

He then explained the reasons why he did not advise the Governor to dissolve. He thought the Law not such an evil as represented or so inoperative, and he would have seemed a political hypocrite, if he had advised a dissolution before the new election law came in force. And when it did come in force there ought to be another dissolution to allow the newly enfranchised to exercise their privilege. The late dissolution was like that of Sir Edward Bond Head in Canada, an electoral fraud, and it would end like that in the overthrow of those guilty of it. The Governor's object was to get men less unmanageable. He referred to the speech delivered in the other branch of the Legislature by a member of the Government, and denied that the Executive should resign because they differed in opinion with the Governor, or with his colonial policy. He should have no colonial policy.—He should only attend to imperial interests, and could repent in dust and ashes for what he had done.

He repeatedly expressed his increasing doubts of the Governor's abstract right to dissolve, and referred to the dismissal of Earl Gray's ministry of 1844, to Royal instruction, pointing out change made in instructions sent to Sir E. Head in 1854, which ordered to make appointment for Judges with advice of Council. He spoke of Sir John Hay's case; quoted Lord Durham and the Edinburgh Review; and pointed out how the former Government had clung to the office when the Governor had acted contrary to their advice, and were satisfied with "grave remonstrance."

Denied that the appeal to the people without the aid of Council was, as asserted, the highest act of self government. A dissolution could be obtained by petition. A majority of the House proved corrupt, and at the utmost they could but sit forever.

He cribed a scene at the last interview with the Governor, when the Governor rose cavalierly, and bowed them out. He thought they had been grossly insulted. He then commented on the address, &

Hatheway said if Fisher was right his three colleagues were wrong, for they were elected to support the Governor, and if the subject of the Governor's count was dragged into the arena it was entirely by Fisher's own party, and the canvass that affected him worst was "Will you support a Governor it comes 3000 miles off to trample upon the rights of the people?" He believed the Governor was right and had given their rights to the people. If it seemed the Executive expected he would give and had held a rod in *torrorem* over his head.

If they had been treated with disrespect because they were made of blacksmiths, or pill makers, they should have held their friends. They knew that if they had wished to repeal the law last winter they would have had a majority. The election of Mr. Allen of York showed what the popular feeling was. The election they had heard much of back-stair influence, and he expected to have it proved that the stories had foundation, and that the House had been dissolved by such influence, in connection with two Bishops. This was not done, but it was all known that the Ministers of various denominations had done all they could, taking the pulpit and turning their congregations on the necessity of voting against him and his colleagues, on account of the injustice done the dissenters. Notwithstanding the large majority in favor of the Governor, he would argue the necessity of the existence of the prerogative of dissolution. The Governor had done what he should get credit for. He was a young man and had dared to run this risk in the discharge of his duty.

He would regret to meet the former House again, it had become degenerate and a bye word, and such scenes took place in the Legislature as would alone have justified a dissolution. Not those who cried loudest in liberalism proved most liberal in fact, and his own experience taught him that the £600 per annum had a great deal to do with the politics of the House. The country did not care what men were in office, provided the public interests were well attended to. The late Government had been under the influence of the Temperance body, an organization acting contrary to the true interests of the people.

A discussion then arose on the propriety of speaking of the Governor's conduct as had been done; the House then adjourned for dinner.

After dinner, Mr. End spoke in support of the Governor and in support of the Address, and Johnson spoke against both and in vindication of the conduct of his Government at great length. The House then adjourned. No amendment moved.

In the Legislature Council the address was carried. Yeas—Black, Chandler, Hazen, Botsford, Kinnear, Davidson, Gordon, Minchin, Odell, Harrison, Peters. Nays—Robertson, Hill, Ryan, Wark, Steeves. (Signed.) T. W. ANGLIN.

[Reported for the Carleton Sentinel.]

MONDAY, July 21.

At 10 o'clock, the House went into further consideration of the Address in answer to His Excellency's Speech.

Mr. WILMOT said, he as a member of the Executive was prepared to take the responsibility of the Governor's act with reference to dissolution of the late House. The Governor had a right to seek his advisers where he would—those advisers must command a majority in the House. Governor may appeal to people, but cannot call a new House without sanction of Council.

His conduct had been stigmatized in connection with the Liquor Law, but he was only responsible to his own conscience and his constituents. He went for the Liquor Law in order to try the principle. He refused to vote for its repeal, because it was not brought down as a government measure. Had he (Mr. W.) been in the late government he would have resigned rather than have signed such a document as the late Council signed. He was no office seeker. Had he been anxious to retain office, he might have done so; or had he chosen to change his opinions, he might have had office last meeting of the Legislature,—such was his strong opinion.

He thought the reason why it was so difficult for the Governor to get his Council to resign, was their strong desire to hold on to their offices. They were not anxious to go to the country, after such assertions as were made by late Solicitor General, viz., That they would stand by prohibitory law, if it sunk the Government.

It was absurd to say His Excellency dissolved House without sanction of Council. The opinion of country was against prohibitory law remaining on Statute Book, and by our advice the House was dissolved, and an appeal made to the country. He deeply regretted the course adopted by the *Religious Intelligencer*, an extract from which the hon. gentleman read. It was always contrary to his wishes to bring religious predilections to bear in these matters, or to endeavour to build up one sect at the expense of another.—He would have assisted to dissolve the House last winter; Railway schemes then brought forward were calculated to fill the country with lamentation, mourning, and woe.

He was fully satisfied that the country had less confidence in late government than in their predecessors.

Mr. WATERS approached the consideration of the momentous question before the House, as one which demanded a calm, deliberate consideration. In expressing an opinion contrary to the advice of his best friends, he was guided solely by his own honest convictions. He conceived that the language of the Speech and Answer conveyed deliberate reflections against those gentlemen who were opposed to dissolution, and was a glorification of present government. He could agree with that part of the paragraph under consideration, which assumes that the present course will be a benefit to the country. It will, doubtless, subserve the cause of liberty; lead the people to consider the nature of their rights, how far they have been trampled upon; and lead to such an expression of opinion—when they see the error into which they have now fallen—as may prevent a recurrence of a similar circumstance.

It was difficult to find a justifying reason for the dissolution. The people did not ask for it; neither did the Government.

He had always been opposed to the prohibitory law; but the people desired it; an Assembly fresh from their constituents passed it. The County and City of Saint John declared in favour of it at their general and municipal elections; and the attempt to repeal the law last winter had failed; and the Assembly then met and reiterated the motion for dissolution brought in by Mr. McPhelim. Still this law had never been regarded as a government measure; opponents of the government voted for it, and against its repeal. But in view of all these facts, the members of the late Assembly had scarcely retired home, when the Governor expressed his desire to dissolve the House.

He (Mr. W.) had thought the Governor had the right; but upon mature reflection, he doubted whether any Governor of a Colony has a right to exercise his prerogative without advice of Council.

The Governor seemed from the first determined to dissolve the House; and he did so—without, and indeed against the advice of his Council; and that too, without giving any just reasons further than his own convictions, and without petitions from or request of the people. He had been opposed to the liquor law, but considered it of too little importance to stand for a moment as a sufficient reason for a dissolution of the late House.

Mr. SREET said—The principles of His Excellency's Speech, and the answer thereto, were those by which he had been elected. Since he had been here, he had seen no reason to alter his views; and

was satisfied that the people were prepared and anxious for a dissolution. After His Excellency found the Assembly would not repeal the prohibitory law—and the Council refusing to assent to a dissolution—he, upon the strength of his own conviction, that the law was inoperative, decided upon the course that he should adopt. [The hon. gentleman eulogized that expression of Speech, "When justice ceases to be even-handed, it ceases to be justice."] His Excellency could not be actuated by any personal motives; on the contrary, he was very cautious not to act in such a manner as to lay himself open to the charge. He (Mr. S.) contended that the act of dissolution was performed in a constitutional manner—by the advice and assent of his present Executive Council, and not on his own responsibility. His Excellency enjoyed the prerogative, and there had never been a time when the exercise of that prerogative was more necessary.

Mr. MITCHELL would ask—first, has His Excellency a constitutional right to dissolve the House? Second, Did the circumstances justify the exercise of that right in this particular case? While he admitted the first, he denied in toto the last proposition, and protested that there was no emergency which justified the act. His Excellency had assigned no valid reason, nor are there any petitions or documents to show a necessity for dissolution. Such papers, if there were any, had been asked for on Saturday; but the hon. Secretary had stated that there could be no communication with the Governor until after the answer to address is passed. They were in this position: they were asked to render a verdict, but were refused the necessary evidence. He (Mr. M.) had always been opposed to the Liquor Law; still, as it passed the House, he considered it his duty, as a magistrate and a citizen, to assist in maintaining the dignity of the law; and he believed the reason why the law was so inoperative, was because of the disposition manifested by those who should have assisted in carrying it out, to refuse to do so. He believed there had been a general desire to let the law alone for one year in order to test it; and by the dissolution, the Governor had brought upon the country a ten years agitation, for the people would never rest satisfied until a fair trial had been given to this law.

He (Mr. M.) thought that sentence in the Governor's Speech, which had been so eulogized by the hon. member for Charlotte, an unfortunate one in its connection, as he did not believe that the late Council had been treated justly. He could not justify the Governor's course; the acknowledgment of the hon. Secretary condemned it. That gentleman had stated that the Governor might dissolve the House, but could not call a new one without advice of Council. This, he contended, had been done; the same proclamation, issued against the advice of late Council, which dissolved the late House, ordered the return of a new one. The people enjoy a prerogative just as sacred as that of the Governor, nor will they submit to its violation.—He cared not what Government was in power, so long as they carried out the principles of Responsible Government, but he could not vote for this paragraph, laudatory of a Governor and Government who had acted unconstitutionally.

Mr. LAWRENCE would join issue with the last speaker, who asserted that the House was dissolved by the first proclamation. That proclamation was blank—no date for return of writs; the signature of the Governor was not to it, and it did not appear in the Royal Gazette. He maintained that the House was dissolved on the 30th day of May.

He approved of the act of the Governor, who had the right, and exercised it at the proper time. He put no dependence in names. Did not like the name of Radical, nor would he be called a Liberal,—the name he liked was Progressive Conservative.

On motion, the debate was adjourned till tomorrow, at 11 o'clock.

TUESDAY, July 22.

Mr. HATHWAY, from committee appointed by the House to make arrangements for publishing the debates, reported that they had arranged to have 2000 copies printed tri-weekly, at £12 for every 2000.

On motion, Resolved, That 500 copies of the Journals of the House be printed.

A Bill was brought in to regulate the importation, sale, &c., of intoxicating liquors.

Mr. WILMOT gave notice that the Government had a measure prepared, which would be brought down as soon as the address was passed.

At 11 o'clock the House resumed the debate on 2d paragraph of Address.

Mr. CONNELL considered the act which had brought them together at this time as not a judicious exercise of the prerogative which His Excellency enjoys. The repeal of the Liquor Law was the avowed object of His Excellency, the importance that has been attached to which will have a very injurious effect upon the carrying out of any measure which may be adopted hereafter on the subject. The opinion of the country was that the law was inoperative; and had it been intimidated by His Excellency to his Council, last winter, that unless it was repealed the House would be dissolved, he (Mr. C.) thought the law would have been repealed; or, had the old House been called together at this time, the members would have been prepared to repeal the law. He was one of those who thought there were other reasons than the repeal of the law why the late Council were not wanted in certain quarters; and he did not understand why members

should be so delicate about speaking of the conduct and motives of those whose actions so directly affected them and the interests of the country. He believed the fair issue between the parties was not put before the country. Had the constitutionality of the question been fairly shown to the people, the result would have been very different.

It is not argued by any members, in support of the present Executive, that His Excellency had any right to dissolve the House without the advice of a responsible Executive; and the act, it appears very clearly from the correspondence, was performed, and the House dissolved, without and against advice. He (Mr. C.) believed that immense damage had resulted and would result to the country from this dissolution. The important works proposed last winter are not being carried into effect; indeed, some members of the Government repudiate the idea. The lumber trade could not last much longer; and unless, while we have means and credit, we put into operation those public works which are calculated to build up and promote the interests of the country, it must become impoverished and depopulated. But, whatever the result might be now, he had no doubt that when another appeal was made to the people, a very different result would follow, and the present inability would be made right.

He hoped the time was coming when no gentlemen who hold office will have a seat in this House, but that members coming to this Assembly will be untrammelled by any improper influences. He also hoped that when the time came, which would be very soon, for the suffrage to be extended, the people would then be allowed an opportunity of expressing their views.

The Hon. Provincial Secretary had denied that he had ever endeavored to favor one denomination at the expense of the other. He (Mr. C.) charged him with such conduct, and would refer the House to the Journals, where that hon. gentleman's vote on the Marriage Bill was recorded against giving dissenters the same rights as the Episcopalians.

He could suggest a means of saving a large amount to the Province. The salary of the Governor was entirely too high; and he intended, at this or some future meeting of the House, to bring this matter fairly before them. The finances of the country would not bear it, and it was time that it was reduced. He thought the time was coming when the first executive office in the land would be filled by some gentleman belonging to the country, which had men loyal and patriotic enough, and possessing the necessary talent, to fill that office with credit to themselves and benefit to the country.

The following gentlemen then spoke in support of the address, viz.: Messrs. McMonagle, Earle, Barberie, Gilbert, Botsford, and Allen. In opposition, Mr. Gilbert.

Whereupon the House divided for the paragraph. Ayes.—Messrs. Gray, Wilmot, McPhelim, Allen, Macpherson, Hatheway, Boyd, Street, J. Earle, S. Z. Earle, Scovil, McMonagle, Harding, Lawrence, Botsford, Landry, DesBrisay, Kerr, End, Read, Montgomery, and Barberie—22.

Nays.—Messrs. Fisher, Watters, Smith, Johnson, Lewis, Mitchell, Charles Perley, E. W. Perley, Ferris, Tapley, Connell, McAdam, Gilmer, Sutton, Gilbert and McLehan—16.

The third and fourth paragraphs were then passed, when the House adjourned.

BY TELEGRAPH.

Reported for the Carleton Sentinel.

ARRIVAL OF THE PERSIA.

St. JOHN, July 22.

Persia arrived.
Breadstuffs advanced—Flour, 6d. to 1s.; Wheat, 2d.; Corn, 6d. to 1s. per quarter, with restricted business.
Consols, 95½ to 95¼. Little change in other markets.
No news of importance.

FREDERICTON, July 25th.

Liquor Law repealed, and old License Law revised; no amendment of importance introduced. House likely to be prorogued to-morrow.

By Telegraph to the Sentinel.

LEGISLATIVE SUMMARY

FREDERICTON, Wednesday, July 23.

There was a long discussion in the House this morning, in reference to the scrutiny between Messrs. McNaughton and End. The latter plead his own case most energetically.

Mr. Hatheway spoke with considerable zeal on behalf of Mr. McNaughton. Speeches were also made by Messrs. Johnson, Gray, Allan, McPhelim, and others, and the question finally postponed until 10 o'clock to-morrow.

Mr. Gilbert introduced a Bill to amend the Act relating to the supervision of Great Roads, in so far as relates to the salary of the Chief Commissioner of the Board of Works.

Mr. Fisher asked a question of the Government, as to the course they intended to pursue respecting railways, and when the line from Fredericton to Woodstock was intended to be commenced. Atty. General replied that he would answer the question to-morrow morning.

Mr. Lawrence presented a petition from Patrick Mahony, of St. John, praying relief for loss sustained in consequence of the widening of Canterbury-street. The debate on the Address in reply to the Speech was resumed a few minutes after 12 o'clock.

Mr. Smith made a lengthy speech. He admitted that the Governor had the abstract right to dissolve, but denied that the exercise of the prerogative by the Governor was justifiable or judicious.