

Provincial Parliament.

(Chiefly from the City Papers.)

HOUSE OF ASSEMBLY.

As intimated in our last, the Provincial Legislature was opened in due form on Thursday the 23rd ult., by His Excellency, Sir JOHN HARVEY, by a Speech from the throne which we have already published. The members of the House of Assembly returned to their Hall, when the Speaker read the speech.

BILL PRO FORMA.

Hon. Mr. Doyle asked leave to introduce a Bill entitled an Act for the better regulation of Elections. The Act contemplated conferring upon all male inhabitants of Nova Scotia having paid their County Rates, the right of voting at Elections. Leave was granted and the Bill was read a first time.

Mr. McKeagney moved an Address in answer to His Excellency's Speech—which was seconded by Mr. Mignowitz, but which, being only an echo of the Speech, need not be inserted.

It was moved that the answer to the Speech do lie on the table till to-morrow.

ELECTRIC TELEGRAPH.

Mr. Fraser presented a petition from a number of the inhabitants of Windsor, praying an Act of Incorporation for a Company to be called, "The Halifax and Windsor Telegraph Company." The petition was received, read, and laid on the table.

Mr. Fraser asked leave to introduce a bill for the incorporation of the Company.

Mr. Marshall thought it would be well if the hon. member for Hants would allow the petition to lie on the table until other petitions of which he was aware, of a similar nature, were presented, when a committee might be appointed to which they could all be referred.

After remarks from the Hon. G. R. Young, Mr. Fraser acquiesced in Mr. Marshall's proposition.

PUBLIC ACCOUNTS.

Messrs. Fraser, Killam, Campbell, Mignowitz, and Marshall, were appointed a Committee of Public Accounts.

FRANKING PRIVILEGE.

On motion of the Hon. Attorney General, the resolutions of last year, restricting the members from the Franking Privilege, and requiring an account to be kept with each member at the Post Office were affirmed, and ordered to be published.

REPORTING.

A committee of Messrs. Young, Mignowitz, Freeman, Munro and Fulton, were appointed to make arrangements for Reporting the Debates. The House adjourned.

FRIDAY, 24th Jan., 1851.

Hon. J. W. Johnston laid upon the table a resolution—affirmatory of the applicability of Elective Legislative Councils for Nova Scotia. He was of opinion that it was better to discuss the matter early in the session, as if left till a late period, a subject of this kind was not fully discussed. He would therefore ask that it be made the order of the day for Tuesday next.

Hon. G. R. Young thought the opposition was not so much to the general principle of the system of Elective Legislative Councils as to the details, which had not been submitted by the hon. mover.

After remarks from Hon. J. W. Johnston the resolution was made the order of the day for Tuesday next.

PETITIONS.

Mr. Freeman presented a petition from Dr. Willibsky praying remuneration for services performed in relieving the Indians. Leave was granted and the petition laid on the table.

Mr. Fraser asked leave to present a petition from certain inhabitants of Hants praying an Act of Incorporation for a Company, to be called the "Avon Marine Insurance Company." And also a bill to carry out the prayer of the petition. The petition and bill were both received, and the bill read a first time. In moving it (Mr. F.) said that the Shipping in the Bay of Fundy was much larger than was generally conceived, amounting to some 5000 tons—and trading to New South Wales, California, and in fact all parts of the world.

ADDRESS.

Upon reading the Sixth Clause of the Address, the Hon. J. W. Johnston said, he was sorry to oppose the answer to the Speech. When I heard you (Mr. Speaker) read the speech, I flattered myself it was unnecessary to say or to do ought to raise discussion upon it. I think it would have been wise had the hon. mover of the Address abstained from introducing matter of controversy—more especially as the whole subject cannot be brought before us—and it is inexpedient and unwise to deal with any particular portion. This house is required to affirm a policy of which they are entirely ignorant.

In the Sixth Clause is expressed unqualified approbation of the policy of sending a Delegate to England, before the people have had an opportunity of passing judgment upon the matter.

But more, we are called upon to approve of the mission while His Excellency does not give us the instructions upon which the negotiations have been based. Suppose after the passage of this address—the house should disapprove of the policy in which it now may concur, should we not be placed in an anomalous position, in being obliged to declare unsound, a policy which we had previously affirmed. The Government have either given us too much or too little—but I think they would have placed this house in a better position had they abstained from introducing the subject to its notice until it be presented intact.

On the subject of this Railway I feel a more than ordinary desire to avoid everything like unnecessary opposition. When the general subject is discussed I may feel myself more inclined to support a policy which will afford aid to any feasible Railway project in any part of the country, rather than support any particular work. But imagine the Delegate presenting the subject to the notice of Her Majesty's Government—would he not be asked this question? How far will the Legislature go in granting the funds of the Province in aid of this work? What could he reply to such a question propounded by the capitalists were he to go into the Money Market? He could say nothing for he has not taken the precaution of making himself acquainted with the opinions of the Representatives of the people. The government should have ascertained how far the views of the Legislature would sustain them before they presented this subject to the people of England. Suppose the Delegate gone home to raise money to build a Railway as a Provincial undertaking and to pledge the funds of this Province to meet the demand. If this be the policy in which this mission has been undertaken then I could not acquiesce in it, for however much I may be in favour of this work I could not feel myself justified in mortgaging the funds of this Province for an undertaking so carried on. This, Sir, is the amendment which I propose to move to the clause of the address just read.

Hon. Attorney General said I am sorry that upon a question—so interesting, so vitally important; a question which should unite us harmoniously—anything discordant should be introduced—until all that it is possible to say has been said touching this great work. Until from the information submitted this House is enabled to judge fairly and act freely. When the Report of the Portland delegation was received—a burst of feeling in favour of those Counties more immediately interested and from the inhabitants of this City ensued. The matter was pressed home upon the Executive; the Lieutenant Governor felt the necessity of action. He could not remain cold, supine and indifferent, to the interests of the Province while all around was activity, energy, and life. No! he took the highest course; communicating with the Home Government—first by Despatch and subsequently by sending home the Gentleman now in England—a member of the Cabinet; not to pledge the revenues of this Country; not to interfere with the privileges of this House, but to lay the matter clearly before the Home Government, and to ascertain upon what condition they would be prepared to lend their sanction and pecuniary aid to such an undertaking. To ascertain how far the people of England are disposed to respond to the feelings of the people of Nova Scotia. Sir, if the Lieutenant Governor, or the Executive, is to be found fault with for such a line of conduct; if they are to be met at every step with such measures as these, a damper may be placed upon their actions, and all their efforts are to be paralysed. I sincerely hope that this amendment will be withdrawn and the address allowed to pass.

Messrs. Marshall and Harrington supported the amendment moved by Hon. Mr. Johnston. Messrs. McKeagney, Killam, Creelman, and Hon. G. R. Young supported the action of the government.

Hon. J. W. Johnston referred to the remarks of those who had advocated the passage of the Address—argued that it was improper that any reference should be made in the address to a subject which had not been submitted to the House and of which they knew nothing—that the proceedings of the Government were altogether—so far as they were acquainted with them—in opposition to the views of the Portland Convention. The main sustaining principle of that combination was the Union of Maine, New Brunswick and Nova Scotia; has the hon. member for Pictou forgotten that at a meeting held in Halifax after the Portland Convention a prominent and leading member of the Government, arose and moved that the scheme be taken up as a Provincial undertaking. Casting adrift at once New Brunswick and Maine—connection with which I had always viewed as the most feasible means of obtaining our object. But, sir, what more did I hear on that occasion? When the people of this city were congregated to deliberate upon a scheme of such magnitude—that if it fails—hopeless bankruptcy to this Province will be the result. A member of the Government asserting that he had not decided upon his course of conduct until he had entered the meeting. Sir, the statesman who urged the adoption of any course touching the adoption of

such a measure should have slept and thought, and slept and thought again ere he acted. If such haste were necessary the house could have been convened at an earlier day—and then the Provincial Secretary would feel himself in a position to deal with the question. Let me in conclusion—do away with the impression created that the amendment I have proposed operates in opposition to the Railway question—no such intention animates me—I oppose this address because I am requested to sanction a policy of which I know nothing.

Hon. Attorney General said, I do not conceive that a necessity existed for the amendment which the hon. member has moved. We are not called upon by the address to sanction any line of policy—to give in our adhesion to any course which we may hereafter find reason to condemn. The language of the Resolution moved by the Hon. Provincial Secretary at the meeting held at Halifax, was almost precisely similar to that in which the Windsor Railway resolution was couched, and I can assert that I was consulted time after time regarding it, and that it met my cordial approval. Sir, we have had great meetings—discussions—controversies upon the subject of Railways since 1845, and what has been done? nothing! Some new action was necessary—and His Excellency decided to send a delegate home in order that the wants and wishes of this people might be understood by Her Majesty's Government and the British public—and that every argument might be adduced to induce them to regard us more favourably than heretofore. With these remarks, I move that the House adjourn until two o'clock to-morrow.

The adjournment carried.

SATURDAY, 25th January, 1851.

PETITIONS.

Mr. Freeman asked leave to present a petition from the Inhabitants of the Northern district of Queen's County—praying aid in building a Lock up House in that district; leave was granted.

He also moved that the petition be referred to a select Committee.

Mr. Mignowitz moved that it be referred to the members for that county.

Mr. Freeman thought that the petition should be referred to a select Committee who might pass upon its merits. He hoped a petition so respectfully signed would be treated with that respect and consideration from the house which it merited.

Mr. Mignowitz withdrew his amendment.

After remarks from Mr. Dimock, Hon. J. W. Johnston and Hon. G. R. Young, it was moved that the petition lie upon the table, which passed in the affirmative, 17 to 15.

THE ADDRESS.

Mr. Killam said that he should vote against the amendment proposed by the hon. member for Annapolis, and if that were lost he would be prepared to move another amendment.

Mr. Fulton said, I feel, Mr. Speaker, that, upon a subject of such importance to this Province, I cannot allow myself to give a silent vote. My constituents take the deepest interest in the carrying out of the Railway alluded to in the Address; I am aware that a difference of opinion exists among them as to the terminus, and the principle also upon which this work should be constructed; those topics, however, are not at present before the House. It has been asserted, by some gentlemen, that the answer to the Lieutenant Governor's Speech involves not only an approval of the Delegation—but at the same time fixes the principle upon which the Railway is to be constructed. I confess my inability to perceive anything of the kind in that document; and, in common with all who have this Railway at heart, I have to regret a misconception which has given occasion of disunion upon this all important subject. I have perceived that hon. members in addressing the House, have not confined themselves to the true point at issue, but have taken a wide range; and by adopting this course have succeeded in attaching an importance to the discussion, not originally intended, and to which, to my apprehension, it is not entitled. I am, Sir, fully aware that upon this subject, more than upon any other likely to engage the attention of the House, the language and actions of members may be open to misconception; while I may entertain the opinion that a delegate should not have been sent home until after the Legislature had been convened, I nevertheless do not deem the fact of his having been sent of sufficient importance to justify our censuring the Government for having adopted that course. When I consider the nature of this amendment, and mark a combination in favour of it, a reunion of members opposed to the line running thro' the County which I have the honor to represent, while others are altogether opposed to the building a Railway—a suspicion is engendered in my mind of which I cannot divest myself. My inclinations lead me to surrender my individual opinions, rather than do anything having the slightest semblance of opposition to a work upon which the eyes of all in Nova Scotia are anxiously turned as upon the panacea that is at once to improve our condition and elevate us as a people. In Cumberland a difference of opinion exists touching the mode in which this work should

be carried out,—some deeming it better that it should be taken up by a private Company, others that it should be undertaken by the Government upon the responsibility of the Province; but one universal pervading opinion is entertained, that it must be undertaken and perfected by some means. In conclusion, Sir, I cannot construe the language of the address in the sense in which some gentlemen do; to my mind it pledges the support of this house to no particular line of policy that may have been adopted by the Government, but it sanctions and approves of their action in sending home a delegate to ascertain the terms upon which Her Majesty's Government would supply the requisite funds to construct this Railway and nothing more; I shall therefore vote for the answer as proposed by the Government.

During the continuance of the debate, Hon. L. O'C. Doyle, Hon. G. R. Young, Hon. Attorney General, and Messrs. McKeagney and Dickie addressed the house in favour of the Address: Hon. Mr. Johnston and Mr. Marshall in favour of the amendment. Mr. Fraser recommended the amendment to be withdrawn on the adoption of one like the address passed by the Upper House, which, he said, conveyed almost precisely the same ideas as those embodied in the amendment of the Hon. Mr. Johnston.

On the division there appeared for the amendment—Messrs. Thorne, Fraser, Freeman, Marshall, Harrington, Ryder, Johnston, Taylor, Moore, Snow, Campbell, Whitman, Munro and Beckwith.—14.

Against the Amendment.—Messrs. Fulton, Wier, Songster, McKenna, Bent, Kedy, Ernst, Robertson, McDonald, McDougall, Creelman, Mott, Killam, Mignowitz, Bourneuf, Young, Archibald, Uniacke, Dimmock, Dickie, Doyle, Smith, McLeod, Card and McKeagney.—25.

Mr. Killam, then moved the following amendment.

Under the circumstances in which the new question of constructing a Railway from Halifax to Amherst, was presented, and pressing recommended to your Excellency, we regret, that before adopting a policy involving principles and consequences so momentous to the whole people of Nova Scotia, or taking any steps in accordance therewith, your Excellency had not waited until the usual meeting of the Legislature, and ascertained by deliberate and legitimate action the opinions thereon of the members of this Assembly.

After some discussion the question upon the amendment was taken, when there appeared—

For the amendment: Thorne, Taylor, Harrington, Ryder, Johnston, Killam, Bourneuf, Beckwith, Moore, Snow, Whitman, Freeman, and Campbell.—18.

Against: Robinson, Fulton, Wier, Songster, McKenna, Bent, Crow, Kedy, Ernst, McDonald, McDougall, Creelman, Marshall, Mott, Archibald, Mignowitz, Young, Blackadar, Uniacke, Fraser, Dimock, Dickie, Smith, Card, Doyle, McKeagney, McLeod.—27.

The address, as originally introduced, was then put and carried—and after the presentation of a Bill, the House adjourned until 12 o'clock on Monday.

MONDAY, January 27, 1851.

The House met at 12 o'clock and adjourned, in order to present the Address passed on Saturday in answer to the Speech; and resumed again at 1 o'clock.

FINANCIAL SECRETARY.

Hon. Speaker was also authorised officially to communicate to the House, that Samuel Creelman, Esq., a member of this House, had been appointed to the office of Financial Secretary, and in accordance with the usual form, a writ would issue for the return of a member to represent the County of Colchester.

THE CONSOLIDATED LAWS.

Hon. Attorney General finally reported at some length from the Committee for the Consolidation of the Laws, that the work had been completed and when printed would form but one ordinary sized octavo volume.

The Report was received.

The Bill for revising and consolidating the laws having been read a first and second time, was referred to a Committee of the whole House.

LAST DAY FOR RECEIVING PETITIONS.

Hon. Attorney General moved that Tuesday the Eighteenth day of February next be the last day for the reception of Petitions; which passed in the affirmative.

Hon. J. W. Johnston thought it would be wise to adopt the course followed in New Brunswick, which was, to decide at the end of one session the last day for the presentation of Petitions in the next. The people in this country were by this means made acquainted with the day, and governed themselves accordingly.

OFFICIAL PAPERS.

Hon. Attorney General, by command of His Excellency, laid on the table of the House, a variety of despatches between Sir John Harvey and Earl Grey.

One of these related to the act of the last session for taking the census, another specially confirmed the act relating to the Registrars of Deeds.

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