

SECOND SESSION.

Opening Ceremonies on Thursday.

The Debate on the Address Concluded Last Night and an Opposition Amendment Voted Down.

Attorney General Blair's Masterly Address in Defence of the Government.

The second session of the present local legislature was opened at 3 p.m. on Thursday, with the usual ceremonies. Lieutenant Governor Fraser, on his arrival at the parliament buildings, was received by a guard of honor from the R. R. C. I., in command of Capt. Hemming, marching from the barracks to the square headed by the 71st Batt. His honor was accompanied in the assembly chamber by a military staff consisting of Major Gordon, A. D. C., Lt.-Col. Mansell, D. A. G., and Surgeon-Major J. Whiteside. The galleries of the house were packed with people and on the floor of house were seated many distinguished ladies and gentlemen, including Mrs. Fraser, Mrs. A. G. Blair, the Misses Fisher, Miss Thompson, Mrs. Mot, Judge Palmer, Dr. Inch, Rev. Canon Roberts, Rev. C. W. McCully, Hon. Wm. Lindsay, Hon. F. P. Thompson, Wm. Wilson ex-M. P., and many others.

Nearly all the members of the legislature were in their places, when Governor Fraser took his seat on the throne, and with a clear pronunciation, read the following:

Speech.

Mr. Speaker, and Gentlemen of the Legislative Assembly:

It affords me sincere pleasure to meet you in parliament for the first time since entering upon the duties which I am now discharging as the representative of Her Majesty in this province.

I am sure you will join with me in paying a just tribute of respect to the memory of my immediate predecessors, who, in the order of Providence, were only permitted to occupy for a brief period the high station to which you have succeeded.

It is fitting that we should acknowledge, in a spirit of gratitude and thankfulness to the giver of all good things, that while other countries have experienced and are still suffering the most distressing consequences of a disastrous business panic, we in New Brunswick have enjoyed almost complete immunity from the worst phases of these exceptional conditions.

During the recess the Earl of Derby, Her Majesty's governor general, has retired from the position, which he had filled most acceptably, and has been succeeded by the Earl of Aberdeen, representative of one of the most illustrious families of the empire.

In accordance with the usual custom, expressed by resolution at the last session, that an investigation should be held into the administration of the school law and the conduct of the trustees of schools in the town and village of Bathurst, a judge of the supreme court was commissioned to hold the inquiry and report upon the facts which he should find established by evidence upon which the commission was caused the report of the investigation was taken, to be soon as practicable laid before the house.

I am happy to be able to congratulate you upon the unqualified success with which the policy authorized and approved by you in respect to the management of our timber crown lands has been attended.

It is a satisfaction to me to have observed the growing interest which attends the sessions and proceedings of the farmers' and dairymen's associations, and the increasing impetus which the policy of my government has imparted to the dairy industries of the country.

So many and considerable are the changes which have of late years been made in the statute law of the province, and so few of the acts contained in the consolidated act of the provincial statute, that my government will ask you to consider the advisability of authorizing a new revision of the provincial statute. A measure to that end will be laid before you.

The opinion has come to be strongly entertained by the general public that the practice and procedure in probate courts, and the law relating to these courts generally, requires to be materially altered and improved.

I am glad to be able to inform you that the Royal Industrial Home, established under an act of the last session, and authorized by the parliament of Canada, and aided by your liberal appropriation, has been opened to the most favorable auspices, and gives promise of accomplishing the most valuable results in the interests of the youth of the country, who, it is confidently expected, will profit by the associations and training which this institution is able to afford.

During the recess my government has elicited opinions and information as to the working of laws respecting liens of mechanics and laborers in certain cases in some of the provinces of the dominion and states in the American union where such laws have been in operation. These reports, upon the whole, not having been unfavorable, a bill on this subject has been prepared and will be submitted for your consideration.

Owing to the inconvenience occasioned to many of you in attending the sessions of the assembly at this season of the year, and the impossibility as the fiscal year is now adjusted of completing the public reports so as to convene you at an earlier date, you will be invited to consider and determine whether rearrangement of the time at which the accounts of the year shall be closed, might not with advantage be entertained. Any resolutions you may be asked to approve, as also any bill founded thereupon relating to this

question, will, I am sure, receive your careful attention. My government has not been discouraged by past failures from pressing with continued persistence for a settlement of the Eastern Extension claim against the province of the dominion. That claim, the justice of which has been repeatedly affirmed by the government and legislation of this province, has been again urged upon the attention of ministers at Ottawa, and I am not without strong hopes that the careful examination and study to which a sub-committee of the dominion cabinet recently submitted this case, has induced a more favorable opinion of its merits than has been hitherto entertained.

I have directed the accounts of the income and expenditure to be laid before you, and you will be glad to note that the small floating liability which has been accumulating for two or three years past has been this year sensibly reduced.

Estimates of the probable income and expenditure will be submitted to you, and I think you will find that the estimates of expenditure have been prepared with a due regard to economy and the requirements of the public service.

Bills will be presented to the supreme court of this province and relating to the constitution of that court; relating to the registry of deeds, and other measures of importance, to which I invite your attentive consideration.

Confidently anticipating that the important duties devolving upon you will be zealously and promptly discharged, I will leave you to your deliberations. When his honor had retired, Speaker Burhill took the chair and Mr. Wells, of Westmorland, moved the address in reply, seconded by Mr. Ferris, of Queens.

He said: Since last meeting in these halls the almost unprecedented has happened. We have had three honorable gentlemen performing the duties of lieutenant governor at different times. This house never had the pleasure of meeting the late Governor Boyd, whose sad and sudden death cut him off after a very short occupancy of the office. The unanimous approval of his appointment, however, expresses in some degree his popularity, his worth and the general opinion of his qualification for the highest office in our province.

Although he was not long spared by Providence to fill this office, I think that those who agree that he zealously and constitutionally performed his official duties during his short tenure, and that this house deeply sympathizes with Mrs. Boyd in her affliction, I might also mention that her majesty the queen has been pleased to appoint a new governor general to take the place of the late governor, whose term had expired. I am convinced that the Earl of Aberdeen has a public record of always being on the side of peace and conciliation, and that he took a deep and active interest in Canadian affairs even before his appointment. His resolve to act impartially in the discharge of his duties and in the general interests of this country has been manifested by his acts already and has commanded him to all Canadians. I trust that his cordiality and Lady Aberdeen will honor by their presence here in the near future, and they will be loyally and heartily greeted by all.

While it is a general commendation that times are dull, it must be acknowledged that we have had no such depression as exists in the bordering republic and in England. In this respect we have cause to be thankful that we have not been burdened with tens of thousands of unemployed, nor heard the wail of woe and want, but have pursued the even tenor of our way during the past year with the assurance that we have better prospects ahead. It has been intimated that at no very distant day the report of the commission that was appointed to inquire into the Bathurst school difficulty will be laid before the house. Grave charges have been made that the non-sectarian principle of the school law had been violated. I do not think it necessary to refer to those matters which led to the appointment of this commission of inquiry. I believe this house will cheerfully and promptly support the report of the Hon. Judge Fraser as the commission to investigate the charges made was a wise one, and that the government observed a wise discretion in such appointment. He was so closely identified with the present school law that we might well call him one of its fathers. (Applause.)

And I think no one in this house will claim that he would be even open to a suspicion of trifling with the non-sectarian principle. (Applause.) Specific charges were laid by those who claimed the violation of that principle, and an able and acute counsel, C. Skinner, was engaged by them to probe the matter to the bottom. I followed as closely as possible the newspaper reports of the evidence taken, and to my mind the evidence was in no way limited, but the complainants were not able to establish the matters alleged. The solicitor general, representing the government, not only allowed any and all evidence brought forward to support the specific charges preferred of acts which were alleged to have occurred in the town of Bathurst, and for which the government and the present board of education were claimed to be responsible, but evidence was allowed, without any restriction whatever, to prove acts which transpired years ago, even before the present government came into power. I do not know what the report of the commission will be, but I trust whatever it contains will be taken bona fide as a full report, and whatever its tenor, I believe this house will, for the sake of peace, harmony and good will among all classes and creeds, act unanimously and accept the said report as a full and true account of the matters at issue. (Applause.) I believe the late crown land policy with regard to timber lands has been justified by the large sales of last summer and autumn.

His honor's very proper reference to the agricultural industry will no doubt meet with approval by this house. In referring to the proposed act regarding taxation, no doubt if we could do away altogether with the levying of taxes it would receive the unanimous support, not only of this house, but the people of the province as well. I am sure that the truly said, we are only sure of two things, and these are death and taxes. As we are sure, then, to be taxed, I believe this house will use their efforts to make as perfect an act as possible for levying, assessing and collecting of taxes. Since the interim report of the commission which was appointed to inquire into these matters was laid before this house at its last session, I have given this question considerable study. I believe there should be greater exemptions of widows' property, and of incomes, and that there should be some more simple machinery for the proper valuation and assessing of property, and that collectors should have the power to collect without handing over the lists of delinquent ratepayers to collecting justices. I have no doubt this house will give their most careful consideration to this matter, as well as to the proposed judicature act and other proposed acts. If these important acts are passed and placed upon the statute book, I think the honorable members of this house will concur with his honor in the opinion that the provincial statistics. The statistics have not been revised since 1877, and the acts as contained in the Consolidated Statutes have nearly all been repealed or amended, and therefore I believe this house will pass the necessary legislation for such a revision. (Great applause.)

Mr. Ferris said he had much pleasure in seconding the address. Dr. Stockton, congratulated the mover of the address on his speech, referred in fitting terms to the late Governor Boyd,

and his colleagues in the executive. Mr. Blair then read the following:

The fact that Mr. Connell, who has, since the general elections of 1892, been a member of the government, has now retired from the press, would make it proper that I should offer an explanation of the circumstances connected with the resignation, and the fact that Mr. Connell has given to the public, through the medium of the press, an explanation of the cause which have led to his resignation, makes it important that the statement I shall make on behalf of the government should be somewhat ample in its details than is usual and customary under circumstances. I say nothing of the fact that Mr. Connell, in apparent disregard of the obligations of an executive councillor, has not published his resignation in council without the permission of his honor the lieutenant-governor. Such a condition is a most imperative one, and if the relations of members of the executive are to continue consistent, the condition must be observed. The oath of office of an executive councillor binds him to secrecy as to matters occurring in council, but there is vested in the lieutenant-governor a discretion as to what is to be made public, and in the spring in the privacy of the executive council chamber should be made public. Such a condition is never in a proper case to be held, and in this case it has already been made public by Mr. Connell on the last occasion to which Mr. Connell alludes and when he announced his purpose of resigning.

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and his colleagues in the executive. Mr. Blair then read the following:

The fact that Mr. Connell, who has, since the general elections of 1892, been a member of the government, has now retired from the press, would make it proper that I should offer an explanation of the circumstances connected with the resignation, and the fact that Mr. Connell has given to the public, through the medium of the press, an explanation of the cause which have led to his resignation, makes it important that the statement I shall make on behalf of the government should be somewhat ample in its details than is usual and customary under circumstances. I say nothing of the fact that Mr. Connell, in apparent disregard of the obligations of an executive councillor, has not published his resignation in council without the permission of his honor the lieutenant-governor. Such a condition is a most imperative one, and if the relations of members of the executive are to continue consistent, the condition must be observed. The oath of office of an executive councillor binds him to secrecy as to matters occurring in council, but there is vested in the lieutenant-governor a discretion as to what is to be made public, and in the spring in the privacy of the executive council chamber should be made public. Such a condition is never in a proper case to be held, and in this case it has already been made public by Mr. Connell on the last occasion to which Mr. Connell alludes and when he announced his purpose of resigning.

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