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VOL. 22. CHARLOTTETOWN, PRINCE EDWARD ISLAND, THURSDAY, FEBRUARY 12, 1852. NO. 1142.

Legislative Proceedings.

HOUSE OF ASSEMBLY.

Friday, 6th.

PAUPERS.

On motion of the Hon. Mr. COLES, it was ordered that all Pauper Petitions presented to the House shall be taken into consideration on the 20th February next.

IMPOST ACCOUNTS.

Mr. FRASER presented the Impost Accounts for Charlottetown, Referred to the Committee on Public Accounts.

EDUCATION.

Mr. DAVIES presented a Petition from Point Prim and Gallows Point in favour of Free Education. Referred to the Committee on Education.

CIVIL LIST.

The Bill entitled "An Act to amend the Act providing for the payment of the Civil List of Prince Edward Island, and for commuting the Crown Revenues thereof," was read a third time and passed —Sent up to the Legislative Council by the Hon. Mr. Coles.

Mr. THORNTON presented a Petition from Roderick Johnston and Peter Kehoe of Township Number Fifty-two, praying a grant for the opening of a new line of Road.—Laid on the table.

AFTERNOON SITTING.

Address to Her Majesty, proposing the opening of our Fisheries to the Citizens of the United States, in return for Equivalent Advantages.

Hon. Mr. COLES.—He rose to move the appointment of a Committee, to prepare an Address to Her Majesty, with reference to the Fisheries of this Island, praying that Her Majesty will be pleased to remove the restrictions, by which, according to treaty, American citizens are prohibited from fishing within a certain prescribed distance of the shores of this Island.—provided the United States' Government will grant to this Colony certain equivalent privileges, on the basis of reciprocal free-trade. That the Joint Address of the Legislative Council and the House of Assembly (1849), to Her Majesty, suggesting the unconditional relaxation or suspension of the Treaty between Great Britain and the United States of America, regulating the Fisheries of this Island, they were aware had been laid before Her Majesty, and was very graciously received by her; but they had not been informed of any action having been subsequently taken upon it by the Home Government, in consequence of that Address. That Address was conceived in a spirit of far too great liberality. It proposed a surrender of privileges of vast importance, without having, in the first place, duly stipulated for an equivalent from the United States. We had passed an Act offering the advantages of Free-trade to the United States, on condition that they should extend similar advantages to us; but in consequence of their having failed to reciprocate, our Act for the encouragement of Free-trade, so far as the people of the United States were concerned, was a dead letter upon our Statute book. But as the Legislature of the United States is now in session, and as the Imperial Government is already in communication with the Government of the United States, endeavouring to negociate an agreement for the mutual benefit of the United States and the Colonies generally; the negociation having for its object the throwing open of our fisheries to the citizens of the United States, on condition that their Government shall reciprocate with us in free trade: he was persuaded that now was the time for the Legislature of this Colony to step forward, and by wise, prompt and energetic action, to rectify past errors and omissions, and to urge upon Her Majesty and the Home Government, the necessity of earnestly endeavouring to complete such a negociation with the Government of the United States, as may enable us to derive from our Fisheries all the advantages which at present they can be made the means of procuring us. The people of Newfoundland had refused to throw open their fisheries to the people of the United States; and Nova Scotia was determined to concede no privileges to them, with respect to her fisheries or otherwise, unless some concessions of equal value should be made to her in return. These Provinces seemed determined to protect their own interests; and it was now high time for the people of this Colony to manifest a similar determination with respect to theirs. Should the Legislature determine to throw open our fisheries to the fishermen of the United States, it should be only on condition that they shall admit our agricultural produce and our fish, duty free, into their ports; and that they shall also admit our Island-built vessels to American registers. Could we negociate with them on such terms, we should make a good bargain, although receiving from them far more than they ought, in fairness, to give us for the privileges we should cede to them. Last season, there were four or five hundred American fishing vessels upon our coasts; and, besides being allowed to fish, within the prohibited distance of our shores, without molestation, they were allowed to enter our harbours, to use our wharfs, and take in wood and water, and all without acknowledgment, payment or advantage to us, in return, of any kind. Of ourselves we could not maintain a sufficient force to prevent the Americans from encroaching upon our fisheries; and the Home Government would not incur the expense of doing so; but, still, he believed it was possible to redress the evil, and turn it completely to our advantage. It would now be no difficult matter to convince the Government of the United States of the very great, he might almost say immense, advantages derived by the Americans from the fishing privileges in the waters of our Island, and to convince them that they would be cheaply purchased by yielding to us all that we demand in return for them. In pursuance of these views, it was, therefore, most advisable, he thought, that the Legislature should address Her Majesty, in our own behalf alone. The Executive Government would also assist by making such representations, sustained by the evidence of facts, as might enable the Imperial Government successful to negociate with that of the United States for our advantage. His Excellency would also aid in the prosecution of the design, and it was due to his Excellency to state, that he had already entered upon a correspondence with the Home Government relative to such a negociation, with such earnestness of purpose as evidenced the most anxious desire on his part that the period of his administration of our Government should be one remarkable for the advancement of the public interests. The Assembly had before been nearly unanimous with respect to this subject; and he hoped to find the House so then, with respect to the Resolution which he was about to submit. The hon. member then read the Resolution as follows:

"Resolved, that a Committee be appointed to prepare an Address to her Majesty the Queen praying that she will cause to be removed the restrictions of the Treaty of 1818, prohibiting American citizens from fishing within certain prescribed limits, on the shores of the Island: provided the American Government admit articles the growth or production of this Island into the United States, duty-free, in accordance with the Act, 12 Vic. cap. 3, including Fish: also vessels built on this Island to American Registry; and that the Legislative Council be requested to join in the said Address."

The hon. member then proceeded to say, that what he expected, would be most advantageous to us, would be the admission of our vessels to American registers. Our trade in ships was completely ruined by the admission of foreign-built ships to British registers. Vessels belonging to the United States' if wrecked or stranded upon our coasts, and being sold here were immediately admitted to Island registers; but on the contrary, no such advantages were extended to us in the States. If the Government of the United States would admit our vessels to American registers, our trade in ship-building would immediately revive. It was true that, in that line, with respect to the first rate vessels, we could not hope to compete with the Americans, were it in no other account than our want of suitable timber,—but we had still abundance of such timber as would enable us to build vessels suitable for the fishing trade, which though not of the most durable materials, would last for several years. Thus, he hoped, a new market might, at once, be opened for our ship-builders. And as respected our produce, it was well known that the United States would afford it duty-free into the country; and this concession, he hoped, they would be induced to make to us, from the consideration that none of the other Colonies had privileges to extend to or withhold from them, which could at all compare in value with those in possession of the people of this Island.

Hon. Mr. POPE then rose, and at some length, very pointedly set forth the advantages which would result to both parties —the people of the United States and the people of this Colony —from such an arrangement, as that contemplated by the Resolution submitted by the Hon. Mr. Coles. The American fishermen, said the hon. member, were well acquainted with our fishing grounds, and they knew them to be greatly superior to, and more abundant in fish, than those of any of our neighbours. Of their great advantage, they must be fully persuaded, from the fact that they annually afforded employment and supplied with one if not two full cargoes of fish, each season, upwards of one thousand of their vessels, each carrying an average crew of ten or twelve men. Nothing was to be expected from the mere generosity of the people of the United States. They would yield us no privileges, unless it could be clearly shewn that it would be for their pecuniary benefit to do so. If we could convince them, however, that it was in our power, either to continue and further extend to them the great advantages which they derive from being allowed to fish in our waters, or altogether to deprive them of them: it would not be imagined, be found very difficult to treat with them, for our own benefit, in the manner proposed by the Resolution. We ought to point out to them in plain and intelligible language, that if they will not reciprocate with us, on free-trade principles, we would strictly guard our fisheries for our own immediate use and benefit. He, for one, would rather consent to expend our whole available revenue for the protection of our fisheries, than consent that they should any longer continue virtually open to the Americans, without their yielding to us some correspondent advantage in return. If, to those who came twelve or fifteen hundred miles, with vessels properly equipped and manned, to fish in our waters, it was found to be a highly remunerative enterprise,—surely if properly prosecuted by ourselves, it would prove much more advantageous than to those who came and had to return so far, for the completion of their fishing voyage. Fishing so near home, as our vessels would do, each of them might surely be expected to take in two cargoes, and make two complete fishing voyages for one, on the part of the Americans. The bounty claimed by those who, last, season, fitted out vessels in accordance with the provisions of an Act of the last session, for the encouragement of the Cod and Mackerel Fisheries, amounted to several hundreds of pounds,—and he hoped that, next year, it would amount to thousands. At present, the Americans imposed a duty upon all our produce, admitted into their ports, of 20 or 30 per cent, and upon our fish of 5s. per barrel. In all our dealings, connexions or commercial relations with them, at present, the advantages were clearly on their side. When we passed the Act for reciprocal free trade with the United States, and at the same time proposed to throw open our fisheries to them, conditionally,—it was well for us they did not take us at our word. He took blame to himself for having been a consenting party to such a measure. The policy by which it was dictated was extremely liberal, but short-sighted, in not stipulating for the free entrance of our fish. He made these observations in allusion to that policy, because certain parties still continued to take great merit to themselves, through the public press, on account of the share they had in the Bill. Our fish must be made an article of export. By the rapidly increasing population of the Western States of America, hundreds of miles from the seaboard, sea fish, particularly mackerel, was esteemed a great luxury,—and already, hundreds of thousands of barrels were required to supply their demand for it,—but the demand was small, very small, in comparison with what it might, ere long, be expected to become, when, through the opening of the railroad communications from the eastern sea-ports, with every part of those distant territories, they would become one immense extent of cultivated and improved country, with their population amounting to millions, and require an annual supply of millions of barrels. This supply the Americans could not provide for, from the resources of their own fisheries,—and neither could they procure it from any foreign fisheries upon the same advantageous terms, as from those of this Island,—and he was convinced that, by the exercise of sound policy, we might confidently expect to secure to ourselves a principal share of the advantages which will result from such a demand. The Legislature could not possibly direct their attention to any object of greater importance, than the securing to the Colony the full benefits which our fisheries may be made the means of affording to it; and nothing, in our present position and circumstances, could require an exercise of more firmness and determination. If the Americans will not grant us a correspondent benefit for that which they derive from being allowed to fish in our waters, we must find means to compel them to keep at the distance prescribed by treaty, from our shores,—and, further, provide for the taking of our own fish ourselves.

Mr. YEO. He recollected that it was only three years ago since the Assembly had deemed it advisable to repeal the restrictions, with respect to our fisheries, in favor of the Americans; and that, at that time, there were only three members of the House opposed to that policy. The people of Newfoundland, however, kept a ship of war to protect their fisheries; and their policy in that respect was, he apprehended, a much sounder one than we were inclined to follow. It was, indeed, a most mortifying consideration to think that, with so many hundreds of active young men as we have in the Colony, there were not skill and enterprise sufficient amongst us to appropriate to ourselves immediately, the wealth with which our waters abounded. He knew not how it was that we could not prosecute the fisheries, systematically and advantageously. He knew not how it was that we could neither procure suitable fishing crews, nor suitable and well-built fishing vessels; but he knew that we ought to take shame to ourselves that it was so. What was contemplated by the Resolution was, no doubt, most desirable, but he feared we should never induce the Americans to take our fish duty free.

Mr. PALMER. He was one of those who had opposed the Address to Her Majesty, suggesting the suspension of the restrictions respecting our fisheries, in favour of the United States He opposed it, because it proposed to extend to the Americans all the privileges of British subjects, with respect to our fisheries, without price or limitation. Under those circumstances, he opposed the Address, and, under similar circumstances, he would again oppose such a proposal. The whole subject matter of the Address now proposed was, that the American fisherman in vast numbers, fished in our waters, every season, without leave and against leave, and without either affording, or being willing to afford us any privilege or advantage in return; and that they may have all the privileges and advantages, so enjoyed by them without leave confirmed to them, by our sanction, provided they will agree to allow us some equivalent advantage. He would support the motion for such an Address, because it was founded to reason; and such a negociation as the Resolution contemplated, could be carried on, and established on an equitable basis. Should the Americans refuse to make us such concessions as we sought, in the fair spirit of reciprocity, he only hoped we would endeavour to convince them that we had it in our power to cause an interruption to their fishing trade, which would operate quite as much to their inconvenience and disadvantage, as our indulgence had done for their accommodation and profit. Our doing so and following up our determination with vigilant and constant firmness, would be the most likely way of compelling them to submit to a reasonable and just accommodation of interests. Let it be given them to understand that, small as our Island is, and limited as our resources are, we can occasion such serious interruption and damage to one branch of their trade, as may at least make it desirable to purchase our forbearance and indulgence on equitable terms. Should we be able to keep them off for only one year, he was of opinion, they would then be very glad to submit to our conditions.

Hon. Mr. WARBURTON. The Resolution submitted by his hon. friend had his full approbation. Were we to keep off the American Fishermen from our shores for only one season, it would, he imagined, be found sufficient to bring them to reason. To have only two or three hundred of their fishing vessels—which was, he believed, about the number they had employed in prosecuting the fisheries upon our shores and within our very harbours last season—almost completely and at once thrown out of employment, for only one season, would be felt by them as no disastrous an occurrence, that, in all likelihood, they would be found very willing to guard against its return, by making all reasonable and fair concessions. He hoped the views set forth in the Resolution would be carried out to their fullest extent.

Mr. CLARK. He agreed in opinion with most that had been advanced by hon. members, relative to the negociations contemplated by the Resolution before the House; but, as to fighting the Americans, or driving them, by force, from our fishing grounds, he thought that idea, was rather an extravagant one. The American fishermen, at least many of them, cared very little, he believed, whether the restrictions of the treaty should be enforced or not. He had had as frequent opportunities as any one of ascertaining their opinions, with respect to the advantages which they enjoyed, in being allowed to prosecute their fishing in our waters and upon our coasts, without molestation; and they had given him reason to believe that many of them were of opinion that it would have been much more for the advantage of those engaged in the fisheries generally, if they had never known our harbours. With respect to ourselves, however, he was persuaded that, unless something could speedily be effected for the revival and extension of our sinking agricultural, fishing, and ship-building trade and interests, the Island would, ere long, become one of the most miserable places in the world. If, indeed, the Americans could, by fair means, be induced fully to reciprocate with us on free-trade principles, very great benefits might be expected gradually to arise to the Colony from our connexion and commercial intercourse with them established on such a basis. But should it be found impossible to effect a negociation with them to that end, it was not clear to him by what means the Legislature would be able to bring about the successful prosecution of the fisheries by ourselves. He was persuaded that all they could give in the shape of bounties for one or two years, would do nothing; and in order, under any circumstances, to be able to prosecute fishing voyages with any assurance of success, it was absolutely necessary that we should have much better vessels. A company of our fishing vessels sometimes succeeded in raising the fish, without being able to secure them, for an American vessel would dash in among them, and owing to the ease and skill with which she was manœuvred, she would succeed in taking away the fish from our Island fleet.

Mr. WIGHTMAN. It seemed strange to him that, after having, in 1849, presented an Address to Her Majesty, suggesting the unconditional opening of our fisheries to the Americans, and at the same time offering, through an Act of the Legislature passed in the same Session, to reciprocate with them on free-trade principles, and after having found that out of so much liberality nothing had arisen for our benefit, it should be proposed to reiterate the offer. He was persuaded that all he could say and all he could do, taken together, would be insufficient to induce the Americans to reciprocate with us on free-trade principles. Although he had, repeatedly, in conversation with the American captains, who were on board the fishing vessels which frequented the port of Three Rivers, heard that if there was any prospect of Congress yielding to reciprocity with any of the British Colonies, that Prince Edward Island was most likely to enjoy that privilege. But, at the same time, he was fully alive to all the great advantages which might be expected to result to us from the effecting of such a negociation as that contemplated by the Resolution; and, consequently, no one would rejoice more than he, should it be accomplished. To export agricultural produce from this Island to the neighbouring provinces was, it was well known, attended with little or no benefit; for, by combination among the limited number of purchasers, to keep down prices, the exporters were frequently losers to considerable amounts. But, could the Americans be induced to admit our agricultural produce and our fish, duty free, into their ports, the advantages resulting to this Island from such free-admission would be immense.

Mr. THORNTON. He was in favour of the Address of 1849; but he was still more in favour of that proposed by the Resolution under consideration. But he much feared, that as the Address of 1849 had been productive of no benefits to the Island, so neither would that of 1852 have a more successful issue. Indeed, unless a change had come over the spirit of the Americans' dream, it would be in vain to look for a more happy result. The only course which, to him, appeared to promise success, was for us to declare war against the piratical American fishermen; and by keeping one or two cutters actively employed, during the fishing seasons, as the Nova Scotians did, give them such molestation as would prevent their fishing to any great or profitable extent upon our shores, or within our waters. He was himself convinced that if anything can redeem the affairs of the Colony, and give to it hopes of future prosperity, it was such an agreement with the Government of the United States, as that contemplated by the Resolution. It was of no use to multiply observations with the intention of proving how desirable it was; for all must be agreed as to the great advantages to the Island which would result from it. He, for one, would be very glad to see it accomplished.

Hon. Mr. COLES, in reply to an observation of Mr. Clark's, said it was useless for the American fishermen to pretend that they derived no benefit from being allowed to fish close upon our shores, and to enter our harbours: they who had said so, had, perhaps, forgotten or knew not, that, if the restrictions of the treaty were enforced, they would not be allowed to fish within fifteen or sixteen miles of our shores generally; for the distance of three miles, at which they might fish, was to be computed from the headlands. With respect to making war upon the Americans, as Mr. Clark phrased it, he (Mr. Coles,) saw nothing extravagant in what was proposed, or rather hinted at in that way; for if for the purpose of protecting our fisheries, we should fit out a boat, carrying one gun only, and that boat should be resisted by the Americans within our waters, a representation of that resistance to the Home Government, would soon procure the sending out of a sufficient naval force from Great Britain to clear our waters from the intruders, and to demand satisfaction from the United States' Government for the aggression. Should we be disappointed in our attempts to secure the advantages we sought by fair means, it would not require a larger expenditure than about £200 or £300 a year, to interrupt the intruding American fishermen, to such an extent, as would render their enterprise nearly altogether unproductive, and in all probability, soon dispose them to a compliance with our proposals. The having one thousand or twelve hundred of their vessels, with ten or twelve thousand of their fishermen, thrown out of employ, would be an evil to redress, which, he thought they would in the end, gladly consent to forsake their protective policy with respect to this Colony. He was much pleased to observe that they were likely to be unanimous with respect to the proposed Address. It differed widely from that brought in 1849, by a gentleman not now in the House. By the Address now proposed we offer to bestow certain valuable privileges, in return for others of an equal value. By that of 1849, we surrendered all, without stipulation for any thing in return; and those who objected to it did not do so on that account, but because they apprehended the ruin of our revenue, from the contraband trade in tea, which would be carried on by the American fishermen with certain classes of our population.

Mr. HAVILAND. He was one who voted for the Address of 1849; and he did not regret his having done so. They who opposed it, did so, in consequence of their apprehensions, that it would, if successful, afford such facilities for illicit trade, as would prove very injurious to our revenue. Could we procure that, the attainment of which was to be sought from the American Government by means of the Address, we should obtain one of the greatest boons which could be conferred upon the Colony,—but he was much afraid the Americans were too much of protectionists to entertain our proposals with sufficient favor.

Hon. Mr. POPE. It was, he believed, generally known that Canada had agreed to furnish a steamer, and the Provinces of Nova Scotia and New Brunswick, each an armed vessel for the protection of their fisheries, and that the latter had lately seized several vessels for a violation of the treaty,—and there was no doubt, that, if we were driven to the necessity of enforcing our rights, the British Government would enable us to do so effectually. It was true, as stated by Mr. Coles, that no means would be left untried to accomplish the contemplated arrangement with the United States' Government—and, as His Excellency has given to understand—that, if the negociation could not be brought to a successful issue—if the American Government would make no concessions, we would fall back upon our privileges, and endeavour by every means in our power, to protect the fisheries conferred to the best advantage.

Mr. SPEAKER then put the question upon the Resolution, and it was unanimously agreed to.

Hon. Mr. Coles, Hon. Mr. Pope, Hon. Mr. Warburton—Mr. Davies, Mr. Clark and Mr. Thornton were appointed a Committee to prepare the Address.

The House resolved to resume, on Thursday next, in Committee of Privileges and Elections.

ORDERED, That Mr. Speaker do issue his warrant compelling the attendance of the Presiding Officer and Poll Clerk, at the late Georgetown Election, before the said Committee.

Friday, February 5.

Hon. Mr. WARBURTON presented a Petition from the First District of Prince County, relative to Education, observing that as the Petition differed, in some respects, from the general tenor of others in favour of free Education, he would beg leave to read it in his place. Ordered to be referred to the committee on free Education.

Mr. WIGHTMAN presented a Petition from Lot 59, praying a grant for the construction of a Bridge over Burr's mill-dam. Ordered to be referred to the Committee on the subject of roads.

Hon. Mr. POPE presented a Petition from the inhabitants of Bedeque and vicinity, praying a grant to enable petitioners to add an extra block to the present wharf at Bedeque. The hon. member stated that from the great and increased traffic at the wharf, the Petitioners felt much inconvenience for the want of an additional block. Petition laid on the table, with an understanding that it would be taken up by the Committee on such questions.

Hon. COLONIAL TREASURER presented the Public Accounts, viz: Accounts with the Government from April 29th, 1851, to 31st January, 1852, inclusive: Small Disbursement Accounts, from 8th May, 1851, to 31st January, 1852: List of Bonds in the Treasury with balances due thereon, 31st January, 1852: Return of Debentures issued under Act 14th Vic. cap. 20, to 31st January, 1852.

Privileges of Parliament and Elections.

After a few prefatory remarks from Messrs. Wightman, Thornton and the hon. Mr. Coles, the House, on motion of Mr. Fraser, went into a committee of the whole, on the question relative to the late Georgetown Election. Mr. Davies in the chair.

On motion of Mr. Wightman, the Poll Clerk was discharged.

Mr. FRASER said, the more he thought of the matter, the more he was convinced the country ought not to pay the expenses of the last Election at Georgetown, the returning officer himself having admitted that he had not performed his duty, by which he had rendered himself liable to a fine of £200; and as it appeared the House seemed inclined not to enforce the penalty, he ought to consider himself very leniently dealt with, if let off by paying other expenses.

Hon. Mr. COLES agreed with the hon. member who had just sat down, that the officer in question must see that the House was extremely moderate and forbearing towards him, considering the several omissions made and acknowledged by himself; and he (Mr. C.) wished to impress on his mind, as well as upon those of all others who might hereafter act in the same capacity, that such derelictions of duty must not again occur.

Hon. Mr. POPE did not see that any blame attached to the poll clerk. He had sealed the poll books at the close of the proceedings, in conformity with the act. It was otherwise with the returning officer; for, from his own admission, last night, it was made to appear, that the poll book forwarded to the Colonial Secretary was not the original one; and besides, from a comparison of the copy with the original, it appeared that the copy was not strictly a faithful one. These, with other derelictions of duty, must be noticed. The fine of £200, and the expenses of the House during the investigation, he (Mr. P.) was, in union with the apparent feeling of the House, inclined to forego, but he was not in favour of any further lenity. The officer had openly stated that he knew not that he was doing wrong. The declaration was a very strange one, considering the experience he had had. He must not be allowed to go scot free. He would never consent that the public purse should be mutcted to pay for the expenses of his carelessness and want of judgment; however much disposed the House might be to put the most favourable construction on the evidence. He must be made to discharge the expenses which, under different circumstances, would have fallen on the government. If this were done, the Crown Law officers might not trouble him by any proceedings for the recovery of what he had further rendered himself liable to.

Hon. Mr. COLES said, if the Returning Officer had been inexperienced, or an ignoramus, there might have been some excuse; but the contrary was the fact; inasmuch as he had passed through several highly important public offices. Such being the case, it was most extraordinary how such glaring oblisions should have arisen under the plea of ignorance.

After a few remarks from Mr. THORNTON and Mr. CLARK, on motion of Mr. Fraser, the chairman reported progress, and asked for, and obtained, leave to sit again, in order to calculate the expenses to be paid by the returning officer.

On motion of the hon. Mr. WARBURTON, the Bill relative to the publishing of Government Advertisements and notices, was read a second time, and submitted to a committee of the whole House. Hon. Mr. Jardine in the chair. Mr. Fraser enquired if the former Act had expired.

Hon. Mr. WARBURTON replied, that it had two years since, and added that his motive, in introducing the Bill, was in order to cut down the expenses, which last year were enormous.

Mr. FRASER said, the former Act was much objected to, and it was understood that, on its expiration, it should not be renewed without amendment.

Hon. Mr. POPE reminded the House of the number of Newspapers now in circulation, the expenses incurred by advertisements, and all to little purpose, for the great portion of those interested depended most upon the printed notices sent into the country. The government ought to possess a discretionary power, as to what advertisements should be inserted in any other paper than the Royal Gazette; all being inserted in that paper, that the public might know where to look for certain information. The former Act worked very well, till it was abused by a former Governor, who, from party motives, insisted that another paper should be patronized, as well as the Royal Gazette. At that time certain persons did pretty much as they pleased, but he (Mr. P.) was proud to say the case was now altered.

Hon. Mr. WARBURTON said, last summer the Road Service Notices were published in all the Papers, which created a great expense and was but of little use to the public. It would be necessary that Proclamations and so forth, should appear in no more than one Paper. His (Mr. Warburton's object—as he had stated in introducing the Bill—was economy. The Bill was ordered to be engrossed, and read a third time to-morrow.

SMALL DEBTS BILL.

On motion of Mr. FRASER, the House went into a Committee of the whole on this Bill; and on further motion it was agreed, that the 34th Clause should be reconsidered, which related to the privilege of members.

Mr. THORNTON hoped that the Clause would not be agreed to, and that the House would be above receiving the proposed legislation of the clause.

Mr. FRASER said, he considered that the House was free from creditors during the Sitting of the House.

Hon. Mr. POPE in answer to the honorable member, remarked, that no law existed to that effect; still, from ancient usage, their persons were free from arrest while in Session, the House had been placed in an awkward predicament by the action it had taken in reference to the assistant Clerk having been sued in the Small Debts Court, and bringing it under the notice of the House. Had he adopted the suggestion which he (Mr. Pope) had offered and represented the case to the Commissioner, that his attendance on the House would not be dispensed with, he (Mr. Pope) did not doubt the proceedings would have been stayed by the Commissioner. So he believed, if a member was served with any process on coming to Town to attend his parliamentary duties, on this being properly represented, the Commissioners would not attempt to prevent him. The usages of Parliament are so well understood, that no law is required. In this Case, the whole question amounts to this simple one, shall a member pay his debts or not. The Privilege at first was intended to prevent members from being taken away from their duties, whereby the people may be placed in the situation of not being represented. As the person was protected, he (Mr. Pope) considered that was all that could be reasonably required. He remembered seeing in the newspapers lately, that the Horses and Carriage of Sir George Grey, Governor of Jamaica, were seized and sold for payment of Taxes, which the Governor had refused.

The Hon. the SPEAKER, observed, that what he had said on a former occasion had been strangely misunderstood by some, particularly by the Hon. Mr. Pope. He had not instigated the House to do what it had then done, but it having been referred to him to