

THE HERALD

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DECEPTION POLICY CONTINUED

The Legislative Session has at last been opened. It has also been closed for a long adjournment, as our readers will observe. The speech put into the mouth of the Lieutenant Governor by the Executive, will be found in another column. It will surely be admitted by all that it is about as barren a document as could very well be spread over the same number of paragraphs. It foretells no legislation, expresses several regrets and refers to some things hoped for in the face of direct and positive evidence to the contrary. The questions of increased subsidies and the distribution of the Halifax Fisheries Award, that have done duty for so many years, and last year occupied two lengthy paragraphs in the speech with which the session was opened, are this time compressed into one small paragraph. It must be confessed that nothing short of extraordinary temerity and unheeded confidence in the credulity of the people prompted any reference to the Fishery Award in the face of the positive declaration of the Federal Minister of Marine on the previous day. Nothing could be more glaring than the duplicity and imposition of the Government in this matter of the Fishery Award. In the speech with which the session of 1904 was opened, the Lieutenant Governor was made to say—

"During the recess, the claim that Prince Edward Island be paid its proportion of the Halifax Fishery Award, under the Treaty of Washington has been engaging the attention of my Government in conjunction with the administrations of the other provinces. I am happy to say that the matter has received the favorable consideration of the Federal Government, and it has been arranged that a case shall be stated for the opinion of the Supreme Court of Canada, as to the rights of the Provinces interested to their share of the Award. This will finally dispose of this vexed question, and will, after payment of the fishery bounties, as heretofore, yield a large sum of money for the use of the Province, thereby largely augmenting the present revenue, and thus reducing the present rate of taxation, without affecting the rights of the fishermen of this Island." In the course of his budget speech during this session of 1904, Mr. Peters said:—"But if the Dominion of Canada, received it [the award] as our money, in right, in justice and equity and in every other principle that is known to law or justice, they are bound to pay that money over to us, and if they are bound to pay it over to us, then, Sir, they are bound to give us the income of that money. If they held the money since 1877, the year the Award was made in Halifax, and kept that money for themselves, placing it, I presume, on interest or in any other consolidated fund, then they must account to us for the use of that money and the only way you can account for the use of monies is by paying the interest. Therefore, I claim if the decision of the Supreme Court be in our favor—it will be decided next month—we are not only entitled to our share of the Award, the capital paid over, but to the interest for all the time the Dominion Government have held our money.

I do not think any lawyer or any person who has studied the question at all will deny that fact. I believe the Supreme Court will decide in our favor next month, and if we get that it requires but pencil and paper to calculate on what that would be." Mr. Peters, during the general election campaign, made this question do duty for him in his quest for votes. But now on the very eve of the opening of the Legislative Session of 1905, we have the declaration of the Minister of Marine and Fisheries at Ottawa, that the Federal Government "did not intend to distribute among the Provinces interested, the amount of the Halifax Fishery Award received by Canada. Nor was the question to be submitted to the British Privy Council or the Canadian Supreme Court. The Government also did not intend to take action with regard to the settlement of this question during

the present session." All will admit that these are most positive and definite declarations of ministerial policy, yet in the face of all this, the Provincial Government try to make the public believe this question is in course of adjustment. Could deception and duplicity go further?

The Writ for the By-Election.

A writ of election for the Second District of King's County has been issued. Nomination Day will be Tuesday March 21st, and Polling will take place on March 28th. The course pursued by the Government in causing the writ to issue appears, according to the law governing such matters, to be quite irregular and illegal. This is the contention of Mr. Mathieson, Leader of the Opposition, Mr. Morson and other legal gentlemen, in and out of the House. The resolution bearing on the case, introduced in the House by the Government and passed, reads as follows:—"Whereas owing to the return of the Returning Officer for King's County regarding the Second District of King's County at the last General Election, held on the 7th day of December, 1904, whereby it appeared by the report of the said Returning Officer that Arthur Peters and Harvey D. McEwen, two candidates for Assemblyman contesting the said District, received an equal number of votes at said Election, to wit 515 each and that neither was declared elected:— "Therefore Resolved, That in the opinion of this House, a writ for a new election for an Assemblyman in the said District should be issued by the Lieutenant Governor in-Council."

There is no declaration in this resolution that a vacancy exists in the second district of King's, and nothing in any action taken by the Government creating such a vacancy. Consequently if there is no vacancy, why does a writ of election issue? The fact that two candidates received an equal number of votes is no evidence of a vacancy. On the contrary it is strong presumption in favor of extraordinary representation. According to English precedents both Mr. Peters and Mr. McEwen could have subscribed the roll and taken their seats. But after the election of the Speaker they could not vote, neither could they speak. The fact that they did not do this does not prove that the seat is vacant. Then again the authorizing of a writ to be issued by the Lieutenant Governor in Council is clearly contrary to law, as the act governing the case clearly sets forth that "Every writ of election for the election of a member or members to serve in the Assembly of this Province shall be issued by the Provincial Secretary and shall be addressed and directed to the Sheriff of the County." This is so clear that no one can fail to understand it. The Provincial Secretary and not the Lieutenant Governor in Council should issue the writ. These are the facts of the case, and it seems quite evident the Government have made a serious blunder.

The crossings at the Capes this winter, since the tie up of the winter steamers, have been more delayed than perhaps ever before. So long as these delays and disappointments have been in consequence of the very stormy weather, no reasonable man can find fault. If those charged with this duty do the best they can to effect a crossing whenever a crossing is possible, no exception can be taken. The delays and disappointments in the mail and passenger traffic, in consequence of the storms have been sufficient in all conscience, without adding to them through political partisanship. A case of serious delay and disappointment in consequence of political interference has very recently occurred. On Thursday last, the day of the by-election in the Bedeque District, the boats from Cape Tormentine started in the morning and landed on this side about noon. In their passage they encountered head winds and at least two miles of open water; but notwithstanding these difficulties they made a fairly good passage. The conditions that militated against the boats from Tormentine would have favored the boats from Cape Traverse, as with fair wind they could use their sails and quickly cover the open water stretch. But the boats from Cape Traverse did not start in the morning, because the boatmen were wanted to vote for Mr. Reid, the Government candidate, and by the time they were ready to go the storm was raging and they

did not start. In consequence of this all the boats were on the Island side, and we have received no mail from the mainland since. No crossing from this side was made from that date until yesterday, and now all the boats are on the other side. In consequence of that delay the mails that might have crossed that morning, remained at Cape Traverse till yesterday, and the passengers, who were ready to start the same day were also obliged to wait. Among the passengers ready to go that morning was Mr. W. W. Stanley, of this city, on his way to the old country to purchase goods for his firm. By crossing on Thursday, as might have been done, he would have been able to take a steamer at Halifax on Saturday, or from Portland on Monday. In consequence of the unnecessary delay he cannot sail before Saturday, and then from New York. Others were no doubt equally disappointed. What do the people think of this?

The Legislative Session

The opening of the Legislature, which had been three postponed, took place on Friday afternoon last with the usual formalities. After the swearing in of the members and the election of Dr. Douglas as Speaker, his Honor the Lieutenant Governor entered the chamber and having taken his seat opened the session with the following:

SPEECH: I hereby welcome you on re-assembling for the discharge of your important Legislative duties, on this, the first opportunity of meeting you since my appointment to the honorable position of Lieutenant Governor of this Province and I have much pleasure in congratulating you on the general progress of the Province, although there was last year unfortunately a great shortage of crops, owing to the dry season. I regret to inform you that the Representation Case, which was argued before the Privy Council last summer, has been decided adversely to this Province. It is, however, satisfactory to know that this question has been finally decided by the highest court in the realm. The matters of the increased Provincial Subsidies and the distribution of the Halifax Fishery Award have not yet received any definite decision from the Federal Government, having been referred owing to the Federal and Provincial elections. I regret, however, that these matters will soon be adjusted to the satisfaction of this Province. The question of the funding of the Provincial debt, whereby a large saving of interest can be effected will be submitted for your consideration. During the recess our late popular Governor-General, the Earl of Minto, retired, and he has been succeeded by Earl Grey, whose appointment gives promise of being most acceptable to the Canadian people. The Government having become aware of the scarcity of fodder this year imported, and are importing a quantity of hay for distribution to those in need of it. I regret that owing to the impossibility of getting prompt transportation by rail, and to the stoppage in the winter communication between the Island and the mainland, a delay in the delivery of the hay has arisen, but I trust that as soon as communication is resumed it will be received and delivered to the farmers as quickly as possible. I am happy to be able to inform you that the Provincial Exhibition Association aided by the grant from my Government, held last fall the most successful fair in the history of Provincial Exhibitions.

I am glad to state that the tourist traffic, so advantageous to this Province, is being greatly stimulated by the distribution of descriptive literature issued by my Government. The Public Accounts for the past year will be laid before you; and the estimates of the income, and expenditure for the current year will be submitted. I feel assured that you will find that the estimates of expenditure have been prepared with due regard to economy, and the requirements of the public service. I now invoke for your labors, the blessing of Providence, in the firm conviction that your efforts will result in great benefit to our Province and people.

The members in attendance numbered twenty, five opposition and fifteen Government. The absentees on the opposition were Messrs. A. J. McDonald, Georgetown, and John Kitcham, Souris. Mr. Peter's was outside the bar, mostly in the clerk's room. Mr. Simpson occupied the Premier's seat and, with the assistance of Mr. Carmichael, to lead the House. After his Honor the Lieutenant Governor departed, the door keepers and messengers and some committees were appointed. At this stage Mr. Mathieson, Leader of the Opposition, asked the Leader of the House, to announce the personnel of the Government. It was most desirable, he said, that the House and the public should know who his Honor's advisers were. All precedents showed that this announcement was made in the House at the earliest possible moment after the meeting of the Legislature. To the surprise of all assembled, Mr. Simpson refused to furnish the desired information. Mr. Mathieson considered such conduct most extraordinary. Was Mr. Simpson the Leader of the House, or was he only one of the political twins, himself and Mr. Carmichael, with whom he seem to advise. Well, if it was a twin leader ship, would either of the twins be so kind as to give the information? Which of the twins was the elder? Was there a Government at all; had his Honor any responsible advisers? These are questions upon which some light should be thrown. But to all these questions the leadership by commission, made no reply. The House then adjourned till Saturday.

After routine on Saturday Mr. Mathieson, Leader of the Opposition, who had previously given notice of the same, asked the Leader of the Government to lay on the table of this House the correspondence or a copy thereof between the Government of this Province or any person or persons acting on its behalf and the Minister of Railways, or any person or persons acting on his behalf respecting the transportation of hay for the Government of this Province. (2) A copy of instructions forwarded by the Government or any member thereof or any person or persons acting for the Government to Agents for the sale of hay, Government hay. (3) A list containing the names and respective addresses of all Agents of the Government for the sale or distribution of Government hay. (4) A statement showing the terms upon which the said agents were employed by the Government, giving the amount of payment or rate of commission to be allowed to each, and the amount paid to each. (5) All letters, accounts and returns received from said agents by the Government, or any person or persons acting on their behalf, and also a copy of the letters sent to said agents on behalf of the Government relating to the said hay. (6) The name or names with the address or respective addresses of the agent or agents residing without this Province or the Government in the purchase of hay. (7) The correspondence or a copy thereof between such agent or agents and any person or persons acting on behalf of the Government in that behalf. (8) The terms upon which such agent or agents were or were employed by the Government. (9) At what price or at what different prices per ton was the said hay sold to the farmers of this Province and how much was sold at each price. (10) A statement showing the price per ton paid by the Government for the said hay and the number of tons purchased at each price. (11) In any of the said hay, and if so how much remaining in the hands of the Government or their agents, and in whose possession is the same. (12) How much hay purchased for the Government is now in transit to this Province and where is it at present stored. (13) What amount has been incurred for transportation charges for hay imported to this Province by the Government and to whom were the said charges paid, and how much to each? What amount has been paid on account of such charges and to whom and how much to whom? (14) Answer the same question with respect to hay purchased by the Government and now in transit to this Province. (15) Did the Government delegate to any person or persons and if so to whom the duty of procuring the said hay? (16) Upon what terms as to remuneration or were such last mentioned person or persons employed by the Government? Have any sum or sums been paid to such person or persons and if so how much to each and when? (17) Did the Government employ Captain Joseph Read in connection with the purchase and transportation of said hay and if so when and upon what terms as to payment for his services. Is he still in the employ of the Government? (18) What action if any does the Government propose to take for the relief of farmers who have not the means to procure Government hay. (19) What action if any does the Government propose to take with respect to the procuring of seed grain for the coming spring? (20) Is the Government aware that for want of fodder cattle are dying of starvation in this Province. (21) What provision is the Government making to relieve the needs of the farmers during the present interruption of navigation.

matter in question, the Provincial Secretary—not the Lieutenant Governor in Council—issued the writ of election. The Lieutenant Governor merely countersigned the writ. By the passage of the resolution, the House would satisfy itself, and the Government. The Government has no power under the law to issue a writ of election for the second district of King's. There is no precedent for such an action. It is utterly absurd and ridiculous. The English practice in such cases is that both candidates are returned and both are entitled to take a seat in the House. But in this case neither candidate claims to do so. What additional authority, he asked, is conferred upon the council or upon anyone else by the expression of opinion of this House? What has the House got to do with the matter? Mr. Morson contended that the House had no power to act as it had been asked to do. The case is without precedent in this Province. There is no provision in the law for such a situation as now exists. A double return has been made, and no action has been taken by either of the candidates. In his opinion a statutory provision for a new election would have to be made before a writ could be issued or a new election be legally held. The only member of the legal profession on the Government side of the House maintained a discreet silence, and Hon. Mr. Carmichael undertook to enlighten the House out of his great wisdom and legal knowledge. The resolution passed.

A message from his Honor, the Lieutenant Governor was read to the effect that when the House adjourned it should stand adjourned until Tuesday April 4th next. When the motion to adjourn was made, the Leader of the Opposition to exception to the course the Government were pursuing. Why should the House adjourn for all this time? Was it because of an election to be held in the second district of King's? Was it necessary to adjourn for that purpose? Was the Government side so poor in talent that they had to depend upon the will of one man; were they wholly incapable to carry on the business of the Province without the assistance of Mr. Peters? He referred to the hardship arising throughout the Province in consequence of the scarcity of cattle feed, and instances cases upon the basis now obtained will be given under the Federal authority his own observation. He considered it was the duty of the Government to

take some steps to distribute among the needy such supplies of fodder as could be found with those who had to spare, and make such regulations as would tide over the extreme cases, until the hay should arrive. He also took occasion to point out the instances of wrong done in the distribution of the Government hay, when party politics was made the condition of receiving or not receiving hay contracted for. Mr. Morson followed and brought the Government severely to task for their conduct in the hay matter. Mr. McKinnon and Mr. Fraser followed on the same lines. Mr. Fraser thought the Government should take some steps to assist the people in not only paying for the hay; but should assist them in procuring seed grain. Attempts at defence of the Government were made by Messrs. Simpson, Carmichael, Hazard and Hughes. The House then adjourned until Tuesday April 4th.

The Autonomy Bills.

The bills creating two new Provinces in the Northwest were introduced in the House of Commons by Sir Wilfrid Laurier, on the 21st Feb. and were read a first time. Briefly summarized the provisions are the following: The provinces to be known as Alberta and Saskatchewan will contain about 275,000 square miles each, and will divide nearly equal proportions a population of about 500,000 souls. The dividing line of the two provinces will be the fourth principal meridian. The southern boundary of each will be the line between Canada and the United States; the northern boundary of each will be the present boundary between the territories of Athabasca and McKenzie. The western boundary of Alberta is the eastern boundary of British Columbia and the eastern boundary of Alberta is the western boundary of Saskatchewan, and the eastern boundary of Saskatchewan is the western boundary of Manitoba extended northward. The petition of the Territories has not been acceded to. Instead of giving the new provinces possession and control of the public land now included in the Territories the Federal Government retains these and in lieu thereof give the new provinces large annual subsidies, and other financial aid is to be given to the total amount of \$1,335,375 annually, under present conditions, with the possibility of an increase to the sum of \$2,000,000 annually. The separate schools upon the basis now obtained will be guaranteed under the Federal authority. The new provinces will be created July 1st, 1905.

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Mr. McKinnon, on Friday gave notice of the following resolution: Resolved that the great scarcity of fodder and seed grain in this Province and the urgent necessity for the same call for immediate and prompt action on the part of the Government to devise ways and means for relieving the present want and of assisting the farmers to procure seed grain for the coming spring and that this House recommends that a Board of Independent Commissioners be at once appointed to deal with the whole situation. To the what provision is the Government making to relieve the needs of the farmers during the present interruption of navigation.

When the House met in the afternoon, Mr. Simpson moved the following resolution, of which he had given notice on Friday: Whereas owing to the return of the Returning Officer for King's County regarding the Second Electoral District for King's County at the last General Election held on the 7th day of December, 1904, whereby it appeared by the report of the said Returning Officer that Arthur Peters and Harvey D. McEwen, two candidates for Assemblyman, contesting the said District, received an equal number of votes at said Election, to wit, 515 each, and that neither was declared elected, and therefore, Resolved that in the opinion of this House a writ for a new election for an Assemblyman in the said District should be issued by the Lieutenant Governor in Council. The Leader of the Opposition pointed out that the action called for by this resolution could not legally be taken, according to the law governing the

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