

**Name:** Fraser, John James (Hon.)

**Riding:** York, County of

**Party:** Conservative

**Date Elected:** GE 2 Mar. 1865. BY-EL 3 Aug. 1872 (By ACCL). GE 16 Jun. 1874. GE 25 Jun. 1878.

**Positions Held:** Appointed to Legislative Council, Jun. 1871 - Jul. 1872. Appointed President of the Executive Council, Jun. 1871 - 10 Jul. 1872. Appointed Provincial Secretary, and Receiver General, 10 Jul. 1872 - Jun. 1878. Sworn in as Premier, Jun. 1878 - 25 May 1882. Appointed Attorney General, Jun. 1878 - 25 May 1882. Appointed Judge of the Supreme Court of New Brunswick, Dec. 1882 - 20 Dec. 1893. Appointed Lieutenant Governor, Dec. 1893.

**Cabinet Shuffle:**

**Retired:** Resigned Legislative Council, Jul. 1872. Resigned seat in Legislature and premiership, 25 May 1882. Resigned from the New Brunswick Supreme Court Bench, Dec. 1893.

**Defeated:** GE 1 Jun. 1866.

**Died:** Died at age 67 on 24 Nov. 1896 in Genoa, Italy. Buried in Forest Hill Cemetery, Fredericton, NB.

**Notes:** Born on 1 Aug. 1829 on Beaubears Island, Northumberland County, NB. Of Scottish ancestry. Fraser's father, John Fraser, and his uncle, James Fraser (q.v.), operated some of the most extensive commercial enterprises including fishing and shipbuilding operations. After his grammar school education, John James Fraser began legal studies in the offices of Street and Davidson in Oct. 1845. He was later admitted to the Bar as an attorney in Jun. 1850 and as a barrister in Oct. 1852. When his mentor J.A.S. Street (q.v.) was appointed Attorney General, Fraser relocated to Fredericton as well in Jan. 1851. Fraser practiced law in partnership with Street, E.L. Wetmore (q.v.) and a number of other lawyers over the course of the years. With a reputation as an excellent lawyer, in 1873 Fraser was appointed a Queen's Counsel.

In the 1865 general election, Fraser was elected to the Legislature as an opponent to Confederation. He was among the handful that initiated a movement to have Lieutenant Governor Arthur Hamilton Gordon recalled by the crown when he had prorogued the Legislature and dismissed A.J. Smith (q.v.) as Premier in Apr. 1866. At the ensuing general election in Jun. 1866, Fraser and most other prominent anti-Confederates were defeated resoundingly at the polls.

In Jun. 1871 he accepted appointment to the Legislative Council, and became President of G.L. Hatheway's Executive Council. Upon Hatheway's death in Jul. 1872 and G.E. King's (q.v.) assumption of the premiership, Fraser was appointed Provincial Secretary. In a by-election to confirm his appointment, Fraser was elected by acclamation. In his capacity as Provincial Secretary, Fraser was involved in numerous negotiations with the dominion government for increases in subsidy payments to the province. When the payment did not increase as much as anticipated, the provincial government was forced to revamp their entire administrative system. As a result Fraser spearheaded legislation forcing municipal governments to levy their own taxes to pay for certain services.

The King government had begun this process in 1871 with the imposition of the free non-denominational school system, by which schools funded by the public purse could have no religious teachings. The legislation was wildly unpopular among Acadian and Catholic minorities, many of whom refused to pay their school taxes.

Perhaps because he was not a member of the administration at the time of the Commons Schools Act in 1871, Fraser was far less committed to the measure than King. Fraser was therefore in a position to support Kennedy Francis Burns' (q.v.) proposal for reconciling with the provinces Roman Catholics in 1875. Fraser supported a compromise that neatly skirted the issue, but alleviated tensions among Acadians.

When King resigned in the spring of 1878, Fraser succeeded him as Premier and Attorney General. Unlike the

three men who had preceded him in that office since Confederation, Fraser was not a strong or aggressive personality. Instead he was a "mild-mannered, gentle man" respected by all who knew him. His personal traits have lead some historians to dismiss him as a Premier of secondary importance. While it is true he was not a natural politician, nor a great leader of men, Fraser gathered strong support around him largely because no one could help but like him. His "genial and kindly" spirit allowed him to successfully employ equal parts manipulation and conciliation time and again during his tenure as first minister.

With support for the government at a nadir in the northern constituencies, and an assembly full of "loose fish," Fraser constructed a majority government by appealing to individual members. One of the last to run his administration on a purely non-partisan basis, Fraser would negotiate behind the scenes to ensure adequate support for his government's policies. His cabinet included both Conservatives and Liberals. Working hard to appease relations between Catholics and Protestants, Fraser was the first to fully welcome Acadians into the Executive Council by placing Pierre-Amand Landry (q.v.) in charge of Public Works. To quell Irish discontent, Michael Adams (q.v.) was made Surveyor General, and to quiet Anglican unease Daniel L. Hanington was also included in Fraser's Executive Council.

In Feb. 1880, the old dilapidated parliament building known as "Province Hall" was destroyed by fire and Fraser faced a divisive crisis in the Legislature. Saint John area members resurrected their traditional campaign to have the province's capital moved to the port city. Faced with a free vote in the Legislature on the fate of Fredericton, Fraser employed all his managerial deftness and skill to deflate the Saint John movement. By rallying the support of the Leader of the Opposition, A.G. Blair (q.v.), as well as the support of many Acadian constituencies, Fraser was able to carry the vote by 20 to 18 in favour of retaining Fredericton as capital. Soon after Blair returned to his regular practice of attacking government policies relentlessly.

By late 1880 and 1881, Fraser's conciliatory skills were wearing thin. He was unable to garner enough support to pass education reforms that would have created a cabinet position dedicated solely to the portfolio, and was barely successful in passing rather mundane legislation allowing some government agricultural reports to be published in French. Fraser also continued the rather ill advised policy of railway construction. The subsidies his government pushed through simply added to the already uneconomic lines in existence and saturated the province's already heavy burden of debt. The Legislative Council opposed his actions but appeared powerless to prevent them.

Most appraisals of Fraser's government credit the Premier as a man of outstanding personal attributes, but dismiss his public career to have been antithetic to the fiscal and moral health of the province. Fraser's contributions to alleviating cultural, religious and political differences during a turbulent period were dismissed in his day, as they often continue to be today.

On 25 May 1882 he resigned his seat in the Legislature in order to contest a federal election as a Liberal-Conservative. He was succeeded as Premier by Hanington. After being defeated in his election bid, he was appointed a Justice on the Supreme Court of New Brunswick in Dec. 1882. In 1887 he heard the petition of H.R. Emmerson (q.v.) appealing the election of Josiah Wood to the House of Commons. Fraser initially put off the hearing until the end of the current parliamentary session, insisting that time period within which petitions had to be heard would not expire. Upon further appeal to the full bench of the Supreme Court, Fraser decided that the time period had in fact expired and voted in favour of reversing his own earlier ruling. Wood's election was therefore allowed to stand.

Immediately, John Thomas Hawke, the colourful editor of the thoroughly Liberal "Moncton Transcript," pounced on Fraser and began to cruelly criticize him. The judge was openly depicted as a drunken "pantaloon of the comic pantomime." In reference to the recent comic-opera "The Mikado," Hawke ridiculed Fraser as "the judicial Pooh-Bah" for having overruled his own earlier judicial decision. On Fraser's behalf, the Supreme Court initiated contempt of court proceedings against Hawke. Ruling that Hawke had imputed that Fraser had been bribed, the Court sentenced the editor to two months in jail and a monetary fine. The case was debated at length in the national media and for several days in the House of Commons. Despite widespread outcry, the New Brunswick government refused to release Hawke until his sentence complete.

A.G. Blair, by this time Premier, was caught in the middle of a bitter and acrimonious debate between French-Catholic and Protestant interests. Controversy was raging in Bathurst, where supposedly non-denominational schools were giving religious education, in contravention of the law. Still respected for having secured the

compromise solution in 1875, Fraser was Blair's natural choice to head a commission to investigate in Sept. 1893. Fraser's "Report upon charges relating to the Bathurst schools..." was delivered in 1894. He found in favour of the government's long practice of allowing schools to teach religion outside of regular teaching hours. In 1896 a New Brunswick Supreme Court in Equity decision upheld the soundness and legality of his report's findings.

On 20 Dec. 1893 Fraser was appointed Lieutenant Governor of New Brunswick. That same year he bought "Farraline House" at the corner of Queen Street and Secretary's Lane as his official Government House residence. Even before being appointed as vice-regal Fraser's health had begun deteriorating. He travelled to Genoa, Italy, to improve his health. He died there on 24 Nov. 1896.

For more information see also: "Dictionary of Canadian Biography", Volume XII (Ref 920.071 D554); "The Premiers of New Brunswick" (971.5 D754 NB Coll.); "Biographical Review New Brunswick, 1900" (920 J12 NB Coll.); "Dictionary of Miramichi Biography" (971.521 H222D NB Coll.); "Judges of New Brunswick" (920 L421 1985 NB Coll.); "The History of New Brunswick Provincial Election Campaigns and Platforms, 1866-1974" (329.023 W899 NB Coll.); Dr. Murray Young, "Old Houses Hold Memories," Officers' Quarters (Spring & Summer 2003): 19-23; D.L. Poynter, "The Economics and the Politics of New Brunswick, 1878-1883," Thesis (MA): University of New Brunswick, 1961; H.B. Jefferson, "The Great Pooh-Bah Case," Atlantic Advocate, Vol. 54, No. 1 (Sept. 1963): 45-52; James Hannay, "The Premiers of New Brunswick Since Confederation," Canadian Magazine, Vol. 9, No. 3 (Jul. 1897); and the New Brunswick Pamphlet Collection.

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