July 19.

In reply to the question on Friday, the Attorney General answered that the Surveyor General was not yet appointed. The duties of Commissioner were performed by the Governor in Council, the Ministerial duties were done to general satisfaction by Inches. Office of Commissioner of Works not filled; duties performed by officers appointed by previous Government. Both offices would be filled up immediately to satisfaction of House and country. Until address passed no copies of petitions to Governor asked for by Mr. Gillmor could be brought down.

Order of the day read about half-past ten. Boyd opened the debate asserting that the House and the Executive and not the Governor should be blamed for all the turmoil and confusion into which the

country has been thrown. They were a strong Government and knew their strength and exercised it without regard to the wishes of the people. They came into power by the influence of an organization dangerous to the country, and remained under its influence. They brought in and carried the Liquor Law, which they knew could not be enforced. They were but the tools of a party, and the country saw with dismay a secret organization formed to carry out the law, and magistrates appointed to aid them; 17 had been appointed in Charlotte, where it was evident that the law was a failure. They brought in bills to bolster it up, but these were lost, and he warned the Secretary of the consequences, if the law was not repealed.—He told them they could not stand. They refused to repeal the Law, and determined to wait until next meeting of the House, and when afterwards the Governor urged on them the necessity of repealing the Law, they were afraid to consent to a dissolution. He maintained that the Governor possessed the right to dissolve, and had exercised it judiciously and for the benefit of the people; and he quoted from the speeches of Sir Charles Metcalfe, who had ever been regarded as high authority by the Liberals of this Province, and had been cited in the address of the House in 1844, as enunciating correct views on responsible government. He referred to the appointment of Mr. Reed, and the action of the Legislature thereupon. The Act of the Governor was done in good time, and has restored peace and harmony.

Mr. Fisher followed, and threw down the gauntlet at once, repudiating the proposition that the Progressive party in this Province ever regarded Lord Metcalfe as an authority. In fact, in endeavoring to extend the Prerogative, he surrendered it into the hands of the Council, and caused it to be said after the elevation of Mr. Draper to the Bench, that his administration was one monstrous lie! He would vote against the second paragraph of the address, for the same reason that these conflicts end in the surrender of prerogative. He felt he would be in the minority on this occasion. But the vote would not settle the abstract question of right or wrong, and he was satisfied to abide the final decision of the country, when the excitement of the Liquor Law had passed away, and the people would calmly consider the great constitutional question. He was certain that the country would reverse that decision.

He pointed out several cases where within a few years the people had reversed the decision of the House, as in the case of the appointment of Chief Justice by Sir E. Head, and where minorities had grown into majorities, and instances wherein the British Government had decided the minorities were right.

He denied that his Government had prepared the Prohibitory Bill, any bill for its amendment, or that they opposed the repeal, or took any part as a Government. He had taken no part on the debate on the question, except once to make a brief remark. If they had advised the Governor's assent to the Bill, when passed by both branches, the Government of 1852 were in the same position.

He never thought the Government responsible, and the bill now would be repealed without difficulty, though he thought it better for the general welfare that matters had remained as they were until next session. He would vote against the second and fifth paragraphs of the address. At the Election the cry everywhere had been "vote for the Governor." The Governor's name should never be introduced at Elections. It was political heresy to take such a course; but such cry met him everywhere, and the Governor is now in a position in which no constitutional Governor ought to be (Speaker here called order, as contrary to all parliamentary usage to impute motives to the Governor or canvass his acts.) Mr. Fisher acknowledged this correct, but said the whole discussion and proceedings were unusual and out of order.—He had never referred to the Governor in his canvass, and would not again after to day speak of him, as it was political heresy to do so, but it could not now be helped.

This was an ordeal through which all the Province had to go. He was not now satisfied as he was when he signed the memorandum of the Council, that the Governor has even the abstract right of Dissolution without the advice of the Council.—The more he read, the more he doubted this. Mr. Wilnot had said the present Council had concurred in the dissolution, but there was a distinction between concurring and advising, and he (Mr. Fisher,) must deplore the condition of the Executive, when the Governor directed and the Council only "concurred," but were never the motive power. (Mr. Wilnot explained that he did not mean that the Government only concurred.) The real object of the Governor was to get rid of his Council (called to order and explained that he spoke of proceedings last session.)