

Mr. HEFFERNAN moved the second reading of the bill relative to the sittings of the Supreme Court in the Co. of Guysboro'.

SUTHERLAND AND MITCHELL'S CONTRACT

Mr. ARCHIBALD asked the Government if they were disposed to lay on the table the papers connected with the petition and contract of Messrs. Sutherland and Mitchell. He understood that this firm entered into a contract for the construction of a section of the Pictou Railway, under which they continued to work until the 19th of January. They then signed a document agreeing to come in under the contract of Mr. Fleming, but they stated that with the effect of this document they were not acquainted at the time, and this seemed reasonable, because it was not known until the meeting of the Legislature that Mr. Fleming had assumed the work. They claimed from the Government \$12,000, and an additional sum from Mr. Fleming, and asked that the papers be laid before the house.

Hon. PROV. SEC. said that no committee could examine into the matter at that period of the Session, and he did not think it would be wise to recognize the claims even if there were time.

The Government were satisfied that these contractors had no claim whatever against the treasury, and their claim against the contractor they could contest in a court of law at any time. He had gone personally over the Pictou line in company with the Chief Commissioner, the Attorney General, and Mr. Fleming, and on coming to the section of the petitioners it was found that they proposed to substitute tunnels for certain bridges and masonry, but the price they named was beyond what was reasonable; but as the engineer stated that they had taken the contract low, especially the masonry, on which they must lose heavily, the Government allowed them their own price. The house would understand his surprise, on seeing by the account that, after getting the change made on their own terms, they charged \$5000 for the substitution. The Government were, however, quite willing to allow them to establish any claim they had in a court of law.

Mr. ARCHIBALD said that he had the authority of the contractors for stating that the entire work had been done at the rates prescribed. He was not prepared to enter into the discussion, but had hoped that the claim would be adjusted by the house without the delay of litigation.

CONSUMERS' GAS COMPANY BILL

The Legislative Council having sent down this bill, with an amendment compelling the new company to give compensation to the Halifax Gas Light Company for the use of their trenches, and compel them to lay their pipes four feet from the present pipes,—

Hon. FIN. SEC. moved that the amendment be not agreed to.

Hon. PROV. SEC. moved in amendment that that portion of the clause proposed by the Council which compelled compensation be agreed to, and that the remainder be struck out. He said that if the new company availed themselves of the expenditure of their predecessors, it was only right that they should pay for the privilege; but he did not see why a useless expenditure of £20,000 or £30,000 should be insisted on.

Mr. ANNAND said he was glad that the proposal for compensation commended itself to the house; the measure would otherwise be a very arbitrary one.

Mr. BLACKWOOD said that the committee on private bills had recommended the four feet clause. He would, however, support the compensation clause.

Mr. PRYOR thought that some guard for the water pipes should be inserted. They would be exposed to the frost in case of the trenches being opened by the Gas Company during the winter.

The motion of the Provincial Secretary then passed.

BRITISH AND AMERICAN TELEGRAPH COMPANY.

The House then went into committee on bills, and took up the bill to incorporate the British and American Telegraph Company.

Mr. BLANCHARD said that the Nova Scotia Company, by petition, opposed the clause giving the right to the new company to establish lines of telegraph through the Province, because they were compelled to maintain a number of lines which paid nothing, and the new company would have the right to take from them the profit of the paying lines.

Hon. ATTY. GEN. said he was fully disposed to guard the interests of the Nova Scotia Company, but the bill proposed nothing more than it was necessary for the new company to have. By the arrangement recently made, matters were in this state: that for the next five years the Nova Scotia Company would only get five per cent. for the use of the lines from the Western Union Company, who had the lease. The original shares were \$20 each, but they had been far below that, and had only risen to \$16 when the cable was laid, and they had lately sold at \$10.25. The new company proposed to land a cable at Halifax, and would require such land accommodation as would enable them to transmit their messages.

The present cable did not give one-sixth of the accommodation that was required, and the new company proposed to transmit at one-fifth of the present rate, and it would therefore be the interest of the old Company to impede the operation of the new, and therefore such powers as were necessary to the enterprise should be given in the bill. It was true that the Western Union Company had the right, if the income on the Nova Scotia lines diminished, to give up the lease, but he was convinced that the business would be increased by eight times after the laying of the cable and the reduction of the price. It was expected that Halifax would be the great railway terminus, and if the cable were laid to this city the present danger of news being intercepted would be obviated, but the company would not lay the cable to Halifax unless they could be ensured of the requisite accommodation. He believed that the interests of the Nova Scotia Company would not be prejudiced, and said that the petition against the bill was only agreed on by the casting vote of one of the directors. They offered no acceptable compromise, and were amply protected, because the British and American Company would not have the right to construct a land line unless they could not obtain proper transmission. It was suggested