THE CARLETON SENTINEL.

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DEBATE ON THE ELECTION BILL.

(*Continued from fifth page.*)

would in all probability have been carried out everywhere. As it was, he was rather surprised that it had been so generally worked out. There were 108 Parishes in the Province; of which 87 had made Registers, and 21 had neglected to do so, besides the City of St. John. Now in the City there was no difficulty in making a Register. In the 21 Parishes there were about 5,000 votes polled at the late election. Two of the Parishes of Kent, it was said, had no inhabitants. The amendment proposed to adopt the Registers, and supply the defect of the other Parishes from the assessment lists. If there were not assessments for County purposes there had been last year in every Parish in the Province for County or Parish purposes, except one, and the word Parish could be inserted to meet cases where there had been no County assessment, as County had been inserted to provide for certain districts inhabited by French. In the Parish where there had been no assessment last year, the last list filed would be taken, or they might devise some other simple mode of ascertaining the qualified voters. The assessment would be the first, having been made up for the purposes of taxation. The duties of the Clerks of the Peace would be merely ministerial, and no man would dare to alter a name. Registration was spoken of before the Clerks of the Peace had been proposed. However, if any better measure could be devised, adopt it. It would only be applied to a fraction of the people, and if any small defects occurred they could not be compared to the evils and injustice resulting from such wholesale disfranchisement as the revival of the old law would produce. In the City of St. John it was easy to provide for a perfect Register. It was said that the Counties of York and Carleton had no Register. This he denied. They both had complete and perfect Registers, regularly made up and filed with the Secretary Treasurers, and the objection that it should have been filed with the Clerk of the Peace was a mere quibble, and proved what expedients the Government were driven to when they could offer no other objection. It was a little extraordinary, if the Government entertained seriously the opinion, that they sent the questions to the Secretary Treasurers of York and Carleton, inquiring into the state of the Register. The Register had been made up, filed, and sent to the respective Town Clerks. In York, the new law enfranchised between 500 and 600 person; in Fredericton alone, upwards of 300. It was an act of spoliation to take away the rights of these men, which as their representative he could not submit to. In the rural districts there had, generally, been no material difference in the electoral body under the old and new law. In Sunbury, there were less on the Registry than voted last election. Some would remember that he contended in the discussion in 1855, that there was a large number of bad votes at some of the Sunbury polls, that at one booth near three times the number of persons qualified voted, and that they must have come in from other Counties. It was denied by a member from Sunbury at the time —it now appeared to be true. The greatest increase under the new law would be in the towns. Looking through the Province, in addition to the six Counties he had mentioned, the Register had been made up as follows:—In St. John, Northumberland, and King's, each, in all but one Parish; in Westmorland and Charlotte, each, in all but two; in Victoria, all but three—one of which was small: in Kent, it was omitted in four Parishes, two of which, it was said, had no inhabitants; in Queen's, the Register had only been made in three Parishes, leaving seven without any Register, to which add the City of St. John. Notwithstanding all that had been said about the expense, when the Law of 1855 was passed, the Registry had not cost much, varying in Counties from £20 to £30. Contrast the old law, with its excitement and evil, uncertainty and expense, with the new. It provided for an extension of the franchise. Lord John Russell had, in his Reform Bill, proposed to include personal property even in England. The present Law gave a simple Registration, and vote by ballot. He (Mr. F.) regarded the Registration as of more importance than either of the others, if they had sought for a Registration of the simplest and cheapest kind. Had they employed lawyers, as in England, where they had Revising Barristers, it would have been said that they wanted to make work for lawyers. The assessment list was the basis—made up by common-sense men, capable of knowing, and probably knowing every man in the Parish; the Revisors were also elected as a check upon the Assessors. On the first of August, the Assessors were required to deliver to the Revisor a copy of the assessment list, and before the first of September the Revisors are to prepare an alphabetical list of the qualified electors, and post it up in three of the most public places of the Parish, with a notice of a meeting for Revisors on the 5th of October, and requiring all persons desirous to add or strike off, to notify them before the first of October, when their names were also published.—After the meeting for Revision, the Revisors are required, before the 10th of March, to transmit their corrected list to the Clerks of the Peace; and, in incorporated Counties, to the Secretary Treasurer. On the 10th of December, the Sheriff must attend at the office of the Clerk of the Peace—and, in incorporated Counties, the Warden, at the office of the Secretary Treasurer—and simply arrange the non-residents; the list so revised should be completed on the 24th December, and then filed, and copies of the electors of each Parish sent to each Town Clerk. Any list that came into the Sheriff's hands on or before the 24th day of December, before the Register was signed, in his opinion was in time, though the delay was inconvenient. This was the mode of making up the Register, and if it was to have any value, he did not know how it could be made much more simple.—In the United States they revised their lists: and the expense here had been little, compared to the benefits of having an electoral body that was known. The Registration for the whole Province would not cost half the expense of one scrutiny. He regarded Registration as most important. It had been well observed by a distinguished statesman, now no more, (Sir Robert Peel,) "that the battle of the constitution was to be fought in the Registration Courts." It was the thing he had always to contend against. Last summer, when he left Fredericton for Harvey, to attend the poll, an anxious friend inquired about the election. He (Mr. F.) told him the election would end all right; that he would not exchange his friends for those of any other candidate; that he should be returned easily; and he stated the order in which the candidates would be returned;—"but," said he, "elections are funny things, and though every thing may be well arranged, some man may die, or something unexpected to him may occur to alter it." This had reference to the bad votes which could not be effectually checked under the old law, and which the Registration avoided. He (Mr. F.) was not infatuated about the ballot as some were, still he believed that it would do good—it would protect the poor man, and enable any man to give an independent vote; but whether they liked it or not, it was an incident of progress. The people were determined to have it, and they were bound to give it a trial. From his observation in the Municipal Elections it had worked well, in connection with the Registration, and it could not be applied without Registration. He believed it would diminish excitement and corruption, and promote the purity and freedom of elections. These were all benefits that were to be wrested from the country by the Bill of the Government.

The opponents of the law of 1855 were the same class who opposed the simultaneous polling Bill.—It was then stated by his learned friend from Restigouche and others, that in the country they could not get presiding officers whom they could trust in the absence of the Sheriff, and that they wanted to look at the voters in the face. But the law had vindicated itself; all parties approved of it; and, defective as it was said to be, it had passed pretty much as he originally presented it, and had never been amended. His learned friend the Attorney General, had argued that it was only postponing the new law a year, and that when passed it was put off for a longer period. That was a necessity. New officers had to be appointed, and it required the whole time to perfect the machinery. The first of January 1857, was as soon as the Registry could be completed; consequently an election could not sooner be held under it. The Prerogative of the Crown had been referred to by some persons who were fond of talking about it, and talked a deal of nonsense—too often not knowing really what it was. He (Mr. F.) would not detract from or impair the Prerogative of the Crown, because he would then trench upon the rights of the people. The Crown had no prerogative for its own sake; this was the doctrine of Charles the First. Since the Revolution such notions were exploded. Every Prerogative of the Crown was a trust for the people; so that the Prerogative of the Crown and the privileges of the people were almost identical. Every Prerogative was exercised by the advice, and on the responsibility of a responsible Ministry, and by them the constitution was preserved. The Bill was a good illustration of the condition of the Government. They had excited the country about the liquor law, and the great remedial measure was the re-enactment of the old licence law. True to their instructions they now propose to reënact the old election law. He was opposed to it as it deprived so many of their just rights. He hoped the House would adopt the principle embodied in the amendment, and disfranchise no man who had acquired the electoral right under the law of 1855.—The Bill had a preamble to meet an emergency or vacancy, and not a dissolution, which was no vacancy. The enacting clause would cover a dissolution; the amendment met the case boldly, and provided for vacancy or dissolution. Let it come at once; let the country decide the question, if they are determined to hold on and dissolve. [Hear, hear, and yes, yes, from all parts of the Opposition.] Lose no time; take the opinion of the country. He believed the people would speak out in unmistakeable language. They had been deceived, and they would now give no uncertain sound. Anything was preferable to the present state of affairs,—any law to hold an election upon rather than continue as they were. As the principle of the amendment was to carry out the law of 1855, he preferred it, and he hoped it would pass. [Here Mr. F. read from a speech in favor of the law of 1855, which had been disputed by members of the Government. There was much laughter when it appeared the speech was made by Mr. McPhelim. He also referred to a remark of Mr. Boyd that some of the opposition were going over,—and in which Mr. B. had affirmed that the supporters of the Government had all agreed to hang together,—and observed that, as to the opposition, he had better not count his chickens before they were hatched, and concluded his speech by contrasting the two laws, and urging the House not to be recreant to their duties, nor to the spirit of the age or the genius of their institutions,—not to retrograde, but to progress.]

Hon. Surveyor General said that, although the Hon. ex-Attorney General had said of himself he was not very good-looking, he (Sur. Gen.) differed with him, and considered him a very handsome man; he only regretted that in his case the face was not a fair index of the mind. The whole tenor of the learned gentleman's arguments went to convince him (Sur. Gen.) that he should vote for the Bill. According to his hon. friend's idea, the existing law was perfect. The Bill before the House only intended to revive the old law until the present one could be carried out. The Amendment went to repeal several sections of the Law, but the Bill was to continue. If the law of the ex-Attorney General was as good and perfect as that gentleman professed to believe, then he should go for the Bill, not for the amendment. He supposed the new measure proposed by the Government would include the Ballot, although he had not seen it; he did not know that, according to his own personal feelings, he should advocate the Ballot system, but had always thought it would be better to continue under the old franchise by which a property qualification was required. He should vote for the Bill.

Mr. Mitchell condemned the spirit which had been manifested by some hon. gentlemen to wander from the question under discussion; and, from the very wise course adopted by the gentlemen who spoke in the early part of the debate, he regretted that so much valuable time had been wasted in mere declamation. That was not what the country wanted;—a difficulty existed, and hon. members should feel themselves charged with the duty of applying themselves to find a remedy. What had the last gentleman's speech to do with the question? In his hour's declamation there was scarcely a word about the franchise or the Election Bill. His speech, doubtless, was elegant and comprehensive, —the learned gentleman read and construed law better than the ex-Solicitor General; but he (Mr. M.) thought it entirely out of place, ill-timed, and injudicious; it had been prepared for another occasion, and he regretted the hon. gentleman had not reserved it. It had occurred to him (Mr. M.) while listening to his hon. friend, that some lines of Goldsmith, in his "Deserted Village," were very applicable to the hon. member from St. John, (Mr. Lawrence); by permission he would read them:—

"'Twas certain he could write, and cypher too—
Lands he could measure, terms and tides presage,—
And e'en the story ran that he could gauge;
In arguing, too, the parson owned his skill,
For e'en though vanquished he could argue still,
Whilst words of learned length and thund'ring sound
Amazed the gazing rustics, ranged around;
And still they gazed, and still the wonder grew,
How one small head could carry all he knew."

The question before the House was one of momentous interest to the country, in which party politics should not be mixed up. It was the duty of both parties in the House not to endeavor to thwart or oppose good measures of the Government, but to resist or amend bad ones: and when they brought in a measure which was not in accordance with the wishes of the people; which was not progressive, but retrogressive; which, instead of advancing the interests of the Province, was calculated to retard, to injure, to inflict wrong, and violate some of the dearest rights of its inhabitants,—then it became the duty of every man to sink the politician, come out from the thraldom of party, and rise to the dignity of statesmen and patriots. The Bill of 1855 enfranchised many throughout the Province who never before enjoyed the privilege,—it bestowed upon the country a boon; and he (Mr. M.) trusted the House would not by a solemn act crush the liberty they had extended, or take back the cherished boon they had bestowed. Had the Government brought in a Bill to wipe out those imperfections—for imperfections very naturally there might be in the new Election Law—and remedy and supply them, then he (Mr. M.) would have given his support to their measure, and aided in perfecting it. [Mr. Montgomery.—"I don't believe a word of it."] Mr. M. did not care whether the gentleman believed him or not; had it been before dinner he probably would not have made use of the expression.

The right to vote was given to a large number of the inhabitants of the Province by the Fisher Bill. The country appreciated and approved of its provisions. Its operation was suspended for awhile; but he would tell the hon. member for Restigouche (Mr. Barberie) the law was not an abortion, as he had stated; or, at all events, in whatever light that gentleman and his constituents might regard it, he (Mr. M.) and his constituents, who could compare favorably in point of intelligence and loyalty with those of any County, considered it a boon, and he should not consent to deprive them of it without knowing what the country proposed to supplant it with. What had the Government asked the House to do? Why, while admitting the good features, wise provisions and correct principles therein contained, they wished to sweep the whole existing Law from the Statutes,—and that, too, before it had a trial,—and in its place to reënact the old, worn-out, barbarous, impolitic system, to which they had, he (Mr. M.) hoped, forever given the go-by. He for one would never consent, at the dicta of the Hon. Attorney General, to sweep away an elective franchise granted in good faith to thousands of his fellow colonists.

They had been told that the Bill was merely to provide for an emergency. He did not think there existed any necessity for anticipating difficulties.—He hoped, as the hon. members all seemed healthy and hearty, they were not, any of them, going to die very soon; for his part, he intended to live as long as he could. But if there were any emergencies to anticipate, he (Mr. M.) contended that the Government should have brought down their real measures with the present Bill, put it fairly before the country, and not attempt the partial legislation which the Bill contemplated. He wanted to know the principles of the proposed measure; while on the word of his hon. friend the Atty. General, he put every reliance personally, he would not take the word of any politician in a measure which affected the franchise right of 300 of his constituents.

The Opposition had been charged with delaying the public business of the country, but the statement was not in accordance with facts. The goverment themselves were responsible for the delay; this one before the House was the only measure they had brought in, and he. Mr. M., contended that the government had not pursued an honorable course by bringing down their measures by such driblets. Such a course might be necessary in order to hold together the 20, as there being no cohesive principle among them, any important document might frighten them from their allegiance. They, the Opposition, had been charged with being factious, but he could challenge those who made such statements to point out a single instance in which a measure of the government was resisted by the opposition, except the present one. He condemned