

The Standard.
IS PUBLISHED EVERY WEDNESDAY, BY
A. W. Fidd.
At his Office, Market Square, Saint Andrews, N. B.
TERMS.
12s 6d per annum—if paid in advance.
15s, if not paid until the end of the year.
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First insertion of 12 lines and under 1s. 4d.
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The Standard.

OR RAILWAY AND COMMERCIAL RECORD.

Erariis amendum est optimum. - Cic.

No 11. SAINT ANDREWS, N. B., WEDNESDAY, MARCH 14, 1855. [Vol. 22]

LAW RESOLUTION.

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Correspondence.

FREDERICKTOWN, March 11, 1855.
MR. EDITOR:—You appear to be deeply engaged in local matters, and to have little room for the scribbles of an old correspondent. Here is covered a new House of Assembly, two only remaining of the members who were there when I first looked into it. Taken as a body they are the most useless men ever assembled there, and have, for the time, made greater progress than any of their predecessors. The new Government seemed to be strong, and in appearance may continue so, until the hand writing on the wall proclaims its dissolution. It has already carried two very difficult and important measures through triumphantly—the Revenue Bill and Election Bill. The first instance of such a case. There are plenty of Reports here besides me, and need not therefore trouble you. Having however taken notes of the speeches of Messrs. Brown and Gillmor on the Election Bill, I enclose them to you for publication, that if you have room and think them worth publishing.

Your obedient servant,
JACK ROBINSON.

Hon. Mr. Brown's Speech on the Election Bill.

Hon. Mr. Brown had given the subject a great deal of consideration, and remembered well when a Bill was brought in by the learned member for Northumberland, to establish a registration. That Bill being chiefly copied from the English Act, was found to be ponderous and expensive for this Province, and was therefore abandoned. At a Session afterwards he (Mr. B.) brought in a Registration Bill, in which he was assisted by that learned member. This Bill underwent a long discussion, and was at last rejected by the Speaker's casting vote. Two years ago that same learned member, as Attorney General, introduced an Election Bill, and after debating it in the House for a whole week, it was at last abandoned. He (Mr. B.) was then a Member of the Legislative Council, and seeing that no remedy could be expected from the Assembly, ventured to bring an Election Bill into that branch of the Legislature, in the hope of getting clear of many of the evils connected with the existing law, especially the Scrutinies. That Bill did not contain an extension of the franchise, had it done so it could not have passed without a suspending clause; in other respects it did not materially differ from the Bill now under consideration. Having thus taken a passing glance at the previous transactions, he would draw notice, as had before been stated, that this Bill contained three distinct features not found in the present Election Law: namely—extension of the franchise—registration and vote by ballot. With regard to the extension of the franchise, it was an endeavour to return to the state of things as they formerly existed in this Province, when every man had a grant of land. Since that time, Cities, Towns, and Villages had sprung up, and property of a different description had come into the possession of respectable and intelligent men; but because no part of that property consisted of the soil, those men were not allowed to vote. He (Mr. B.) believed that universal suffrage was the true principle, because every man properly educated and informed, ought to have a voice in the enactment of such laws as he was bound to obey. But universal suffrage could not well be adopted at the present time, and a small extension of the franchise was all that could be attempted. The registration was absolutely necessary, in order to avoid some of the numerous evils connected with the present law, particularly the Scrutinies, which had perplexed and hindered three Sessions of the last Assembly, and kept whole Counties in a state of excitement, during the whole of that time. It had been objected, that the scheme was so crude and complicated, that no trial it would be found impracticable. This however was mere assertion, that could as easily be applied to some of the wisest inventions of man, and whoever would look into the English Statutes would see that the machinery of their Election Law was equally liable to the same objection—for although the English Act made no provision for vote by ballot, it contained more than eighty sections, some of them very long. Perfection was not to be expected, for every thing devised by man was imperfect; but surely there would be a great advantage in the adoption of any scheme, which would save the House and the Country from the continual recurrence of these embarrassing and ruinous Scrutinies.

March had been said far and against the adoption of the Ballot. Lord John Russell's opinions had been quoted, and the state of things in the mother country pointed out, to show the impropriety of insurrection. Without questioning the correctness of those opinions, it was evident, that the state of society

in the mother country differed entirely from that in this Province, and that the principal objections of Lord John Russell, referred to a state of things which did not, and would not, exist here. But it was said that travellers in the United States had seen and condemned the working of the Ballot, and that complaints of that kind had been made by high American Authorities themselves, not travellers who were known to be at great variance in their opinions, not only with regard to voting by ballot, but in respect to the American character and institutions, and were therefore not to be depended on; and with reference to objections by Americans themselves, it was passing strange, that throughout their widely extended dominion, no proposition had ever been made that the ballot should be abandoned. That there was a great deal of bribery, perjury, intimidation, tyranny, and other evils, connected with our elections, would not be denied. That hear burnings, and excitements, and ruinous Scrutinies, grew out of our present system, was most manifest—that to get rid of those evils was certainly highly desirable, and it was very desirable to get rid of a part of them, if it were only the Scrutinies alone.

That this Bill would be a radical cure for all those difficulties was not to be expected, indeed it would be well if it effected the removal of some of them, and the mitigation of others. It appeared however from the objections made to this Bill, that there were those who would willingly bear all the miseries of the present system, rather than venture to prescribe a remedy—just like the case of poor old Mrs. Trembleton and her son Bob, mentioned at a political discussion in Nova Scotia. Bob was sorely afflicted with the tooth ache, and his lousy hair sticking from his head in all directions, like a bundle of heather, but the good old Lady would not allow the Doctor to touch him, for fear that his jaw would be broken, or the wrong tooth extracted, or that Bobler to go away, for fear that he would tell his hair, his ears, might be cut off also, and poor Bob had to remain just as he was! (Laughter.)

Mr. GILLMOR said that the Bill under consideration was called an important Bill, so indeed it was, and every Bill that came under the notice of the House was important. He had listened to the whole discussion with great attention, in order to give a candid hearing to every one who spoke. The debate had taken a very wide range, extending to the policy and standing and character of the present government and all the particulars of the defeat of the old one. He was a young member, and therefore not much of a judge, but he could not approve of the way in which honourable members had interrupted one another in debate. This Bill and the Revenue Bill he believed, were called "government measures," and although the Govt. were said to be free traders, the Revenue was a sort of mongrel Bill containing a little free trade, and a good deal of protection. The first thing in this Bill to be considered was the extension of the franchise, and he believed that universal suffrage was the true principle—it might not be proper to adopt it all at once, but it should extend with the progress of intelligence, until every person had a voice in making the laws which he is bound to obey.

Many reasons could be adduced both for and against a property qualification, but the true principle was universal suffrage. He had listened with great attention to the opening speech by the Learned Attorney General, and although he had spoken against that principle, he had proved it to be true after all. He (the Attorney General) had shown up the absurdity and bad working of the present system; by referring to the late ruinous Charlotte Scrutiny. Had proved the necessity of having a Bill like the present, containing also, Registration and the Ballot, as well as an extension of the franchise. He had also listened to the long and powerful speech of the late Attorney General in opposition to this Bill, but could not understand how it could be unconstitutional to allow a poor man to vote. [Mr. Street explained.] He (Mr. Gillmor) had heard the speech of his colleague the Surveyor General on this Bill, and agreed with him that the Bill was imperfect as all human inventions are, but would notwithstanding answer a good purpose, or would be at least a great improvement.

The learned member for Saint John (Mr. Gray) had opposed the Bill with his usual eloquence, but not with his usual success. He had endeavoured so to disjoin it as to make it mean something entirely different from its true meaning, just as a reader, who placing a period in the middle of a sentence, made nonsense of it. He (Mr. Gillmor) thought the discussion had gone far beyond the limits of the present Bill, and in his endeavours to notice some things alluded to, he feared he should wander away from the main question altogether. He knew well what had transpired last October, when the late Govt. was overturned. There were secret meetings, and dark doings, no doubt but all fair and

right in their way. There were men in the old Government noted for talent, experience, and general information, faculties which qualified them for the governing of a country, &c.; he would not deny that he was anxious to retain the services of several of them, but they were all excluded by that principle, that the majority should rule.

An entire new government had therefore been formed, and without intending involution, he thought it could well bear comparison with the old one, so that an improvement had been made by the change. He had noticed what had been said by the hon. member Koot (Mr. Cutler) with regard to what should be the policy of the Govt., but he (Mr. G.) did not exactly understand what was meant by that word policy, whether it meant the Bills to be brought in, as Govt. measures, or the appointments to office, or the doings of the Govt. during the recess, or all those matters taken together. The Revenue Bill was said to be a Govt. measure, but it was after all not in the hands of the Govt., and never could be under the power of the Govt., so long as the Road Committee, or other doings of the majority of the House, could increase the expenditure far beyond the Govt. estimates, and throw their whole financial scheme into confusion. In this matter therefore, it was unfair to hold the Government accountable until the House gave up to them the initiation of the money grants.

With regard to appointments, he hoped the Govt. would act impartially and with reference to the fitness of the persons for the discharge of the duties of their respective offices, and did not see how the appointment of Mr. Williston by the old Govt., or Mr. McLean by the new Govt., required to be viewed in any other light. Having thus wandered away in the tracks of his illustrious predecessors who had spoken before him, he would now endeavour to return to the Bill, and although as he had said before, it was not a perfect measure, it was the best that could be devised under the circumstances, and under the direction of men with sincere and honest intentions, would no doubt work well—the extension of the franchise to persons who should, and those who should not vote, would show an absurdity which, though short of universal suffrage, could remove. It was moreover evident, that the Great Creator never intended that the dearest rights of His creatures should depend on a property qualification. The Registration was absolutely necessary in order to make the Sheriff's return final, and thus prevent the possibility of scrutinies, the very worst of all evils connected with elections.

The Ballot also was very much required to secure the rights of the voters. There were selfishness, and wordiness, and tyranny, and intimidation, and all manner of wrongs practised when the real passions were aroused, and then was realized the Poet's declaration, that

"Man's inhumanity to man,
Makes countless thousands mourn."

and the Ballot, if not a cure, would at least mitigate those evils. (He Mr. Gillmor) longed to see the day when all these differences, as well as all the religious differences, would be done away. He wished to see a spirit of forbearance govern the Assembly. No one could expect his own individual opinions to prevail. Nothing short of despotism could sustain all the wishes of any one member, neither did he think, considering the general liability to error, that hon. members should be too ready to find fault. He was sorry to hear that even the Revised Statutes were not found to be perfect. He had heard the scheme for Registration propounded by the learned member for Gloucester, (Mr. End), and also that proposed by the learned member for St. John (Mr. Gray), and he had been trying to devise a scheme of his own, but on a careful review of all those schemes, he was satisfied that the scheme proposed in the present Bill was much better than any of them. He had done his best to arrive at a correct conclusion—he would not impute improper or unworthy motives to any one who differed with him, or to those who differed with one another, and would beg leave to thank the House, for the patient hearing which he had received.

SATURDAY, March 3.
Mr. Boyd moved the House in Committee on his resolution that no further appropriation be made from the Provincial Funds for the support of any sectarian or denominational school in the Province.

Mr. McAdam seconded the motion.
Hon. Mr. Johnson objected to the House going into it at that time, as there were a great many Hon. members absent on Scrutiny Committees. He thought there should be a full House for the discussion of such a Bill.

Mr. Wilmot brought in an amendment to the resolution should read, "From and after 1st day January, 1855."

Hon. Mr. Johnson said if that amendment be sustained, he would move for a reconsideration of the original resolution.

Mr. Boyd thought there was no difficulty in calling a full House; and he was fully prepared to go into it at any time. He wanted an expression of the House in answer to the complaints of the people.

Mr. McNaughton thought it absurd to disturb sitting Committees to go into Committee on the Bill.
Hon. Prov. Secretary wished the case was decided in some way or other; but from what had been advanced, he was sure that whether the Bill was decided for or against, a reconsideration would be moved; and as the whole Education question will be brought up on a broad general principle a mere revival of the old Act, with the exception of giving additional power to the owners of the timber.

Mr. Tibbets spoke briefly in favour of the Bill, when the Chairman was requested to leave the Chair, and report the Bill agreed to, which was so reported, and the Bill ordered to be engrossed.

ST. STEPHEN'S CHURCH.

On motion of Mr. McAdam, the House went into Committee of the whole on a Bill to incorporate St. Stephen's Church—Mr. Botsford in the Chair.

Mr. Boyd objected on the grounds that the Parisholders were included, the power would still be invested in the Communicants, as the amendment said—they being "Pewholders and Communicants," and thought it best that all the Churches of that denomination be incorporated in one Act.

Mr. Boyd read a letter from one of the parties (Mr. Duncan Stewart) on the subject, and stated that out of a congregation of 45 Parisholders, there were only 10 Communicants.

Mr. McAdam said, notwithstanding all those objections which had been so strongly urged, the parties one and all, pewholders and Communicants, are anxious to have the incorporation; and as they want it, that House, he thought, should not object to passing the Bill.

Hon. Mr. Brown thought there was no necessity for a separate Act, when there was a general Act for the regulating of the Churches belonging to that denomination—that being so a separate Act would be only a work of supererogation.

Mr. Gray explained that it was a similar case with that of the Church of St. David at St. John.

Mr. McAdam still urged the passing of the Bill, when after a little further discussion, progress was finally reported, and leave asked to sit again.

COMMITTEE OF TRADE.

Mr. Gillmor made some remarks respecting the Report of the Committee of Trade being intended to come before the House for discussion, after having passed through the Committee, and being reported on, and wished a reconsideration of a rejected claim.

Mr. End hoped never to see the day when the Report of a Committee such as that of Trade, should be rejected. He sincerely hoped the rules regulating those Committees would never be broken into.

Mr. Gray considered the Committee of Trade very desirable—it was the duty of that Committee to investigate facts—the House only dealt with subjects already established by evidence. He (Mr. G.) had a claim himself rejected by the Committee of Trade, but he did not complain, but should his decision be broken into in one instance, it would open the way for all those cases that had been rejected; and he would forward the one he had referred to.

Mr. Montgomery said a hundred cases would immediately follow if the precedent was established. Mr. Gillmor's motion was finally rejected.

TEMPERANCE BILL.

Hon. Mr. Tilley, by leave brought in a Bill to prevent the importation, manufacture, and traffic of all intoxicating Liquors in this Province. Received, and ordered to lie on the table.

ORDER OF THE DAY.

The House in Committee on the Election Bill—(Mr. Taylor in the Chair.)

Mr. Botsford led the debate, and made some remarks on the 3d Section of the Bill, and considered that a Bond-side Taxation Bill only prove a sufficient check for the Assessment List.

Hon. Mr. Foster explained that by fixing the amount at £100 on personal property, it must be fairly presumed that a person has to be some time in the County before he accumulates the sum.

Mr. Gray said if the House sustained the Bill, the Government must be prepared to take the responsibility.

Mr. Wilmot believed the Bill would work injuriously.

Mr. Botsford said although he could not approve of all the details and machinery of the Bill, yet rather than see the Bill embarrassed, he would support it.

MONDAY, March 5th.

The House was occupied the whole forenoon in debating the Incorporation of the "New Brunswick Company." Strong arguments were adduced by opposite parties; when Mr. Holloway moved that progress be reported and leave asked to sit again, which was done—when Mr. Bathway moved that the case be referred to a Special Committee—where, was so appointed, and Messrs. McAdam, McNaughton and Mr. Lunt, were appointed to form said Select Committee.

MESSAGE.

On motion of Mr. Wilmot, a message came down from the Legislative Council, that the Council had agreed to a Bill for the increase of Capital Stock, also for the Incorporation of the Fredericton Boom Company.

BILL COMMITTED.

On motion of Mr. McPhelim, the House went into Committee on a Bill to divide the Parish of Carleton, in the County of Kent, into two Parishes. Bill reported agreed to.

The Election Bill was amicably disposed of to-day—and has received the sanction of the Legislature.

SECTARIAN SCHOOLS.

The House has been principally occupied to-day in discussing the Resolution moved by Mr. Boyd respecting Sectarian and Denominational Schools. A very warm debate was kept up, and will directed shots fired at King's College.

Mr. Boyd said he had donned the armour, and he would go on to say, that he believed the system of encouraging Sectarian Schools would lead to separating the people. That would be the effect of it. He said the Hon. Surveyor General had made one of his usual non-committal speeches—he never knew that hon. member from Charlotte to commit himself. He then enumerated the respective Sectarian Schools, which with the College amounted to £3045. He (Mr. B.) did not expect that the resolution would be carried—he had only brought it forward to test the minds of hon. members on the subject, and he had obtained his object.

The question was then put on Mr. Campbell's amendment, which was rejected by a majority of 15. The question was then taken on the original Resolution and negatived by a majority of 7, when the House adjourned.

ADVENTURE WITH A CATAMOUNT.

As Mr. Thomas Weimore, of St. George, was yesterday (March 2d) on a Partridge shooting excursion, when about a mile from the town, and a little to the Eastward of Mr. Wallace's residence on the eastern side of the basin, the dogs which accompanied him gave an alarm which indicated their being in pursuit of something. Mr. Weimore, though badly prepared with ammunition followed the cry, and on reaching the dogs found that they had treed an animal of the feline or cat kind, of large size, and differed from any he had ever seen before. Determined on capture, if possible, he retreated about twenty feet from the base of the tree, took aim and deliberately aim and fired, his shot proving ineffectual, being of very light description, the animal made a pause from the tree directly at him, uttering at the same time, the most fearful yell. Seeing from his position that retreat was impossible, with the greatest promptitude and coolness he determined to act on the defensive, and raising gun with both hands received his unwelcome antagonist on the muzzle in his descending flank, so that such strategem might compel him to give over the tree the contest. Seemingly unhurt from the shot, or otherwise injured, and determined to renew the attack, he seized on Mr. W.'s foot with his formidable claws and talons, and tore his trousers in several places, receiving in return some weighty kicks about the jaw and other parts of the body, the dogs at the same time looking as if afraid to engage in the contest. The animal then retreated for a short time and took a circuitous tour through the woods pursued by the dogs. Mr. W. afraid of a second encounter loaded again, but the animal instead of retreating came on yelling most furiously and displaying a most formidable set of teeth; for a while he stopped and reined against a tree as if to recover breath. Mr. W. no way daunted of the unpleasant customer instantly commenced his attack, and with the butt of his gun gave him a most unmerciful beating, assisted at this time by one of the dogs which seemed a vane of the perilous position of his master. During the onset Mr. W. was thrown down, but soon recovering himself he continued to administer some very heavy blows which eventually put an end to the contest, and the animal was brought home as a trophy of victory. Several individuals who have examined the animal state that it is the first of the kind which has been seen here these twenty years; it measured, from the tip of the nose to the rump, four feet, stout in proportion, of a ravenish mottled colour, with a grey, red and white, exactly like a cat, and in pronunciation by many to be the Catamount or Carabou described by Charlevoix. — *P. Montserrat*