

Mechanics Institute
Box 162

Woodstock Journal.

"He is a Freeman whom the Truth make Free, And all are Slaves beside."

WOODSTOCK, N. B., THURSDAY, MAY 12, 1859.

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OUR PAPER.

The Woodstock Journal is a large eight page weekly, devoted to the advancement of industrial, commercial, social and moral interests of New Brunswick.

The objects at which it particularly aims in the present circumstances of the country are the promotion of immigration, the settlement of wild lands, the opening of the country means of railroads, &c., an increase of the population in the Assembly, and Free Education, schools of all grades, from the lowest to the highest being open to all without money without price, and supported by Direct Taxation.

The Journal is published every Thursday at Woodstock, N. B., by Wm R. Melville for J. Edgar, Proprietor.

TERMS. Two dollars a year, in advance, or six, one and three quarter dollars for the first year, and one dollar and a half each for the second and third years.

When payment is not made in advance, two dollars and a half, and when payment is delayed beyond the year, three dollars will be charged.

Clergymen, postmasters, and teachers supplied at a dollar and a half a year.

ADVERTISEMENTS. The Editor of the Journal, Woodstock, N. B.

CLUBBING WITH OTHER PERIODICALS. By arrangements with the proprietors of the following periodicals we are enabled to offer them with the Journal at the low rates mentioned.

The Atlantic Monthly; an original American Magazine of the very highest merit, published at Boston by Phillips, Sampson, and Company. Price three dollars a year in advance. A new romance by Mrs. Harriet Beecher Stowe was commenced in the January number, and will be continued through successive numbers. Thirty abridged copies of this issue are issued as a first edition. We will send one to Atlantic and the Journal for four dollars.

Miscellaneous.

AN AMERICAN OPINION OF THE PRINCE OF WALES.—I met this young gentleman the other day in the mosaic manufactory at the Vatican, (for he is a most diligent sight-seer,) and was better pleased with his appearance than I had prepared me to be. Lord Brougham's terrible picture of the demoralizing influences to which the offspring of British royalty are exposed in their training, and some stories which have found their way into the papers, had led me to expect to see a somewhat pertlooking and spoiled boy, who had begun already to understand that he was heir apparent to the throne of Great Britain. On the contrary, nothing of the kind was to be detected in his countenance or behaviour. I never saw a more attractive combination of perfect self-possession, with modesty, which defines high breeding, than he exhibited as he walked along with his senior companions, some five or six in number, and listened with every sense, to the interesting conversations which they and the piece were addressing to him. He belongs, too, to a higher than the average standard of manly beauty. His complexion is very fair, and a fresh, healthy colour suffused his whole face, which wears a most attractive expression of boyish innocence. He is studying the Italian language most diligently, and loses no opportunity, they say, of seeing every sight that is accessible.—[Editorial Correspondence of the N. Y. Evening Post.

We see it stated that there are seventy-four towns in Ireland, the smallest of which has 2500 inhabitants, in not one of which there is a bookseller. There are six counties where there is not a bookseller or a circulating library. Scotland, with nearly a third of the population of Ireland, has three times as many booksellers, being in the proportion of nine to one.

A law recently passed in Maine establishes the annual salary of the Members of the Legislature at \$150. They can sit twelve months, if they please, for this sum.

House of Assembly.

THURSDAY, March 31.

KING'S COLLEGE DISPATCHES.—(Concluded.)

Mr. Steadman said that in concluding this debate he should endeavor to state the principles upon which a Liberal Government should be conducted. He had always understood that Lord Durham's Report was the basis of the doctrines of the Liberal party in this Province; he had always thought it contained just such principles as were needed. In a dispatch to the Gov. General of Canada, dated 14th October 1839, in Martin's "British Colonies," Lord John Russell, a competent authority in such matters, speaks as follows:—

"The Constitution after long struggles and alternate success has settled into a form in which the prerogative of the Crown is indisputed, but never exercised without advice. This is the practical solution of a great problem, the result of a contest which from 1640 to 1690 shook the monarchy and disturbed the peace of the country."

And Lord John goes on to show that there is no reason why these principles cannot be carried out here:—

"I see little or no objection to the adoption of the practical views of Colonial Government recommended by Lord Durham, as I understand them. The Queen's Government have no desire to thwart the representative assemblies of British North America in their measures of reform and improvement. Her Majesty has no desire to maintain any system of policy among her North American subjects which opinion condemns."

"It is necessary for this purpose that no official misconduct should be screened by Her Majesty's Representatives in the Province; and that no private interests should be allowed to compete with the general good."

"Your Excellency is fully in possession of the principles which guided Her Majesty's advisers on this subject, and you must be aware that there is no surer way of earning the approbation of the Queen than by maintaining the harmony of the Executive with the Legislative authorities."

These were the opinions of Lord John Russell; who further said that the Governor must only oppose the local Legislature in matters in which the Imperial Government were deeply concerned. He would ask the House if the British Government were deeply concerned in this College? The interference of that Government would be only exercised in such a case as any alteration by the Provincial Legislature in the Navigation laws, or some subject in which the general policy of the Empire was involved. In support of the principle that there must be a ministry responsible for every act of the head of the Government, that he could never act without advice, he would quote from Earl Grey's work on Parliamentary Government:—

"When the responsible ministers of the Crown are themselves dismissed the Sovereign must necessarily act in the first instance without advice, but it is now, I believe, a settled point that those who accept the offices thus vacated render themselves responsible for the dismissal of their predecessors, so that this forms no exception to the general rule that there can be no exercise of the Crown's authority for which it must find some minister to be responsible."

The Council should on this principle have said to the Governor that they could not defend his dispatch, and must therefore resign; and His Excellency would have been obliged to look for other advisers to become responsible. If this mode was not adopted the Governor must come into direct collision with the people,—a position which he should

never occupy. This was the system in Great Britain, as explained by Earl Grey, and there was no reason why it should not be so here. If there was no ministry responsible for any particular act of the Governor's, those who opposed that act must place themselves directly in opposition to him personally—a most unfair and trying position. He felt in 1856 that he was placed by the dissolution in an unfair position, having to oppose a personal act of the Governor's; and from the course then pursued he (Mr. S.) could never again feel towards His Excellency as he could wish. He did not hold that this resolution was a vote of want of confidence; but if when trying to carry out the true principles of the Liberal party he was to be prevented by being told that it was a reflection upon the Government he would like to know it. Were there no other men in the Liberal party than those who composed the Executive Council? If these men chose to band themselves together, and to say we ARE THE LIBERAL PARTY, and argue that anything done derogatory to them was done against the Liberal party, he (Mr. S.) said that it was not treating other members of that party fairly; and he did not mean that it should go the country in that way.

He would call attention to the objections which had been urged against the resolution. Members had asked where in the dispatch was there any thing "at variance with the clear and undoubted rights of the Legislature"? He would show them. The dispatch argued against the Act, and against the course which had been pursued by the Legislature, and it urged with respect to the Prof. in the College the doctrine of vested rights—which doctrine would be repudiated by almost every man in the House. He contended that the urging these matters upon the Colonial Secretary was "at variance with the clear and undoubted rights of the Legislature;" it was, in fact, a direct reflection upon the Legislature,—as if His Excellency had said that it was not to be trusted with the educational interests of the country; for the only inference which the Colonial Secretary could draw from that paragraph of the dispatch was that the men who passed such a Bill were averse to education and could not appreciate it. The dispatch also characterized the Act as "unprecedented." How was it "unprecedented"? Why was it that this Legislature was to be branded as having passed an "unprecedented" Law? He (Mr. S.) thought that the Act was not UNPRECEDENTED, but was such an Act as the Legislature had a perfect right to pass. The whole dispatch had been written with the intention to create an unfavorable impression on the mind of the Colonial Secretary, and defeat the Act.

The next proposition of the resolution was, "Whereas the responsibility of His Excellency's advisers for opinions enunciated in dispatches emanating from the Executive Government relative to the local affairs of this Province, as also their duty to take the necessary steps to obtain Her Majesty's assent to the Acts of the Legislature, have been fully admitted." If this principle was not correct then Earl Grey, Lord John Russell, and Lord Durham were all wrong. One duty of the Council, and one object in having some of its members on the floor of the House, was to defend the Governor's acts and policy. Where were the men then who were ready to defend this dispatch? He had

not heard one member do it. It might be said that they had no ministry.

Hon. Mr. Smith.—"Are we to be responsible for a thing we did not see?"

Mr. Steadman.—That was the very point; the responsibility for it drew with it the right to see. He had no more doubt than he had that he was standing there that if they had asked to see the dispatch they would have seen it. The Governor ought to have shown it to them; and they ought to have asked for it.—There was a great difference between public dispatches and confidential dispatches. He had no doubt but that the Governor had the power and the right to send confidential dispatches to the Home Government. In the case quoted by the Solicitor General which occurred in Prince Edward's Island, the Colonial Secretary informed the Governor that in future he had better reserve any private communications which he had to make to the Queen's Government for his confidential dispatches, and not mix them up with the matters of his public dispatches. The Governor might write confidential communications, which the public would never see. The Government ought to see that with respect to every local Act reserved for the Queen's sanction a proper dispatch was written; for how could they defend the Governor's policy unless they knew what that policy was. If the Governor had been asked to show the dispatch to the Council, and had refused, the Council could have resigned, and if they were supported by that House the Governor would have to have gone to the country, and would have come into collision with the people. He had no doubt but that he would have shown it had he been asked. His colleague, (Mr. Hanington) said that the Council did see these dispatches when he was in office. As to the letters and remonstrances against Bills from private individuals the very fact of their having to be forwarded through the Governor showed that the object was that they should be seen by the Council, that their remarks might be forwarded along with them. The Government said that a great right was conceded to them in the privilege of seeing letters and remonstrances in future. But the Governor in his memorandum did not promise absolutely that he would exhibit all such in future; he merely said that he would feel "at liberty" to do it. Whether he did so or not in future would depend upon the kind of men with whom he had to deal. The Colonial Secretary in his dispatch does not say one word from which it could be inferred that he wished the Governor to exhibit to his Council such documents; the Colonial Secretary looks upon the request of the Governor for instructions upon that point as not worthy an answer, because he thinks the right of the Council to see is entirely beyond question and beyond dispute.

The Royal Instructions required the Governor to send home the reasons and occasion for the passing of any law. How could the Governor get these reasons but from his Council? This was a much more important matter than any mere local appointment; if the Governor could not appoint to an office without the advice of his Council much less should he write a dispatch against the allowances of an Act passed by the Legislature without it. The Royal Instructions must not be construed strictly; if construed strictly the Governor has the right to dissolve the Assembly without the advice of his Council.

The Provincial Secretary said that the question was of a mixed nature, partly

Imperial and partly local; but he (Mr. S.) could not see the Imperial interest in the preservation of the College. £1000 had been voted out of the casual and territorial revenues for educational purposes; if King's College was mismanaged he could see no interest the Imperial Government had to prevent that fund being applied in some other way for the same object.

The Surveyor General in his speech never came near the point of the matter! He made a very amusing speech, and ridiculed his hon. colleague, but his own speech was empty. He evidently did not like the position which he had to occupy. Hon. Mr. Smith felt in the same awkward position. In his speech he attacked Mr. Gray, and tried to draw off the attention of the committee from the real question. He (Mr. S.) did not wonder at that; but he did wonder at the hon. member expressing surprise at his moving a resolution containing such principles. The principles of the resolution were the principles of Mr. Smith, and of all his friends in 1854. He appeared surprised that he (Mr. S.) and other members of the Liberal party should have opinions of their own; and when told that the Government should have resigned replied that "if they had resigned Mr. Gray and his friends would have turned up trumps." That seemed the whole trouble; they thought more of the six hundred a year than of fighting the battles of the country. Had Mr. Gray and his friends turned up trumps their reign would have been short—as short as it had been in 1856. He was more surprised at Mr. Lewis than at any other member who had spoken. Mr. Lewis said that he had thought that the Council had a right to see dispatches—that it had been so announced by the Liberal party in 1854; he now said that he saw that he had been mistaken—the same men who had then told him that they had the right now said that they had not. His colleague (Mr. Hanington's) statement satisfied him; he told them that he had never heard the right of His Excellency's advisers to see dispatches disputed; when himself in the Government he had seen them all.

The Attorney General interrupted Mr. Steadman, to say that he had been in the Government at the same time with Mr. Hanington, and as far as his memory served him no dispatch had been submitted to the Council.

Mr. Hanington said that the hon. members must not mistake or misquote him.—He did not say that the Governor submitted the dispatches formally, by minute, to his Council, but that they were seen informally by members of the Council. Of course his oath as a Councilor prevented him from naming any particular instance; but he could now remember the contents of dispatches which had been in this manner submitted for his perusal.

Hon. Mr. Smith.—"Did you ever see a dispatch against the passing of a Bill before it was sent home?"

Mr. Hanington.—(With great warmth) "No! I never did. If I had I should have resigned!"

At this juncture the galleries were cleared, and the debate was adjourned until next day. On Saturday Mr. Steadman resumed.

Mr. Steadman said that when stopped yesterday he was replying to Mr. Smith.—The Executive Council must either make up their minds to support the policy of the Governor, or else resign, and let him find a ministry who will support it, if he can. In 1856 the Governor dissolved the House on the Liquor question; at the election of 1866 the principle upon which the dissolution took place was sustained, but the people did not then pronounce on the question of the Governor's right to exercise the prerogative of dissolution; that question was not settled until the election of 1867, when the people pronounced against the exercise of the prerogative by returning a majority to oust the Gray