

condemned in others, he had entered into personal recriminations, and implied unworthy motives to individuals who were just as honest and independent as himself. His Honor had of course the right to express his views upon Responsible Government or any other question which came up for discussion but he had no right to lecture the House as he had done, and he (Mr. Mitchell) for one would never again submit to it.

Mr. SMITH had ever given credit to his honor the Speaker for his good qualifications; but when he believed him to have reflected upon the intentions and motives of every one in the House—instead of calming the troubled waters which had been so deeply agitated, he felt both grieved and surprised, and he was led to the irresistible conclusion, that no one had so much violated the Speaker's admirable rules as himself. The Speaker's position was that the Government had no object but its own interests, and that the members of the opposition were actuated by the same motives. If this was the case, the sooner both parties were sent home to undergo a new trial the better; and he (Mr. S.) for one was prepared for it. His Honor had also discussed abstract propositions—questions by no means in the issue, and had thus in his own speech countenanced deviations which he had condemned in those of others. The Hon. member from Restigouche (Mr. Barbarie) had quoted an authority to show that the Speaker might discuss such questions as came up in the course of debate; but he (Mr. S.) would ask whether his Honor's vote had been given because he was hostile to Responsible Government? It could not be, for Responsible government was not the question to be decided. He (Mr. Smith) had his feelings deeply wounded by his honor's remarks last night; but on reflection he had concluded that he did not mean the insult conveyed in his language,—language which he was sorry to say would be read abroad, and throw great discredit upon the whole legislation of the country. He thought also as the division was equal yesterday the government would at once dissolve the House, and thus solve the problem, whether the present members of the House were such as they were thus represented,—whether the Government or the opposition possessed the confidence of the people.

Hon. Mr. MONTGOMERY, who had been absent at the beginning of the discussion, said he could not exactly comprehend what was in progress; but he conceived that now was not the proper time to debate an affair which had transpired yesterday, and in the course of which, if the Speaker had done wrong, he might have been called to order. He conceived the Speaker had as good a right as any member of the House, to express his opinions.

Hon. PROV. SECRETARY said he had seen the confused state of the House last evening, and had, as the best he could do in the circumstance, moved the adjournment. He thought that some of his Honor's remarks had been very severe, and would have thought of them much more, if he had not every day been in the way of hearing similar severity exercised among the members toward each other. He had also witnessed the same course of action in the newspapers, and the people must submit in patience. He was sorry to see such confusion,—hoped that it would continue no longer, and that the House might now proceed with the business of the country.

#### DEBATE ON THE ELECTION BILL.

[We published last week the speeches of Hon. Mr. Gray and Mr. Johnson on this question. Those next in order will be found below.]

TUESDAY, March 10.

Hon. Mr. ALLEN after making some preliminary remarks said it was very evident there was a defect in the present system and it was necessary that a remedy should be applied. He denied the assertion made by the hon. member for Northumberland that it was necessary this Bill should have the Royal assent before coming into operation. It was true that in the Instructions given to Lord Elgin, provision was made that Bills of a certain nature should receive the royal assent before coming into operation, but he thought he would be able to show that the argument raised by the hon. gentleman that this Bill should have such assent were invalid. [The hon. gentleman here read the 6th and 17th clauses of the Royal Instructions to Lord Elgin.]—The first of these he said referred only to private property, and did not relate to private rights. It referred to such a law as had passed for the opening of a certain street in the City of St. John, whereby some had suffered in consequence, but it did not apply to the Bill before the House. The other clause had as little to do with it as this one had, and he believed hon. members would not be led away when the hon. gentleman told them that this was going to destroy the Prerogative. These clauses were omitted in the more recent instructions, and it showed that the Imperial Government did not probably consider them necessary, but he believed that the Colonial Legislature should have control of such matters themselves. He did not think the hon. member for Northumberland was sincere when he said the Governor could not dissolve the House, if the Bill passed; and believing that he was not sincere, he considered it unnecessary to take up time in reply to the argument.—Respecting the remedy the hon. gentleman proposed, he (Mr. A.) asserted that it would not remove the difficulties. The Bill introduced by the Attorney General would go much further to remove the existing difficulties. They did not ask that it should be a permanent act, and therefore he believed honorable members would give the Government credit for sincerity when they told the House it was only a temporary measure and that they had no intention of going back to the old system. If any Government evinced a disposition to return to the old system he believed they would soon be displaced from power. He denied that such was the intention of the Bill. It was simply intended to remove a difficulty whereby 11,000 persons who had been disfranchised could exercise their rights. There

was nothing more in the Bill than was specified on the face of it and if there was anything like scheming in it he should vote against it. Perhaps, however, it would not require to be used at all and that putting it off until the first of May to come into operation was really longer than was necessary.

After giving the amendment some consideration he (Mr. A.) did not hesitate to say that the original Bill was preferable. By the former it was contemplated that the assessors' lists should be taken as a register, but he could tell the House that this was contrary to the spirit of the act passed in 1855.—By this act it was provided in the first place that there was to be a Revisor, so that every man had a right to come and see whether his name was or was not on the list, or see if the register was proper.—He asked how would this compare with the mode recommended by the amendment which was contrary to revision, and therefore the amendment was worse than the original Bill. There would be no uniformity in it. In one Parish there would be revision, and in another there would be no revision.—The amendment would therefore have the effect of introducing two systems, and the hon. gentleman from Northumberland could not deny that this would be the effect. He thought therefore that although there might be some objections in the first Bill, the Amendment was far worse, and would certainly fail in remedying the difficulties. If it provided for putting the machinery of the law into operation in 10 days, what would be the good of it? It would not be doing equal justice to all parties, and would not place them on an equal footing. The question therefore might be narrowed down to a single point; does the amendment point out a better remedy than the original Bill? It did not. He was perfectly satisfied that the Bill introduced by the Attorney General was only intended to provide for a temporary remedy, and its operations would soon cease. There was no design on the part of the government to hookwink honorable members, nor did they intend to sweep away the act of 1855. He hoped he had satisfied the committee that the bill if it passed did not require the Royal assent in order to make it operative, and he should certainly vote against the Amendment.

Mr. SMITH said it had been generally conceded that the question was narrowed down to a single point. But how did this accord with the action of the Attorney General in taking up three hours and a half yesterday in pointing out facts of which every one was cognizant. The question simply was, which was the better, that proposed in the Bill, or that intended in the amendment? He appealed to the independent members of the House to know whether they were going to take away the rights and liberties of the people by repealing a solemn act of this Legislature, that had vested certain rights in the people. He defied any honorable member to point to a single act of any other Legislature where by one fell swoop it sought to sacrifice and trample upon the rights and liberties of the people. If this were so, could he find any one here that would consent to such an act of injustice as that which would inevitably follow the passage of such a Bill. In his (Mr. S.) own parish the people had gone to the expense and trouble of getting their name registered and complying with the law and now the government sought to pass a Bill that would take away rights from his constituents that had been vested in them by a solemn act of the Legislature. Such an act was against the spirit of free legislation and in direct violation of the principle that should govern a free country. He (Mr. S.) stood here on behalf of those who had their rights to exercise and which they had acquired by great personal inconvenience. It would be just as reasonable for them to pass a Bill to take the property of any member of this House. Again the hon. Solicitor General had told them that they had no desire to get rid of the present law. Perhaps they wanted to restore the 400 polling votes for the County of St. John and deprive the men who owned £100 personal property from exercising the elective franchise—taking away from them a right to which they were justly entitled and giving it to "swampers." It would be better for the government to see if the law could not be retained than to return to an old law which this Legislature had condemned.

The redeeming quality of the amendment was that it did not take away the rights of a single man, while the Bill took away rights that were now enjoyed by hundreds and thousands of the people. Could it be possible that a majority of this House would affirm a principle that struck at the root of the liberties of the people? He hoped not and he (Mr. S.) as an humble member raised his voice to protest against such an act of injustice. All the objections urged by the hon. Solicitor Gen. against the amendment were of no force for the reason that the application to Revisors was not made perhaps by one out of two hundred. By this amendment it was further provided that the Sheriff could immediately repair to the office of the Clerk of the Peace and have the lists prepared and the law ready to be complied with by the people in 24 hours. The hon. Attorney General had talked a great deal about the Prerogative of the Governor, but he could tell him there was another prerogative that was of equal importance and that was the prerogative of the people's rights (hear, hear.) A great deal of the bloodshed and commotion that had taken place in England had been caused by the illegitimate exercise of the Royal Prerogative, and he (Mr. S.) held that while it was necessary to protect the one, it was also necessary to protect the other. He (Mr. S.) would ask the House to examine attentively the merits of the two Bills and he would ask independent members if they were going to support a measure which he looked upon as the coffin in which the government desired to entomb the rights of the people and of the country.

Mr. BARBARIE would not perhaps have spoken on this question were it not for the singular assertion of the hon. member from Westmorland (Mr. Smith) that the Government were retarding the business of

the country. This came with a bad grace from one of a party, which had frittered away three weeks of the people's time in a factious opposition to the Government, and an attempt to glorify themselves all the time, although every effort resulted in their own shame. Yes, the business had been retarded; but the people would know by whom. He believed the Government were doing the best they could; but the party which concocted the present Law—called the great Liberal measure—thought they had them in a fix, although their own Bill was now lying still born in the country. The present Bill was the remedy proposed by the Government to enfranchise thousands who in St. John and other parts of the country had been deprived of their birthright; and even in the county Gloucester he knew many respectable freemen who were suffering under the same infliction. The remedy for all this, as proposed in the Amendment, was to take up and act on the last assessment roll; but it was one which had burst upon hon. members all at once—he (Mr. B.) had never even heard of it before. The Amendment proposed that the Sheriffs should take up the last Assessment list, and thereupon make their returns; but this could never be done, for many of the parties to vote are not inhabitants at all, and could not of course be included.

The present Law, now known to be an abortion, was one of those cases which required a remedy.—The immediate exercise of the franchise might be required, for life was short, and certain emergencies might arise, in which it would be highly criminal to frustrate the business of the country. There was no use in strife; it would only bring them into contempt before the country. He therefore hoped that this question would be settled without party opposition or clamour.

(To be continued.)

## The Carleton Sentinel.

WOODSTOCK, SATURDAY, MARCH 21, 1857.

For five weeks our Provincial Legislature has been in Session. Not all that time has been wasted; for discussions have arisen, calculated—as they are read by the country—to impress upon the people some wholesome lessons. Political fruit of a grateful character may, we trust, result; but the lessons have been expensive; the experience dear bought; and, contemplating the present degraded position in which our Province is placed, we are led to fear she "Has paid too dear for her whistle." Looking at things as they are, did we believe them to be the natural result of the system of Responsible Government, we would at once join those who cry away with it!

But we believe that Responsible Government is not that foul Upas tree which some seem to think; that the present state of things is owing, solely, to an injudicious exercise of a sacred right by a people under the influence of a strange infatuation and universal excitement; and, we believe, and thankfully too, that returned to their sober senses, the same people will, at the first opportunity, correct the error and repair the wrong.

The business of the country has been delayed, by whom? We say, not by the Opposition! Those who say to the contrary, speak without look. No candid, watchful, intelligent observer can say that they have, during the Session, offered a captious opposition to the Government; but from the first submittal of their notice of Want of Confidence, they have acted in a manner consistent and honorable withall.

Have the Government triumphed? No! Have they been defeated? Yes!

On the motion of want of confidence, true, the Government sustained themselves by the aid of the "tender mercies" of the Speaker; but what, after all, was it, in the opinion of every right-thinking man, but a palpable defeat!

Passing by matters of minor importance, such as, for instance, that with reference to appointments to the Legislative Council—in which, with all their art, the Government could not secure, even by a casting vote, the position they sought to maintain.—we come down to the "Election Bill;" behind which they entrenched themselves—defending themselves with all the power of the gentlemanly eloquence and graceful rhetoric of the Hon. Attorney General; the plain, unostentatious, business-like reasoning of the Provincial Secretary; together with all the big and little artillery of the subs,—and after all, what was the result? Simply this: The Attorney General had "to abandon his Bill"—to use the language of His Honor the Speaker; had to submit to its mutilation in such a way as that—to quote from the Speaker again—"he (the Attorney General) might scarcely recognize his own child." He was compelled, in order to save to the Government a straw to catch at, to allow the Opposition to move and carry an additional section—altering the whole complexion of the measure. Very wroth seemed the Speaker, too, at the unstatesmanlike conduct of the Attorney General. "He had been disgusted from the beginning; this added the cap sheaf." Had the Opposition been factious, they might have thrown

out the whole Bill, and thus have rendered more complete their victory!

In an anomalous position would the country be placed in the event of an election; one electoral franchise ruling in some Counties, another in the rest. However, we must consider it much better to be thus situated, than to be again entirely subject to the old impure system; and it is satisfactory to know that, in the event of an election, the "Fisher Law" will have a trial, and that, too, in York and Carleton.

The Government, then, have been defeated, and still they do not resign! The questions now are—will they resign? or will they appeal to the people? or how can they avoid one or the other of these steps without most wilfully sacrificing the interests of the country.

In about eight months, exclusive of the Emigration scheme, from the Government have emanated two whole measures! the election Bill already referred to, and the Railway measures, which are—what? Two Bills, one repealing certain Acts relating to the European and North American Railroad; the other, a mere duplicate of the Fisher Bill—only excepting, that there are to be three, instead of two Commissioners—one to be the Chairman, who is to give bonds for the faithful performance of his duty, and that all contracts, &c., are to be in the name of the Queen. This, we presume, is not the measure, the glory of whose forthcoming was foreshadowed by Mr. Macpherson; which was to be called the Macpherson Railroad!

The Government have promised an "Election Bill," but we opine it will scarcely make its appearance. If it does—provided it reconciles the widely diverse views entertained by members of the Government—it will be a rare curiosity. Those who read the reported speeches of the Assembly will perceive that the members of the Government entertain every variety and extreme of franchise doctrine, from universal suffrage to the old real estate qualification. If the Government intend to introduce a measure of a "broad and liberal policy," why did they labour so hard to impress the Assembly and the country, that their Bill, the other day, would not assent the Fisher law, but that the machinery of the latter would still go on working out its provisions?

But we need not adduce instances. We may, in general terms, assert that there is scarce to be found an instance on record of a house more decidedly "divided against itself" than our Government: the members seem to entertain no views in common; to be actuated by no well understood line of policy; they seem to lack the foresight to conceive, ability to prepare, originality to recommend, or power to carry out—any measure.

We often look upon, and pity the position of his Honor the Speaker. Never, we believe, was patron more heartily ashamed of his protégée, than is that hon. gentleman of his—the Government; and we doubt not he feels quite willing to surrender into other hands the guidance of his sick, spoilt charge. Added to the strange waywardness of the Government, the rather frowardly and disorderly conduct too often evinced by the members of the House—the Speaker has his hands full; and it is scarcely to be wondered that he feels sometimes compelled to use harsh and expressive language, such as "unprecedented," "disgusting," "unparliamentary," &c., &c.

What is to be done? We can't answer our own question. Judging from present appearances, while the present incumbents remain in office, just nothing at all will be done. We believe the opposition to represent the people; and between the Government and the people, there is a great gulf fixed, which is widening and deepening daily; the elements of discord are in the ascendant, and there is no oil to calm the troubled waters.

Unwise, impolitic, and harsh personal reflections by untutored members of the Government, or its supporters, continually being made, call out the denunciations of the Opposition; leading, in the House, to most dire confusion, and in some instances to outside personal encounters. We know of no instance, however, and, we confess, we write it with pride, where a member of the Opposition has been the first to provoke such a state of things.

A somewhat amusing scene occurred in the House on Monday last. It was the day set for the striking of the Scrutiny Committee between Messrs. Lums and Tapley, and between five freeholders and Messrs. Perley and Tapley.

Upon the question of striking the second, several objections were raised. Mr. Hatheway, Perley's nominee, objected to the House proceeding in the matter, as he had been led by Perley's counsel to believe that there were no proper recognizances on file. He urged that, as five persons had petitioned, they should all have entered into the recognizances, with two sureties besides; that they had not done so; that there was a recognizance by only two of