

POLITICAL NOTES.

A Glance at the Leading Measures Carried in the House of Assembly of New Brunswick, from the Year 1854.

By G. E. FENETY, Fredericton, N. B.

No. 8.

Bill Relating to Jurors—Board of Works Measure—Another great Reform Step—River St. John Improvements—Measure by Hon. Charles Connell—Initiation of the Money Grants—Opening of Session of 1866—English Railway Contractors Faithless—Another Vote of Want of Confidence in the Government.

The House went into Committee on a Bill (introduced by Mr. Harding, of St. John, the late High Sheriff) for authorizing the Corporation of St. John to dispose of certain City property.

March 26.—On motion the House went into Committee on a Bill (introduced on a former day by the Attorney-General) relating to Jurors. In introducing it, Mr. Fisher remarked that the Bill had been prepared by the Law Commission; and although he might not be particularly wedded to every proposition, yet thought the provisions of it would prove acceptable. The Bill proposed the selecting of Jurors by the regular mode of balloting; and that every Freeholder, and those possessed of £100 property—that is, every duly qualified elector—would be drawn once in three years only, or as they came up in turn. It would also reduce the number of Jurors from 12 to 7 in Grand and Petit Juries, and provide 5s. per diem for each Petit Juror; also limiting the time of the Jury when deliberating on a verdict, to six hours. Mr. Fisher thought that six men would answer the purpose as a Jury, for it was well known that three or four intelligent men generally directed a Jury; and as the Jurors must be paid in order to secure their services, by lessening the number of Jurors, the expense would be lessened.

Mr. Ritchie took a medium view of the measure, and no doubt expressed the opinions of other members. He said he thought that the changes proposed would work unfavorably in Saint John. He would be willing to reduce the number of Jurors from 12 to 7, in civil cases, but would not support the reduction of Jurors in criminal cases. From his knowledge of the law, he could say, that perfect unanimity of a jury in civil cases could never be expected. He would therefore prefer trying the experiment in civil cases. He was also opposed to limiting the time to six hours. Although the law which compelled the jurymen to remain in the Jury room without food, &c., till they decided on a verdict was a relic of barbarism, yet it had its good effects; and thought the discretion of fixing the time was wisely vested in the Judge. Were the Bill prepared with those modifications he would not object to it; but yet, he would say, that the present system works well in St. John, and he thought it would be better to leave well enough alone.

The Bill was carried.—The reduced number of Jurors to find a verdict not to be made applicable in criminal cases. In consequence of Mr. Ritchie's severe animadversions upon the Common Council in the course of his remarks, that body called a special meeting for the consideration of the honorable gentleman's strictures, and passed strong condemnatory resolutions.

March 27th. The Government introduced another important Reform Measure, viz: A Bill for establishing a Board of Works—for the better supervision of Great Roads, Bridges and Public Works in this Province. The Attorney General entered into an exposition of the principles and provisions of the Bill, and in the course of his remarks he stated that during the last 10 years the sum of £360,000 had been expended on the internal works of this Province. He also stated, there were 39 Supervisors in the employ of Great Roads and it was part of the Bill to do away with this part of the present system; and that by the Bill a new organization would be created. That there would be a Chief Commissioner of the Board of Works, and two Assistants to be political officers, that one of those Assistants would most probably be the Surveyor General; and he thought that the Postmaster General would be a suitable Assistant. The Surveyor General, from the nature of his office, would be prepared to render efficient assistance, and the Postmaster, from his acquaintance with the mail routes, would also be well prepared; and hence the beauty of the scheme. The Chief Commissioner to have a fixed salary of £800, the others to have no salary.

A long debate followed, the speakers being generally in favour of the measure. Amendments were moved, but rejected; and the Bill finally passed by a large majority. Here was another example of the great influence wielded by a Government disposed to originate and pass useful measures for the good of the country. "The Board of Works" department is now answerable for the expenditure of all moneys for public works. A great deal of electioneering legislation and time of the House are saved. The Legislative Council passed the Bill unanimously. Honorable Mr. Steeves was the first Chairman of the Board of Works appointed.

March 30. A Bill was committed, the principle sustained and progress reported, for granting the Bye-Road moneys in gross to the respective Parishes, to be expended by Commissioners to be elected by the ratepayers at the Parish Election and to take effect in March, 1856. This was another measure calculated to deprive honorable members of much influence among their constituents.

31st. Fifteen hundred pounds were voted for the improvement of the River St. John above Fredericton.

A Bill was introduced in reference to the Burial Ground in Carleton (St. John)—the matter is of no more public importance than to notice a singular circumstance in connection with it. Petitions for and against the measure, numerously signed, were handed in; and the names of several of the same petitioners were on both documents, which goes to prove that the value of Petitions as a general thing, is not always in harmony with the public sentiment.

April 3rd. Mr. Connell moved the following resolution:

"Whereas, by Resolution of this House of the 24th April, 1851, it was resolved 'that to ensure the efficient and well working out of 'Responsible Government, it is necessary that the Post Master General shall be made 'a public officer;

"Therefore Resolved, That this House 'affirm the principle set forth in the Resolution referred to.

"The office to have a salary of £600 per annum."

The House agreed to the Resolution, and it was left optional to the Government to make the appointment. They, however, failed to do so, upon the plea that as soon as the exigencies of the public service required the change the principle could be put in force. It will be seen hereafter, that as soon as an opposition Government was formed in a year after this, they at once filled up this office, by the appointment of Mr. McPhelin to the post.

April 5th.—Mr. English said the House had now been in session two months, and nothing had been offered respecting the placing the initiation of money grants in the hands of the Government; he would now move a resolution to that effect, which he read in his place, and it was ordered to lie on the table.

This resolution appears to have remained on the table, for it does not present itself again in the reports of the day as having been taken up. [It was carried afterwards, as will appear.]

The discussions upon the various items moved in Supply, occupied, as usual, a great deal of the time of the House, continued day after day. A motion for a grant of about £10 would perhaps lead to a debate of several hours. The "initiation principle" was therefore a matter of great importance, and if carried would prevent these tedious and expensive discussions.

On the 12th the Legislature was brought to a close. Several important measures were the result of the labours of the new Liberal Government, such as the "Election Law" "The Ballot," the establishment of a "Board of Works," a "Board of Health"—also assuming the responsibility, for the first time, of preparing a Revenue Bill, and showing an earnestness to stand by all measures. Another and by far the most important feature of the Session, was in the new Government reorganizing the departmental system—the heads of offices having been put into the Government, all to stand or fall by a vote of the House.

SESSION OF 1856.

The Legislature was called together on the 14 February. His Excellency in his opening Speech, spoke of the continued cessation of operations on the Railway works, and that he had directed the Attorney General to proceed to England in connection therewith.

[Note.—The meaning of this is—Messrs. Peto, Brassy, Betts & Jackson, the contractors for the Railway between St. John and Shediac, after commencing operations near St. John and at Shediac, and doing considerable work, suddenly withdrew their men and suspended operations in the fall of 1854. The whole summer of 1855 passed away, and no satisfaction could be got out of the contractors as to their intentions. At length the Government thought it advisable to send the Attorney General to England to have an understanding with the contractors, and it was then ascertained for the first time that they could not carry out their engagements, unless the price per mile was advanced to a figure they named. This was a breach that no one was prepared for, as the firm of "Peto & Co." stood so high that a failure of the National Bank seemed just as probable as this. More especially were people in St. John surprised, when it was taken into consideration that on the signing of the Contract in 1853, (?) a public dinner was given in the Custom House Building to Messrs. Jackson and Betts; two of the firm, presided over by Sir Edmund Head; and in the course of his speech, Mr. Jackson, held in such high veneration—or wished others to do so—the firm of which he was a partner, that he declared that it any one mistrusted the honesty, integrity or ability of the contractors to carry out their engagements he was ready then and there to tear the seals from the parchment, and abandon the work at once. It will be seen in the future how far this self-laudation was realized in practice.]

The governor regrets that the expenditure of the past year had exceeded the income; although the Provincial Secretary's Estimates had turned out to be singularly correct, he states the reason why this excess happened—viz: in the initiation of the money grants not having been placed upon responsible shoulders—the Government—and expresses a belief that the present Session will not pass over without changing a system fraught with such pernicious consequences. He speaks of the report of the Commissioners of King's College (before referred to,) and hopes that this Institution, as well as the other Seminaries of learning, will receive the attention which their great importance demands. The operations of the Board of Works are alluded to with commendation—Members may see at a glance the expenditures made upon the great roads and bridges, their judiciousness and necessity. And finishes by congratulating both branches upon the fall of Sebastopol.

Two members having died during the recess, (Mr. Richard English, of Carleton, and Mr. James Taylor, of York,) Mr. Hayward moved that the House go into mourning for one week, which motion was carried.

Feb. 14.—Messrs. Armstrong and Watters were sworn in as new members, the former for the County of Saint John, in the place of Hon. Mr. Ritchie, who during the recess had gone upon the Bench in place of Judge Street, deceased; and the latter for Victoria, (the former member, Mr. Rice, having been placed in the Legislative Council). Mr. Watters was taken into the Government shortly after being elected.

Feb. 15.—Mr. Godard was sworn in as a member for the County of Saint John, in place of Mr. Partelow, who had resigned his seat during the recess on being appointed Auditor General.

Mr. Hatheway gave notice that when the consideration of the Address in reply to His Excellency's Speech was taken up, he would bring the following Preamble and Resolution before the House—

Whereas—While the present system of granting money exists in this branch of the Legislature, extravagant and improvident appropriations will constantly be made, and that regard to economy and the best interests of the Province at large, which is due from the representatives of the people to their constituents in the disposal of the public funds, can never be properly kept in view or adhered to;

Therefore, Resolved, As the opinion of this House, that in order to carry out the principles of Responsible and Departmental Government in such a way as to be beneficial to the country at large, the right of Initiating Money Grants should be conceded to the Executive Government, and the practice of the Imperial Parliament in this respect adopted, and further

Resolved, That it is the opinion of this House that such a concession would secure to the people, from whom the Public Revenues are raised, a more economical, just, and equitable appropriation of the Public Money than can possibly exist under the present system, inasmuch as the Executive Government would then be responsible for the objects for which the expenditure shall be recommended."

Here was another evidence of a disposition of the party in power, to eradicate another evil with which the initiative system was so pregnant. It has been seen in previous



HON. JOHN H. GRAY.

numbers that various attempts had been made from time to time to transfer the money power from the House to the Government, but without success—whereas, had the influential members of the House and former Governments been anxious for the change, it could have been made any time prior to this.

Feb. 18th. The Address in reply to His Excellency's speech was taken up and discussed. Mr. Gray proposed an amendment, expressive of a vote of want of confidence in the Government, especially for the expenditure of large sums of money for Railway purposes. The honorable mover spoke for an hour and a half; and was supported by several disaffected Liberals, as well as all the old Conservative members. The opposition threatened to be formidable, although the Government felt themselves to be strongly entrenched. The Attorney General led off in defence of the Government, and spoke for three and a half hours. The reader would naturally suppose that there must have been a great many damaging charges made, and therefore a great deal to explain away, when such an amount of time had to be consumed by the leader of the Government. But, it must be remembered that in entering into a long debate, involving the retrospection of a great variety of topics, a large field is necessarily opened up. The ground work being pretty much the same in all such cases, and frequently gone over in these articles in alluding to the different discussions, it would only be repetition to reproduce the arguments—the charges and rebutments—in a debate like this that has no reference to any particular present parallel. The Provincial Secretary (Hon. Mr. Tilley) especially showed the wholesome financial condition of the Province since the present Government came into power—and the good done by the Liberal Government. Whatever financial depression there was it was saddled upon the mal-administration of their predecessors, the effects of which could not be obliterated in a day; it was alleged that had there been a wish in previous years to alter the system of expenditures, all the extravagance, of which the result was now painfully manifest, even up to the present time, might have been averted. The speeches made on both sides were able and convincing, that is convincing to those belonging to the one side or the other. After a bombardment of fourteen days the House divided:—

For Mr. Gray's amendment: Yeas—Messrs. Gray, Wilmot, Hayward, Street, Connell, Boyd, Gilbert, Godard, Armstrong, Stevens, Montgomery, Botsford, Purdy, McLeod, J. A. Harding, McPhelin—16. [All now dead.]

Nays—Messrs. Fisher, Tilley, Johnson, Brown, Watters, Smith, Steadman, Sutton, McAdam, Ryan, Landry, Cutler, Hatheway, McPherson, Tibbitts, L. R. Harding, (Victoria), Kerr, McNaughton, Gilmour, McLellan, Ferris, Lunt—22. [All dead but four.]

Mr. End was absent and the Speaker in the chair. Government consequently sustained by a majority of six. The remaining sections of the address were then adopted, and a committee was appointed to wait upon his Excellency with the same.

[NOTE.—In No. 6, Mr. John M. Johnson is placed in the Dominion "Government," whereas it should have been in the "House of Commons." The reader, however, from time to time will please be indulgent whenever small errors present themselves, for unless the author is on hand to read over "proofs," as the articles go through the press, it is impossible for mistakes not to get into print.—(G. E. F.)

Not Infrequent.

"What part did you find most difficult when you were on the stage?"

"Trying to live up to the salary I told my friends I was drawing."

SOME FACTS ABOUT PENS.

They are of Many Varieties and a Vast Number are used.

Steel pen makers often receive suggestions for improvements from outside sources. The idea of utilizing the "feel" of a pen as another nib is a favorite which crops up with perennial freshness. The saving of material and consequent reduction in price is pointed out in glowing terms by the would-be inventor, who, believing he has "struck it," asks an exorbitant sum for the patent rights, and fondly imagines his glorious idea will revolutionize the pen trade. Alas for human hopes! The idea is not a novelty, these reversible pens having been made twenty-five years ago, and were an unqualified failure.

The present day writer has the choice of an almost endless variety of shapes, from the Lilliputian lithographic pens—some of which will make a line broader than themselves—to the giant magnabonum and parcel pens, the latter with points an eighth of an inch broad and sufficiently hard to write on wood; pens ranging in "touch" from the flexibility of a camel-hair brush to the flexibility of a poker; pens with points turned up and points turned down, also divers patent points of more recent invention, the perfection of which has dispelled for ever the prejudice imbibed in the writing public by the use of the goose quill during several centuries.

Proposals of magnabonum or barrel pens, the survival of the fittest is well exemplified by the decay of this once popular pattern. A couple of decades ago "mags" were manufactured by thousands of grosses, but in this economical age an order of any magnitude is a rara avis.

On being shown over a pen factory, the invariable remark of strangers is: "Wherever do all the pens go to?" A natural question too, when one considers that the weekly output from Birmingham, the seat of the industry, is estimated at 150,000 gross; in other words, the prodigious quantity of 1,125 millions of nibs per annum. There are half-a-dozen firms in the hardware city who manufacture between 4,000 and 5,000 distinct varieties, each in two, three or four gradations of point, suitable for writing in any language and on any paper.

One man's meat is proverbially another man's poison, and this is peculiarly applicable to pens. Shapes sold largely in Holland, for instance, are positively unsaleable in England; and, remarkable as it seems, several patterns current in Naples and the South of Italy are practically unknown in the North. One shape, called the "oblique" pen, however, is much favored both in Spain and—mark the contrast—Scandinavia.

The most popular pattern for the home market is the well-known "shoulder" pen, with the good old "J" a close second; the latter being also exported in large quantities to India, where the natives tie the points obliquely to suit their style of writing from right to left.

A Nobleman Who is an Ass.

A London paper says there is an old nobleman who frequently takes a walk down Oxford Street, and who every night, on pulling off his boots, slits the uppers with a sharp knife down to the toes. This is so that he may never wear the same boots again. Every morning he has a new pair. He is quite sure of it—indeed, it is the only thing he is positively sure of—for his valet and everyone else are prevented by these gashes from entering into any compact with the bootmaker whereby the cast-off boots might be returned secretly to him and made to resemble new ones.

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