

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY,

DURING THE

SECOND SESSION OF THE TWENTY-THIRD PARLIAMENT

OF THE

PROVINCE OF NOVA SCOTIA.

1865.

JOHN GEORGE BOURINOT,
Reporter to House of Assembly.

HALIFAX, N. S.:

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1865.

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DEBATES AND PROCEEDINGS
OF THE
HOUSE OF ASSEMBLY
OF
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1865.

THURSDAY, February 9.

The House met at two o'clock, and were summoned by His Excellency the Lieutenant Governor to the Legislative Council Chamber where he read the following

SPEECH:

Mr. President, and Honorable Gentlemen of the Legislative Council:

Mr. Speaker, and Gentlemen of the House of Assembly:

1. It has been my good fortune, in other portions of the British Empire, to have been brought in contact, and to have enjoyed much intercourse, with Members of their Legislatures. The recollections connected therewith, and the results of such mutual acquaintance, induce me to look forward with pleasure to the establishment here of similar agreeable relations between Her Majesty's Representative in Nova Scotia and the Members of this Legislature.

2. I rejoice that our first meeting takes place at a moment so auspicious to the material prosperity of the Province, that I am enabled to congratulate you at once on the late bountiful harvest, and on the unprecedented increase of your revenue, as well as the remarkable development of your most important Exports and Imports.

3. This unusual degree of prosperity is the more fortunate, occurring, as it does, at the time when you are invited to consider one of the gravest questions—probably the gravest and most momentous question—ever submitted to the Legislature of this Province. You are thus enabled to bring to its consideration a greater amount of deliberate and calm reflection than if harassed by any disturbing pressure of less fortunate circumstances.

4. At the opening of last Session, the Officer then administering the Government alluded to the identity of the interests of the British North American Maritime Provinces, and laid before you a proposal for devising means of effecting their Union under one Government. The consideration which you then gave to the question led to a resolution requesting the Officer administering the Government to appoint Delegates, not exceeding five in number, to confer on that subject with Delegates from New Brunswick and Prince Edward Island.

5. It became my duty, on receiving permission from Her Majesty's Government, to give effect to the Resolution. Therefore, with a view to a full and fair discussion, I endeavored to bestow a national character on the Delegation by requesting the aid of prominent representatives of the two great leading parties in the Province. I have directed the report presented to me

by those gentlemen to be laid before you; you will thence learn their reasons for deferring the final consideration of the subject, which you had submitted to them, till another proposal, which had been made in the interim, had been first disposed of, namely, that of a general Union of British North America.

6. When invited by the Governor General to send Delegates to Quebec to discuss that wider question, I considered it my duty to obtain previously the consent of Her Majesty's Government. I then appointed, on behalf of this Province, the same gentlemen who had represented her interests in the first Conference. The second Conference commenced its sittings at Quebec on the 10th October, and did not conclude them till the 29th of that month.

7. The result of their labors, proposing a Union of British North America, on certain conditions embodied in seventy-two Resolutions, has already been made public, and will now be officially communicated to you with all the correspondence connected therewith.

8. The highest authority on such a subject, the Colonial Minister of the Crown, has recorded his opinion of the labors of the Delegates, and has given them credit for the warmest sentiments of loyalty, as also for conducting their deliberations with a patient sagacity, which enabled them to arrive at common conclusions on the most involved and difficult questions.

9. I feel assured that, irrespective of any political difference of opinion, such encomiums from such a quarter, on British North American statesmen, must be deeply gratifying to that great body of Her Majesty's subjects, who are proud to identify themselves with the welfare and reputation of these Provinces.

10. A copy of the Despatch of the Secretary of State, containing those opinions, and conveying the general approval by Her Majesty's Government of the Quebec Resolutions as "the best frame-work of a measure to be passed "by the Imperial Parliament," for the purposes therein more fully adverted to, was received by me on the 22nd December, and by my orders was published the same day for general information. You have, therefore, been for many weeks in possession of the views of Her Majesty's Government, and the country has for a still longer period enjoyed the opportunity for discussing the expediency of the project of Union.

11. It is not my province, and I have no mission to do more than afford you the freest scope for consideration of a proposal which seriously involves your own prospects, and in reference to which you should be competent to interpret the wishes and determine the true interests of the country. I feel assured, however, that whatever be the result of your deliberations, you will deprecate attempts to treat in a narrow spirit, or otherwise than with dispassionate care and prudence, a question so broad, that in reality it covers the ground of all parties and precludes it from becoming the measure of merely one Government or one party.

12. I need only observe further, without in the least intending thereby to influence your ultimate determination, that it is obviously convenient, if not essential, for the Legislatures of all the Provinces concerned to observe uniformity in the mode of ascertaining their respective decisions on a question common to all. I have, therefore, desired to be laid before you some correspondence between the Governor General and myself on that point.

13. Scarcely less important or urgent is the question of internal defence. Much progress was made last year in the general enrolment of the Militia force of the colony, which numbered upwards of 65,000 men; of whom nearly 62,000 turned out for inspection and drill. When the heavy, direct tax, paid by those men and also by the Volunteers, both in time and labor, is considered, we must all feel that the country owes them a special debt of gratitude.

14. Nevertheless, though they have exhibited much military aptitude, no adequate means have yet been taken to render effective the excellent material of that large force. Without arms, accoutrements, uniforms, or any advantage except a few hours drill in each year, a succession of years similarly employed would teach them little more. A step in advance is necessary to fit them for the most ordinary service in the field. This Province can no longer expect to contribute for its defence only a fortieth part of the annual disbursements of Her Majesty's Commissariat chest at Halifax. Nor do I for a moment suppose you can either expect or wish the ample freedom which you enjoy here, to be always exempt from those honorable obligations which its preservation entails elsewhere.

15. I have therefore directed Estimates to be prepared for placing the Militia in a more efficient state, and feel confident that whatever may be the necessary cost, you will regard the defence of the Country not as a burthen, but a privilege and a sacred duty to be cheerfully performed.

Mr. Speaker, and Gentlemen of the House of Assembly:

16. The Public Accounts will also be submitted for your inspection, and the General Estimates be prepared with every attention to economy which the exigencies of the Public Service permit.

Mr. President, and Honorable Gentlemen of the Legislative Council:

Mr. Speaker, and Gentlemen of the House of Assembly:

17. You will, I am satisfied, have heard with regret that proceedings are in progress to terminate the Reciprocity Treaty, which has conferred such extensive benefits on the trade both of this Province and the neighboring States, whilst it has also essentially promoted the most friendly relations between the two countries. I have directed the correspondence on that subject to be laid before you.

18. Strongly impressed with the advantage of making the great natural resources of this Colony better understood in the principal commercial centres of Europe, I have promised a limited amount of aid to a committee of gentlemen who are now employed in securing a due representation of this Province at the International Exhibition to be held in Dublin during the present year. I anticipate your hearty co-operation in promoting such a national object, when the papers upon this subject shall have been brought under your consideration.

19. Some modification of the law passed last Session providing for the better encouragement of Education will be laid before you, and no doubt you will gladly endeavor to render more available and better adapted to the wants of the country, certain provisions of a measure which so materially concerns the education of the great body of the people. I count on that important subject receiving the most enlightened consideration at your hands.

20. In accordance with the Act passed last Session providing for the extension of the Railway to Pictou, that work was put under contract, and will be completed with all possible dispatch.

21. Proposals for the construction of Railways to the border of New Brunswick and to Annapolis, will also require your consideration.

22. The grant of last Session on account of Saint Peter's Canal has been expended, and a full Report on that work will be laid before you at an early day.

23. I regret to be obliged to inform you that the crowded state of the Hospital for the Insane has made it impossible to provide adequate accommodation for the care of those who unfortunately need an asylum of that description. I trust the appeal thus made to the sympathy of the Legislature will lead to the extension of an Institution so indispensable.

24. You will be gratified to learn that the traffic on the Provincial Railways continues to exhibit a marked and steady improvement over any previous year, and that the increasing sale of the Crown Lands, and extended working of the Coal and Gold Mines, all evidence a high degree of prosperity.

25. These fortunate circumstances, enhanced as they are by the continuance of peace, will no doubt facilitate your discharge of those public duties for which I have called you together, and must awaken in us all a grateful recognition of the indulgent bounty of that Providence, which has bestowed so many blessings on this Province.

26. I now declare this Session opened.

Having returned to the Assembly Room, the Speaker read the Speech to the House.

Hon. PROV. SEC. laid on the table the election writs for the Counties of Annapolis and Pictou.

Mr. Ray and Hon. James McDonald were then presented and sworn in, in the presence of Hon. M. B. Almon, Hon. J. H. Anderson, and Hon. A. Keith, acting as Commissioners.

Dr. HAMILTON laid on the table, *pro forma*, a bill for the better protection of the estates and rights of married women.

ANSWER TO THE ADDRESS.

Mr. KAULBACK, in moving the answer to the address, said: The very great pleasure it gives me in moving the answer to the speech, with which His Excellency opened this Session, is greatly enhanced by the opening remarks of His Excellency in which he informed us of the unprecedented increase of our Revenue as well as the remarkable development of our most important Exports and Imports.

It affords me great pleasure to congratulate the Government and the Country on having a large Revenue, which tends so much to maintain the confidence and strengthen the ties between Government and Country.

We, the Representatives of the people, must feel this state of things highly encouraging to us as well as the Government, and a happy relief from the perplexities which attend an empty chest.

This unusual degree of prosperity is the more fortunate because it occurs at a time, as His Excellency has been pleased to remark, when we are invited to consider the greatest question ever submitted to this Legislature, the Union of British North America.

This question has engaged the attention of the leading public men for more than half a century, not only in those Colonies, but in England; and the subject years ago, and on several occasions was brought to the consideration of the Legislature by our leading public men of all parties. We are now invited by His Excellency to the serious consideration of this question embodied in seventy-two resolutions; the framers of which have received the highest praise in England from the Colonial Minister of the Crown, for the ability displayed, and for the warm sentiments of loyalty and attachment felt for the mother country. We must all, I think, highly approve of

the manner in which His Excellency has brought this great matter before us. We have the freest scope given us for the consideration of this question, and it is to be earnestly hoped that His Excellency will realize the assurance which he expresses. He feels "That we will not treat in a narrow spirit a question so broad, that in reality it covers the ground of all parties and all interests so completely, as to preclude it from being made the measure of one Government or of one party."

The next subject which is referred to in the speech, is that of internal defence. It will be gratifying to the country to hear that His Excellency appreciates the prompt manner in which nearly fifty thousand of our people turned out for inspection and drill. We must all believe it is necessary we should aid in making them more efficient. Arms and accoutrements are necessary, and it is to be hoped will be amply supplied for the protection of our homes and country.

It is to be regretted that the neighbouring States have taken steps to abrogate the Reciprocity Treaty which has conferred so many privileges, and been profitable alike to all. It is to be hoped that some means may be devised to prevent the annulling of the Treaty. Yet, should the Treaty terminate, it will behove the Government and ourselves to guard and protect well those most important branches of the products and resources of our country, which were so summarily disposed of by that Treaty regulation. Our Fisheries, in particular, which tend so much to the prosperity of our Province.

We must feel it a matter of no ordinary importance that the natural resources of this Province should be better understood abroad. No better and more economical way of effecting this at present appears to me than that brought to our notice in the speech of His Excellency, by being properly represented at the Intercolonial Exhibition to be held in Dublin this year. We all as Nova Scotians must feel some pride at the notice taken of our productions at the Great Exhibition in London. The co-operation expected from us towards advancing this great undertaking, will, no doubt, be cheerfully given.

Every member, no doubt, has been impressed with the conviction gained from the short operation of the school bill, that some modification is required to render it more available and better adapted to the wants and wishes of the people. All surely will give their best aid to a subject so important to the interests and well being of the great body of the people.

Scarcely any appeal is necessary to our sympathy for those who unfortunately need the care of the Asylum. More room unfortunately is required for the safety and comfort of the patients.

He (Mr. K.) thought he could do nothing better in moving the answer to the address, than to give them a comparative statement of the increase of the Revenue during the last year. They and the country were pleased that, at the last Session of this House, they had a very large Revenue to meet the requirements of our people; and very large grants were given to the roads of the country, and other public works. The Government have met all the demands upon the Treasury for the year just ended, and leave a balance in Treasury to go for the benefit of the country of \$225,150.

Increase of Revenue of 1864 over 1863 :

Comparative Statement.

Railway: Increase of passengers.....	13,301	
Increase in value.....		\$19,122
Exports		526,328
Imports.....		2,403,251
Excise, Customs, and Light Duty.....		145,778
Increase for Crown Lands.....		19,000
Gold 6,020 oz. =		106,000

Coal large increase.

Balance in Treasury at end of Financial year..... \$225,150

I feel very gratified indeed, Mr. Speaker, to be able to give this statement of our prosperity to the House and the country; showing, as I think it does, an unprecedented state of prosperity in every source of Provincial Income. For all these and many other blessings, we should recognize the Giver of all good. I shall now read the following

ADDRESS.

May it please Your Excellency,—

We, the Representatives of the people of Nova Scotia, thank your Excellency for the Speech with which you have been pleased to open this Session.

We beg to congratulate your Excellency upon your assumption of the Government of this Province, and we have no doubt that the most agreeable relations will be established between your Excellency and the Members of the Legislature.

The bountiful harvest we have enjoyed, and the increase of the trade and revenues of the country, are, indeed, auspicious, placing us in the best possible position to deal with the great questions submitted for our deliberation.

The Report from the Delegates, appointed to confer upon the Union of the Maritime Provinces, and the Resolutions of the Conference held at Quebec, proposing a Union of the different Provinces of British North America, together with the correspondence upon that subject, will obtain at our hands the deliberate and attentive consideration demanded by a question of such magnitude and importance, and fraught with consequences so momentous to us and our posterity.

The question of Internal Defence will not fail to engage our serious attention, and we will be happy to afford your Excellency every aid in our power in placing that branch of the public service in a still more effective condition.

The Public Accounts, when laid before us, will receive our careful inspection, and we will be glad to find in the estimates the evidence of such economy as is consistent with the exigencies of the public service.

The abrogation of the Reciprocity Treaty would, in our opinion, operate most unfavorably upon the trade between this Province and the United States, and certainly would not improve the friendly relations which have been so largely promoted by its operation. We will be glad to receive the correspondence upon this subject.

The papers concerning the International Exhibition, to be held at Dublin, will receive the attention due to the proper representation of the products of this Province.

We will not fail to devote our most earnest efforts to aid in maturing any improvements

which may be suggested in the Act for the better encouragement of Education—a subject so deeply interesting and important to the whole country.

It is gratifying to know that the Extension of the Railway to Pictou has been placed under contract, and will be carried on with despatch.

We will give due consideration to any proposals for the construction of the Lines provided for in the resolution which passed both Branches of the Legislature last Session.

The Report upon St. Peter's Canal will obtain our careful examination.

Fully impressed with the obvious necessity of making adequate provision for the unfortunate Insane, we will be prepared to discharge that duty in an efficient manner.

We are gratified to learn that all the various sources of Provincial Income evidence such a high degree of prosperity; and for these mercies, together with the blessings of continued peace, we desire to return our grateful thanks to the Bountiful Giver of all good.

In viewing this address, Mr. Speaker, I feel assured that it will meet the support of every member in this House. I cannot see that it will, in the slightest manner, compromise my views or action on any question. We are committed to nothing but the provision for the extension of the Hospital, the Militia service and to the International Exhibition in Dublin.

On the great question of the Union, you will all admit, that less could not have been said, and more might have been unwise. It is the intention of the Government to leave the subject as open as possible, and to the free action of any member of Government and members generally.

Mr. WHITMAN seconded the answer.

The Address was allowed to lie on the table.

The House adjourned until three o'clock the next day.

FRIDAY, 10th Feb.

ANSWER TO THE ADDRESS.

The House met at three o'clock.

The Answer to the Address was taken up, and read clause by clause.

Mr. LOCKE said, in reference to the clause touching upon the Union of the Colonies, that it did not commit any one on the question. Every one was, of course, left perfectly free to deal with it as his judgment should dictate, when all the papers connected with it were before the House. He thought it necessary to say this in order that the country might understand the position of gentlemen.

Mr. ARCHIBALD (who was only heard with the greatest difficulty) said that the proper time, of course, for discussing the question referred to, would be when all the papers were before the House. All the House was asked to do at present was to promise that every question should receive their deliberate consideration when it came in due form before them. In looking over the Speech, he found that the only measure promised was one connected with Education. He would take this opportunity of calling attention to the fact that he had last session foretold some of the difficulties, that would probably arise from some features of the bill, to which he objected at the time. He had particularly urged the appointment of a Council of Public Instruction

which was not composed of the members of the Executive Council. He had also said that, at all events, if the Government were not willing to go as far as he wished, they should place at the head of the Council of Public Instruction the Lieutenant Governor, as his presence would give to the country the guarantee that mere party considerations would not always prevail. He now begged the Government to consider carefully in any amendments to the bill they might introduce, the propriety of avoiding even the semblance of suspicion that party influences prevailed in Educational matters. He congratulated the country on the encouraging statements made in the speech,—that our revenue was very large, and all our branches of industry prosperous to an unparalleled extent. Every gentleman, whatever his political prejudices, would learn this fact with the deepest satisfaction.

Mr. Stewart Campbell said that he perfectly concurred with those gentlemen who had spoken of this Answer to the Address as being entirely non-committal in its character. Notwithstanding he held very strong opinions on the subject of the Union of the Colonies, he felt that he had no difficulty whatever in giving his concurrence to the Answer. He emphatically stated that he wished it to be at once understood that he did not endorse the action of the Government in sending a delegation to Quebec. The house had put upon its journals last session a resolution authorizing the Government to appoint delegates in reference to a Union of the Maritime Provinces. Authority, however, had been granted from some quarter to those delegates to go beyond the mission entrusted to them by the Legislature. Therefore, although he concurred in the answer to the address, he wished to guard himself from having it supposed that he at all endorsed the act of the Government in sending a delegation to Quebec.

The answer to the address then passed *nem con*.

The PROVINCIAL SECRETARY stated that His Excellency the Lieutenant Governor would be ready to receive the answer on Monday next at half-past one. It was therefore agreed that the whole house should present the answer at that hour.

REVISING COMMITTEE.

On motion of the Hon. Prov. Secy., the following Committee was appointed to select Standing Committees of the House:—

Hon. Prov. Secretary, Mr. Blanchard, Hon. Attorney General, Mr. Locke, Mr. Killam, Mr. Archibald, and Mr. Tobin.

Mr. BOURNOR would suggest to the Revising Committee that they should place upon the Committee gentlemen who would fairly represent all sections of the Province. Hitherto that rule had not been observed with that strictness which was absolutely requisite in order to perform the business of the country as it should be. He had had occasion in previous sessions to suggest changes in this particular, and he hoped that the gentleman who represented Cape Breton on the Committee would take care that justice was done to that section in which he ought to be especially interested.

Mr. BLANCHARD said that hitherto the great difficulty had been to find gentlemen willing to serve on the committees after they had been

named, and that he had generally tried to take care of that part of the county from which he came.

Hon. PROV. SEC. said that the committee were always happy to receive any suggestions from gentlemen as to the formation of the respective committees. The action of the committee, it would be remembered, was not final, and every gentleman would have an opportunity of recommending alterations that he might think advisable.

Mr. ARCHIBALD said that there had always been a desire on the part of the Revising Committee to report the names of gentlemen in reference to their knowledge and experience of the several matters entrusted to the committees.

The Committee was ordered to meet at 2 o'clock to-morrow.

The House adjourned until one o'clock on Monday next.

MONDAY, Feb. 13, 1865.

The House met at 1 o'clock, and shortly afterwards proceeded to Government House to present the answer to the address.

HON. SPEAKER stated that the house had waited upon His Excellency with the answer to the address, who had been pleased to reply as follows:—

Mr. Speaker and Gentlemen of the House of Assembly:

"I thank you for the Address just presented, and recognize with much satisfaction the earnest spirit which pervades it, and the determination which you evince to bestow your serious attention on the important labors of the session. I look forward hopefully to the result of these labors, and beg of you to rely on my willingness, at all times, to assist you in the discharge of your important duties."

The Hon. PROVINCIAL SECRETARY, from the Revising Committee, reported a list of Standing Committees, which he read to the House.

At the suggestion of Mr. BOURINOT the list was laid upon the table until the next day, in order that members might have an opportunity of examining it, and suggesting any alterations that might be necessary.

Hon. PROVINCIAL SECRETARY, by command, laid on the table copies of correspondence relative to the appointment of His Excellency Sir Richard Graves MacDonnell as Lieut. Governor of Nova Scotia.

Also, copies of correspondence relating to the retirement of the late Hon. W. A. Black from the Legislative Council.

Also, copy of a despatch calling attention to the mode of appointment of Legislative Councillors.

TUESDAY, 14TH FEB.

The House met at three o'clock.

REVISED STATUTES.

Mr. CALDWELL, seeing the members of the Government in their places, was desirous to learn what progress had been made during the recess in the publication of the Revised Statutes. He himself had several applications from his constituents enquiring the cause of their backwardness, and complaining of their want over the country.

Mr. BLANCHARD replied that the publication had been delayed by the preparation of

the Index; but this was now completed, and the Statutes would be ready to be handed to the Government in all probability by Saturday next.

STANDING COMMITTEES.

Hon. PROV. SECY. moved the adoption of the list of Committees reported upon the previous day. He stated that some slight alterations had been made since the list had been first reported up.

The following is the list as it stands amended:—

Committee of Privileges.—Hon. Attorney General, Messrs. Archibald, S. McDonnell, S. Campbell, Locke, Pryor, and Hon. Mr. McFarlane.

Public Accounts.—Messrs. Jost, G. S. Brown, Whitman, McLellan, Smyth.

Education.—Hon. Prov. Sec'y, Mr. Archibald, Hon. Mr. Shannon, S. Campbell, Dr. Brown, Mr. Bourinot, Mr. Tobin.

Agriculture.—Hon. Mr. McFarlane, Mr. Blackwood, Hon. Mr. McKinnon, Mr. Parker, Dr. Hamilton, Mr. Smyth, Mr. Allison.

Fisheries.—Messrs. LeVesconte, Ross, Killam, Robertson, Jost, Balcom, Robicheau.

Post Office.—Hon. Atty. Gen., Messrs. Coffin, Hatfield, Heffernan, Bourinot, Blanchard, Annand, Colin Campbell, and Dr. Hamilton.

Mines and Minerals.—Hon. Mr. McFarlane, Messrs. S. Campbell, Caldwell, Ross, Miller, D. Fraser, and Dr. Slocumb.

Navigation Securities.—Messrs. Robicheau, Locke, C. J. Campbell, McLellan, Kaulback, Heffernan, Moore.

Railways.—Messrs. Tobin, Locke, Donkin, Blanchard, D. Fraser, Ray, Bill.

Crown Lands.—Messrs. S. McDonnell, Whitman, Blanchard, G. Brown, Moore, Miller, J. Campbell.

Law Amendments.—Mr. Archibald, Hon. S. L. Shannon, Messrs. S. McDonnell, S. Campbell, Kaulback, Miller, Hon. Jas. Macdonald.

Trade and Manufactures.—Messrs. LeVesconte, Annand, Killam, Coffin, Cowie, Ray, Bill.

Militia.—Messrs. Pryor, Parker, Jost, Heffernan, Hon. Atty. General, C. Campbell, Blackwood, Bourinot, LeVesconte, Blanchard, King.

Indian Affairs.—Hon. Mr. McKinnon, Messrs. Ross, Lawrence, Heffernan, Smyth, C. J. Campbell, Jas. Fraser.

Humane Institutions.—Messrs. Blanchard, Dr. Slocumb, Coffin, Allison, Ray, Caldwell, King, Dr. Brown, Jas. Fraser.

Penitentiary.—Messrs. Hill, Balcom, Cowie, Parker, Churchill, Robertson, McKay, Allison.

Reporting and Printing.—Hon. Atty. General, Messrs. Blanchard, Longley, LeVesconte, Robertson, Tobin, Caldwell.

Private Bills.—Hon. Mr. Shannon, Messrs. McLellan, J. Campbell, Blackwood, Lawrence, Donkin, Kaulback.

City of Halifax Bills.—Messrs. Pryor, Blanchard, Donkin, Balcom, Hill, Tobin, and Miller.

Land Damages.—Messrs. G. Brown, More, Balcom, Caldwell, and King.

Contingencies.—Hon. Fin. Secretary, Messrs. Locke and Hatfield.

THE SCHOOL ACT.

Dr. BROWN presented a petition from a number of the inhabitants of North Kings, praying for the repeal of the present School Bill.

Mr. BILL presented five petitions, numerous-ly signed, on the same subject.

The petitions were allowed to lie on the table.

PETITIONS.

Mr. LOCKE called the attention of the Government to a petition which he held in his hand from the inhabitants of the county of Shelburne, for a road connection with the County of Annapolis. As the Government intended building a railroad to Annapolis, the inhabitants of Shelburne naturally wished to have better means of communication with the fine agricultural county of Annapolis than they now possessed. He believed, if the Union of the Colonies was consummated, that Shelburne might become one of the great outlets of trade. (Laughter.) All the people asked was an expenditure of \$20,000 or \$30,000.

Mr. BOURNOUT would suggest that the petition lay on the table until such time as the Annapolis Railway was completed.

Hon. PROV. SEC. said that the petition was deserving of consideration; but it should be sent, in accordance with the rules of the House, to the Financial Secretary.

Mr. KILLAM thought it would be as well to understand whether a petition from the people asking for aid towards some particular object should be discussed by the House, or go first to the Government. As it was now, if the Government did not choose to accede to the prayer of a petition, there was an end of it—nothing was heard about it. He thought it best that every petition should come first before the House, who might send it to a Committee or to the Government.

Hon. PROV. SEC. said that he did not see the use of interfering now with an established rule of the House. If any gentleman considered that the Government had not treated any petition presented to them as it deserved, it was always in his power to move for its production, and test the opinion of the House on the subject.

Mr. LOCKE said he would place the petition in the hands of the Government, with the hope that they would give it that favorable consideration which it deserved.

Hon. FIN. SECRETARY stated that it was his intention to publish the petitions handed to him, when they made up any number.

Mr. ARCHIBALD said that if any gentleman wished, he could always call the attention of the Government in the House to any particular petition in which he felt an interest, and then hand it to the Financial Secretary. He had no doubt that if a road could be made as asked for in the petition in question, a great boon would be conferred on the county of Shelburne.

DESPATCH.

Hon. PROV. SECRETARY laid on the table despatches relative to the appointment of Hon. Mr. Johnston as Equity Judge, Hon. W. A. Henry as Attorney General, and Hon. J. W. Ritchie as Solicitor General, and member of the Executive Council.

POST OFFICE REPORT.

Hon. PROV. SEC. laid on the table the Annual Report of the Postmaster General. This report, the hon. gentleman stated, was most satisfactory. Notwithstanding there had been an increase of expenditure entailed by the recommendations of the Post Office Report, the deficiency in the Department was less than during

the previous year. 7 new Post Offices, and 51 Way Offices had been provided for. Only 3 Way Offices had been closed. The number of letters carried through the Post Office was 1,535,864, being an increase of 66,408 over the previous year. The number of newspapers was 3,941,115, or an increase of 276,793 over 1863. 20 new mail routes had been established, and 8 closed,—making a balance of 12 established. The number of mail routes was 4,473. The amount derived from postage-stamps was \$48,576, being an increase of over \$5,000 over 1863. 5 unregistered money letters lost, and 3 registered, said to be tampered with. The net revenue for 1864 was \$53,207.61, being an increase of \$8,032.90 over the previous year.—The expenditure was \$73,163.61, an increase of only \$2,774.53, whilst the increase of revenue was \$8,032.90. Hence the deficit was \$5,258.37 less than the previous year. The amount of money-orders on Great Britain was \$20,000; the amount passing through the Province, \$120,000. The commissions on money orders amounted to \$1,120.44: the business in money orders has nearly doubled since 1863, and a large additional amount of labor is therefore entailed upon the person in charge. Under these circumstances, the Postmaster General asks for an increase of salary for Mr. Thompson—from \$800 to \$1,000 a year.

The petition was referred to the Post Office Committee.

INFORMATION ASKED FOR.

Mr. TOBIN asked the Government to lay on the table at an early day, returns exhibiting the extent and nature of the trade of the Provinces of Canada, New Brunswick, and Prince Edward Island, and Newfoundland, including a statement showing the value of public property, including railways, steamers, public buildings, &c., including all property that would be transferred to the General Government in case of the proposed Union of the Colonies being consummated.

Hon. PROV. SECRETARY recognized at once the propriety of the Government being able to place before the House all the information they possibly could in reference to a question of such magnitude, but he was afraid that his hon. friend had imposed a task which to some extent it would be difficult to perform. It would be difficult in the case of this province and New Brunswick—to give an accurate estimate of some of the public property, the Government House for instance.

Mr. ANNAND thought there would be some difficulty in procuring a reliable statement, such as that asked for, from some of the provinces, more especially that of Newfoundland. He observed that so far as Canada was concerned the information sought was easily obtainable.

Mr. TOBIN said that his reason for asking for the information was that he had heard gentlemen complain that they had not the materials within their reach to enable them to take up this question, and deal with it as it should be dealt with.

Mr. BOURNOUT suggested that the information sought be furnished by the hon. member for Colchester, (Mr. Archibald,) who appeared to have collected a great variety of statistics on the subject of a Union.

Mr. ARCHIBALD pointed out that a great deal of the information required could be ob-

tained in the Public Accounts of Canada, which were within the reach of every gentleman. He saw some difficulty, however, in reference to Newfoundland.

THE SCHOOL ACT.

Mr. JOHN CAMPBELL presented a petition from Port Medway, and another from Lower Port Medway, against the School Bill.

FREE GRANTS TO AGED TEACHERS.

Mr. PARKER presented a petition from T. Ryan, an aged school teacher, asking for a free grant of land. This person, he stated, had been a teacher for 40 years, and was every way deserving of this favor.

Hon. PROV. SEC. called attention to the fact that the House had, at the close of last session, declared by a vote of 22 to 11 against the policy of free grants, and that the subject could not now be properly brought up.

Mr. LONGLEY said that if the House wished to prevent other petitions of the same nature coming up, it was advisable to shut out the present one at once.

Mr. KAULBACK was in favor of allowing the reception of the petition, and stated that he had one himself to present, which, through some inadvertency of his own, he had not presented last session.

Hon. PROV. SEC. thought much inconvenience would result if such petitions were allowed to come in after the House had declared against the policy of free grants.

Mr. ARCHIBALD said that the petitioner in the present case was a very respectable person, and thought it hard to shut him out. He thought it might be as well to receive the petition, and see if the Committee on Education would continue the policy it advised last session.

Hon. Mr. SHANNON expressed himself against allowing the question to be opened up again, after it had once been decided.

Mr. ARCHIBALD suggested that the petition lie on the table for the present, in order that it might be seen whether any others of a similar character would come up.

Mr. S. CAMPBELL said that he did not think it wise to contravene a policy adopted by the House by a large majority, and he moved that the petition be not received.

Mr. TOBIN thought it hard treatment to shut out a worthy petitioner. Many things considered by the House unwise at one time, were differently considered by the House at a subsequent period. He was in favor of donating free grants of land to worthy individuals, and in that way opening up our waste tracts.

Hon. J. McDONALD was always in favor of granting free grants of land to aged school-teachers, and had not yet changed his mind; but it would be seen that the House had declared against the policy, and therefore he did not see how the question could now be revived with propriety.

Hon. ATTY. GENERAL alluded to the fact that he had moved the following resolution against the adoption of the recommendation of the Education Committee, which had carried: "Resolved, that that portion of the Report which refers to free grants of land, be not received; but that the grants as heretofore be made, the petitioners to pay the expense of survey; but that owing to the largely increasing number of applicants it is unwise to continue the policy of making free grants here-

after." Hence it would be seen that the reason given for discontinuing the grants was the large number of applicants, and if it existed now of course the House would be bound to continue the policy. Therefore he thought it would be best to allow the petition to lay on the table in order that it might be seen whether any number of applicants would appear. If only a few appeared, then it might be favorably considered.

Mr. S. McDONNELL thought it would be wrong policy to repeal the action of last year.

Mr. BOUKINOT was in favor of giving aged teachers these free grants as some return for their services to the country. It was well enough for the hon. gentlemen in whose counties all the aged teachers were already supplied to declare now against the policy, but it should be remembered that there were other counties that might be differently situated.

The amendment moved by Mr. Stewart Campbell was put to the House and carried on a division by—yeas 20, nays 18.

Mr. PARKER gave notice to rescind.

DALHOUSIE COLLEGE.

Mr. LONGLEY presented a petition from the Baptist Convention, on the subject of Dalhousie College.

Mr. PARKER objected to the reception of the petition on the ground that it dealt with a matter already disposed of by the House.

The petition was read, and allowed to lie on the table.

The House adjourned until 3 o'clock the next day.

WEDNESDAY, Feb. 15.

The House met at 3 o'clock.

FREE GRANTS OF LAND.

Mr. Kaulback presented a petition from J. Dowley, an aged school-teacher, asking for a free grant of land.

Mr. DONKIN presented a petition from Mr. Desbrisay, of Cumberland, on the same subject.

VICE-ADMIRALTY COURT.

Hon. ATTY. GEN. laid on the table copies of correspondence relative to the appointment of officers of the Court of Vice-Admiralty.

ST. PETER'S CANAL.

Mr. LEVESCONTE asked the Government to lay on the table the report of the engineer on the St. Peter's Canal, and if they intended to make provision for the completion of that work.

Hon. PRO. SEC. replied that the report was now under the consideration of the government, who would be prepared to give the hon. gentleman the information he required in a few days.

THE MILITIA CONVENTION.

Mr. STEWART CAMPBELL then said:—When the Militia Committee was under consideration yesterday, I referred to the fact that a body of gentlemen were meeting daily, in this city, in connection with militia affairs. How this body has been appointed—for what purpose, it is constituted—how it is to be paid—what are its functions, are questions I cannot answer. I only gather from information outside the walls of this House, that there is such a body in existence. I consider that this Legislature, constituted as it is, is fully able, and fully autho-

ized by the constitution of this country, to take into consideration every variety of subjects, not merely those relative to the business of the province, but all matters connected with the public defence. In fact as we are at present situated I regard the defence of this country as resting with very great weight upon the Legislature and Government. Therefore I consider this House is the proper tribunal, responsible as it is to the people, for the discussion and consideration of such subjects. My object in rising is to put an enquiry to the Government upon the following points—"As to the appointment, composition and functions of the Militia Convention or Court now in session in this city, the probable expense of the same, and from what funds payable." If upon a subject like this it is deemed advisable to authorise the holding of a Convention, why not also consider that other material interests of this country demand protection? There are the fisheries and agriculture, which are at this moment in great jeopardy, as I regard it, from the action of the United States in reference to the Reciprocity Treaty. If, sir, it be competent upon matters relative to the defences of the country to hold a Convention like this, why we can say that the people representing the agricultural and fishing interests have a right also to their Convention, and that it should be maintained as the one in question at the public expense. However, looking at the powers entrusted to this House, I am disposed to resist the course taken in the present case.

Hon. PROV. SECY. replied—The subject which the hon. member for Guysboro has brought prominently under the notice of this House is one that will be regarded, I am satisfied, by all the members of this Legislature as one of great importance, and I am a little surprised, I confess, at the tone which the hon. gentleman has seen fit to take in relation to it. That hon. gentleman is well acquainted with the past management of the department to which this question relates—the defence, the militia organization of this country—and must know that up to the present time a great portion of the responsibility has devolved upon the Commander-in-Chief, and not so directly upon the Ministry of the day. Now I do not intend to discuss at this moment how far in my judgment it is wise that the Government of the day should step in and take a prominent position in relation to the militia, or how far it is judicious that this Legislature, in the exercise of its undoubted functions, should take such a course as would devolve the responsibility of this branch of the public business upon the Government of the day more directly than has hitherto been the case. I am frank to say, that whilst I think there is a great deal of force in the observations which have fallen from the hon. member for Guysboro—whilst I think that the Government of the day is, necessarily to a large extent, responsible for every step that involves the expenditure of public money, yet I have hitherto felt, and do now feel a great deal of hesitation in regard to that branch of the public service which does not influence me in respect to any other. All governments up to the present day have shown the utmost delicacy in taking any course of action that might possibly lead to the impression that political influences or party objects were mix-

ed up with the militia organization of this province. The hon. member for Guysborough is well aware that the appointments in the militia, from the highest to the lowest, have taken place up to the present upon the authority of the Commander-in-Chief, and have been made upon a basis totally different from the other appointments connected with the Civil Service of the country. Whether it is wise or not to continue that policy—whether it would be advisable for the Government to come in and assume a greater responsibility, it is for the House to consider. I am aware that in New Brunswick the local Government is much more closely connected with the Militia than we are in this province. In Canada the same thing prevails to a still larger extent. Sir Etienne Tache, for instance, is not only Premier but Minister of Militia. As respects the information asked for, I have no doubt it will be granted.

DISPATCHES

Hon. PROV. SEC. laid on the table copies of correspondence between Downing Street and the War Office relative to the matter of supplying clothing. Also copies of a circular relative to the supply of stores from the War Department.

Mr. COLIN CAMPBELL suggested that these papers be referred to the Convention now sitting. The President of that body, he understood, was also Chairman of the Militia Committee.

Mr. LEVESCONTE would ask hon. gentlemen, if they were Colonels of regiments of militia, and were called upon by the Commander-in-Chief to perform certain duties, would they refuse to obey the orders?

Mr. ROSS regretted that the Inspecting Field Officer for Cape Breton (Col. Reade) was not present at the convention. The services of a gentleman so well able to give opinions on the subjects under consideration, would be invaluable.

PETITION.

Mr. MILLER presented a petition from Mr. J. Fuller of Arichat, Clerk of Schools, in relation to certain money alleged to be due him in connection with the services of Education.

The petition was referred to the Committee on Education.

THE SCHOOL BILL.

Mr. COWIE presented a petition from the South District of Queen's praying the repeal of the School Law of last Session.

Mr. P. SMYTH presented a petition from the county of Inverness on the same subject.

BREAKWATER.

Mr. JNO. CAMPBELL presented a petition from inhabitants of Brooklynn, in the county of Queens', asking for aid towards the construction of a breakwater. It was handed to the Financial Secretary, as it asked for a money grant.

AGED TEACHERS.

Mr. WHITMAN presented a petition from Mrs. A. Starrit, an aged school teacher, in Annapolis, asking for a free grant of land.

RECIPROCITY TREATY.

The PROV. SECY., by command of His Excellency, laid on the table of the House despatches from Lord Lyons to the Governor General, Lord Monck, on the subject of the

Reciprocity Treaty, and a Minute of Council of the Executive Government of this Province.

SPEECH OF MR. TOBIN.

After the reading of these papers by the Clerk

Mr. TOBIN rose and said:—Mr. Speaker—no one could hear the papers just read without feeling that very large and important benefits have been conferred, not only on the B. N. A. Provinces, but also on the United States by this treaty. I am sorry that it is about to be suspended in view of the peace and security which were secured under its provisions. Since its passage in 1854 the slightest difficulty has not arisen between the American and British fishermen; previous to that time, we were obliged to keep one or two gun boats in commission to protect the fisheries and preserve the peace in the Gulf of St. Lawrence. Many difficulties arose from time to time. The British Government sent a war steamer every year to aid the provincial revenue boats to keep the poachers off the shore. Occasionally an American fishing vessel was caught inside the line, forfeited, and sold. Then came representations, affidavits, and counter-statements and contradictions, as to the fact of the legality or illegality of seizure; and the relations between the British and American Governments were several times on the eve of being interrupted. We would regret, Sir, to have a repetition of these conflicts in the Gulf; but if our neighbors will suspend a trade by which they have gained so many substantial advantages, we must be prepared to meet any contingency that may arise. We will have to put in commission one or two fast sailing gunboats or steamers to protect our fisheries. I would prefer the latter, as they could keep the Americans off the shore more effectually than sailing vessels. I think, however, that the people of the Western States will feel the loss of the suspension of this treaty more than the British Americans. The St. Lawrence will be closed against them, and though they did not use that outlet to the ocean to any great extent, still it had the effect of checking the rates of freight and tolls on the railroads and canals over which they transport their produce to the shipping ports in the United States. The very fact of the St. Lawrence being open to the farmers and planters of Western New York, Ohio, Illinois, Wisconsin, and Iowa, keep freights at a moderate rate on the Erie canal, the New York Central and Erie rail roads. But as soon as the St. Lawrence is closed against them they will find that they are entirely in the hands of the railroad and canal companies. If they value their own interests, and consider the disadvantages under which they will be placed, I think they will advise their representatives in Congress to consider the matter. I notice a speech delivered by hon. Mr. Grimes in the Senate of the United States, where he says—"There is a panic in Canada; but it is a panic of the pocket, not the fear of war," and then he goes on to say, "Suspend the Reciprocity Treaty, and the merchants, bankers, and railroad companies will be bankrupt in three months." The learned Senator is mistaken, there is more vitality in Canada than he is aware of. Trade will find new channels, and the loss of the Reciprocity Treaty will not be very long felt. The British Provinces grew and prospered be-

fore it was passed or thought of, and they will continue to advance in trade and prosperity, even though it should be suspended. The language of the learned senator is not in the spirit of conciliation. How different was ours in this House when the war broke out! We expressed the deepest regret that our neighbors should have become so exasperated as to resort to the desperate expedient of shedding each other's blood; and, since then, up to the present moment, I have not heard any other sentiment uttered by a public man in British America.

It was thought in England that the city of Liverpool would be ruined by the loss of the cotton trade; but commerce very soon regulated itself—new enterprises sprung up, the volume of trade flowed into other channels, and in six months after the Southern ports were blockaded, Liverpool did not feel the loss of the embargo, and so it will be with the British Provinces. The loss may perhaps affect our neighbors quite as much as it may affect us.

My hon. friend on my right (Dr. Hamilton,) is well aware of the extent and importance of the trade between his county and the neighboring republic; and although a very large quantity of the surplus products of Kings' finds a market in Boston, New York, and Baltimore, still not sufficient to pay for the merchandise and manufactures which are carried back in return. The balance of trade with all the British Provinces is largely in favor of the United States. Very few are aware of the amount of money that is transmitted to balance the accounts. The import tables show the quantity of flour, pork, beef, butter, lard, cheese, boots, shoes, and manufactures of different descriptions which are continually flowing in from that country. One would suppose that there was wisdom enough on the part of the statesmen of America to cultivate and extend the trade, rather than to cut it off or curtail it.—The volume since the passage of the Reciprocity Treaty, has gone on steadily increasing.—Coal forms a large item in our export tables.—We sent a large quantity to Boston, New York, and Fall River; but, even should it be taxed, it must still continue to go there, as it has qualities which the Pennsylvania coal has not. It is peculiarly adapted for the forge and the foundry. Our fishermen may be at a disadvantage, the products of free industry coming into competition with protected labor; still I have no fears for the result. There will be an increased catch to make up for short price.—It is a well known fact that since the American fishermen have had the unrestricted use of the fishing grounds, our catch of mackerel along the shores has gone on steadily decreasing, year after year, till the business has become so precarious that, to the westward particularly, it is almost entirely given up. The Americans keep the fish on the feeding grounds all the summer and fall by throwing overboard large quantities of bait; and when it becomes late and stormy, and the Americans are obliged to leave the Gulf the fishery is over on our shores. The toil-worn Nova Scotian has to haul in his nets after a long summer spent without remuneration for his outfit or labor. On the whole, it is a question, on my mind, so far as the interests of the fishermen are concerned, if it would not be the best thing that could happen for their interests to have the Reciprocity Treaty suspend-

ed, because, as I have before stated, while the Americans can use the in-shore fishing grounds, and feed the fish in the gulf, they will remain in the bay and not school along the shores in search of food. The next view of this subject to which our attention has been directed by the reading of the papers, which speak much more eloquently than I can, are the "irritations." Well, if there have been "irritations," those "irritations" came from their own people. There is not a city in British America in which you will not find a large number of Americans, many of them closely connected with, if not from, the South, and if there are irritations, they are the irritations of people who are not the citizens of British America. Why, there is more sympathy with the South in one city of the Northern States than there is in all the British Provinces together. I happened to be in New York last September, and witnessed more deep, heartfelt sympathy with the South and its cause, than I thought it was possible could exist after a four years' war. The American Government, I think, would do better to try and correct the "irritation" at home, and not waste time in finding fault with it abroad. I attended a meeting in Union Square, called to ratify the nomination of Gen. McLellan for the Presidency, and heard, in the course of two hours, from the lips of Governors, ex-Governors, Senators and Congressmen, more denunciation against the President, his cabinet, and the proclamation addressed to all "whom it might concern," than I have heard in the colonies since the commencement of the war. However, sir, I deeply regret that any action on the part of the Government or people of the United States at the present moment, particularly when the passions of men are aroused, should in any way have a tendency to interrupt the friendly relations that have so long happily existed between the American and British nations.

Hon. PROVINCIAL SECRETARY suggested that the correspondence just read be printed. It was true that some of it dated as far back as April last, and had a prospective application, but since then the notice which had been received of the termination of the treaty gave it increased significance and importance. It would be seen by these papers that while the Government fully admitted the benefits which these provinces had derived from this treaty to the injustice we labored under in relation they felt it their duty to call attention to the registry of colonial vessels, and the coasting trade—and they express the hope that in the event of a revision of the treaty these interests will be placed upon a better footing. The papers were ordered to be printed.

Hon. PROV. SEC. also laid on the table despatches relating to the coasting trade, which were also ordered to be printed.

Also a despatch relating to the appointment of Hon. W. A. Henry, as Advocate and Procurator General of the Vice Admiralty Court.

The House adjourned until three o'clock.

THURSDAY, 16th Feb.

The House met at 3 o'clock.

CAPE BRETON MATTERS.

Mr. BOURINOT presented a petition from a number of the inhabitants of Sydney, asking

for the benefits of a daily mail. Petitioners point out the resources of the island, and its large contribution to the revenue, and its large population, and demand, as an act of justice, that they receive the same favors that are granted to many parts of Nova Scotia proper.

The hon. gentleman also presented two petitions—one from North Sydney, the other from Cow Bay, C. B.,—on the same subject, and stated that he would take another opportunity of dealing with the matters referred to in the petition, and speaking at length in reference to the section of the Province from which he came.

NEW POLLING-PLACE.

Mr. ROBICHEAU presented a petition from New Tusket, Digby Co., asking for an additional polling-place. Also a bill in accordance with the prayer thereof.

RECORD COMMISSION.

Mr. BOURINOT called the attention of the Government to a report of a special committee appointed last winter in connection with the record commission. It recommended the adoption of the suggestions of Mr. Aikens, that the more important archives now lying useless should be collected and arranged in a form accessible to all, "in an octavo volume of a moderate size." He wished to know whether any progress had been made with the work.

Hon. PROV. SEC. replied that the attention of the Government had been called to the subject, and on enquiry they found that the expense of the work would amount to something like £450. As they were under the impression that the House, when they adopted that report, did not contemplate so large an expenditure, they thought it best to allow the matter to lie over until the Legislature could this session take it into consideration. The Government were quite prepared to incur the expenditure, if the House saw fit to authorize it. The hon. gentleman concluded by laying on the table correspondence on the subject under consideration, which, on his motion, was referred to a special committee, consisting of Hon. Mr. Shannon, Mr. Archibald, and Mr. Bourinot.

Hon. Mr. SHANNON stated that Mr. Aikens had given a great deal of time and labor to the subject, and believed that the sum referred to would only meet the expenses of publication without leaving anything for his services.

Hon. PROV. SEC. said that he had hoped when the work of the Record Commission was finished that some person would be ambitious to become the historian of Nova Scotia.

Hon. Mr. SHANNON stated that it was well known that a gentleman well qualified in every way to perform the task, had been engaged for some time in preparing a history of the Province. This gentleman, Mr. Beamish Murdoch, had told him that he had derived a great deal of valuable information from the documents in question, and, in fact, had been able through them to obtain light on matters hitherto obscure. Unfortunately the *res angusta domi* retarded the publication of the result of that gentleman's labors.

Mr. ARCHIBALD referred to the valuable information which those old documents necessarily give upon the early history of this province.

Hon. PROV. SEC. stated that Mr. Murdoch had made an application for assistance in his work, and that it was under the consideration of the government. He thought that perhaps

the work referred to could be performed in connection with the other history of the province.

ACT OF INCORPORATION.

Mr. BLANCHARD introduced a bill to incorporate the Royal Sussex Lodge of Free Masons of Halifax. In answer to an enquiry it was stated that this bill was not liable to the usual fee of \$20 since it asked for the incorporation of a charitable association—religious and charitable bodies being excepted by a resolution of the house.

THE SCHOOL BILL.

Mr. COLIN CAMPBELL presented a petition from a number of the inhabitants of Digby, in reference to the school bill.

THE CITY BILLS.

Mr. TOBIN called attention to the inconvenience that resulted last session from the hurried manner in which bills were passed through both branches of the legislature, and read a resolution, moved in the Legislative Council by Mr. Dickey, in connection with the subject. He especially referred to the Halifax bills, respecting which a great many complaints were made by the citizens. The representatives of the Western division of Halifax had been even called to account for many of the grievances that were found in these bills,—all arising from the want of consideration in the house. He trusted that the same difficulties would not occur again, but that the house would be placed in a position to deal with every bill as it ought to be dealt with.

Mr. ARCHIBALD agreed with the remarks of the hon. gentleman who had just spoken. A great many important alterations were made in the Halifax Bills that ought to have received more consideration than it was found possible to give them last session. He hoped the hon. gentleman would bring in a resolution limiting the time for the introduction of private bills.

Hon. Mr. SHANNON said that a great deal of dissatisfaction had arisen in connection with the city bills. Only a short time since the Chief Justice pointed out a number of incongruities in one of those bills, and as far as his (Mr. Shannon's) memory served him, the clauses referred to were not in the bill when it came before the House. His impression was, that a number of these objectionable clauses were introduced into the bill by the Legislative Council, and were only brought down on the very last day of the session, and passed through without any one knowing any thing about them.

Mr. MILLER said that he coincided with the remarks of the hon. member for Halifax. He had been a member of the Committee of City Bills, and was confident that the Legislative Council was responsible for the radical amendments that had been made in the bills. These amendments came down on the last day of the session, and the members of the committee who were conversant with the features of the bill, had not an opportunity, from want of time, to scrutinize the alterations that had been made. He had been, indeed, assured that the alterations were of a trivial character, but he found now that features had been introduced which would never have been consented to by the committee. For instance, the jurisdiction of the Police Court had been entirely changed, and powers entrusted to it little inferior to those possessed by the Supreme Court.

Mr. PRYOR stated that the Committee of Halifax bills, of which he had been chairman, had paid great attention to the passing of their bills, and he could not but express his astonishment at many of the clauses that appeared in the bills when they were published, for he knew nothing whatever about them,—he did not remember that they were even read in the Lower House.

Hon. PROV. SECY. thought that it was most probable that the gentlemen who discharged the duties of the committee of city bills were not able, from the very voluminous character of the work of last year, and the large amount of labor necessarily involved, to discharge the duty as efficiently as it would have been possible under more favorable circumstances. From some cause or other there passed through the Legislature certain provisions which ought not to have passed without deliberate sanction; but that they emanated from the other end of the building when the bills went there, he had not the slightest idea whatever. These bills might have undergone some modification but that was all. He believed that the very power entrusted to the Police Court of sending persons on conviction to the Penitentiary, referred to by the hon. member for Richmond, was actually discussed in the House.

Mr. TOBIN said that he had not the most distinct recollection of these clauses being discussed in the house—if indeed they ever came before it. It would be remembered that these bills were hurried through on the last day of the Session in a most injudicious manner; and he had been inclined to give the whole up rather than allow them to pass without more deliberation.

Mr. MILLER repeated his statement that the obnoxious amendments originated with the Council, and stated that the Provincial Secretary evidently labored under a misapprehension when he stated that the power entrusted to the Police Court was discussed in the House. That hon. gentleman obviously alluded to a discussion in reference to the power of the Sessions of the County of Halifax—one not possessed by the Sessions of any other County—to send persons on conviction to the Penitentiary. He assured the House that the committee had not adopted any amendment without full deliberation.

Hon. PROVINCIAL SECRETARY did not think it fair to throw all the responsibility upon the Legislative Council, and stated that he held under his hand conclusive evidence of the soundness of his position in reference to this question. Gentlemen would find entered upon the journals every amendment that was made in the bills.

Mr. BLANCHARD, who had also been a member of the Committee, said that the Legislature had nothing to do with the most objectionable features of all these bills. They came before the House without any provision for an appeal from the decision of the City Court. On the contrary, appeals even in civil suits were expressly forbidden by the bills as they came up. He himself had introduced a clause providing for an appeal in civil suits. And more; at this moment the City Court had the power to send a man to the Penitentiary for any period less than fourteen years without a jury or an appeal.

Mr. MILLER, in connection with the subject of

city bills, just before the house, called attention to the fact that the alterations in the city charter had been published by order. On reference to the paper he held in his hand he found the alteration alluded to by the hon. member for Inverness. The alterations were very trivial, however, on the whole. The police regulations must have been contained in a separate bill, for neither he nor any other member of the committee had any recollection that it was submitted at all to them.

Some remarks were made as to the propriety of limiting the time for the introduction of private bills, in order to expedite the business of the House, and Mr. Archibald stated that he would probably move a resolution the next day in reference to the matter.

EXTENSION OF THE LUNATIC ASYLUM.

Hon. PRO. SEC. laid on the table the report of the Medical Superintendent relative to the extension of that building, accompanied by an estimate by Mr. Sterling, the architect, of the probable expense of the same. Referred to committee on humane institutions.

THE LABRADOR FISHERIES.

Mr. KAULBACK said:—My attention has been called by parties prosecuting the fisheries to a matter which honorable gentlemen will remember, was brought to their notice by petitions and otherwise, at the last session of this Legislature. The petitioners prayed us to take proper steps to relieve them from what they conceived was an unlawful tax demanded by the Government of Newfoundland. The Government of that Province has claimed, and exercised the right of demanding duties from the Fishermen of this Province on their salt and other outfits used in prosecuting that branch of industry—on the coast of Labrador, between Anse Sablon and the Hudson Straits. The petitions were referred to the Committee on the Fisheries; and I have before me their report on this subject, which was received by this House. They reported that in their opinion the exaction of such duties was unjust, and recommended that the Government of this Province place themselves in communication with the Government of Newfoundland, and represent to them the injustice of such exactions from our fishermen—and failing to have the grievance remedied, that they be requested to bring it to the notice of the Colonial Secretary. Our Fisheries—so important a branch of our public industry to the wealth and revenue of this Province—are largely prosecuted by the people of the county I have the honor to represent, on the Labrador coast. They believe the tax to be unjust, and for that reason some of them have successfully resisted the exaction. Too much consideration cannot be given to a matter of such importance to us as our fisheries. Under the Reciprocity Treaty the exclusive right of these colonies to the coast fisheries was most summarily and unjustly taken away without any direct benefits being given to our fishermen for the loss they directly sustained. Should another Treaty be entered into, it is to be hoped that we will see to it that our fisheries will be better cared for. Our Cod fisheries on the Labrador coast proved, I am sorry to say, a failure last season, in consequence of which our vessels returned with the greater part of their outfits, on which they paid duties

to the Newfoundland Government, and it may be expected that that Government will levy another tax on the very same outfits the next season. This fact shows, in a striking manner, the injustice of taxing outfits which are not consumed in Newfoundland or its dependencies. It is to be earnestly hoped this grievance will meet with redress; and is the more important at this time that we should have this misunderstanding settled with our sister province, before we are drawn into the strife, which must unavoidably occur, on the abrogation of the Reciprocity Treaty, in maintaining inviolate our fishing rights, from the encroachments of the fishermen of the neighbouring Republic. This House and Government must feel the importance of the present question; and on this, as on all matters, effecting the rights and privileges of our hardy fishermen will give, I most earnestly hope, full consideration to their interests. Mr. Speaker, I must ask the Government to lay on the table of this House, all communications with the Government of Newfoundland, and the Colonial Office, on this question of the rights and privileges of our Fishermen on the Labrador shore.

Hon. ATTORNEY GENERAL—Shortly after the adjournment last year the Report of the Committee was communicated to the Government of Newfoundland by the administration. And a correspondence ensued which will be laid on the table. The government of Newfoundland insisted on the right of levying these duties, and alleged that the fishermen of that colony who resorted to the waters of the Labrador were taxed for the same articles. They also stated that the matter had been referred to the Colonial Secretary who had decided as to the abstract right of the government and Legislature to impose such duties. I am disposed, however, notwithstanding this high authority, to think that the exaction is hardly justified—that the people of this country cannot be taxed for articles which do not go into the consumption of Newfoundland. We would have just as much right to go on board American fishermen at Port Hood or Plaister Cove and levy a duty on their supplies.

Mr. LOCKE—There is no doubt that the government of Newfoundland have a right to tax our trade, but not our fishermen. It appears they treat our fishermen as traders which is manifestly unjustifiable. I think that the question should be fully explained to the British government.

Hon. ATTORNEY GENERAL—I understood that some short time since a respectable mercantile house interested in the matter intended to submit the question to eminent legal authority in England and that they would furnish the information they obtained to the government here. That, however, has not yet been done.

Mr. LOCKE—The waters of one colony are always free to the inhabitants of another colony.

Mr. MILLER—During a visit I paid to Newfoundland last summer, I had an opportunity of discussing this matter with leading men of that colony. I had several conversations with the mercantile house, to which the hon. gentleman has referred, and learned that the ground taken by merchants of England was that as Labrador was not represented in the legislature of Newfoundland, and as the administration of justice was not provided for, the govern-

ment of that country had no right to levy these taxes. I believe a large majority even of the people of Newfoundland are opposed to this exaction, and that nearly one half of the lower branch also consider it unfavorably.

Hon. Mr. MCFARLANE—I would ask what has been the result during the past season of the attempt to collect the tax?

Mr. KAULBACK—It has been pretty much the same as in the previous year. Those who forcibly resisted got off clear, but those who did not, had to pay.

Mr. LOCKE—The tax of itself is not very burdensome, but the principle of the thing is what has aroused the strong feeling that prevails.

THE RESUSCITATION OF THE APPARENTLY DROWNED.

Hon. PROV. SEC. laid on the table a copy of instructions regarding the treatment that ought to be pursued in the case of persons apparently drowned. These papers were referred to the committee on Humane Institutions, in order that steps might be taken to make the information available to the public.

THE SCHOOL BILL.

Mr. HATFIELD presented a petition from inhabitants of Argyle against the School Act.

THE MILITIA CONVENTION.

Hon. PROV. SEC. laid on the table the reply of the Adjutant Genl. to Mr. S. Campbell's question as to functions of the Militia Court, and the mode of payment of the members comprising that Court.

The ADJT. GENL. states that His Excellency being impressed with the necessity of advancing the Militia organization a step beyond that of the previous year, and being desirous of availing himself of the local experience of leading officers of the force, had deemed it advisable to form these officers into a Board of Advice "in the hope of receiving valuable suggestions with reference to the Militia estimates, and some apparently necessary alterations in the existing Militia Act." He also states that the Court is composed of a President and 21 officers, 4 of whom receive no additional pay for attendance. Of the remaining 18, 11 are residing in this city, and 7 are from the country. The Adjt. Genl. also directs attention to sec. 85 Militia Act of last year as the authority to form the Court.

Mr. S. CAMPBELL said that he did not consider the paper just read an answer to the requisition he had made on the previous day, for information in reference to the Militia Court now sitting in this city. He asked a question as to the functions and composition of that Court, but this had not been answered. He had been led to make the enquiry he had from information given him that the Court was composed of members representing almost entirely one side of political opinions in this country, for that reason he was induced to ask who were the persons who formed this body. If what he had heard were the case, it ought to be taken into the serious consideration of the House as well as of the Government of the country, for if a political character was to be given to any body of this kind, then its value was entirely lost. It was only necessary to look to the neighboring States to see the evils that arise from the influence of political parties in connection with military matters. His ob-

jection to the Court was that the House was in session and clothed with the authority to discuss every question in which the people of this country were interested. This Court was largely composed of members of the Legislature. Was it not competent for these gentlemen to furnish the House with the information which they give this Courts. He had been informed that parties had been summoned from the country at an expense of several dollars a day, beside travelling expenses. He did not consider the act of last session gave authority for any such Court as was now in session. At a future day he might test the opinion of the house as to what he considered the constitutional invasion of their rights, and a contempt of their privileges and whether it was not right that we should have at the head of the Militia affairs one who was responsible to the people of this country. He had no hesitancy in saying that the administration of Militia affairs in his own county was a perfect farce. He saw upon the army list the names of boys who ought to be at school, and yet were sent into the different districts of the county to drill the stout yeomanry; that was an insult to the loyal feeling of his constituents.

Mr. PRYOR said that in the time of Sir Colin Campbell, the Lieutenant Colonels of the several counties and the Advocate General were summoned for some such purpose at the present Court.

Hon. PROV. SEC. regretted that the hon. member for Guysboro had thought it proper to characterize the proceedings that had taken place in such strong terms. The Act passed last session had devolved upon the Commander-in-Chief certain powers, and the hon. gentleman went beyond what he was entitled to as a member of the Legislature when he declared that the action taken was unconstitutional, and a contempt of the privileges of the House. Before he used such language he should have shown that the act passed with the deliberate sanction of the Legislature had been in the slightest degree exceeded. The Government of the day were responsible to the House for any public money expended in any public service, and whilst he did not intend just now discussing the question whether the responsibility of the Ministry in reference to the Militia force should be increased or not, he was satisfied that the good sense of the Legislature would see that since the Militia organization was entrusted to the care of the Commander-in-Chief, they had no other source to which to apply for information—as to the amount of public money that might be required for local defence—than to the persons hitherto entrusted with the discharge of that duty. The source, therefore, to which the Government had to apply was to the Commander-in-Chief, and to the Staff by which under the law of this Province he was surrounded for the discharge of the important functions in connection with the militia. The Commander-in-Chief desired to get information, and he had adopted a certain mode to obtain it. Whether he had taken the correct course it was not for him (Dr. T.) to say; at all events, in the discharge of what he conceived to be his public duty, he had thought it proper to proceed in a certain way—and in doing so, he was guided strictly by the law, as would be seen by reference to the 85th section of the Militia law of

last session. The hon. member for Guysboro' could not say that it was not the duty of the Commander-in-Chief to take advantage of the services of gentlemen who he thought were the most competent to give advice and information in reference to the future defences of this country. He trusted that whatever political differences might exist in this country, the militia organization would be kept free from all party taint. He was satisfied that the Commander-in-Chief in the selection of this Court—a selection with which the Executive Council had nothing whatever to do—had not given the slightest thought to party. If it did happen, that it was composed largely of gentlemen representing one party, it might be considered purely accidental. He stated frankly to the House that down to the present moment he had not endeavoured on any occasion to use the slightest political influence in relation to the militia organization of the country, and he was confident he could say the same thing for every member of the Executive Council.

Mr. ARCHIBALD did not agree with his Hon. friend, the member for Guysborough, in his opinion, that it was unconstitutional for His Excellency the Commander-in-Chief, to summon a Council of advice upon matters which would come up for the consideration of the House. He rather thought that the Legislature should be glad to receive any suggestions or information that might be offered by those who had had an opportunity of testing the efficiency of the Militia law—and he therefore was inclined to the opinion that His Excellency was but discharging a duty that he owed, as well as to his own position as Commander-in-Chief,—as to the Legislature who had to provide for the service,—in thus endeavouring to obtain such information as would tend to place the militia system upon a more efficient footing. But while he disagreed with the member for Guysborough, he was also obliged to dissent from the statement of the Hon. Pro. Sec'y, that the 85th section of the Militia Act, authorized the formation of a Court; such as that now in session. That clause evidently referred to Courts of Enquiry, upon matters of discipline only, and had no relation to the functions assumed by the present Court. The member for Guysboro' had also expressed the opinion that it was time that some responsible person, in connection with the militia, should have a seat in the Legislature. He (Mr. A) was at a loss to reconcile that statement with the anxiety of that Honorable gentleman to dis sever this service from the influence of party politics.

Mr. CAMPBELL—It is the case in Canada.

Mr. ARCHIBALD—It may be so, but I am exceedingly doubtful as to the propriety of the policy. In alluding to the statement made by the member for Guysboro' that the Militia Court was composed almost entirely of persons of one side of politics, Mr. Archibald expressed his regret if such was the case—at the same time he was convinced that it must be the result of accident, for he was certain that His Excellency would be the last man to sanction anything of that kind.

Mr. COLIN CAMPBELL said that as militia matters were under discussion, he had a case in connection with that subject, which he wished to bring under the consideration

of the House, and he would like to be informed by the Government whether the Adjutant General was to be guided by the decision of a Committee of the House or not. At the last Session he had presented a petition from Captain James B. Stewart, of Clare in the County of Digby, praying for remuneration for certain services performed by him in 1862, in connection with the enrolment of the Militia in that County. A Committee of the House recommended that the sum of \$30 should be paid to him, which was adopted by the House, and an order for that amount was first presented to the Receiver General, and refused payment, and afterwards to the Adj. Genl., from whose office it was returned with an endorsement by the Commander-in-Chief, to the effect that it would offer a bad precedent to pay it. He (Mr. C.) should like to be informed whether the Militia authorities were not bound to obey the directions of a Committee of the House.

Hon. PROV. SEC. thought it was quite competent for the Commander-in-Chief, under the 77th clause of the Militia Act, to call together a Board of Advice, in order to obtain information as to the best mode to provide for the defences of the Country. He could not see how it interfered with the privileges of the House, inasmuch as the deliberations of the Court had no operation until sanctioned and approved by the Legislature.

Mr. PRYOR said that as allusion had been made by the Hon. member for Guysboro to the party complexion of the Militia Court, he considered it but justice to the government to state that, if such were the case, they had nothing to do with it. And, indeed, until that hon. gentlemen had called attention to the subject, he (Mr. P.) was not aware that such an imposition could be alleged against it. He considered it a question entirely aloof from party, and when the committee was about being filled up he suggested the name of a person opposed to him politically, whose services he considered necessary. The court had been visited by persons of all shades of politics, and amongst others he would name the member for South Colchester, (Col. Parker) who had given the Court the benefit of his advice.

Hon. FINL. SEC. said that if there was any party complexion it must be accidental—for instance his own county (Pictou) was represented by Col. Carmichael who was opposed to him in politics, and who had been selected in preference to other gentlemen of equal rank whose politics concided with those of the present government.

Mr. S. CAMPBELL said that he was aware that Col. Carmichael was on the Board and therefore he was guarded when he made the statement that *nearly* all the members were of one side of politics. He was not aware of another person on that side.

Mr. PRYOR said he might be mistaken, but he was inclined to think that Capt. MacKinlay who was one of the officers who represented the volunteers, was on the same side of politics.

Hon. Mr. SHANNON thought that a great deal of time was unnecessarily wasted on this discussion. After all, the object of the Court was simply to obtain the experience of those interested in the subject, and to make suggestions and amendments in the present system.

which would have to come up for adoption or rejection in the House.

The Hon. ATTORNEY GEN'L. said that he was under the impression that the rule adopted in the constitution of the Court, was to select the senior Colonel from each county. He himself, as senior Colonel for the county of Sydney had been chosen, but as he deemed it incompatible with his position as a member of the government, he had declined the honor of a seat at the Board. It seemed to be generally admitted, that in order to keep pace with our sister colonies, some advancement should be made in our militia system and he presumed that the Commander-in-Chief being anxious to obtain the best advice on the subject, had summoned the Court for that purpose.

After some further discussion the matter dropped, and the House adjourned until the next day at 3 o'clock.

FRIDAY, February 17.

The House met at 3 o'clock.

TRADE PATTERNS.

Hon. PROV. SEC. laid on the table correspondence relative to the transmission of trade patterns by post.

CONFEDERATION.

Mr. MILLER presented a petition from inhabitants of Arichat, another from Red Islands, and another from River Inhabitants—all in opposition to Confederation.

Mr. P. SMYTH presented a petition from the county of Inverness on the same subject.

ENQUIRY.

Mr. ROSS asked the Financial Secretary to lay on the table of the House certain road returns from the county of Victoria, and copy of returns for money advanced on Kelly's Cove road. Mr. ROSS also asked the Provincial Secretary to lay on the table of the House the petition of the trustees of the Presbyterian Church at Middle River, and all papers connected therewith. The said petition was over twelve months in the hands of the government, and as no action was taken on it, it was his desire that the petition and all papers connected therewith should be referred to the committee on crown lands.

THE SCHOOL ACT.

Mr. BILL presented a petition from the county of Kings, against the school act.

ACT OF NATURALIZATION.

Mr. DONKIN presented a petition of W. H. Mitchell, asking for an act of naturalization.

LEGISLATIVE COUNCIL.

Hon. PRO. SEC. laid on the table copy of correspondence relative to the appointment of additional members to the Legislative Council.

THE MILITIA CONVENTION.

The PRO. SEC. laid on the table a reply from the Adjutant General giving the names of the gentlemen composing the militia convention, as asked for by the hon. member for Guysboro.

The following is a list of the members of the Court:—

PRESIDENT.

- Lieut. Col. H. Fryor, 3rd (Queens) Halifax.
- Lieut. Col. J. J. Marshall, 1st Guysborough.
- " " P. S. Archibald, 3rd Colchester.
- " " H. S. Jost, 3rd Lunenburg.
- " " A. G. Jones, 1st Halifax.
- " " E. Tremain, Hx. Mil. Art. B.

- Lieut. Col. R. Starr, 2nd Kings.
- " " C. J. Stewart, 1st Cumberland.
- " " W. B. Vail, 2nd Digby.
- " " J. Bourinot, 1st Cape Breton.
- " " I. Levesconte, 1st Richmond.
- " " P. S. Hamilton, 11th Halifax.
- " " W. F. Starratt, 3rd Annapolis.
- " " J. W. Carmichael, 5th Pictou.
- Major L. W. Hill, 2nd Hants.
- Capt. C. Allison, 3rd Queens.
- Capt. A. K. Mackinlay, Scottish Vol., Halifax,
- Lieut. O'Chran, Chebucto Greys, Hx.
- Colonel Sinclair, Adjutant General.
- Colonel Laurie, I. F. O.
- Lieut. Colonel T. Milsom, I. F. O.
- Lieut. Colonel C. Sawyer, I. F. O.

RAILWAYS IN CAPE BRETON.

Mr. BOURINOT introduced a bill entitled an act to amend the act incorporating the Louisburg Railway company. In reference to this bill he stated that several wealthy and prominent American gentlemen had arrived by the steamer that day—men of large capital, representing such persons as John Jacob Astor, Robert Converse; General Strong—and intended to proceed immediately with the construction of a railway to Sydney and Louisburg, in order that they might be enabled to ship coal with greater facility. He trusted that the house would afford every facility to these gentlemen in the prosecution of this great undertaking.

The bill was read a first and second time, and referred to the committee on private bills.

ACTS OF INCORPORATION.

Mr. BOURINOT introduced a bill to incorporate the Caledonia Coal Mining Company in the county of Cape Breton.

Mr. TOBIN introduced a bill to incorporate the Stonecutters and Masons Association of Halifax.

THE FRANCHISE ACT.

Mr. ANNAND then said—I wish to call the attention of the Government to a matter of considerable importance—to the act which will come into operation on the 24th June, 1865, relative to the election of members in the House of Assembly. It has come to my knowledge that in one county—if not in two—the requirements of that act have not been fulfilled. In Guysborough the magistrates not only neglected to appoint revisors, but actually refused by a majority to take any action on the premises. I would like to know from the Government what action they intend to take in reference to a matter of such magnitude.

Hon. PROV. SECRETARY.—The Government have never had this matter brought officially under their notice, that I am aware of. I remember seeing something about it in the newspapers, but that certainly is not an authentic mode of bringing the matter to the notice of the government. I may state for the information of the house, however, that I have addressed a circular to the Custos of every county, asking him to furnish the Government with information with regard to the steps that have been taken to apply the law.

Mr. JOST.—The county of Lunenburg is in the same state. There is nothing in the law to compel Grand Juries to recommend revisors, and that at Lunenburg, I presume, exercised their own discretion in the matter.

Mr. ARCHIBALD.—We are expressly ordered in the act to comply with its requisition; and any Grand Jury or Sessions that failed to do so, acted in contravention of the law. It is time

that the franchise of this country was placed in a position of certainty. If an election was held next summer difficulties would be sure to ensue, as matters are now. If we are to have the franchise the same as in the adjoining province let it be done now. Let the country clearly understand what is to be the franchise.

Mr. S. CAMPBELL.—I am glad that the Provincial Secretary has addressed a circular to the different counties on this subject. As respects the county of Guysboro it was not a mere accidental omission on the part of the sessions and grand jury to fulfill the requirements of the law, but there was a positive refusal—a deliberate violation of the law of the country. Guysboro was one of those counties where it was required that action should be taken at the fall term of the supreme court. Previous to that fall term, the Clerk of the Peace, by the direction of the Custos, called a special sessions to be held at the same time as the supreme court in the county, at which the grand jury were to be in attendance. So far they fulfilled their duty.

The Supreme Court met, the special sessions was convened, the grand jury met in connection with that special case, and then a resolution was deliberately presented by a number of gentlemen in that sessions, refusing to act under the law. Certain resolutions were passed by which they declared that they would not act under the law at all. There could be therefore no excuse in that county, as exists in Lunenburg, where it was entirely an accidental omission on the part of the officials. I think, therefore, that in addition to the circular which the Provincial Secretary has addressed to the different counties, there should be some enquiry made as to the particular circumstances under which action has not been taken in any county. It would not distress me much if this act was not carried out in the county of Guysboro; but I do think it hard that any portion of the people of this country, by the deliberate action of any one, should be disfranchised, for that will be the effect if this difficulty is not remedied.

Mr. ROSS.—I may state in reference to Victoria that the new franchise act has not been acted on by the Custos or Sessions. The Custos neglected to call the special Sessions. The Judge called the Custos to account, and his reply was that he had no instructions from the Government. The law, I stated at the time, was sufficient instructions.

Hon. ATTORNEY GENERAL.—It will be found that the circular addressed to the several Custos will contain all the information required by the hon. member for Guysboro.

Hon. PROV. SECRETARY.—I think this circular covers the ground wished by the hon. member for Guysboro. It requires the Custos to furnish without delay for the information of the government the proceedings had by the Court of Sessions and its officers in respect to the new Franchise Law &c.

Mr. TORIN.—I am not surprised that the grand juries in the different counties of this country have refused to bring that law into operation. It is one of the most obnoxious laws that was ever passed in this House. It had not the sanction of this House—nor to any great extent of the upper branch. That law was the means of destroying the influence and power in this

country of the party that passed it in this House. Now the same party come forward and endeavour to force the Government into bringing this obnoxious law into operation and pressing it upon the people. Where was the influence of the hon. member for Guysboro in his own county? Had not he sufficient influence with the Grand Jury and with the electors to prevent them disfranchising themselves in the event of an election? These gentlemen who originated and passed this law are accountable for the manner in which it has been received by the people. The House should deal with the franchise of this country and put it upon either a manhood or property basis. Let there be a law in which the people can have confidence, not one establishing a board of assessors who will have it in their power to give any man a vote or refuse it. I remember hearing the Provincial Secretary himself denounce this act when it was before the Legislature as one of the worst measures that could be devised.

Mr. S. CAMPBELL.—I was certainly astonished when I heard the hon. member for Lunenburg attempt a quasi justification for the course taken in his county in reference to this law, but I am still more so, at the remarks that have fallen from the hon. gentleman who represents the city of Halifax. I am surprised that he should attempt to justify the action of any men in contravention of the law of the land. The hon. gentleman asks, where was the influence of the member for Guysboro? Let me tell him that the member for Guysboro had no more to do with the action of the Special Sessions on the occasion in question than he himself. But I shall tell him what I did. The Supreme Court was sitting and the Judge about to discharge the Grand Jury from their attendance, when I brought to the notice of His Lordship the fact that this law ought to be complied with, and that a special sessions had been called in connection with it. I did my duty on that occasion. What more could I have done? What is to become of the dignity and privileges of this Legislature if the laws it passes are to be openly evaded and set at naught. I called attention yesterday to an invasion of the rights of this House. We have it also in prospect to make this body a mere grand jury or something less important. I trust the time is far distant when the power and dignity of this House will be altered as it is proposed to be done.

Mr. ARCHIBALD.—We are not discussing the policy of the law. If it were the most impolitic law in the world, the hon. member for Halifax would be doing wrong to rise in his place in this House and palliate or encourage its deliberate violation. Such an attempt is unworthy of the hon. gentleman and of the position which he holds in this House and country. He can introduce a bill for the purpose of repealing this act which he considers so obnoxious, but because it does not meet with his approval, is he to say that every subordinate officer has a right to violate the law? I take issue at once with the hon. member, as to the fact that a majority of this House were not in favor of this bill. The difference of opinion was not with respect to the principle, but rather with reference to the time in which it should come into operation. In the Legislative Council also, I believe, there was a large majority in favor of the principle, and the ob-

jection that was felt in reference to the time in which it should become law, was removed by the amendment that was passed. At all events, this is not the proper time to discuss the character of the law.

Mr. KAULBACK—I may state for the information of the House that the impression prevailed in my county that it was intended to repeal this law, and that it would be, therefore, incurring needless expense for the Grand Jury and Sessions to take measures for bringing it into operation. The law is very obnoxious to the people, and I confess that I promised to do my utmost to strike it off the Statute Book.

Hon. PROV. SEC.—I feel it necessary, after what has just fallen from the hon. member for Halifax, to say something on this subject. The hon. member has stated with perfect accuracy this at the time the bill was introduced to change the franchise of the country, I gave it my most determined opposition. I stated the objections I entertained to that measure, and did all that I could constitutionally to oppose its passage; but the House does not require to be told that not only I but the party with which I have been accustomed to act, with remarkable unanimity, exerted our power to the utmost to defeat that bill. I differ from the hon. member for Colchester as to the feeling in this House in reference to the measure; it was not merely objectionable as regards the time it was to go into operation. The party which claimed to represent public opinion in this country, with the greatest unanimity declared against the fundamental principle of that law during its passage through the House. These efforts, however, were unsuccessful, and the bill was sent up to the Legislative Council, where it was amended so far as respects the time in which it should go into effect. The moment that took place my position was entirely changed. Whilst I could constitutionally oppose its passage here I did so; but the instant it became the law of the land, I was bound as a member of the Legislature, as a member of the community of Nova Scotia, to respect and observe it. (Hear, hear.) There is no question that this responsibility rests even with greater force upon the members of the government whose duty it is to enforce the laws upon the statute book of the country. Therefore my duty as a citizen, as a representative of the people, and as a member of the Government is clear and unqualified, and it is to respect the law as far as lies in my power. I may endeavour to repeal it, but, as I stated on a former occasion, from the attitude taken by the Legislative Council, I feel it would be utterly useless to make any change in the fundamental principles of the act on the statute book. I feel it necessary to state that whilst my opinions are to a large extent unchanged with regard to the policy of that measure—for if it were now under the consideration of the House I would oppose it as I did in the session of 1863,—under existing circumstances I think the hon. member for Halifax, on reflection, will see that the duty of all of us is to carry out and vindicate the law, and that until we have changed it in a legitimate manner we must bow to it as to any other statute of the land.

Mr. TOBIN—I think it will be found that I have said nothing to controvert the doctrine laid down by the hon. Provincial Secretary. I

stated that I was not surprised that the grand juries refused to bring a law so obnoxious to the people into operation. Am I not at liberty to characterize that law or that bill rather by any language that I may see fit? Why, it can hardly be said to have become law as yet—it never been enforced in this country.

Mr. ARCHIBALD—The hon. gentleman knows that it goes into operation this year.

Mr. TOBIN—I am not surprised that the hon. gentleman is warm on the subject of this pet baby of his. I am afraid he will have to provide a pap spoon for it before long, if he wishes that it should grow up. It did not pass the Legislative Council at the first session it was introduced. It was laid over and was not allowed to take effect until the general election was over. Last winter it was taken up and a clause inserted to bring it into operation, if possible this year. The House, I contend, has a perfect right to deal with it, and should not force upon the people a measure so obnoxious to them. Let me add, that if any gentlemen wish to destroy themselves politically in this country, all they have to do, is to force it upon the people.

ACT OF INCORPORATION.

Hon. Mr. SHANNON presented a petition, and introduced a bill, for the incorporation of the Waverley Gold Mining Company.

P. O. CORRESPONDENCE.

Hon. ATTORNEY GENERAL laid on the table certain correspondence connected with the Post Office at Truro. Also in reference to the loss of a money letter in the Antigonishe P. O.

BILL RELATIVE TO PUBLIC OFFICES.

Hon. ATTORNEY GENERAL asked leave to introduce a bill to "authorise certain Incorporated Companies to become sureties for public officers." The hon. gentleman briefly explained that this bill was founded upon the Imperial Act, and the object was, that in case of contracts for the performance of public services, instead of the Government taking the individual bonds of the contractors this Company undertook to guarantee the performance of the work. A branch of the Company was in existence in Canada, and the object of this application was to introduce the practice into this country.

The bill was read a first time.

INDIAN AFFAIRS.

The Hon. PROVINCIAL SECRETARY, by command, laid upon the table the Report of the Commissioners upon Indian affairs.

The report furnishes an abstract of blankets and coats distributed amongst the Indians in various parts of the province during the year 1864—772 blankets and 150 great coats. It also contains an account of the debits and credits—balance in hand \$169.23, reserved to meet further applications this winter.

Annexed also is a statement showing receipts for portions of the Indian reserves, sold to individuals who had settled upon and improved them; also, sundry payments made from that fund—leaving a balance in the treasury, including interest to 31st Dec., \$1067.83.

The commissioner refers to prospective sales as desirable in some cases—and to the policy which should be preserved, with reference to the very large tracts of land, held as reserves—with very little prospect of inducing the Indians to occupy and improve them.

Hon. Mr. MCFARLANE thought the time had arrived when some steps should be taken in relation to the Indian Reserves, for, as they were managed at present, they were of no benefit either to the Indians or anybody else, except perhaps to those who were engaged year after year in stripping the lands of the timber which made them valuable. He believed that some few instances occurred in Cape Breton where the Indians had been induced to settle upon those lands, but as a general thing they derived no benefit from them. He thought that the Committee should enquire into the matter, and ascertain whether it would not be to the advantage of the Indians to sell the lands and apply the proceeds to their use. It was true that the race which at one time caused so much excitement in this country was rapidly disappearing, still it was proper that the rights of those that remained should be protected.

Mr. DONALD FRASER agreed with the member for Cumberland that it was time that something should be done in this matter. In his county (Pictou) there was a large number of Indians, many of them in a state of starvation, and he did not suppose there were more than a hundred acres of Indian Reserves in the whole county, while throughout the rest of the Province there were large tracts. He thought that in those counties where these lands were situated, and where there were but few Indians, the lands should be sold, and the proceeds applied for the benefit of the Indians in other counties. He should like to be informed how the Indian money was distributed, and in what proportion it was received by the different counties.

Hon. Mr. MCFARLANE replied that it was not distributed by Counties at all. He believed that the Commissioner had taken great pains to ascertain where aid was most required.

Mr. LONGLEY did not agree with the member for Cumberland that the aborigines were fast disappearing from the country. He was informed by the Mac Mac Missionary that, so far from that being the case, they were rapidly increasing in number. In his opinion, the lands should be retained for the use of the Indians. As long as they were valueless, nobody took any interest in them; but the moment that there was a prospect of making anything out of them, there seemed to be a disposition to deprive the poor Indians of any benefit to be derived from them.

Hon. PROV. SEC. explained to the member for Pictou, that accompanying the Commissioner's Report was a detailed statement shewing the amount of blankets used, and to whom given.

Mr. BLANCHARD said that the original object of these reserves was to provide hunting grounds for the Indians, but as the country became more thickly settled they became useless for that purpose, and the result was that the Indians sold the timber to the white man, too often, he was afraid, not for the best purposes. Every effort had been made in Inverness (where there were large tracts of reserves) to induce the Indians to settle, but to no purpose. And he was inclined to think it would be more for their benefit to sell the land and apply the proceeds to their use, than to allow them to remain as they are, of no use to anybody and exposed to be plundered of the timber.

M. COLIN CAMPBELL said that complaints had been made to him that the blankets issued were too small.

CROWN LANDS, &c.

Hon. PROV. SEC. by command, laid on the table the report of the Commissioner of crown lands for the past year.

The report exhibits a large increase in the receipts over any former years. The gross sum amounts to \$38,398.76 for 1864, showing an excess over the previous year of \$18,949.74. The number of areas applied for was 97,383—exceeding that of 1863—47,852 acres. The expenditure for the department during the year for surveys, &c., in Nova Scotia and Cape Breton, including returned monies on rejected petitions, amounts to \$14,635.75—giving the nett proceeds of the year \$23,763. The report is also accompanied with an abstract exhibiting the number of acres applied for by each county, and the amounts paid respectively.

The Commissioner alludes encouragingly to the evidences of prosperity which these returns exhibit, and especially remarks upon the progress making in the Island of Cape Breton in adjusting the lines and bounds of settlers, who had many years since entered into possession of lands without title. On this subject he refers to a comprehensive report of Mr. Henry, Commissioner for adjusting these difficulties. From this report it appears that there have been 1673 lots surveyed, containing 237,204 acres—thus defining the lines and bounds held by 1598 squatters—at a cost of about \$4 per hundred, and removing all future grounds of controversy.

Both reports abound with various important suggestions for facilitating the work of the department, and carrying out the views of the Legislature in passing the act of 1859 for quieting titles in the Island of Cape Breton, and opening up new roads for the convenience of back settlers. The value of the lands already surveyed under the act, amounts, at \$44 per acre, to \$104,369, and a large amount of work is yet to be done.

Mr. CALDWELL presented a petition from Glace Bay, asking for additional mail accommodation.

Mr. MILLER asked the Government to lay on the table of the house a return showing the number of disputed applications for lands now pending in the Crown Land Office, or before the Executive Committee, with the dates of the several applications, the names of the applicants, and the counties in which situated.

Also, a similar return respecting disputed applications for rights of search, leases, etc., in the office of the Commissioner of Mines, or under the consideration of the Committee of the Executive Council.

Mr. BLANCHARD expressed the hope that the members of the Government would read the report of the crown land commissioner with care before they came to divide the road money; for they would find that in many parts of Cape Breton where people had settled who were engaged in developing the resources of the country, but small provision was made for the road service.

Mr. BOURINOT instanced, in illustration of this, the state of the road in the neighborhood of the important settlement of Gabarous, and said that it would scarcely be believed, yet such was the fact, that, within a year or two, they had no means of communication with

Sydney except over stumps and stones in a road that could hardly be called a respectable bridle-path. He could point to roads near Salmon River in the same state; where for miles and miles there was nothing but a mere path by which the settlers could bring their produce to market. It was unnecessary for him to enlarge upon the importance of these roads to the settlers, especially as the markets of Cape Breton had been so much extended, since the introduction of foreign capital in the working of the coal mines. And while he did not wish to cast imputation upon any Government, he could not refrain from expressing his opinion that Cape Breton had never received her proper share of the public monies.

Mr. LOCKE thought that these people should have settled along the St. Peter's Canal, instead of going into the interior, where they had no roads.

Mr. ARCHIBALD said that last session he had suggested that the large sum of £4,000, which was granted to what was called the St. Peter's Canal, but what was in reality only a ditch, should be devoted to the roads and bridges of Cape Breton; but the members for that island would not listen to him, and now they began to realize the wisdom of his suggestion. In reference to the settlement of Crown Lands in Cape Breton, alluded to in the Commissioner's report, he would remark that there was a large tract of valuable land between Salmon River and Stewiacke in somewhat a similar position; and he would suggest to the Government the propriety of having the boundaries defined and the land disposed of.

Mr. MILLER thought it strange that whenever a member from Cape Breton got up to demand justice for that Island some other hon. gentleman found it necessary to fling in his teeth this grant to the St. Peter's Canal. The gentlemen who were so fond of doing this had better inform themselves more thoroughly upon the subject. Let them go to Cape Breton and see the necessity that existed for this work, and the great advantages that would result from its completion,—and then perhaps the house would hear less of these sneering allusions to the claims of Cape Breton. Nor did he, for one moment, admit that she had ever received more than her due. When the large amount that she annually contributed to the Provincial revenues was considered, he thought that it would be found that so far from Cape Breton having enjoyed an undue share of public patronage, she had never yet received that consideration to which she was justly entitled.

Mr. ARCHIBALD said that he thought that the disposition of the house had always been to do justice to Cape Breton. Nobody had said that she received an undue share of public patronage, but there might be a difference of opinion as to whether the money expended in the St. Peter's Canal would not have been better employed in developing the interior communication of the country.

Mr. LEVESCONTE was glad that the St. Peter's Canal had advanced a step in the estimation of the hon. member for Colchester since the last session—then it was a "hole," now it was a ditch. That hon. gentleman considered the money granted to that canal as money thrown away. He little knew the importance of the work. Gentlemen should remember that this money had been granted because the people of Cape Breton did not participate in

the benefits to be derived from the large sums expended on railroad communication east and west. He recommended gentlemen to wait until the report of the commissioner upon this work had been laid upon the table. He had arisen principally to call attention to a portion of the crown land commissioner's report, which referred to the settlement of fishermen upon certain parts of the crown lands in Cape Breton, whom he termed squatters. Perhaps they may deserve that title, but at all events some of them, and their fathers before them, had been settled on these lands for 30 or 40 years, and he thought it a great injustice that these men who contributed largely to the revenues of the province should be called upon to pay for the survey and grant of a small piece of land, consisting often of not more than from a half to two acres, as much as was paid for a hundred acres in the interior of the country.

Mr. BLANCHARD agreed as to the injustice of this system, and thought it was time it was altered.

Hon. ATTY. GEN. said that he had always supported the grant to St. Peter's Canal. He did not think that Cape Breton had any right to complain. She had always received her fair share of public monies; and in the matter of Crown Lands she was particularly favored over Nova Scotia Proper. Any person in that island could obtain a grant and have four or five years to pay for it, which was not the case anywhere else.

In allusion to the remarks of the member for Colchester, the Hon. Attorney General acknowledged the importance of having these Crown Lands laid out, and roads made so as to encourage settlers. Some amendment of the law would probably be required, whereby the young men of this country could obtain grants upon the same terms as were now held out to emigrants; for surely it was a wiser policy to endeavor to keep the young men at home than to allow them to go abroad, as they were now doing, to settle in other countries.

Mr. LOCKE said that it always jarred upon his feelings to hear the members for Cape Breton constantly talking of the injustice they received, and especially about the St. Peter's canal. The House had just been told that that grant had been made as an equivalent for the benefits other counties had received from the railroads. He should like to know how much more benefit Shelburne derived from those works than Cape Breton. If that was the principle adopted, he presumed his application for aid to the road from Shelburne to Annapolis was safe.

He agreed with the member for Richmond, (Mr. LeVesconte,) that it was exceedingly unjust that the fishermen should have to pay so large a sum to secure their rights. This should be remedied.

Mr. BOUBINOT said that he would not have referred to the question of the distribution of the road monies, as he did not consider it the proper time to do so, had it not been for the statements of the hon. Attorney General that there had always been a disposition to do justice to Cape Breton. Such was not the case. Cape Breton had never received justice, and he much doubted whether even the Attorney General himself was always inclined to give it to her. The hon. member for Shelburne complained that the members for Cape Breton were constantly urging her claims. They were obliged

to do so, in order that justice might be done, and even then they did not always receive it.— They did not demand any favors, all they asked for was simple justice. He held under his hand the subdivision of the road grant of the last session, and what did he find? That although Cape Breton stood third in the scale of counties, as regards population, extent of territory, and resources, she was ninth as regarded the division of the grant. Even Lunenburg had received more consideration. Was this right or just? He asked for no favors— he simply wished Cape Breton to be placed upon the same footing as the other counties of the Province, and it was to obtain this that he was obliged so frequently to raise his voice in her behalf.

Mr. TOBIN was glad to hear from the Atty. Genl. that justice would be done to Cape Breton. It had never yet been the case. If it had the St. Peters Canal would have been completed long ago. It was now 15 years since it had been commenced, and he hoped that a sufficient sum would be provided in the estimates to ensure its completion. While upon these matters of public works, as he saw the Commissioner of Railroads in his place he would like to know whether the Government intended to provide for the construction of the Railroad to Annapolis this year. He would be glad if the state of the public revenues would allow of the construction of both these great works. He had always looked upon the St. Peters Canal as a most important undertaking, and had invariably given it his support. He was pleased to find a gentleman from the West filling the position of Chief Railway Commissioner, and he presumed that now justice would be done to the West as well as the East. He did not like to hear of complaints of injustice from any quarter. It should be the object of hon. members to meet out equal justice to all, and so far as he was able he had always been ready to assist members from distant counties in everything he thought deserved public support.

Mr. KAULBACK said that as attention had been directed to the County of Lunenburg, he deemed it his duty to stand up for her rights. He did not understand these sneering allusions to the county he had the honor to represent, and he would not allow any disparaging remarks to pass unchecked. That county, he did not hesitate to say, stood second to none in the Province, as regarded population, resources, or extent of territory, and he would take that opportunity of stating that he did not conceive that she had ever received her fair share of the road money. He had risen principally to resent the contemptuous manner in which allusions had been made to his county which he could not allow to pass unchecked.

Mr. LONGLEY said that it would be rather premature at that time, to enter into particulars as to the Annapolis Railroad; when that subject, and the St. Peters Canal came properly before the House, he should express his sentiments.

Mr. BOURINOT said—Let the people of Annapolis take pattern from Cape Breton—there they build their own Railroads and develop their own resources, without asking for public aid.

Mr. CHURCHILL said that he hoped the important subject of opening up the crown lands of the Province would receive greater attention

at the hands of the government, than had previously been the case. He had frequently urged the necessity for some improved system being adopted but without success.

Hon. PROV. SECY. said that there was great force in what the hon member for Richmond had said as to the injustice of demanding the same amount for grants of small areas as for large tracts. He hoped that the Committee on Crown Lands would take the matter into their consideration and bring it before the House.

The House adjourned until 3 o'clock on Monday.

MONDAY, 20th Feb.

The House met at 3 o'clock.

MISCELLANEOUS.

Mr. BOURINOT introduced a bill to amend the act incorporating the International Coal Mining Company. Also, bill to incorporate Clyde Company. Also, petition of Marshall Bourinot and Hugh McLeod, junior, in reference to opening a harbour at Miré, and a bill in accordance with the prayer thereof. The two former bills were read a second time, and referred to the Committee on Private Bills.

Hon. FIN. SEC. introduced a bill to incorporate the Acadia Coal Company, which, on his motion, was read a second time, and referred to Committee on Private Bills.

The hon. gentleman also laid on the table certain Petitions on Postal Matters which were referred to the Committee on P. O. in accordance with the practice of the House.

Mr. BLANCHARD presented a petition from Inverness favorable to Assessment for the support of schools. Also petition asking for delay in the question of Confederation.

Mr. COWIE presented a petition from Port Matoun, Queens Co., against the school act. He also handed the following petitions to the Financial Secretary—one from the inhabitants of Liverpool asking for a light house at Little Hope; another from the inhabitants of Port Medway, and Mill Village, for a special grant for a road in the northern district; a third from Mill Village, praying for a grant to construct a public landing.

Mr. LEVESCONTE asked leave to present, and refer to committee on navigation securities, the petition of Rev. James Ross, &c., of Grand River, in reference to the deepening of the entrance of the river; but as it asked for a money grant, it was not received, but referred to the Financial Secretary.

The same hon. gentleman also called attention to a petition from the inhabitants of Barrasois, praying for assistance in removing a bar from the river; also to another from St. Martell, mail carrier, praying for additional compensation.

Mr. PRYON presented a petition from D. Hallisay, of Beaver Bank, asking for compensation in connection with a wood contract with the railway department. In accordance with the practice, it was referred to the railway committee.

Mr. SHANNON presented a petition from several parties in Lower Prospect against the practice of trawl fishing. Referred to fishery committee.

Mr. BLANCHARD presented a petition from persons at Little Mabou, &c., asking for the passage of a law on the subject of setting

nets. He thought a general law ought to be framed to apply to the whole province.

Mr. S. McDONNELL hoped that steps would be taken to carry out the prayer of the petition, as it dealt with a matter deserving of the serious consideration of the House.

The petition was referred to the committee on the fisheries.

Mr. BLANCHARD introduced a bill to incorporate the Virgin Lodge of Freemasons.

Mr. P. SMYTH handed to the Financial Secretary a petition from the inhabitants of Malagawash asking for aid to open a boat canal to River Denis Basin.

THE REVISED STATUTES.

Hon. ATTORNEY GENERAL stated to the House that he had the pleasure of informing them that the Revised Statutes were now published, and in the course of a few days would be ready for distribution. He stated that he had looked over the work, and considered it most creditable to all those concerned in getting it up. He alluded especially to the valuable character of the Index that had been prepared after a great deal of trouble, and considered it would compare favorably with similar works in any part of America. He also stated that he would lay the copy he held in his hand on the table for the consideration of gentlemen, and that in a few days it would be declared the law of the land.

Mr. CALDWELL was glad to see the hon. Attorney General so prompt in laying on the table of the House the new Revised Statutes, which he enquired for a few days ago, and only trusted they would meet the requirements of the country. While up he would ask the hon. Attorney General did the government intend to furnish the magistracy of the province with a copy of the new book *gratis*. It was well known to the House that the two last editions were purchased by the magistrates heretofore, and he was of opinion it would be unfair to make them pay for legislative errors which no doubt had caused the revision of the present volume.

Hon. PROV. SECY. said that to carry out the proposition of the hon. gentleman would incur a very large pecuniary outlay.

Mr. ARCHIBALD was understood to allude to the hurried manner in which some of the statutes had been passed last session, and to the probability that some mistakes might be found in this work notwithstanding all the pains taken with it by the gentlemen to whom it had been entrusted. He thought that, perhaps, the work might be referred to a committee of the House for their consideration.

Mr. BLANCHARD said that one or two trifling incongruities might be found in the work arising from gentlemen having introduced amendments to a statute without having considered the whole as it was before. The gentlemen to whom the work was entrusted did not feel at liberty to interfere with what the Legislature had done. Most of the incongruities would be found in the Magistrates Act, which had been a subject of much discussion in the House for several years past. He expressed the feeling of the Committee as to the valuable assistance afforded them in the preparation of the work by the late Mr Chas. Harrington, Q. C. He also alluded to the care exhibited by the printer throughout in the publication of the Statutes. The work would be

found not only to contain the General Revised Statutes, but the legislation of last winter as well. He trusted that the House and country would bear with any trifling inaccuracies that might be found in the work.

Mr. BOURINOT alluded to the opposition which the bill he had introduced to extend the jurisdiction of Magistrates had met from members of the legal profession in the House. The House, however, last year having approved of the principle of the bill, the hon. leader of the opposition promised to do his utmost to perfect its provisions. The hon. gentleman who was now judge in Equity also gave a promise to the same effect. Therefore if the bill was not as perfect as it should be, no one was to blame except the gentlemen of the bar themselves.

Mr. MILLER asked if it was the intention of the Government, this year, to bring in a bill in reference to the collection of debts by Magistrates as the hon. Mr. Johnston had stated last session that he would move in the matter. He did not think the hon. member for Cape Breton could take much credit to himself for this bill, but that it was obnoxious to a majority of the people. If its provisions were to be carried out by men of integrity and knowledge, he would not say anything, but the magistracy contained men who were a disgrace to it.

Mr. BOURINOT said that the same thing could be said of the legal profession.

Mr. MILLER did not deny that such was the case, and went on to say that the hon. gentleman would find that the credit he appeared inclined to take for the bill was altogether premature. He did not consider that the hon. gentleman was entitled to any consideration from members of the legal profession in the House, after his frequent attacks upon them.

Mr. BOURINOT said that it was amusing to notice the air of patronage which the hon. member invariably assumed when he addressed the House. He was satisfied that the country was quite content with the measure—so much so, indeed, that he felt inclined to bring in a bill to increase the jurisdiction to fifty pounds.

Mr. S. CAMPBELL said that the present discussion was altogether premature, and asked for information as to the quantity and price of the edition of the R. S.

Hon. ATTORNEY GENERAL stated that he would willingly lend his aid to perfect any bill in reference to the matter spoken of by the hon. member for Richmond. He hoped the day was not far distant when the whole body of magistrates would be relieved from the duty of collecting debts and some more satisfactory machinery provided than was now in existence. In answer to the question put by the hon. member for Guysborough, the hon. gentleman stated that it was proposed to strike off two thousand copies, and that the price would be \$2 each. He also thought that any magistrate who did not provide himself with a copy, would not be treated very harshly if struck off the roll.

Dr. HAMILTON alluded to the former editions of the Statutes, and to the necessity that arose continually for making amendments in them. Looking at the experience of the past he was inclined to believe that the country would never have a satisfactory edition of the

Statutes until they were prepared by laymen in connection with members of the legal profession. He trusted, however, that the present work would be found as satisfactory as was anticipated it would be by the hon. member for Inverness.

Mr. BLANCHARD did not mean to convey the impression that the work was perfect, but he could say that it was the result of a great deal of labor. It would be remembered by the House that the hon. member for Kings, for a few days last session, professed a great desire to assist in the revision, but he soon got tired of the work. The hon. gentleman would not deny that in his own profession of medicine, new works were continually coming out, and new modes of treatment suggested.

Hon. PROV. SEC. said that to refer the work to a committee as suggested by the hon. member for Colchester would be tantamount to making another revision. He hoped if that were done, they would turn their attention to an act which was at present giving the government a good deal of trouble—that is the chapter on "Public Instruction." (Laughter.)

The subject then dropped after a few words from Mr. Archibald and the Attorney General.

SEPARATE SCHOOLS FOR COLORED PEOPLE.

Mr. JOHN CAMPBELL presented a petition from a number of colored inhabitants of Queen's County asking for separate schools.

Hon. PROV. SEC. said that he was glad that this petition had come from the colored people themselves; for it alluded to a matter well worthy of the consideration of the House of Assembly.

CONFEDERATION.

Mr. PRYOR presented two petitions from the county of Halifax praying that no action be taken in reference to Confederation until the wishes of the people have been expressed at the polls.

RAILWAY TO SYDNEY.

Mr. SHANNON reported up from Committee on Private bills, the bill to incorporate Sydney & Louisburg Railway Company, with amendments. One obliges the Company to pay up 25 per cent of the stock, and another requires them to hold their meetings of Directors in this province.

Hon. PRO. SEC. said, in reference to the last amendment, that the committee appeared to have introduced narrower restrictions than the bills of incorporation passed last session.

Mr. BOURINOT said that the other companies in Cape Breton had the right to meet in United States as well as in this province, and he did not see why the present company should be restricted in the way proposed.

Mr. ARCHIBALD thought it would be invidious to place such a restriction upon the present company.

Hon. Mr. SHANNON said that the committee were unanimous on that point, understanding that difficulties had occurred under the previous bills. The gentlemen interested in the bill, however, had not been consulted in reference to the matter.

Hon. PRO. SEC. thought it would be advisable for the Committee to ascertain from these gentlemen their views on the subject, and suggested that the hon. Mr. Shannon do not report the bill up until the Committee enquired in reference to this point.

Mr. TOBIN was inclined to favour the amendment, and expressed his opinion that the 25 per cent. on the stock should be paid in Nova Scotia currency, not in greenbacks.

Hon. Mr. McFARLANE pointed out certain provisions in the bill which might be considered to protect sufficiently individual interests in this province, and stated he did not think the amendment proposed at all necessary.

Hon. ATTY. GENL. was opposed to obliging these gentlemen to hold their meetings in this Province. The Mining Association, it would be remembered, held their annual meetings in London.

Mr. BLANCHARD stated that the 25 per cent would of course be payable in our currency, and not in greenbacks.

The question then dropped—the bill not being finally reported up.

ANSWER TO ENQUIRY.

Hon. PRO. SECY. laid on the table the reply of the Commissioner of Railways to the question asked by the hon. member for Guysboro' with the papers relative thereto.

CORRESPONDENCE ON CONFEDERATION.

Hon. PRO. SEC. laid on the table correspondence relative to the Union of the Colonies, which were read by the Clerk.

In answer to a question by Mr. Locke, the hon. Prov. Sec. stated that these despatches embraced everything that was of importance in connection with the subject of Confederation.

ENQUIRY.

Mr. MCKAY asked the Government to lay on the table of the House the Engineer's Report of the survey made last summer of the several lines for the New Glasgow Railroad, and shew cause why Mr. Laurie's line has been abandoned, and a longer line of no better grades and curvatures adopted; also, the length and estimate of cost of constructing each line. The hon. gentleman expressed his dissatisfaction with the line that had been adopted.

DISCUSSION OF THE UNION QUESTION.

Mr. MILLER enquired whether it was the intention of the government to discuss the question of the Union of the Colonies at an early day, or whether it was intended to give due notice.

Hon. PROV. SEC. replied that the government had no disposition to press the subject hurriedly upon the consideration of the House, but due notice would be given them when it would be brought forward. In the meantime he had directed extra copies of the correspondence to be printed, so that the members would have ample opportunity to inform themselves upon the subject.

Then the House adjourned until 3 o'clock the next day.

TUESDAY, Feby. 21st, 1865.

House met at 3 o'clock.

RAILWAY AND MINING COMPANIES.

Hon. Mr. SHANNON, from the Committee on Private Bills, reported up the Bill which he had withdrawn on the previous day; to incorporate the Sydney and Louisburg Railway Company, as originally introduced, i. e., giving the Directors power to hold their meetings either in this Province or the United States.

Also a Bill to incorporate the Caledonia Coal Mining Company; and a Bill to incorporate the International Coal and Railway Company; and the Clyde Coal Mining Company, with some verbal amendments.

MILITIA ENQUIRY.

Hon. PROV. SECY., by command, laid on the table the reply of the Adj't. Genl. to the question asked, on a previous day, by the member for Digby, (Mr. Colin Campbell).

[Mr. Campbell had asked the Government to inform him as to the reasons why Captain James Stewart, of Clare, Digby County, could not get the sum of \$30, recommended by the Committee of the House, on the 29th April last. The reply of the Adj't. Genl. was to the effect that, not having been specially ordered to do so by the Commander-in-Chief, to whom he was immediately responsible, he had not felt it his duty to pay the amount.]

Mr. COLIN CAMPBELL said that he was not at all surprised at the nature of the answer given. It was just what he had expected; and one reason he had in bringing the subject forward, was to ascertain whether there was a power superior to that of the Legislature. He thought it was quite time that the government should take the matter in hand, and let the Adjutant General know that he must obey the House. The facts of the case were simply these: Captain Stewart being almost the only commissioned officer of the militia in Clare at that time, received orders from the Adjutant General to enrol the men. He at first declined, being physically incapacitated from doing much work; he received a second letter, and, if he mistook not, a third, insisting upon his acting; and, finally, thinking he was obliged to do so, he performed the duty, which took him thirty or forty days; and he had never received a sixpence to this day for his services. He (Mr. C.) had placed the matter before the Adjutant General, but no notice was taken of it; and he had finally brought it before the committee of the House, who had reported in favor of Capt. Stewart receiving \$30. And, although that report had been regularly adopted by the House, the money had not yet been paid. It was quite time the House and the country understood the position they stood in as regards militia matters. And it was with that view he now brought the subject up.

Hon. PROV. SEC. was not surprised that the member for Digby should feel strongly upon this subject as there was no doubt that the case presented was a strong one—and the party did not seem to have received that consideration he was entitled to. He thought that some of the delay might have occurred from the change in the personages who filled the position of Commander-in-Chief. He remembered having brought the subject to the notice of the late Administrator of the Government, and he certainly thought that the money had been paid. There appeared to be some incongruities in the system, and there were some points raised by the Adjutant General which were worthy of the consideration of the committee on militia affairs. He trusted that that Committee would take measures by which this liability, which was justly due, should be discharged.

Mr. MILLER had a claim of a somewhat similar character, but could receive no satisfaction whatever.

Mr. COLIN CAMPBELL reiterated his opinion that it was necessary that some change should take place in the militia system. The Government would have to take a deeper interest in these matters.

Mr. STEWART CAMPBELL always felt annoyed when the deliberate action of the house upon any matter was set at naught by anybody. The authority of the house should be supreme, and it was the duty of every one to see that its directions were carried out. This case presented peculiar claims for the consideration of the House. An individual had preferred a claim for remuneration for his services, which was referred to a committee of the House who had reported in favor of its being paid. He (Mr. C.) considered that the moment that was done, there should have been no further delay in the payment. He did not know the circumstances of the applicant; but it might have been a case in which the delay in payment might have resulted in great inconvenience and loss. If the Adjutant General was so particular and careful as to exceed his authority, he would like to know how that officer ventured to telegraph to parties in the country inviting them to attend a Militia Court in this city, and to state that their expenses and they themselves would be paid. He (Mr. C.) had examined the law under which this Court was professed to be held, and he had no hesitation in saying that it contained no authority whatever for holding such Court, nor for paying a single penny for its expenses. If the Adj't. Genl. was so much influenced by the fear of exceeding his authority in the one case, he should be equally cautious in the other.

The matter was referred to the militia committee.

BILLS AND PETITIONS.

Mr. BOURINT asked leave to introduce a bill to amend the act to incorporate the Glace Bay Mining Company—read a first time.

PETITIONS.

Mr. BLANCHARD presented a petition praying aid to construct a bridge over Margaree River, accompanied by a subscription list.

Mr. STEWART CAMPBELL presented a petition from inhabitants of Indian Harbor, for additional mail accommodation; also from inhabitants of St. Mary's River, for aid to remove obstructions from the river; also from the inhabitants of Guysborough, against the proposed federation of the colonies.

RAILROAD LIABILITIES.

Mr. CHURCHILL said that as he observed the hon. Attorney General in his place, he would like to ascertain what progress the Crown officers had made in enforcing the payment of the sum of \$400,000, which the city of Halifax had assumed voluntarily by the act of 1853. He considered that this was a question that the province of Nova Scotia was deeply interested in, and he was at a loss to understand the backwardness various governments had exhibited on this important subject. He thought it was quite time that this question should be brought to an issue; and that the people should be no longer kept in suspense in reference to the payment of this sum. He held in his hand the act, which he would read, shewing that Halifax is liable by law for this sum.

The hon. gentleman read the section of the act, and said that, at that moment, the Sheriff of the County of Hants was adopting extreme measures to enforce the payment of the tax for the right of way of the railroad, and the excuse given by the people for non-payment, was that Halifax had failed to carry out her pledges. It was true that Halifax had paid for the right of way, but that in comparison with what the people of Hants had to pay, was nothing. He had advised his constituents not to pay, until the City of Halifax had fulfilled her obligations; and he thought it was quite time that the sum should be paid. He hoped that before the Pictou Railroad was under contract, that the Annapolis road would be commenced; and he trusted that this government would live to see it completed. There seemed to be a determination on the part of every government but this, to keep themselves in power by any means, but this government seemed to be drifting about they did not know where. He thought that the people of Halifax did not do themselves much credit in refusing to pay this sum, and he hoped that the Crown Officers would take steps to bring the matter to a speedy issue.

HON. ATTORNEY GENERAL explained in reference to the delay that had occurred, that it was only shortly before the sitting of the Court in April last that he had been appointed to the office he now held, and as it was a question of some magnitude, he did not feel that he would be doing justice to it if he brought it on then. His absence from the Country in Canada upon public business had prevented him from bringing it before the Court in October—but it was his intention to prosecute the matter at the next sittings of the Court. He did not think, however, that much had been lost by delay. Any one conversant with the matter was aware that the reason given for the repudiation of this debt was, that the contract with the city had not been fulfilled. He would not say whether this was a legal objection or not—but rightly or wrongly the citizens say that they assumed the liability upon the faith that the road would be carried to Pictou and the Gulf of St. Lawrence on the one side—and to Victoria Beach and the waters of the Bay of Funday on the other—and that this had not been done.—If the road was carried in those directions the only objection raised by the city would fall to the ground and in equity as well as in law she would be bound to pay the sum. As regards the refusal of the people of Windsor to pay the tax for the right of way on the ground that the area taken for the station was larger than required, he would remind the member for Hants that the government taking that into consideration had sold a part of the farm at Richmond and had applied the proceeds towards the payment of the ground at Windsor. The government had endeavoured to make the collection of these rates as easy as possible, but the sheriff had reported that when he had levied upon property nobody would bid upon it at the sale. He was sorry that the Hon. gentleman had advised his constituents so badly, as however, wrong the City of Halifax might be, that was no excuse for the County of Hants refusing to pay its obligations.

Mr. ARCHIBALD said: that the late government had endeavored to collect these rates at Windsor, and had ordered the Sheriff, in case no person would bid for the articles levied

upon, to take them to another place for sale, which was done in one case. He regretted the position assumed by the member for Hants, for whatever blame might be attached to Halifax, that did not exonerate Hants from her just obligations. The government should take prompt measures to enforce the law, for no government was worthy of the name that allowed the law to be set at defiance. As regards the city of Halifax he had always felt that she ought honorably to discharge her obligations. The late government had put the matter into a shape to enforce its collection, and he hoped that the present government would take early measures to obtain a judicial decision upon the question.

Mr. TOBIN said that hon. gentleman seemed to think it popular to make an attack upon the city of Halifax. Now, as regards this question, he would remark that he thought it exceedingly wrong to raise this discussion at that time, inasmuch as the matter was before the Court; and until a decision was given, he thought that nothing should be said to prejudice the case. He might state, however, that nothing had ever been done by the city of Halifax, in its corporate character, to bind it to the payment of this money. It would be quite time for hon. gentlemen to charge her with repudiation, when the proper tribunal had decided that she was liable.

PETITIONS.

The hon. gentleman presented a petition of William Carroll, of Beaver Bank, who complains that his lands had been taken for railway purposes, without his having received any compensation. The petition was referred through the Finl. Sec'y to the Railway Commissioner.

Mr. CHAS. J. CAMPBELL presented a petition from the Fishermen of Cape North, complaining of the trawl fisheries. Also, from Donald Cameron, an aged teacher, for a free grant of land. Also, from the Superintendent of St. Paul's Island, for aid for the support of a school.

Mr. BLANCHARD said that it had been decided to place St. Paul's on the same footing as Sable Island.

Mr. ROSS said that when that took place, he had asked for the same regulations to be extended to Scattarie. He would like to know why that was not carried out.

CAPE BRETON AFFAIRS.

Mr. C. J. CAMPBELL also presented a petition from Angus Smith and others, asking aid for making an artificial harbour on the North shore; also from R. McLeod, ferryman at Big Bras d'Or, for additional aid; also from Archibald McDonald, on the same subject; also from Angus McLeod and others, residents on Hunter's Mountain, complaining of grievances in relation to charges made for crown lands.—The hon. gentleman explained that under the provisions of the act of 1859 for quieting titles in Cape Breton, the government were authorized to appoint commissioners to value these lands and report to the Government. The petitioners complain that their lands have been valued too highly and pray that the sum they are required to pay should be reduced. The late government (the hon. gentleman continued) had sent a creature from Halifax to extort the last shilling from the people, and some of them had to sell the last cow to pay what was demanded. The present government had not

carried out the intention of the law, and the petitioners pray to have their grievances redressed. While upon his feet he felt it his duty to allude to a matter of somewhat delicate nature. He believed that the object in having an official reporter to the house was that the country might obtain correct information as to what was going on so that public opinion might be brought to bear upon the action of members of the house. If that was not the case, they might as well go back to the old council of twelve, and sit with closed doors. He was sorry to say that the object contemplated had not been carried out; and he should like to know whether the government put their hands upon the reporter and directed him what to publish and what to repress; or whether he was influenced by those whose conduct might be under the review of the house. He was induced to make these observations in reference to a case of great importance which he had brought before the house last session, in connection with the mines at Glace Bay, which involved the integrity of a subordinate officer of the government; and, although the matter was fully debated, to his utter astonishment not a word of it appeared in the reports. If the reporters were to be influenced by the government, or those whose conduct was under consideration, they had better go back to the old system, and let each newspaper give its own version of the proceedings. The reporters should report everything verbatim, and they were not to judge of what should go to the country or not. He had just as much right to have his remarks reported as the Attorney General or anybody else. The hon. gentleman complained in conclusion of the undue preference which he stated was given to foreigners in regard to application for coal mines—and alluded to the sharp practice pursued by government officials in altering dates to favor certain applicants.

Hon. PROV. SEC. said that if the hon. member for Victoria entertained the suspicion that the government used any influence with the reporters to suppress the debates, he was glad that he had given expression to it, as it afforded an opportunity of giving an unqualified contradiction to it. Since the house had engaged the services of official reporters the government had not used the slightest influence over them, and had given them no directions save to give as full and correct an account of the proceedings as was possible. And he had especially impressed upon them the necessity of giving prominence to those gentlemen who did not often address the house, when they brought forward subjects in which they or their constituents were personally interested. It had been found impracticable to carry out the system of verbatim reporting to its fullest extent, as it would be impossible to find room to publish the reports in that form. He regretted that the debate referred to had been omitted, but he presumed that it had occurred in consequence of the advanced period of the session when it had taken place, and the great length to which the debates had grown during a very protracted session. As far as the government was concerned they had no wish to prevent the fullest publication of their action upon any subject. He believed that the case of which Mr. Campbell complained was one of some hardship, but he thought it was more the result

of accident than design. While upon the subject of reporting he would say that any one who took up the debates of last session must allow that the service had never before been brought to such a state of efficiency, and he thought that the way in which the work had been performed was exceedingly creditable to the officer who had charge of that important department. There was another subject to which allusion had been made by the member for Victoria and he was sorry to perceive the tone in which it was done. He referred to the introduction of foreign capital in developing our resources. With the exception of that hon. member and a few others, there was no doubt that we were indebted to the skill, enterprise and wealth, of foreign capitalists, in opening up the resources of our country, and so far from regarding them with feelings of jealousy, he was disposed to meet them in a generous spirit, and to afford them every assistance in carrying out their views. As regards the important act for quieting titles in Cape Breton, he would say that there had been every disposition on the part of the late Government and present to carry it out in its integrity, and he thought that they were not open to the charge of dealing illiberally with Cape Breton in the matter. Under the act every dollar that was received from the sale of these Crown lands instead of going into the general revenues, was expended upon the roads in the section where the lands were situate. Not only was the Act liberal in its spirit, but it had been liberally carried out.

Mr. ARCHIBALD regretted to hear such observations as had fallen from the hon. member for Victoria. He was sure that there had been no desire on the part of any one to do the hon. member any injustice, and he was sorry to hear him state, on the floors of the House, his opinion that subordinate officers of the Government could make deliberately false statements. He (Mr. A.) was sure that whatever mistakes had occurred were merely the result of accident. When the hon. gentleman undertook to speak in reference to this matter in the strong terms he had used, he was acting in a manner unworthy of him. With regard to Cape Breton, he believed that both parties in the House had always been inclined to do that island justice. It had been, indeed, favored, in respect to land, in a way that Nova Scotia had never been treated. In Cape Breton, after disputes had arisen in respect to boundaries, &c., an officer was sent down by the Government to settle the difficulties, and instead of requiring that the money for the lands should be paid immediately, three years were given for payment. He thought that a most essential benefit had been conferred upon the island by the steps that had been taken to carry out the law passed in the session of 1859. The officer who had been sent to Cape Breton had been able to settle a great number of claims that would have been otherwise a source of trouble for years to come. He could not feel that it was right, then, for gentlemen representing Cape Breton to come up and endeavour to create the impression that there was any attempt to do an injustice to Cape Breton. He thought that the hon. gentleman, in the remarks he had made, had been influenced by the feeling that he had suffered a personal injury, but he was quite sure that the House itself, in the decision it had given last year had been guided by a

spirit of fairness. A committee, however, had placed the facts before the House, and it was in the power of the hon. member to revive a discussion on the subject, if he desired it.

Mr. MILLER stated that he had been chairman of the committee in question, and considered it his duty to say in justice to an absent officer that the remarks which had fallen from the hon. member from Victoria, in the heat of the moment, were not altogether warranted by the facts of the case. The committee had closely investigated the charge made against the department, and came to the conclusion that there was no evidence adduced that the mistakes in reference to the dates were other than the result of accident. He thought, however, that it would have been advisable if the debate had been published fully; but he did not for a moment attribute to the officer in charge of the reports any improper motives. He presumed that it had been found necessary to omit the debate in consequence of a press of matter which was considered by the reporter of more general importance. Every one in the House, he was sure, would bear testimony to the impartial manner in which that officer had always endeavored to discharge the duty entrusted to him.

Mr. C. J. CAMPBELL said that if he had had an opportunity of bringing up the conduct of the officer in the Crown Lands the verdict given would have been very different. The committee, it would be remembered, were not judge and jury. He considered that he had been quite justified, under all the circumstances of the case, in censuring the conduct of the officer in question, for no man in his sound senses could have altered facts and figures in the way they were in the case in question. If that officer were capable of such conduct, then he was not fit for the position he held. As respects the Act of 1859, it would be seen by reference to its provisions that it had not been strictly carried out. Commissioners in each county were to be appointed, who were to report to the Government the value of the lands that were not granted, and the amount realized in their sale was to be expended for the benefit of Cape Breton; but not one dollar had been spent as yet. Instead of getting credit for this act, he had been actually blamed for passing what was injurious to the people. The reason why it was so considered was, that it was not carried out as it should have been. In conclusion, the hon. gentleman denied that Cape Breton had been more favored than Nova Scotia. The fact was, that in many cases the people had been called upon to pay for land for which they had already paid.

Hon. FIN. SECRETARY said that if it were true that a person was called upon to pay for land twice, then a manifest injustice was committed, but he was sure that the act in question never contemplated any thing of the kind.—The operations of that act were intended to be of benefit to Cape Breton, and he considered it was entitled to the praise, rather than the censure of gentlemen. At the instance of the Legislature the period of payment for these lands had been actually extended from three to five years. Surveys had been made, titles perfected, limits defined, and all disputes settled, and persons holding the land had five years to pay for them. And more than this, the net proceeds arising did not go into the treasury for the general benefit, but were set apart for the

opening up of new roads in Cape Breton. In respect to the other matter referred to, he believed that the hon. member for Victoria had not received that justice to which he was entitled, though he did not think that the omission to report the debate had originated from any desire to injure the hon. gentleman. He thought that if the question had been fully reported, it might have the tendency to prevent similar mistakes occurring in the future. It was right, however, for him to add that as far as his own knowledge went, the head of the Crown Lands Department was always anxious to do everything in his power to discharge his duty faithfully.

Mr. S. McDONNELL said he could not agree with hon. gentlemen as to the advantages Cape Breton received from the act in question. It had been insinuated by some hon. gentlemen that the inhabitants of Cape Breton enjoyed the profit of the money paid for these lands themselves. This was the first time that the matter had been brought to his notice, and he was determined that the country should know what amount of money had been enjoyed by Cape Breton. He would therefore request the Government to lay on the table information in respect to the amount paid into the Treasury from the four counties of Cape Breton under the act in reference to the settlement of titles in Cape Breton; also a return of the amounts expended in the island in pursuance of the 10th section of that act, and for what purpose.

Hon. PROV. SEC. replied that the law provided that the inhabitants of Cape Breton were entitled to have the net proceeds expended in the island. If the money had not been expended, the island was certainly entitled to it.

Mr. BLANCHARD said that in the book he held in his hand (the new edition of the Revised Statutes) it would be seen that the law provided that Nova Scotia should exactly enjoy the same privilege as Cape Breton with regard to the laying out of crown lands hereafter. The crown lands, under the 26th chap., were to be laid off in 100 acre lots, and the amount derived from their sale laid out in the opening of roads through these tracts. The act applied to the other settlers in the country as well as to emigrants. He thought the money alluded to by his colleague should be expended as provided by the law.

Hon. FIN. SECRETARY said it would be found that as yet there were no net proceeds to be expended. The law provided that the parties holding the lands should have three years to pay for them, and that period had been subsequently extended to five. When this term expired then Cape Breton would be able to obtain the expenditure of the money in the manner proposed. At present Cape Breton was actually indebted, he thought, to Nova Scotia for the expenses incurred in settling the disputes, making surveys, &c., in the island.

Mr. LEVESCONTE said that he must protest against the supposition that the act in question had been of any advantage to his county. If it had not been passed individuals occupying lands on the coast and harbors in Richmond could have gone to the Crown Lands department, and obtained a grant of 100 acres for ten or twelve pounds. As it was, however, a commissioner had gone down to Cape Breton, and the result was that parties had to pay as much for a small lot, perhaps only an acre or half an acre, as for the larger amount of 100 acres.

Mr. MILLER stated that he had been glad to hear the Provincial Secretary say, the other day, that it was not fair that the parties alluded to should have to pay as much for small as for large tracts. He thought that if there was any class of men who were entitled to the consideration of the House, it was the fishermen; and that it would not be going too far to give them free grants of land. Other classes of the people received much assistance from the Legislature, and it was only right to give some direct encouragement to the valuable class engaged in the fisheries of the Province. He was on the Crown Lands Committee, and intended bringing this subject under their consideration.

Mr. BLANCHARD hoped that the hon. member would not forget the claims of the people in the county of Inverness.

Mr. ARCHIBALD said that he acquiesced in the justice of the remarks made by the hon. member for Richmond in reference to the small tracts of land in question. He must express his opinion, however, that the island of Cape Breton had been dealt with in a spirit of liberality. He also believed that the hon. member for Inverness labored under a mistake as to the law he had referred to. Any man in possession of a tract of land in Cape Breton had not only the right of priority of application, but could obtain it on remarkably easy terms,—in fact, having five years to pay for it. Parties in Nova Scotia proper received no such advantage.

Mr. BOURINOT would like to hear from the hon. member for Colchester whether Cape Breton had been placed on an equal footing with Nova Scotia proper in regard to governments and other matters.

Mr. ARCHIBALD would say that it had always been the desire to deal with Cape Breton in a spirit of generosity and fairness.

Mr. BOURINOT would like to ask the hon. gentleman a question on the subject.

Mr. ARCHIBALD preferred not being interrupted, and asked the hon. gentleman if he wished to excite sectional jealousies in this country. He thought the hon. gentleman would be entitled to more credit, and would possess greater weight, if he recognized the spirit which it was desired to exhibit in reference to the island in which he professed to take so deep an interest. He did not like to see these continual attacks made upon the legislature, and jealousies excited. He was glad to see Cape Breton exhibiting so many signs of progress and prosperity, and felt confident it was the desire of all to do everything that could promote her interests.

Mr. BOURINOT said that he merely rose to state that he was not to be drawn into a premature discussion of a topic in which the people whose interests he represented were so deeply concerned. It was his intention to reserve his observations to a future day, when he hoped to be able to prove conclusively from the public records, and from actual facts, that he was perfectly justified in the position he had taken in reference to Cape Breton. When the proper occasion arrived, he hoped to be able to make out a case that the island had not received that full justice to which she was entitled. Passing by this question, therefore, for the present, he would merely say that he wished to inform the House that the Provincial Secretary had permitted the use of the library

for the purpose of exhibiting the plans and surveys of the proposed railway to Sydney and Louisburg, which had been prepared under the superintendence of eminent engineers.

Hon. Mr. SHANNON would be glad when the field day promised by the hon. gentleman arrived, so that this Cape Breton question might be disposed of in some way or other. He contended that Cape Breton was only a part of Nova Scotia—was a mere geographical term; and that it was injurious to the public interests for gentlemen to endeavor to excite these sectional jealousies. He instanced the position assumed by O'Connell in the House of Commons as proving the evils that arise from the agitation of sectional prejudices.

Mr. MILLER said that the members for Cape Breton would not allow the member for Colchester or Halifax to dictate what course they might think it proper to adopt in reference to matters affecting that island. The hon. member for Colchester stated that Cape Breton was getting attentive consideration from the Legislature, but would he answer how was she getting it? She was obtaining it only through the urgent appeals and representations of her representatives for justice on her behalf. If they did not continue that course, she would never obtain that consideration to which she was entitled. It was a very easy matter for gentlemen to be lavish in compliments to Cape Breton, and to express a desire to advance her interests; but the people of the island would prefer actions rather than words. Did not the House know that whenever the subject of the St. Peter's Canal came up, some hon. gentlemen could only refer to it with sneers? In fact, the name of Cape Breton could hardly ever be mentioned in the House without some contemptuous allusion being made in reference to her by gentlemen from Nova Scotia proper. But the hon. gentleman said—See what a disposition was exhibited to do justice to Cape Breton in connection with the bill to construct a railway to Sydney! An act of incorporation was asked for, and, because the House did not refuse it—did not refuse to allow persons from abroad to invest money in this country for the development of resources at which our own people looked askance, the people of Cape Breton were to be congratulated on the spirit of fairness that actuated the Legislature in reference to her interests! He would tell the hon. member for Colchester that Cape Breton had never received from the House that justice to which she was entitled; but he thought he saw some indications, not only on the part of the Government itself, but members generally, to treat her differently henceforth. The hon. member for Halifax had alluded rather unfortunately to the case of Ireland, for O'Connell, no doubt had much reason for complaint. It was a very easy matter for Halifax to feel satisfied—Halifax for whose benefit a line of railway had been constructed at the expense of the Province—Halifax, which by her public meeting in Temperance Hall, had led astray public sentiment on this question of railways, which now pressed so heavily upon the extremities of the country—Halifax, which now so dishonorably repudiated her responsibility in these very works. It was very well for gentlemen for the benefit of whose constituency the Province had been saddled with a heavy deb, to say to outsiders, Be conten-

and excite no sectional feelings. Let the honourable member for Halifax, and other gentlemen agree to do justice to Cape Breton, and he would not be troubled with the appeals of her representatives in her behalf; but until this was done, they would never cease to raise their voices in assertion of her claims.

Mr. TOBIN said that if there was any country in the world that was enjoying remarkable prosperity it was Nova Scotia, including Cape Breton. He did not believe that there was any reason to say that any part of the Province had been unfairly treated, and thought that the whole difficulty had arisen from the fact of there being no member from the Island of Cape Breton in the Government.

Mr. BOURNOT denied emphatically that such were the motives that influenced the members from Cape Breton.

Mr. TOBIN said that the prosperity of Nova Scotia and Cape Breton was identical, and hoped no sectional jealousies would be excited. He was sure that any just claims Cape Breton had would, when urged, be acceded to, and that whenever an opportunity offered she would be represented in the Government.

Mr. S. MACDONNELL said that the assertion of the hon. gentleman only originated, as he admitted, from his imagination, and not from any facts within his knowledge. He did not think that there was any such spirit actuating the members from the island, and he believed that if they wished to be represented in the Government, a vacancy would soon be made. He did not approve of gentlemen making such a wholesale onslaught upon Cape Breton, because her representatives were urging her claims. As far as he was concerned, nobody could say he had ever been found doing more than his duty in the matter. If, when the estimates came down, it was found Cape Breton was not fairly dealt with, then there would be a proper occasion to go at length into the discussion of her claims.

Mr. C. J. CAMPBELL said he did not think that the Government occupied such an enviable position that any man should be desirous of being connected with it. He alluded to the unsatisfactory condition of the main thoroughfare in Cape Breton, and went on to express a wish that her representatives would continue to urge her claims to more consideration than she had hitherto received.

Mr. KILLAM said that the exhibition which had just been made would give some idea of the scenes that would continually occur in the General Parliament if the scheme of Confederation were carried out.

Hon. PROV. SEC. replied that he would only say, that if the voice of our 19 members in the General Parliament would be as potent as those of the Cape Breton representatives were now in the Assembly of Nova Scotia, he was perfectly satisfied with the position and influence this Province would have in the event of Confederation.

PETITIONS, ETC.

Hon. Mr. SHANNON presented a petition from the inhabitants of Upper Prospect, asking for the establishment of a semi-weekly mail.

Mr. D. FRASER presented a petition from Pictou in reference to a light.

Mr. JOST presented a petition, and a bill in accordance with the prayer thereof, to change

the name of certain places in the county of Lunenburg; also, a bill to legalize assessment in the county of Lunenburg.

The House then adjourned until 3 o'clock the next day.

WEDNESDAY, 22nd. Feb.

The House met at 3 o'clock.

PETITIONS, &c.

Hon. PROV. SEC., laid on the table correspondence relative to the Lieutenant Governor's cruise last summer to the Eastward.

Mr. BLANCHARD presented a petition from Long Point, Inverness, against the School Act.

Hon. J. MCKINNON presented 21 petitions, signed by 1600 persons in the county of Antigonishe against the scheme of Confederation.

Mr. TOBIN presented the petition of the Mic Mac Gold Company complaining of injustice in reference to the forfeiture of certain claims; referred to Committee on Mines and Minerals.

Mr. CALDWELL presented a petition from Cape Breton against Confederation.

Mr. J. MCKINNON presented four petitions from Antigonishe on the subject of the School Act. Also 2 petitions numerously signed, by persons in Antigonishe, Guysboro, and Arichat, respecting a road that is in contemplation between Port Mulgrave and Tracadie.

Mr. COWIE presented a petition from Mill Village, asking for the repeal of the present School Law.

Mr. ROSS presented a petition from St. Ann's against Union.

Mr. MILLER presented the petition of 600 inhabitants of Isle Madame, against the proposed Union.

Mr. BLANCHARD introduced a bill to incorporate the Central Mining Company.

Mr. CHURCHILL presented the petition of P. Cunningham and others of Windsor, and a bill in accordance with the prayer thereof, in reference to the incorporation of the Commercial Bank.

Mr. BILL presented a petition, largely signed by inhabitants of Kings, against the School Law. He stated that this made the seventh petition he had presented, and that he would not take any action on the subject until the bill the Government had in contemplation was before the House.

Mr. JOHN CAMPBELL presented a petition from Benjamin Johnston praying for supplies for a bridge; another for a road to improve the Milton River; and a third for repairs on a house and barn, on the road between Annapolis and Queen's county.

FINANCIAL STATEMENT.

Hon. FIN. SEC. laid on the table, by command of His Excellency, the annual trade returns, together with the public accounts connected therewith, and then went on to give the following digest of their contents:

In connection with these returns, I may say at the outset, I have great pleasure in being able to congratulate the house and country on the very great increase of trade during the past year to which these papers refer. Perhaps at no time in the previous history of the province has the same rapid development in every branch of commerce been exhibited. Not only has our natural resources been developed in every section of the country—not only do we see a great improvement in our coal and gold mines, but all our branches of

trade show unusual activity. These returns exhibit, among other things, a comparative statement of the value of imports entered at each port for 1863 and 1864. The imports, when we compare them, shew a remarkable state of increase in the trade and prosperity of the country. In 1862, the imports were \$8,445,042; in 1863, \$10,201,391; in 1864, \$12,604,642. The revenue derived from the imports up to Sept. 30, 1864, exhibits also a marked and steady increase. Here let me say that the house will understand that in consequence of an order of this house the financial statement exhibits the general trade up to the 30th of Sept., and therefore includes only nine months of 1864. I shall be able, however, before I close the few remarks which I intend to make, to exhibit a pretty accurate statement of the whole revenue receipts of the year up to 31st December.

To continue, the imports were \$12,604,642. Excise and Customs duty for the nine months of 1864, was \$692,818.70, against \$564,956.56 in 1863, being an increase of \$127,860.14. The light duty, within the same period, shows an increase of \$7,712.65—the amount in 1863 being \$28,163.20, and in 1864, \$35,875.85. The Imports, it will be perceived from these papers include trade in various parts of the world, and I have endeavored to classify them in as small a compass as possible, giving the countries from which the imports came. In 1863, the importations from Great Britain were \$3,875,693, and in 1864, \$5,407,843, or an increase of \$1,550,150. From the British American Colonies, the amount in 1863 was \$1,216,621, and in 1864, \$1,189,066, or a decrease of \$27,445. From the British West Indies, the amount in 1863 was \$286,280, and in 1864, \$440,767, or an increase of \$154,487. From the United States the amount of imports in 1863 was \$3,857,765, and in 1864, \$4,303,026, or an increase of \$445,261. From this it will be seen that the amount of imports from the States this year is about one million of dollars less than that from Great Britain. The amount of importations from other countries, reaches the sum of \$1,263,950, or an increase of \$298,118 over 1863. Adding the amounts I have given, you get a sum total of \$12,604,642, against \$10,201,391 for 1863, or an increase of \$2,403,251.

The exports from the country exhibit something like the same ratio of increase. In 1863 the exports were \$6,546,488 against \$7,172,816 in 1864, showing an increase in favour of this year of \$626,328. The amount, however, does not show all the exports sent out of the country, but it is as near the exact sum as it was possible to shew with the information at hand. It is noteworthy, however, that all through these returns, inaccurate as they seem in some respects, there was evidently a regular and consistent increase. In 1863, the exports to Great Britain were \$320,340, and in 1864, \$330,523, or a slight increase of \$10,183. It is hardly possible, I think, from the nature of things, that that sum represents the total of the property exported to the mother country from Nova Scotia. If it were true, then, we would have something like \$1,500,000 to pay for in cash or exchange. The exports to the B. A. Colonies was in 1863, \$1,854,643, against \$1,707,717, or a decrease of \$146,926 in 1864. To the B. W. Indies in 1864 it was \$1,899,031 or an increase of \$184,675 over 1863. To the United States in 1863 we exported \$1,869,772; and in 1864, \$2,-

446,770, or an increase this year of \$576,998. So that it will be perceived we export much more largely to the States than to any other country in the world. To other countries we exported in 1864, \$788,775 against \$787,377 in 1863, or an increase of \$1,398. Hence the total amount of exports is \$7,172,816 or an increase of \$626,328.

It is not necessary that I should go through all the items in the returns, but I may state that gentlemen on looking over them will perceive that a change has been introduced which had been instituted under the direction of the gentleman who last year so ably filled the position I now occupy. It makes a distinction in the entries, stating the duty on the total imports, and that portion of our importations that actually paid duty—that is the goods entered for home consumption. There is also in connection with the trade returns a financial statement, giving among other things a general return of the warrants drawn on the treasury during the nine months ending the 30th Sept.; an abstract of articles imported into and manufactured in this province, on which duty was collected during the same period; a general abstract of the returns of the excise duties collected at the different ports of the province; a comparative statement of the amount of excise duties collected at the different ports; a comparative statement of the quantities of articles subject to duty imported into, and manufactured in this province; a comparative statement of the amount of excise duties collected on articles imported into, and manufactured in this province; a comparative statement of the amount of light duty.

Then comes the Receiver General's account to the end of the financial year, showing a balance in hand of \$225,150.96. On the Customs and Excise duties there is an increase of \$127,860.14; on light duties of \$7712.65; on the railway revenue of \$15,126.57; on the gold fields of \$14,984.33; on the Crown Land Revenue of \$13,200.10; on the Post Office Receipts of \$5,868.00—making an increase from these sources for 9 months of \$184,751.79. There are other items in connection with our public resources which manifest an equally decided improvement in commercial relations. The royalty upon coal, for instance, I have been unable to get a detailed statement of the 12 months of 1863 and 1864, but have been obliged to content myself with the first nine months of the latter year. The royalty upon coal in the 12 months of 1863 was \$36,001.19; in the 9 months of 1864, it was \$37,867.30, or an increase of over \$1800. The Hospital for the Insane gives in the nine months of 1864 \$14,894.96, against \$17,420.31 in the 12 months of the previous year. The licences to search for and work mines was \$5,040.00 in 9 months of 1864 against \$1,690.00 in the whole of 1863.

The Excise revenue as I have stated was \$692,818.70. As hon. gentlemen know this is collected in shape of specific and ad valorem duties. The ad valorem duties in the period of 9 months appear to have considerably increased, whilst the specific have not increased in the same ratio. The specific duties in 1863 including Excise duty on Ale and Tobacco, amounted to \$294,539.44, whilst in 1864, they are \$313,582.18, being an increase of \$18,042.74. The ad valorem duty in 1863 was \$299,419.12 against \$379,236.52 in 1864, or an increase of \$109,817.40.

The large amount of specific duties arises from a very few articles. The total amount collected is \$313,582 18, of which \$274,448 80 is derived from five or six articles. For instance spirits of all kind yield \$136,101 44, or an increase of \$17,287 04 over 1863. Wine, \$16,019 30 or an increase of \$4280 14. Brown Sugar, \$39,459 48 or a decrease of \$1032 05. Molasses, \$32,271 80 or a decrease of \$3287 77. Black Tea, \$45,327 06, or an increase of \$3558 54. Tobacco, \$9125 90; Ale and Porter \$3951 42; Ale and Porter manufactured in this country \$2162 40. And the balance on all other articles paying specific duties is \$39,163 40.

I may here allude to a very valuable export—namely, gold. The receipts for the 12 months of 1864 is 20,018 oz. against 14,000 oz. in 1863. This amount calculated at \$18 per oz., or less than the actual value, gives \$360,324. I think this sum might be added fairly to the exports of the country. There is another branch of the exports of the country which we value highly as a maritime people—that is, the shipping. I am happy to say this interest shows a most gratifying progress. I shall now give a—

Comparative Statement of Vessels entered Inwards for 1863 and 1864.

	NO.	TONS.	CREWS.
1863,.....	6,038	712,939	45,064
1864,.....	6,621	853,389	45,989
Increase,.....	583	140,450	925

Comparative Statement of Vessels cleared Outward for 1863 and 1864.

	NO.	TONS.	CREWS.
1863,.....	5,705	719,915	44,952
1864,.....	5,853	776,460	41,357
Increase....	148	56,545	3,596
(Crews being less.)			

Comparative Statement of Vessels Registered to 30th September, 1863 and 1864.

	NO.	TONS.	ESTIMATED VALUE.
1863,.....	3,539	309,554	\$6,965,959
1864,.....	3,748	364,864	11,388,873
Increase....	209	55,310	\$2,422,914

Comparative Statement of New Vessels Registered in 1863 and 1864.

	NO.	TONS.	VALUE.
1863,.....	207	46,862	\$1,962,814
1864,.....	304	73,083	2,948,304
Increase	97	26,176	\$985,490

I shall not endeavor to give a perfectly accurate account of the revenue up to the beginning of the present year, but I have compiled statements which, I think, will enable the house and country to obtain a pretty close approximation to the actual state of our finances. I have already stated that the excise and customs duties up to the 30th Sept. was \$692,818.70. The same duties up to 31st December reach \$999,309.55, or within a shade of one million—showing an increase on the year of \$137,320.24. The increase on the light duty is, \$8,001.45; on the railway, \$19,122.44; on the gold fields, \$11,356.33; on the Crown lands, \$19,008.74; on the post office, \$8,032.90; I estimate the increase upon the coal fields at \$15,000. The total royalty of twelve months of 1863—including the Secretary's Office fees—was, \$41,933; for the nine months of 1864 it is \$40,778.35. Therefore, I estimate the increase

over the whole year at \$15,000. These items I have given embrace all the legitimate subjects of revenue receipts. I have not included the hospital for the insane, or the board of works, for I could not get a reliable statement from that department. From the services to which I have referred we derive an increase on the public receipts of the country of \$217,844.10 as compared with the previous year.

I have no doubt that these facts I have laid before the house, in as succinct a form as possible, will be viewed with great satisfaction by every gentleman, whatever his political leanings and opinions may be, and that he will congratulate himself on being able to give so gratifying an announcement of the satisfactory financial condition of the country to his constituents. And I can only add, in conclusion, that we are making rapid strides in all the elements of wealth,—and that the people of Nova Scotia enjoy, at the present moment, not only an amount of material prosperity, but also of happiness, in connection with all their affairs, that is not surpassed by any other country in the civilized world.

Mr. BLANCHARD: Has the Financial Secretary it in his power to give a statement of the localities from which the royalty on coal is derived? It is not given in previous years.

Hon. FIN. SEC.: I can afford the information at once.

Mr. BLANCHARD: I would like to know whether there is anything in the returns to enable the House to arrive at the true quantity of the goods actually entered for home consumption.

Hon. FIN. SEC.: An improvement in reference to this matter has been carried into effect. Looking at the Trade Returns, you see the value of goods entered for home consumption, and affording a comparison with the total amount of imports; but these returns are not as perfect as they might be in this particular. In the entries in the Custom House, they have not observed that correctness which would enable us to separate with anything like perfect precision the articles entered for home consumption. I trust, however, to be able to make a change in this respect hereafter. I may state it is utterly impossible to give the total value of exports in bond. I suggested when I entered the House first, whether it would not be advisable to obtain something like an accurate value of our exports; for the information given in the annual returns was not as full by any means as it ought to be. I do not think there would be any impracticability in making the required improvement in this essential particular. It must strike every one that exports such as shipping should enter into the Custom House.

Mr. LOCKE.—The same pains should be taken to give in the exports of ships sent for sale. The Canadian returns are very careful to give that important branch of industry.

Hon. PRO. SEC.—You can arrive at the fact; you know the amount of tonnage last year, and the amount of new ships built, and of those added to the registry.

Hon. ATTY. GEN.—There is a great deal of difficulty in getting the information asked for. There is a large amount of property shipped in this country which is never entered at the custom house. Parties should be forced to give correct returns.

Mr. TOBIN.—The question asked by the hon. member for Inverness is very pertinent. Some of the articles we import are warehoused, and others again not. We import a quantity of fish from Newfoundland; it is re-exported. Then again there is salt which is re-shipped to Newfoundland. A large quantity of other goods is also re-exported to the neighboring provinces. These goods are actually in the exports and imports, and it is very difficult to find out in the trade returns what is the real consumption of the province of Nova Scotia. I have turned my attention to this subject for some time past and I arrived, by the calculations made, at the conclusion that about two and a half millions were re-exported from this country. If any means could be arranged by which our trade returns would give a true estimate of the goods that would be re-exported a great benefit would be conferred. As respects the small amount of exports to Great Britain, I am not surprised. Except timber, peltry, and a few other things, we have little to send them. Sometimes, when the market affords it, we export sugar and molasses.

Hon. PROV. SECY.—There is the shipping to be added to the amount of goods exported.

Mr. ANNAND.—Our trade returns, though improved in some respects, by no means compare favorably with those of New Brunswick or Canada. I know, from my own experience, that we cannot expect to have the returns as perfect until there is more assistance in the Financial Secretary's office. If I can help the hon. gentleman in making an improvement in this particular, I shall be most happy to do so.

Hon. PROV. SEC.—The chief difficulty arises in the outports of the country, and not in the office of the Financial Secretary.

Mr. ANNAND.—As long as the Financial Secretary is at the head of the revenue department, the responsibility must be thrown upon him. It is somewhat important to know exactly our imports. Some system ought to be initiated by which we can arrive at all the information required.

Hon. PROV. SEC.—One great difficulty has arisen from the impossibility of getting duplicate returns from importers. If that were done, our trade-returns would be much more perfect.

Mr. ROSS.—The Government have an officer, whose duty it is to inspect the several offices throughout the country, and he might insist as to the returns that were necessary. I know that there is no disposition on the part of any controller or customs officer to withhold any returns that are requisite.

Hon. ATTY. GEN.—The difficulty lies deeper than gentlemen think. I know that in my own county cargoes of cattle are sent away without being cleared at all. The hon. member for Victoria will also hear testimony to this fact.

Mr. ROSS.—There is nothing of the kind now in the county of Victoria.

Hon. ATTY. GEN.—Well, it was the case sometime ago. Unless there is some more stringent rule carried out, by which parties will be obliged under penalties to have the property cleared out, you cannot arrive at an accurate estimate. In Canada, in many things, they only make an approximate estimate, I believe.

Hon. FIN. SEC.: There is a great deal of force in what the hon. member for Halifax has stated with regard to the want of sufficient assistance in the Financial Secretary's Office.

The present trade returns are an evidence of the work that is now thrown upon the office; in consequence of certain improvements that have been introduced, the size of the book is nearly doubled. This shows that the amount of labour has also equally increased.

The house then went into Committee and passed the Sydney and Louisbourg Railway Bill.

A Bill to incorporate the International Coal and Railway Company,—and a Bill to incorporate the Clyde Coal Mining Company, were passed through the Committee, after which the Committee adjourned and the House resumed.

Mr. ANNAND asked the Government for a return of all correspondence, if any, since the first day of January, 1863, between the Executive Government and the Imperial authorities, respecting the Militia and the Military and Naval Defences of Nova Scotia.

Mr. KING presented a petition from Douglas against Confederation.

Mr. HATFIELD, a petition from Israel Harding, for a patent for a new system of tanning.

Dr. BROWN, a petition from King's County, against the School Act, and two petitions from the same county against Confederation.

Mr. RAY, a petition from Wilmot against the School Bill.

Hon. Mr. SHANNON, a petition from the Wesleyan Conference in reference to Dalhousie College.

Also, a petition from the Union Engine Company, and an act to incorporate them.

Hon. PROV. SECRETARY laid on the table of the house the Receiver General's Railway accounts for the past year.

Mr. CHURCHILL, a petition from Newport for aid, for the erection of a public wharf.

Mr. HILL, a petition from the inhabitants of Hants County, on the subject of the Railway rates.

Mr. MILLER presented a petition from the Inhabitants of Carriboo Cove and River Inhabitants, on the subject of the protection of the fisheries and the necessity of some regulations for the setting of nets at Port Hood Island.—

Also a petition for the Rev. Mr. Gerroir and a number of other Inhabitants of Little Arichat praying for aid to improve the harbor. The hon gentleman called attention to the importance of this subject and trusted that it would receive favourable consideration at the hands of the government. The petition states that some 7 or 8,000 tons of shipping is owned at that place, besides a number of vessels in the course of construction—owing to a beach having been washed away, the harbor was not capable of safely containing the quantity of shipping that was in the habit of resorting thither. The petition was handed to the Financial Secretary.

The House adjourned until 3 o'clock to-morrow.

THURSDAY, 23rd Feby., 1865.

The House met at 3 o'clock.

MISCELLANEOUS MATTERS.

Hon. JAS. McDONALD presented a petition from an aged teacher, praying for a free grant of land.

Mr. BILL presented a petition, numerously signed by the inhabitants of Lakeville, Kings', against the School Act; another from the in-

habitants of West Cornwallis, and Aylesford, for aid in building a wharf; and a third, to enlarge the powers of trustees, and Governors of Acadia College. Also a bill in accordance with the prayer of the latter petition. He laid on the table of the house the annual report of the Baptist Education Society, and presented a petition for the continuance of the grant to Horton Academy.

Hon. ATTY. GENL. presented a petition from B. McNutt, of Truro, in connection with certain railway damages. Referred to Railway Committee.

Mr. BLANCHARD presented a petition from J. McLeod, a contractor on the St. Peters' Canal, a few years ago, who is under the impression that he has been unfairly dealt with, and asks for a hearing of a committee. It was pointed out by several gentlemen that this petitioner had been before the house several times, for years back, and that a Committee had already decided in respect to his claims. Under these circumstances, the petition was allowed to lie on the table until enquiry was made into this point.

Mr. BOURINOT presented a petition from J. Batesby, who had been for many years engaged as mail courier in remote districts of Cape Breton. He had been obliged for years to carry the mail on his back, and from that cause he has become so feeble as to be unable to provide for the support of a young family. He asks, therefore, for a free grant of land.

Mr. BLACKWOOD doubted the propriety of opening a door to old couriers as well as to aged schoolmasters.

Mr. BOURINOT was surprised to hear gentleman from a county reported to be so hospitable as Colchester express a wish to shut the door upon any one.

Mr. ROSS knew the petitioner to be a worthy person.

Hon. PRO. SEC. doubted the propriety of the House receiving the petition inasmuch as it asked, to all intents, for a sum of money.

Mr. BOURINOT agreed to refer the petition to the Government.

Mr. TOBIN presented a petition from a number of the merchants of Halifax praying for the establishment of a light house at Little Hope.

Mr. Locke, Mr. Churchill and Mr. Tobin urged upon the Government the construction of this light.

Mr. COLIN CAMPBELL presented a petition from S. Savory and others of Digby against the present school law; also, one from G. Holdsworth, etc., in the town of Digby, praying that the money received from licenses be spent in the support of education instead of the road and bridge service.

Mr. BOURINOT asked the Government whether it was the intention to re-erect the light house burnt down at Flint Island last year.

Hon. PRO. SEC. replied that that matter was under the consideration of the Government.

Mr. KAULBACK presented the petition of trustees of Baptist parsonage house and lot at North West, for authority to sell the same—and to apply the proceeds to repairs of Baptist meeting-house at that place. He also asked leave and introduced a bill in conformity with prayer of petitioners. Mr. Kaulback also presented the petition of Dr. Alex. Lane, asking compensation for land taken from him for public purposes; and another petition from

same party for compensation for medical and surgical attendance to a sick Indian. Mr. Kaulback urged the favorable consideration of the petitions, and they were handed over to the Financial Secretary.

PILOTAGE IN PICTOU.

Mr. D. FRASER presented a petition from the rate payers of School district, No. 25, River John; another from the pilots of Pictou, asking to be placed on the same footing as the pilots of Halifax; and a third from the ship-masters and owners in the towns of Pictou and New Glasgow, on the same subject.

Mr. MILLER did not approve of the demand made by the pilots of Pictou. Because these persons some sixteen in number, found that they were not as largely remunerated as formerly, they called upon the house to repeal a law which had been passed last session by a large majority. He could not sanction any such proceeding as it would bear heavily upon an industrious class of the community off whom the pilots of Pictou were in the habit of making their living.

Hon. JAMES McDONALD said that the present was not the time to discuss the question, but he could not refrain from stating his opinion that the house could not fail, on a careful consideration of the merits of the petition, to grant its prayer. If the hon. member for Richmond would take the trouble to look at the petition accompanying that of the pilots, he would see that their application came backed not only by the whole of the influential commercial and trading population, but also by three important Insurance Companies. The hon. gentleman also mentioned that he understood, so impressed were the Insurance Companies with the necessity of encouraging the pilot institution, that they had gone so far as to extend the period of insurance from the first of November to the end of the season of navigation, to those vessels that accepted pilots inwards and outwards.

PETITIONS AND BILLS.

Mr. G. BROWN introduced a bill to amend the act to authorize a loan for the erection of a court house and jail in Yarmouth.

Mr. TOBIN introduced an act to incorporate the Acadia Boot and Shoe Manufacturing Company.

Mr. C. J. CAMPBELL introduced a petition from the inhabitants of Bedeque, asking for a change in the mail route from Plaister Cove; and one from the ferrymen of the Strait of Canso, and a number of others, asking for a special grant for preparing a road leading from the Strait of Canso to the main road. These men offer to perform 25 days labour on the road, if the Government will only spend fifty pounds.

Mr. MILLER said that the piece of road is much wanted.

Mr. S. CAMPBELL stated that the piece of road, though actually in the county of Guysborough, was actually of no use to it; it was rather for the advantage of Cape Breton. He hoped, however, it would receive the favorable consideration of the Government.

Mr. BLANCHARD said that it was half a mile of road in the county of Guysborough in reality though of no actual necessity to it. That road had been made by the county of Inverness aided by a few pounds on one occasion from the county of Sydney. He hoped it would be placed in the special grants this year.

Mr. MILLER pointed out the location of the road. In winter persons were obliged to go up the bill of Porcupine, and get up in that way.

Mr. Bourinot, Mr. Caldwell, Hon. Attorney General, Mr. S. McDonnell, Mr. LeVesconte, all briefly pointed out the difficulties that attended travellers in the locality in question, under existing circumstances, and the necessity for some improvement.

Mr. BLANCHARD introduced a bill to incorporate a Presbyterian Church at Middle River in connection with the Presbyterian Church of the Lower Provinces.

Mr. JAS. FRASER introduced an act to incorporate the New Glasgow Marine Insurance Company.

TAX UPON DOGS.

Hon. ATTORNEY GENERAL presented a petition signed by inhabitants of Antigonishe, praying for the passage of a law imposing a tax upon dogs. If such a law had been found useful in Halifax, he took it for granted that it would be also equally beneficial in the country.

Mr. S. CAMPBELL thought that chap. 109 new revised statutes which says that the sessions, upon the recommendation of the Grand Jury, shall make regulations for the taxation of dogs, was quite sufficient.

Hon. ATTY. GEN., had not given the matter much consideration as he had only just received the petition.

Hon. Mr. MCFARLANE alluded to the great amount of damage done by dogs in destroying sheep.

Mr. KAULBACK questioned the advisability of imposing a tax upon farmers for these animals, so useful in many respects. He thought there was already law enough on the subject in the statute book.

Mr. PARKER considered it was quite time that some action was taken in regard to these dogs.

Mr. S. CAMPBELL presented a petition from inhabitants of St. Mary's, praying for the removal of obstructions in the river. Also, the petition of G. W. Scott, praying for additional compensation as mail carrier.

Hon. Mr. MCFARLANE presented a petition of J. Black and others, Pugwash, praying for the modification of the school law.

Mr. MILLER presented a petition from Mr. M. Kavanaugh, of St. Peter's, in reference to a claim which he considers he has for certain services rendered in connection with the militia. Mr. Miller stated that he had reason to believe that the petitioner had performed the duties to which he referred, and that he was one of the most energetic men they had in that part of the county where he lived.

Hon. JAS. McDONALD stated that he would send the petition to the Adjutant General.

RAILWAY LIABILITIES IN WINDSOR.

Mr. BLANCHARD presented a petition from the township of Windsor, setting forth that a number of inhabitants had paid their railway rates, whilst a large proportion had not done so. Petitioners view this as an hardship, and ask that the House should return their rates to them. They are, however, content that the money should remain in the treasury if the rates are enforced in the case of all equally.

Hon. PROV. SEC. stated that he was glad to be able to state that the difficulty that had arisen from the refusal of parties to pay these rates was in a fair state of adjustment. He understood from the Attorney General that

day that he had received information from the Sheriff of the county, who had been instructed to go forward and enforce the law, that parties were commencing to find that their property would be bought. Every effort would be made by the Government to enforce the law.

MILITIA AFFAIRS.

Mr. MORE presented a petition from Irad Benjamin, an officer of militia, complaining that he had been unfairly treated.

Dr. BROWN said, he was acquainted with the circumstances under which the petitioner made his complaint, and was of opinion that Mr. Benjamin had not been fairly treated. He was a very respectable and intelligent officer in the same regiment of which he (Dr. Brown) was surgeon; and he had the reputation of being a good and efficient officer. He complained of having been degraded without cause. He (Dr. B.) did not know where the fault lay, but it did seem to him that impartial justice had not been done. He, therefore, hoped the House would allow this petition to be investigated by the committee on militia affairs.

Hon. PROV. SEC. said that the Commander-in-Chief appointed officers in connection with rules of seniority and qualification; *ceteris paribus*, seniority alone prevailed. He thought that the petitioner should have first gone to the responsible officers connected with the militia, before coming to the house. If the reply he obtained was not satisfactory, then he could state his case to the Legislature.

Dr BROWN said that he had understood Mr. Benjamin to say that he had applied to the Adjutant General, but had received no satisfaction. Mr. Benjamin was a most intelligent man, and perfectly conversant with the course he ought to pursue.

After a few desultory remarks as to the reception of the petition, it was referred to the militia committee.

PETITIONS AND BILLS.

Mr. C. J. CAMRBELL presented a petition from Cape Breton and Victoria complaining that the Mining Association, in the line struck at the time of the settlement of the Mines and Mineral question, obtained a larger area in Boulardrie than they were entitled to.

Mr. CALDWELL said that this matter had in 1863 been before the Mines and Minerals committee, and Mr. Hendrey had been questioned in reference to it. The Mining Association had no objection to have the lines run over, but he did not think that they had obtained a larger area than they were entitled to. He believed that Mr. Brown's son performed the service; and he (Mr. C.) was inclined to believe that it would be found, if the lines were run over, that there was no ground whatever for the complaint made by the petitioners.

Mr. ROBICHEAU presented a petition from a number of the inhabitants of Long Island, praying for an act to change the name of certain places in the county of Digby. Also a bill in accordance with the prayer thereof.

Mr. FRYOR presented the following bills:—

To amend act, chap. 27 Vic., concerning the city of Halifax.

To enable the city to borrow money to pay off the debt on the market house.

To vest the title of certain lands in the Commissioners of the Poor.

To vest certain lands in the city of Halifax.

Mr. PARKER presented a petition from Upper Stewiacke concerning a school district.

Mr. C. J. CAMPBELL presented a petition from Middle River, asking for certain remuneration.

Mr. DONKIN presented a petition from Claremount; one from R. Black; one from W. Mitchell and others,—all in reference to postal accommodation.

Mr. KING presented a petition from Rev. J. J. Hill and others, against the Union of the Provinces.

Mr. WHITMAN, a petition from M. Sypher, for an increase of salary as mail carrier; and another from Val. Munro, asking for certain remuneration.

Mr. McLELAN, petition from Bird's River for additional mail accommodation; one from Chiganois for a way office; and one from Five Islands, against the proposed Union of the Colonies.

Mr. CALDWELL moved for an extension of time for the reception of petitions from Cape Breton; the communication with the eastward being very unsatisfactory just now. It was understood that special leave would be given for such petitions.

Mr. KAULBACK made an enquiry from the government as to the despatches relative to the exaction of duties from our fishermen engaged in the Labrador fisheries.

Hon. PRO. SEC. replied that the correspondence referred to would be immediately laid on the table.

Mr. MCKAY presented a petition from H. Cameron, praying for remuneration for crown lands.

Mr. LEVESCONTE asked if it was the intention of the Government to place a steam-whistle on Cranberry Island at Canso.

Hon. FIN. SEC. replied that the subject was under consideration.

Hon. PROV. SEC. laid on the table certain papers relative to the Mic Mac Gold Company.

Mr. KAULBACK presented a petition of Jas. Thomas, of East River, asking aid to finish the removal of obstructions in that river to the passage of fish and lumbering purposes. Mr. Kaulback urged the prayer of petition on the favorable consideration of government, and stated that petitioner had, at his own expense, expended some hundred dollars in removing said obstructions.

DISPUTED GOLD CLAIMS, &c.

Hon. PRO. SEC. in reply to an enquiry made by the member for Richmond (Mr. Miller) on a previous day, as to the number of disputed claims before the chief Gold Commissioner and the Commissioner of Crown Lands, and under the consideration of the executive government, stated that he was informed by the commissioner of mines that there were no cases before him. There were only two under the consideration of the government—that of Chisholm and the Cape Breton coal mining company. He laid on the table a return from the commissioner of Crown Lands showing the number of cases that had been before him—the names of petitioners—the dates of their application, and the action that had been taken.

MILITIA.

Hon. PROV. SEC. also laid on the table, in answer to the enquiry of the member for East Halifax, (Mr. Annand,) correspondence between the Executive Government and the Imperial authorities on the subject of the Militia. In doing so, he would take the opportunity of

stating, in order to prevent any misunderstanding, that when gentlemen asked for correspondence or despatches upon any subject, he took it for granted that they meant papers of a public character, and that was his meaning when he replied to the member for Shelburne, (Mr. Locke,) on a previous day, that the correspondence then submitted embraced all that had been received upon the Union of the Colonies. And so in reference to this question he had brought down all despatches of a public nature. The Commander-in-Chief might have confidential communications upon the defences of the country which it might be exceedingly impolitic to make public. He mentioned the subject because he had perceived that a gentleman in the other end of the building had pursued the unusual course of calling for despatches of a private nature.

PICTOU RAILWAY.

Hon. PROV. SEC. also laid on the table the Report of the Chief Engineer on the Pictou Railway; and he would say in reply to the question of the hon. member for Pictou (Mr. McKay) as to why Mr. Laurie's route had been abandoned, that this Report contained the reasons which intimated the Government in adopting the line now being constructed. He had no detailed estimate of the cost, but he was authorized to state that the whole line would be constructed inside of \$2,000,000.

The Report was read by the Clerk; when the House adjourned until 3 o'clock next day.

FRIDAY, Feb. 24th, 1865.

The House met at 3 o'clock.

PETITIONS AND BILLS.

M. BLANCHARD presented a petition from Queensville, County of Inverness, for a way office.

Hon. ATTY. GENL. presented a petition from John Day, praying for investigation in relation to lands taken for railway purposes. After some conversation it was referred to the Railway Committee.

Mr. LAWRENCE presented six petitions from North Hants signed by 314 persons, against the proposed Federation of the Colonies, until it had been submitted to the people.

BILLS READ A THIRD TIME.

The following Bills were read a third time, and finally passed. A Bill to incorporate the Sydney and Louisburg Railway Company. A Bill to incorporate Clyde Coal Mining Company. A Bill to amend the Act to incorporate the International Coal and Railway Company.

Mr. CHURCHILL presented a petition from Newport for aid to a great road.

MISCELLANEOUS BUSINESS.

Mr. CALDWELL introduced a bill to incorporate the Sydney and Bras d'Or Steamboat Company. In relation to the bill he stated that the Company was composed of gentlemen of wealth and position in the county, and that it was the intention to put on a steamer which would afford every requisite accommodation to the people of the section where she was to ply.

Hon. ATTY. GENL. presented a petition from the Inhabitants of Antigonishe, against the school act.

Mr. SMITH presented a petition from Archibald McIsaac, an aged school teacher, praying for a free grant of land.

Mr. BOURINOT presented a petition from Gabarous for a daily mail to the Island of Cape Breton.

Mr. RAY presented a petition from the inhabitants of Aunapolis against Confederation.

Hon. Mr. MCKINNON presented two petitions from Harbor Bouche and Tracadie, on the same subject.

Mr. ARCHIBALD presented a petition from the inhabitants of Onslow praying that certain school lands in that locality should be sold for educational purposes. The hon. gentleman obtained leave and introduced a bill to carry out the prayer of the petitioners; and stated that when the bill came up for discussion, he would explain the necessity that existed for it.

Mr. ARCHIBALD also presented a similar petition from Truro on the same subject, and introduced a bill to authorize the sale of certain school lands in that locality.

Mr. BLANCHARD presented a petition for aid for the erection of an oat mill. He said that some years ago the house was in the habit of granting aid for the construction of oat kilns but the practice had been discontinued in consequence of the want of available funds. He trusted that this application, which was really for a desirable object, would receive the favorable consideration of the government.

Mr. PRYOR presented a petition from the inhabitants of Lawrencetown, complaining that they had been deprived of certain privileges by the grant of a water lot to a person residing in that locality.

Mr. MILLER asked that certain returns which the government had laid on the table in reference to disputed claims before the Government and Crown Land Commissioners, be referred to the committees on the respective subjects.

Mr. PRYOR would beg to call the particular attention of the government to a petition he held in his hand from St. Margaret's Bay, praying for the erection of a light house at Peggy's Point. This was the sixth time he had presented it, and if for no other reason, he thought that his perseverance entitled him to favorable consideration.

Mr. MILLER begged to draw the attention of the Financial Secretary to a petition of somewhat an unusual character from Jas. Barron, who had been the means of saving several lives from shipwreck. He would recommend it to the favorable consideration of the government.

Hon. FINL. SECY., by command, laid on the table, papers connected with this claim case, which were referred to a special Committee of Messrs. LeVesconte, McFarlane and Miller.

Mr. ROBERTSON, presented a petition from Martin D. McGray, a mail carrier, for additional aid.

Mr. ARCHIBALD presented a petition from the inhabitants of Economy, praying that a way office might be changed into a post office.

Mr. KAULBACK presented a petition from George Turner of New Ross, county of Lunenburg. The hon. gentleman explained that this petition had been presented last Session, and as it had not received any consideration the petitioner had thought that in consequence of their differing in politics he (Mr. K.) had not properly advocated his claims. He, therefore,

wished to bring it particularly to the notice of the house, as well for that reason as because he thought it was a case of great injustice. It appeared that petitioner, being a road commissioner, was directed by a former member of the county (late Mr. Mosely) to take possession of certain lands for road purposes, who stated that he would be indemnified. He did so and had been obliged to pay the owner of the lands out of his own pocket, and had never been reimbursed. It was true that it was more a matter for the Sessions, but the township of Chester had refused to pay on the ground that the road had not been properly laid out.

Mr. ARCHIBALD suggested that the hon. gentleman should put it in his road scale as a sum due for the road service.

Hon. ATTY. GEN. said that the hon. gentleman had two remedies, either to bring in an act to assess the township of Chester for the amount, or to refer the matter to a select committee, and in case they report in favor of the claim, the hon. gentleman could place it in his road scale.

After some further remarks the petition was referred to a select committee—consisting of Messrs. Archibald, McFarlane and Stewart Campbell.

Mr. S. McDONELL presented six petitions from Inverness against confederation.

Hon. FIN. SECY., by command, laid on the table certain returns relating to road commissioners asked for by the member for Victoria.

LABRADOR FISHERIES.

Hon. PROV. SEC., by command, laid on the table, the correspondence asked for by the member for Lunenburg (Mr. Kaulback), in reference to the duties levied by the revenue officers of Newfoundland upon the outfits of Nova Scotia fishermen.

Hon. ATTY. GEN. said that one of the grievances complained of by our fishermen was that they had to pay a duty upon salt, which in this country goes duty free, but in Newfoundland the fishermen are taxed for it.

Mr. KAULBACK said that he was glad that the government had taken some action upon this most important subject, and he hoped that the matter would not stop here. He considered that the tax levied upon our fishermen was most unjust and iniquitous. It was not a tax upon articles landed and consumed in the country, but it was an imposition upon the outfits of the fishermen, which were never intended to be introduced into Newfoundland and a greater part of which (as was the case last year) were actually brought back to Nova Scotia. He hoped that the Executive Government would remonstrate with the Newfoundland Government and if no redress could be obtained the matter should be represented to Her Majesty's Secretary of State for the Colonies. In bringing this subject before the House he was not advocating local or sectional interests, although he thought every gentleman had a right to do so, provided he did not make invidious comparisons. This was a question, however, not only of interest to his own county, but of vast importance to the province generally; for to a greater or less extent nearly every county in the province was interested in the fisheries, but none more so than the county of Lunenburg. He therefore invited the aid of hon. gentlemen from all

parts of the province to assist him in redressing the grievances under which our fishermen labored. He thought that they had great right to complain, and although he did not wish at that time to enter into a discussion of the Reciprocity treaty, which no doubt conferred some advantages upon us, yet he could not help saying that he had always entertained a strong opinion as to the way in which our fisheries had been summarily bartered away by the British Minister at Washington, without our being consulted in the matter. It may have served the ends of Foreign Diplomacy, but it was not the way to treat the rights we held so dear. It could not (as he had said) be denied that some advantages of trade had been derived from that treaty, but the immediate consequence had been that while mackerel commanded \$20 per barrel in former times, they now only brought \$10. And they had only to look at the prosperity in the state of Maine, and other states where large bounties were given, to see the benefits the United States had reaped from that treaty. He did not generally approve of the bounty system, but he would suggest to the fishery committee the propriety of granting some aid to the bank fisheries.

Mr. JOST said that this was a matter of great importance, and well worthy the serious consideration of the house. The fishermen did not complain of being taxed upon goods landed in Newfoundland, but upon their outfits which are never landed, and in many cases a large portion is brought back to this province.

Mr. LOCKE said that the reason given by the Newfoundland authorities for exacting the duty upon salt, was because their fishermen had to pay it. He was not so sure whether this was the case or not.

Hon. ATTY. GEN. read a letter from the Custom House officer at St. John, stating that salt was the only article the tax was levied upon.

Mr. LOCKE said that the despatch referred to salt for consumption on the Labrador coast and could not be applicable to salt used in curing fish to bring back to Nova Scotia. He entirely concurred with the member for Lunenburg that this tax was unjust, and he hoped that measures would be taken to remedy the grievance.

Hon. ATTY. GEN. said that the Newfoundland authorities had referred to the confirmation of the Imperial authorities as to the course they had pursued, but it was evident that they only referred to the abstract right of the Newfoundland Government to levy a tax upon goods landed on the Labrador coast. He considered that they had no right to tax the salt used by our fishermen.

Mr. LOCKE said that the Newfoundland authorities did not dare to tax salt used by the American fisherman, and he did not think they should be allowed to extort it from ours.

The report of Mr. Winters, Custom House officers of St. Johns, was read by the Clerk.

Mr. LEVESCONTE said that there was no doubt that our fishermen were treated with great injustice, and he could not see the shadow of an excuse for the course pursued by the Newfoundland Government. These goods which were taxed, were not landed on the coast at all, and were not, therefore, liable to duty. They did not tax Americans at all, though they had just as much to levy duties

from them as from our fishermen. The people of Newfoundland paid the duty on their goods at St. Johns, and were not called upon to pay twice over. He believed that the opinion of the Crown Officers of England had never been called to the true nature of this case—they had been only asked whether the Government had a right to collect from persons trading and doing business in Labrador upon what goods they might land. He considered the answer of the Newfoundland authorities as a mere evasion of the question, and expressed a hope that the subject would be brought to the notice of the Secretary of State for the Colonies.

Mr. ARCHIBALD, (who was hardly heard,) pointed out the injustice of the tax, and said that we would have just as much right to go on board any American fishermen or any vessel in fact that might be within our borders, and exact a duty on everything that was chargeable. The whole question, as he understood it, arose from the meaning of "importations." The construction given to this word by the Newfoundland government was most extraordinary.

Mr. LOCKE again showed the injustice of the tax, and said that there was no sense in the excuse of Mr. Winters that these duties were exacted from our fishermen because the people of Newfoundland are subject to the same tax. The fact was these goods belonging to our fishermen, on which duties were levied do not enter into the consumption of Newfoundland at all. Our people paid duty on these here, and it was unfair to have them taxed twice.

Mr. ARCHIBALD said that the whole difficulty would cease as soon as confederation was a fixed fact.

Mr. KAULBACK trusted the House would not wait until confederation took place, and expressed his hope that when the matter had been again explained to the Newfoundland government they would recognise the injustice of the exaction.

The papers were referred to the committee on the fisheries.

MILITIA PETITION.

Hon. FIN. SEC. laid on the table the petition of Mr. M. Kavanagh, with the report of the Adjutant General thereon. From this report it appears that the department could not, without a violation of its regulations, pay the services rendered by Capt. Kavanagh in reorganizing the militia in the county of Richmond. At the same time, however, his services are recognized as very efficient, and the report considers he is entitled to some remuneration for the labor which he has performed. Mr. McDonald then moved that the petition be referred to the militia committee, and said that the government would be quite ready to adopt the report of that committee as to the remuneration he should receive.

PETITIONS.

Mr. S. McDONNELL presented a petition from Inverness, for aid in opening up Big Pond, Cheticamp, for a shelter for fishermen's boats, and another from the inhabitants of River Denis, asking for a way office.

LUNATIC ASYLUM REPORT, ETC.

Hon. PRO. SEC. laid on the table the annual report of the Medical Superintendent of the Hospital for the Insane.

The report states that, on the first of January, 1864, there were on the record one hundred and forty-two patients—seventy-five males

and sixty-seven females. Since that period twenty-three of each sex, forty-six in all, have been admitted, making the total number treated this year, one hundred and eighty-eight. The daily average number for 1864 has been one hundred and fifty-one. Sixteen males and eighteen females have been discharged, leaving our present number one hundred and fifty-four. Of those discharged, eighteen have been restored, six more or less improved, and ten have died. The rate of recoveries, reckoned on admissions, has been 39 per cent.; the average of six years was 35 per cent. The mortality rate, reckoned on the daily average number, has been for this year 6.62 per cent.; the former proportionate rate for five years was 4.78 per cent. The average mortality rate since the opening of the Hospital, reckoned upon the whole number treated in each year, has been 3.61 per cent. The entire number admitted since January 1st, 1859, has been three hundred and twenty-nine, of whom one hundred and seventy-five have been discharged, in addition to four who, at the date of this Report, are absent "on trial."

Hon. PROV. SEC. also laid on the table: Annual Report of the Board of Works; also, Annual Report of the Poors' Asylum.

Mr. LONGLEY asked the Financial Secretary to furnish the house with the number of light houses in the province, with the salaries of the officers thereof.

Hon. PROV. SEC. laid on the table copies of correspondence relative to the new commercial code of signals.

The house adjourned over until Monday, in order to give the committees an opportunity of meeting.

MONDAY, Feb. 28.

The house met at 3 o'clock.

Mr. BOURINOT presented a petition from Mire, C.B., asking for a daily mail to the Island of Cape Breton.

Hon. FIN. SECRETARY laid on the table a statement asked for by the hon. member for Annapolis, in reference to light-houses.

At Mr. LONGLEY's suggestion the Financial Secretary agreed to add the character and number of lights to each light-house.

Hon. PROV. SEC. took the opportunity of stating that the introduction of Paraffine oil had been found successful—the character of the light being improved, and the cost lessened.

PATENTS.

Mr. ARCHIBALD presented two petitions from parties in New York asking for leave to introduce a bill authorizing them to obtain patents in the province in reference to extraction of gold from ore. Mr. Archibald stated that the petitioners claimed to possess certain scientific secrets which would be found invaluable here, and that parties engaged in gold mining would sustain their application.

Hon. Mr. SHANNON expressed himself in favor of the introduction of a bill that would reciprocate the privileges conferred by any foreign country in reference to patents. If no one else would bring in such a bill he would do it himself.

Hon. PRO. SEC. thought it very desirable that there should be some general law in order to do away with the necessity for the introduction of a number of separate acts, which only encumbered our statute book.

Hon. Mr. McFARLANE said that the Province was losing largely from existing arrangements. Certain persons engaged in mining actually shipped large quantities of ore from which gold was extracted in the States by improved scientific appliances.

PETITIONS.

Mr. S. McDONNELL presented a petition, signed by 522 persons in Inverness, against the Confederation of the Colonies.

Hon. Mr. MCKINNON, a petition from Antigonishe Co., on the same subject.

Mr. LOCKE, a petition from the township of Shelburne, containing 615 signatures, on the same subject.

LUNATIC ASYLUM.

Mr. TOBIN presented a petition from the Custos and Magistrates of the County of Halifax, complaining of the hardship arising from the large expenditure required from the county to defray the expenses of insane persons in the asylum. The petition, which is founded on presentments of Grand Juries for some years back, states that in 1860 the county was assessed for that purpose \$1,382; in 1861, \$2,988; in 1862, \$4,074; in 1863, \$4,633; in the nine months of 1864, \$4,045; and concludes by asking that the charge be made Provincial.

Hon. Mr. McFARLANE said he had no doubt that it would be exceedingly gratifying to the county if its prayer were granted, but he believed it would be very unwise to do so. He did not think that the city of Halifax, with its wealth and resources, should come forward to ask the house to be relieved from a burden which it only bore in common with other counties. As it was now, it was difficult to find all the accommodation required by patients from the country; but if the wish of the petitioners were granted the asylum would be more than filled to repletion. He had no hesitation in saying that the present system did justice to all sections.

Mr. TOBIN did not think it fair for the hon. member to pre-judge the question; when it was brought before the committee then would be the proper time for the consideration of the merits of the petition. He had no doubt that the present rule pressed unfairly upon Halifax. Many transient persons came to the city, and after a year's residence they became chargeable upon its funds.

The petition was referred to the committee on humane institutions.

INCORPORATION BILLS FROM THE LEGISLATIVE COUNCIL.

A message was received from the Legislative Council stating that they had agreed to the bills on the following subjects:—

To incorporate Sydney and Louisburg railway company.

To amend act incorporating International coal company.

To incorporate Clyde coal mining company.

To incorporate Caledonia mining company.

The two last bills were sent down with some amendments, which, on motion of Mr. Bourinot, were agreed to by the house.

PETITIONS, &c.

Hon. Pro. Sec. laid on the table certain railway petitions, which were referred to the railway committee, in accordance with the practice.

Mr. Churchill presented a petition from North Hants, for a way office. He stated

that there was a Manganese company now operating in the locality, and that a good deal of business was transacted there, which required postal facilities.

The following petitions against the proposed scheme of Confederation were also presented :

By Mr. Churchhill, from G. Armstrong and 109 others in North Hants.

By Mr. S. Campbell, from 175 persons in the Strait of Canso, Guysboro.

By Dr. Brown, from 170 persons in South Kings; another from J. L. Brown and others of Wolfville; and a third from a number of persons in Lower Horton, Kings.

By Mr. McLellan, from Brookfield, Colchester.
By Mr. Ross, from 90 persons in Boulardrie, Victoria.

Mr. BLANCHARD presented a petition from the inhabitants of Margaree, in reference to the act passed last session for the protection of river fisheries. Petitioners consider the provisions of the law too stringent, and state that it is rather intended to benefit "genteel fishermen."

AGRICULTURE.

Hon. Mr. MCFARLANE, in laying on the table the Report of the General Board of Agriculture, stated that that Board was called into existence by the act passed last session, and that its operations had been already attended with most beneficial results to the farming interests of the Province. At present there were some 37 associations in existence in the province, containing 734 members. The counties of Queens, Shelburne, and Richmond had not sent in their returns for the year. The Board have, among other things arrived at the conclusion that it was advisable to hold a Provincial Exhibition in 1866.

They had also adopted that portion of the act which imposed upon them the calling into existence an Agricultural journal. They had not long met before they found that such a paper was indispensable, in order to afford the information to the Agriculturists of the province that was required. They have, however, come to the conclusion that it is advisable to have this journal henceforth published once a month, instead of quarterly. They also have given a great deal of attention to the potatoe disease, and have enquired into the advisability of adopting the remedy which had been suggested last winter by the Legislature—namely, resorting back to the original potatoe plant. They have taken great pains in reference to the matter, by making enquiries in N. York of parties who for a number of years have expending large sums of money in endeavoring to remedy the disease, and have come to the conclusion, after considering the results of these experiments that it would not be expedient to introduce the system here. They have, however, been able to procure a certain quantity of improved seed. The Board also recommend the importation of improved stock. Last summer they sent on some of their members, who bought a small amount of stock, which was sold at Windor at public auction for more than its actual cost.

Mr. PARKER doubted the propriety of importing horses, but was strongly in favour of introducing improved stock in the shape of cattle and sheep. He pointed to Colchester in support of his opinion, of the high condition to which farmers might bring their stock. He

thought that a farmer should have been sent to New Brunswick to select stock instead of a Doctor.

Hon. Mr. MCFARLANE interrupted him to state that Mr. John Brown, of Falmouth, was engaged in the selection of the stock as well as Dr. Hamilton.

Mr. PARKER said that the Doctor, at all events, got all the credit, and went on to show the necessity there is for using every care in the selection of stock. We should not have old, but young stock of pure blood.

Dr. HAMILTON regretted that he had not known the Report was to be presented that afternoon, as he would then have brought forward some interesting facts and statistics connected with the subject. He presumed that it would be admitted that the cultivation of the soil was one of the most important objects that any people could pay attention to. Therefore any matter which increased the productiveness of the soil, and the value of its products bore a very important relation to the welfare and prosperity of the country. Hence the propriety of introducing such improvements as would increase the productiveness of the soil and the quality of its products. The number of persons above the age of 15 engaged in agriculture in this country amounted to 50,000, a larger proportion of our population than was engaged in any other active pursuit. He referred especially to the great importance the proper application of manures was to the farming interests of this country. He thought that the first time this subject was brought to the notice of the public was in the celebrated letters of "Agricola," who laid down certain principles which he believed were found as true in their character at the present day as at the time they were published. It was a very great source of regret to him that publications of this kind had not been followed up from time to time, although he was aware that Dr. Dawson had published a little work which was also very useful in its way. If the principles these books laid down were only better understood in Nova Scotia the fertility of the soil would be greatly improved. Therefore he thought that the publication of an agricultural journal would be found of very great benefit to the farmer, by given him a means of obtaining reliable information in respect to his calling which, under existing circumstances, was not so accessible. Dr. Hamilton then went on to refer to the importance of having improved stock introduced into the country. In this connection he mentioned that since the first importation by the late G. R. Young, the stock of the province had increased in size at least one third. It was not now an uncommon thing to see an ox which would weigh from 1000 to 1500 lbs., and whilst at Fredericton last summer, he had the pleasure of noticing one which in size, height, and beauty of form could not be exceeded. It was raised, he believed, in Westmoreland County, and weighed 3400 lb. alive. He mentioned that he had a cow which during thirteen years had produced £650 worth of milk, had never all that time went dry four weeks on an average, and had a calf every year. This fact showed the importance of having improved stock, and he was therefore glad to see the recommendation made in reference to a fresh importation in the report which had just been read.

Mr. BLACKWOOD expressed the satisfaction he felt at the fact that an Agricultural Journal was to be published henceforth in this province. He had no doubt that it would be found most beneficial in its effects upon the large class engaged in agricultural operations in this country. Hitherto they had wanted such a publication sadly, and had been obliged to send abroad for such.

After a few remarks from Hon. Mr. McFarlane upon the importance of agricultural journals as a means of disseminating information upon that important subject,

Mr. LOCKE said that they were constantly told that the farming population of the country were the most influential and the most intelligent of any class, and yet they were constantly requiring aid in some form or other. Here they had a recommendation to furnish them with journals at a low cost. He thought this was unfair. No branch of trade or industry should be stimulated at the expense of another, and the fishermen, the lawyers, or the mechanics, had as much right to their journal at the public expense as the agricultural class.

Mr. PARKER advocated the importance of disseminating the fullest information in respect to improved stock, and other agricultural matters.

After a few further remarks the report was referred to the Committee on Agriculture.

PRIVATE BILLS.

Hon. Mr. SHANNON, from the Committee on Private Bills, reported the following: To incorporate the Acadia Coal Mining Company, with a few verbal amendments; To incorporate the Waverly Gold Mining Company, the Stone Cutters' and Masons' Society, and the Royal Sussex Lodge of Freemasons, without amendments.

PROGRESS OF PUBLIC BUSINESS.

Mr. ARCHIBALD said that he had been for some time anxiously waiting in the hope that some business of a more important character than that which had already engaged their attention, would have been laid on the table of the House. There was no time during the whole session more favourable for the consideration and discussion of important measures than the first few weeks; and although they had now been nearly three weeks in session, he regretted to state that but small progress had been made in the public business. He would like to enquire of the government when they intended to bring down the important question of Education, promised in the Governor's speech. He was quite sure that the government would acquit him of any hostile spirit in urging upon them the necessity of having this subject brought early under the consideration of the House. There was no question (not even excepting the great subject of Federation), which had agitated the public mind to such an extent, as the position of the common schools of the country; and he trusted, therefore, that the government would agree with him in the propriety of submitting this measure without any unnecessary delay.

Hon. Pro. Sec'y, did not think that they were open to the charge of spending much time unnecessarily; every moment had been occupied—and honourable gentlemen knew that during the first part of the session, when a large number of petitions were received, and reports read upon important subjects, it was

impossible to have very extended sittings. The House had just been listening to a report on the important subject of the Agriculture of the Country and he had been waiting patiently for the opportunity of presenting the report of the superintendent of Education. He was in the judgment of the House when he stated the public documents had been submitted as rapidly as the House was ready for them. In reply to the enquiry of the hon. member for Colchester (Mr. Archibald) he would state that the government would be prepared at an early day to submit a measure upon the subject of Education; at the same time he need hardly remind hon gentlemen that upon a question of such an important nature as this, some time was necessary to enable the government to obtain information as to the past working of the law. In the meantime he laid upon the table the report of the superintendent of Education, which goes fully into the subject.

Mr. ARCHIBALD said that he did not wish to draw comparisons with other sessions. His object was solely to facilitate the public business. It was quite evident that if other more important business had been before the House, so much time would not have been occupied in the various discussions that had arisen; and while he admitted the importance of the Agricultural question, he did not think they would have had such an extended discussion upon that at that time, if other business had been before the House. He repeated that he was borne out in the statement that the public business had not been as rapidly advanced as the interests of the country demanded. He knew of no reason why the business could not be transacted in forty days, which was the period formerly assigned for a session, and now they had consumed a third of that time, with very little to show for it. He was happy to hear that, at all events, one of the measures promised in the speech would be submitted at an early day, and he trusted that the experience of the past year would be brought to bear upon the legislation of this session, as regards this most important question.

Hon. ATTORNEY GENERAL denied that less business had been got through with than in former sessions. In some sessions they had not passed the answer to the Address at that period, and he thought if any one would compare the Journals with those of past years they would find that as much work had been done up to this time, as in any session for the last ten years. Having dealt last session with the Revised Statutes, and thus disposed of a great many subjects that generally engaged the attention of the house, it followed that the number of questions to be submitted this year would be largely diminished. As to the question of the school law he would remark that as the government had to collect information as to the practical working of the system in the localities in which it had been tried, it was impossible for them to have dealt with it at an earlier period. He would say further that the subject had engaged the most earnest consideration of the government, and when it came down to the house he hoped it would receive that attention its importance demanded.

Mr. STEWART CAMPBELL had no doubt that other gentlemen would approach the consideration of the subject in as fair a spirit as the hon. Atty. General. As regards the

amount of business transacted, he thought that the hon. Prov. Sec'y. would hardly find, upon reference to the journals, a less amount of work done in a similar period in any previous session, or that three consecutive Saturdays were allowed to pass without the house meeting at all. The Lieut. Governor had in his speech promised a measure upon education. He presumed that his advisers had during the recess bestowed their attention upon that subject.—He presumed so from the fact that they had authorized their officers to violate the law, and had promised that their acts would be legalized at the next session of the house. He had a right therefore to suppose that the government when they put that measure in the speech would be prepared to state the modification they intended to propose and he did not think the reasons given by the Prov. Sec. at all justified the delay.

Hon. PROV. SECRETARY was quite willing to take the journals of the present session and compare them with those of previous ones, and when the number of petitions presented and the reports read were considered, he was prepared to shew that the business was more advanced now than at any similar period in former sessions. And as regards public measures, he would only refer to the session of 1863, when hon. gentlemen opposite were in power. That session commenced Feb'y. 10th, and the most important measures were not brought down until a late period of the session, —the Militia Law not until April 8th, and the Intercolonial Railroad on the 10th of the same month. In reply to the remarks of the leader of the Opposition as to the time occupied in reading the reports from the heads of the various public departments, he would state that he considered no time better spent, for every one knew that when these reports went to the various committees without having been first read, they were not heard of again until they came up at a late period of the session, when hon. gentlemen had not time thoroughly to discuss them.

Mr. ARCHIBALD had purposely refrained from making any comparisons with former sessions, for even if it were true that former governments had delayed the public business, that was no argument to use. He differed entirely from the hon. Prov. Secretary, as to the propriety of occupying time by the reading of reports. He thought that they should always be printed and placed in the hands of members, when they would receive more attention than when they were read by the Clerk.

After a few further remarks, the report was referred to the Committee on Education, and the House adjourned until 3 o'clock to-morrow.

TUESDAY, 28th Feby.

The House met at 3 o'clock.

SECOND READINGS.

The following Bills were read a second time:

- To open a harbour at Mire.
- To amend the Act incorporating the Glace Bay Mining Company.
- To incorporate Sydney and Bras d'Or Steam-boat Company.
- To incorporate Commercial Bank of Windsor.
- To incorporate Virgin Lodge of Freemasons.
- To incorporate Central Mining Company.

PETITION.

Mr. JOST presented a petition from the inhabitants of the Township of Chester, asking for a bill to establish an office for the Registry of Deeds in that district.

LIGHT HOUSE.

Mr. LEVESCONTE called the attention of the Government to a petition which he handed them from ship owners and master mariners in the County of Richmond, praying for the erection of a Light House at Green Island, on the north side of the entrance of the Strait of Canso. The hon. gentleman stated that a similar petition had been presented from ship owners of Pictou, and pointed out the great necessity that existed for the construction of the Light House. He pointed out the large amount of shipping belonging to Richmond that required this Light in order to secure their safety in passing through the Strait. Such a Light, he considered, would be but a small return for the large amount of light duties annually paid by the ship owners of Pictou and Richmond.

Mr. CHURCHILL suggested the advisability of blasting the rock in the locality in question, as had been frequently done successfully in other parts.

Mr. D. FRASER pointed out the necessity of the light-house and expressed his hope that the government would give the matter their favorable consideration.

Mr. LEVESCONTE stated that the former Admiral on the station had had a survey held on the place in question, and the report stated that it was impracticable to blast the rock successfully.

Hon. PRO. SEC. understood that such an experiment had been tried at Yarmouth.

Mr. KILLAM stated that the result had been to remove the rock to a large extent.

Mr. TOBIN alluded to the fact of the successful issue of an attempt made some time ago to improve the passage called Hell Gate, New York, which was now one of the best channels into the port.

Mr. LEVESCONTE pointed out the character of the locality in question, and showed that a light-house was what was required for the advantage of shipping passing through the Strait.

Hon. FIN. SEC. stated that the light house was not only required by our own shipping, but by a very large number of foreign vessels that during the season of navigation made use of the Strait. The work would be, therefore, a boon to the commercial world.

CORRESPONDENCE.

Hon. PROV. SEC. laid on the table copies of correspondence relative to the presentation by Her Majesty of copies of the speeches and addresses of his late Royal Highness the Prince Consort, to the Legislative Library and King's College, Windsor.

PETITIONS.

Hon. FIN. SEC. laid on the table list of all petitions asking for money grants presented to him, for publication as the house might direct.

Mr. CHURCHILL presented a petition from a number of inhabitants of Rainy Cove, North Hauts, asking for the alteration of a bridge across a large vault.

MILITIA ARMS & ACCOUTREMENTS.

Hon. PROV. SEC. laid on the table copies of correspondence relative to the issue of swords and accoutrements to the militia. He stated that the government had been obliged to advance some £2,000 to pay for these articles.—As long ago as August, 1862, the Lieutenant-Governor, as Commander-in-chief, had a communication with the Imperial authorities, upon the subject of furnishing arms and accoutrements for the organization of the militia in the province. The intention obviously of the Government and of the Lieut. Governor was to induce the British Government to deposit those articles, to be obtained and paid for as required by the militia officers. The Government obtained from the War Department the quantity requested by the Lieutenant Governor. Correspondence went on, from time to time, until finally the Imperial authorities refused to issue these swords and accoutrements as required, and called upon the Provincial Government for the payment of the entire amount. Under the circumstances, it became a matter of discussion, as would be seen by reference to the papers just presented; but the Government could not help discharging the liability incurred.

In answer to Mr. Archibald, the PROV. SEC. also stated that he supposed the sum in question would be an advance upon the militia fund, and that he regretted that there would be a considerable loss on account of the swords, &c. In consequence of the misunderstanding between Lord Mulgrave and the Imperial Government, the issue was discontinued at the time when they could have been sold—when the officers were providing themselves with such articles from other sources. The proportion that had been sold was very small, and the only mode in which the rest could be disposed of would be by reducing the price.

The papers were referred to the Militia Committee.

CROWN LANDS RETURNS.

Mr. MILLER asked the Leader of the Government if the answer of the Crown Lands Department to the question he put the other day, included all the undecided cases in that office.

Hon. PROV. SEC. replied that he had transmitted the question to the department, and presumed that the answer contained everything that was required.

Mr. MILLER said that he wished to have not only a return of the dispatch, but of the undecided cases before the department. He understood—though he could not say his authority was very reliable—that several hundred cases were pending before the department for decision.

On reference to the enquiry put by Mr. Miller it was proved that it did not include the "undecided claims." Mr. Miller therefore wrote the question in a form that would enable him to obtain the information he required.

RAILWAY EXTENSION.

Mr. MCLELAN requested the government to lay on the table copies of proposals made to them for the construction of railways to the borders of New Brunswick and Annapolis.

MISCELLANEOUS.

Hon. PROV. SEC. laid on the table a report from the Postmaster General, concerning the abstraction of five pounds from a letter. Referred to P. O. committee.

On motion of Mr. Blanchard, the house went into committee, and passed the bill to incorporate the Acadia Coal Mining Company; the bill to incorporate the Stone Cutters' and Mason's Association; and the bill to incorporate the Royal Sussex Lodge of Free Masons.

In reference to the bill for the incorporation of the Waverly Gold Mining Company, Mr. Archibald thought some explanation should be given of the reason why the shares were so exceedingly trivial in amount—only one dollar each. He thought that this fact might lead persons to suspect the integrity of the bill; and referred to the Oak Island affair as an instance of how persons were deluded into doubtful speculations.

Hon. Mr. SHANNON said that he brought in the bill at the request of the present Mayor of Halifax, who, as everybody knew, was not a likely person to be concerned in the introduction of a bogus company. He did not think that because the shares were small doubts of the good faith of the bill could be fairly entertained.

Hon. PRO. SEC. said that he could not allow the impression to go abroad that our gold mining enterprises are at all to be compared with the Oak Island affair. It had now been satisfactorily proved that gold mining in Nova Scotia is not only a perfectly legitimate and sound enterprise but that if prosecuted energetically and prudently it guarantees to those engaged in it large pecuniary returns. He believed that it had been equally apparent that gold mining here requires the organization of capital and stock if it is to be made profitable—that it is not an enterprise safe for private individuals to engage in. He could not, however, see anything objectionable in the present bill, and he was sure that the hon. member for Colchester would be the last person who would be disposed to shut out a bill which was calculated to enable poor men to invest what they were able in gold mining operations.

Mr. TOBIN said that in no respect were the principles observed in similar bills deviated from in the one before the house. He did not see any difference whether the shares were small or great, and stated his opinion, based on his experience in relation to similar enterprises, that most persons would take a large amount of shares,—some a thousand, some a hundred, and so on—and hardly any one so small an amount as a dollar. He also observed that it would be seen that \$25000 of the capital would have to be paid up.

Mr. ARCHIBALD said that the idea he wished to convey was, that when the shares were large, parties would naturally take more pains to ascertain the real character of the enterprise. A person having shares of one thousand pounds in a company would consider more intensely the scope and feasibility of the undertaking than if he had only a thousand pence invested. On the other hand, when shares were so very small, parties might be likely to take little trouble to enquire into the matter. He did not say that what he remarked applied to the present bill, for he knew nothing whatever about it; but what he wished was, to guard carefully against passing any act that might be the instrument of injury to the public. He thought it would, however, be advisable if the bill were allowed to lie over for the present, that some explanation might be given of its character and object.

Mr. TOBIN said that if a man took one hundred pounds worth of shares he would have much interest in the company. He had no doubt there would not be more than fifty stockholders in the company in question. Such was his belief judging from his experience of the Marine Railway at Canso.

Mr. ARCHIBALD said that whilst he did not differ from the Provincial Secretary as to our gold mines when properly conducted, yet no one could deny that a large number of persons had invested large amounts of money in enterprises for which they have never received one shilling.

Mr. PRYOR said that the object of the bill, in putting the shares at a small amount, was to enable a large combination to be formed, which might accomplish the work, and to prevent the loss, in case of failure, being felt by any one to any detrimental extent. He expressed his conviction that his Worship the Mayor would not be a party to any scheme that might operate prejudicially to the stockholders.

Mr. MCLLELAN alluded to instances of parties having gone about the country and sold shares in gold mines for twenty-five cents, and who were never heard of afterwards.

The bill was allowed to lie on the table, and the committee rose and reported.

PETITIONS.

Mr. McKay presented a petition from the Postmaster of West River, Pictou, for an increase of salary.

ACADIA COLLEGE.

On motion of hon. PRO. SEC. the bill to enlarge the powers of the trustees of Acadia College was read a second time. He stated that the object of the bill was to transfer the government of Horton academy to the trustees and governors of Acadia College. It was formerly vested in the Baptist Education Society, with whose consent the bill came up.

FOG BELLS.

Hon. PRO. SEC. laid on the table certain correspondence, embracing a proposition from an inventor to place a fog trumpet at Sambro. The documents were referred to the committee on navigation securities.

BILL.

Hon. Mr. SHANNON introduced a bill to amend the act to incorporate the Union Protection Company.

ROAD MONEYS IN VICTORIA.

Mr. ROSS stated that certain returns asked by him from the Financial Secretary were handed to him and now in his possession; but as some of the charges made appeared to him illegal, he would ask for a committee to examine and report on those returns. The sum of \$120 was paid to one McLeod without any return or certificate from Sessions; and if appointed by Government, a copy of his commission should be produced. The Provincial Secretary would therefore please lay on the table copy of correspondence from the Clerk of the Peace, with minutes of Special Sessions at Baddeck touching the appointment of Murdoch McLeod as inspector of statute labor; also copy of commission, if any, held by him.

Hon. PROV. SEC. stated that it would be for the hon. member to state what he wished a Committee to enquire into.

Mr. ROSS replied that the complaints and charges which he intended to make could be

better explained before a committee; but he might mention one. A certain commissioner, expending \$60, had charged in the return sixteen and a half days for himself, and when the time was added, it would only make five and a half days, giving ten men for each day, as the law requires. Some of the returns were paid since the 30th Sept., and could not therefore be examined by the committee on public accounts, who wished enquiry to be made into the matter of the \$120 paid to Mr. Murdoch McLeod.

It was suggested to Mr. Ross that he had better defer asking for his committee until he had obtained the information required from the Provincial Secretary, which he agreed to do.

PETITIONS.

Hon. Mr. SHANNON presented a petition from Herring Cove for aid in reference to dredging and clearing out the entrance to the harbor.

THE DIFFICULTY AT THE SYDNEY MINES.

Hon. PRO. SEC. laid on the table copies of correspondence relative to the transport of troops to Sydney last spring at the time of the difficulty with the miners at that locality. It states that the expense, £538, has been paid conjointly by the local government and the mining associations.

In answer to Mr. Locke hon. Pro. Sec. alluded to the circumstances of the matter that required the prompt transport of the troops to Sydney. In consequence of the difficulty at the mines the Province had lost considerably, the amount of coal exported having been necessarily very much less than it otherwise would have been. If the difficulty, however, had not been promptly remedied the consequences might have been much worse. The government, however, had not been aware that they would have been asked to make payment in such a case, until their attention was called to it by the Imperial authorities.

Mr. TOBIN alluded to the inconvenience that had resulted to the people of Halifax from the temporary embarrassment at the mines.

Mr. STEWART CAMPBELL did not doubt that it was the duty of the Government, in reference to the general interests of the Province, to take the steps they did to quell the riot; but it appeared to him that enormous expense might have been saved if the service of the transfer of the troops had been put up to tender and contract.

Hon. PROV. SEC. had already explained that the arrangements were made without any reference to the Local Government, and without any idea upon their part that they would have to contribute to the expense.

Mr. LOCKE was of opinion that the service had cost too much.

Mr. PRYOR said that the emergency was such, as to render the idea suggested by the hon. member for Guysborough—of putting it up to tender, impossible. The troops had to be sent with great despatch, and there was only one establishment in Halifax capable of undertaking the service. He presumed the authorities made the best possible terms, with them that could be made.

Mr. ARCHIBALD also was understood to express his surprise at the expense that had been incurred.

MISCELLANEOUS MATTERS.

Hon. Prov. Sec., by command, laid on the table the report of the Emigrant Agent for the past year, which was read by the Clerk.

Mr. Lawrence presented a petition from The Gore, Douglas, County of Hants, against the present School Act.

Hon. Attorney General from inhabitants of Antigonish on the same subject.

Mr. McLelan from Joshua Dotten, a Government Contractor, praying for remuneration for losses sustained. Handed to Financial Secretary.

Mr. Donkin from Joseph Clarke and 200 other inhabitants of Cumberland County against Confederation.

Then the house adjourned until 3 o'clock the next day.

WEDNESDAY, 1st March.

The house met at 3 o'clock.

A number of bills were read a second time and referred to Committee on Private Bills.

Mr. BLANCHARD presented a petition from D. McKinnon, an aged teacher in Inverness, asking for a free grant of land.

Also a petition from Jacob Morris, Cumberland, in reference to some Crown Lauds matter.

FISHERIES.

Hon. PROV. SEC. laid on the table a petition from Mill Cove, St. Margaret's Bay, relative to the protection of river fisheries. Also a letter addressed to the Executive Government upon obstructions caused to the passage of fish by the Inland Navigation Company, Shubenacadie River. These papers were referred to the Committee on the Fisheries.

THE DUBLIN EXHIBITION.

The hon. gentleman also laid on the table copies of correspondence relative to the Dublin International Exhibition, which were read by the Clerk.

Dr. HAMILTON said—I would like to enquire by what authority the gentlemen given as the Committee in connection with this Exhibition have been named. I wish to know whether they have been appointed by the Executive Government or the City of Halifax. Certainly in looking over the list I find that it is composed almost exclusively of gentlemen belonging to the city. I think it would be well if it were remembered at times that there are other interests beside those of Halifax, and that if we are to have grain represented and everything of that kind it would be certainly well to have some gentlemen on the committee belonging to the country portions of the Province.

Hon. PROV. SEC.—The committee was not appointed by the Executive Government or by the city of Halifax. A number of gentlemen were brought together in the first instance upon the invitation of the Lieutenant Governor, or through a communication from Dr. Honeyman. I was invited to a meeting of these gentlemen and I stated that if Dr. Honeyman, who had paid some attention to the subject, was prepared to submit a scheme by which it should be shown that the expenditure of a moderate amount of public money could secure a beneficial representation of the natural productions of the province, especially of the mineral resources, the matter would be brought to the notice of the government. The committee subsequently forwarded a report to the Executive Government, stating what they proposed to perform and I shall be very happy to lay it on the table. The Government undertook, not to become res-

ponsible in any manner whatever in carrying forward this Exhibition, but to apply to the Legislature for an amount of \$2000 as the entire contribution of the Province in aid of the object which these gentlemen have combined to promote. I may state frankly that the Government objected to assume the responsibility of entering upon a representation of Nova Scotia for anything except a small and definite sum, so soon after the large expenditure incurred in connection with the Great International Exhibition. By reference to the report just read it will be seen that the Exhibition is not to be merely temporary in its character, but that it is intended to form a Winter Garden Palace, at which these products and everything that is calculated to present in a favourable light the resources of Province, will remain a permanent advertisement in one of the chief cities of the United Kingdom.

Mr. MILLER—I am glad to hear the Provincial Secretary say that the Government are not responsible for the matter to which the hon. member for Kings' has called attention. It is a mistake that many persons fall into to imagine that Halifax is the province of Nova Scotia. The time has come when a stop should be put to this kind of centralization, and the rights of the country considered. On reference to the list of the Committee, I notice that it is composed of gentlemen resident in Halifax, with one or two exceptions. If this is not carrying out the doctrine that Halifax is the whole of Nova Scotia, I don't know what it means. These gentlemen have no right to come forward and ask for a grant of the people's money under such circumstances. If you go to the different sections of this country, east or west, you will find gentlemen who are perfectly competent to take a part in this matter. I believe you will not get such a representation of the natural products of the country as will do us credit unless you have the feelings of the people enlisted, and this you cannot do by making a committee of this kind entirely local.

Hon. MR. MCFARLANE—I think the hon. member for Richmond complains rather more about the matter than he has reason to. I have no doubt that the organization in question will contribute largely to the interest of the province. It is composed of gentlemen who have contributed largely of their own private means, and then have come forward asking the government to give a small contribution for the promotion of the useful object they have in view. I don't approve of centralization, but I like to see justice shown to gentlemen who exhibit much public spirit. I have no hesitation in saying that if the matter had been left to gentlemen in the country it could not have been taken up more energetically. It is very doubtful if gentlemen would be induced to come up from distant counties at their own expense. Suppose we had gone into a Provincial Exhibition, we would have incurred a very large expenditure judging from our experience in connection with the last International Exhibition. When, however, we were asked to recommend the granting of a small contribution towards the advancement of the object which this organization in Halifax wish to attain, could we refuse?

Mr. STEWART CAMPBELL—I find to-day

that messengers have been directing copies of paper in which this list is to be found, the Agricultural Journal, but somehow or other two or three Counties have not been the recipients of the information which the hon. gentleman has just brought to the notice of the house. The hon member for Cumberland, in speaking against persons from the country being placed upon this committee, asks would they have been willing to come up here at their own expense, to put their hands into their pockets for the purpose of discharging a public duty. Let me tell him, that it would have been just as competent for the government to pay gentlemen on a mission of this kind as to put their hands into the treasury for the purpose of paying gentlemen who came up to attend the Militia Convention which has lately been held in this city, without authority and in defiance of the law.

Hon. Mr. MCFARLANE was understood to say that copies of the paper in question had been sent to every member of the Legislature, and that if the hon. member had not received one, it must have been an oversight.

Mr. ARCHIBALD.—If gentlemen from the different sections of this country had been invited to attend the expenses entailed would be much greater. Could any gentlemen be invited to come up from the country without payments. If instead of devoting the funds to the procuring of articles for the exhibition, they were expended for the expenses of gentlemen from the country, would the interests of the Province be subserved. I know from my own experience how inconvenient it is for gentlemen in the country to come up to attend such affairs. Though my name is on the committee I have not yet been able to attend any of these meetings in consequence of pressing engagements. I look upon this matter as entirely distinct from a provincial one. A number of gentlemen have combined for the purpose of giving information to the old country concerning our resources, and we should certainly encourage them as far as we are able. Perhaps, as it is, our representation will be only feeble, compared with what it might be, but still it would be very unfortunate if Nova Scotia were not represented at all. We have only to look at the results obtained from the representation of Nova Scotia in 1861 in the great International Exhibition, to think favorably of the efforts now being made for an Exhibition at Dublin. This Exhibition, it is noteworthy, will enable us to have our resources, not merely temporarily, but permanently, illustrated, as stated in the papers just read. I may say, however, that I consider the amount to be given by the Provincial Government too small. I would have been disposed in a matter of this kind in which the province is so deeply interested, to have contributed a much larger sum.

Mr. MILLER—I don't think that the hon. member for Cumberland has answered the objection I took. I don't complain so much of the organization of the board, as of the fact that that board, so organized, representing but one part of the province, should come before the house asking for the people's money. It is no answer to my objection to say that gentlemen from the country could not attend. At all events, their assistance might be solicited, and I have no doubt that there are many gentlemen in distant counties from whom much

useful aid and advice might be had. I think, too, that if there is to be a representation of Nova Scotia at the forthcoming Exhibition, it should be one worthy of the province, or we should have none at all. So it was argued when the subject of representation in the great Exhibition of London came up in the house in 1861.

Hon. PROV. SEC.—I don't think, looking over this list, that the hon. member for Richmond is quite justified in the conclusion he has arrived at. But I am very curious to know what kind of committee is wanted by the hon. gentleman. He could not wish to see a county representation in a matter of this kind. It was not done in the case of the International Exhibition. He surely does not wish to have a House of Assembly in the committee. The selection of this committee, I have already stated, was not made by the Government; but on an analysis of its composition, I do not find much ground for the charge made against it. It is quite legitimate for gentlemen representing county constituencies to object to any thing like undue influence being given to the city, but on examining this list what do I find. First, I see that His Excellency the Lieutenant Governor is the Chairman. If that high functionary is ready to give his time and attention to the promotion of the country's resources, we must feel it is a compliment to the province. Then we find the name of Major-General Doyle—a gentleman who has administered the government in a manner that has been eminently satisfactory to all classes and parties of this country, and who has always done his best to advance its interests whenever it has been in his power. Then we have the Chief Justice. I think from the position that gentleman occupies, and the manner in which he has been identified with the interests of this country, that he is well entitled to be a member of the Committee—that it is very unlikely the people will find fault with his selection. The next person is a representative of the county of Cumberland. I have never had the honour of representing a city constituency. My interest lies in the county of Cumberland. The next gentleman is a representative of an Eastern county—Antigonish. He is a gentleman who has been identified not only through his public career with the country, but who is known to have always taken a deep interest in the agriculture of the province, and everything that is calculated to promote its prosperity. I refer to the hon. Atty. Genl. The next on the list are the names of Mr. McCully, and the Receiver General, who reside in Halifax, but both of whom are largely identified with the country. The next is the honorable Mr. Howe, who is not a resident of the city, but of Dartmouth. He has occupied a position which, no one will deny, enables him to fill the position with profit to the province. Then the next person is one whose life has been spent in the country until within a few weeks ago—all of whose interests are identified with the country—the hon. member for Annapolis. The next is Mr. Richey, the Mayor, and I cannot think, however disposed the hon. gentleman for Richmond may be to "run a muck" against the city, he will object to the presence of that gentleman on the board. The next person is one who has not the misfortune to live in the city of Halifax—the hon. member for Colchester.

Then comes the member for the city of Halifax—Mr. Tobin—who served long and zealously upon the former committee entrusted with the management of the representation of Nova Scotia at the great exhibition. We find next the name of Mr. Uniacke, and if there is a gentleman entitled to be on that committee, it is he. We all know that he not only gave his time and attention to the committee already referred to, but was of very great service to the province at the exhibition in London. Next we see the name of Mr. Robert Morrow who, it is well known, is always ready to advance the interests of this country whenever it is in his power. And I may also mention that the Mining Association, with which he is connected, has generously consented to place a gigantic block of coal at the exhibition—there to remain a monument of the great natural resources of this country for all time to come in one of the great centres of industry of the United Kingdom. Then we find next Mr. Andrew Downs, whose services to this country as a naturalist, need hardly be mentioned at this time of day. The next gentleman has not the misfortune to reside in Halifax, and when I name him I mention one to whom the province is deeply indebted in many respects—I allude to Professor How, resident in the county of Hants. The next gentleman I find on the list is Professor Lawson who happens to live some fifteen miles outside of the city upon a farm. As connected with the agriculture of the country—being the Secretary of the Board of Agriculture—as a gentleman of wide scientific attainments, no one will deny that his services must be very useful. After him come the ex-Mayor, Mr. Hill, and another eminent naturalist John R. Willis. When gentlemen take the trouble to run their eye over the organization of this committee they will find a most influential representation of the country. I believe that the examination of that list, from the beginning to the end, will tell the House that instead of there being any disposition whatever to press unduly the influence of the city of Halifax, a most full and influential representation of the country has been given. Look at the Executive Committee, and the first name you see is that of Mr. McKinlay, chairman,—a gentleman who has spent more time and labour gratuitously for the purpose of presenting in the most attractive and beneficial manner the products of Nova Scotia, than perhaps any other man in the province. Then we find the name of Dr. Bernard Gilpin, and any one acquainted with him, knows that he has been rightly selected in consequence of the high attainments he possesses, and of the large amount of skill which he can bring to bear in connection with anything that touches the natural history of the province. Next we see the name of T. M. Jones, whose laborious co-operation and skill, in connection with the International Exhibition, are everywhere known and appreciated. Not only were his skill and scientific knowledge of great value in reference to general matters, but he gave a great deal of labour to the preparation of fish for representation. The next gentleman does not live in the city of Halifax, Dr. Forrester who, it is needless to state, gave a great deal of attention to the former exhibition, and has always been ready to give his co-operation in everything that is calculated to advance the industrial resources of Nova

Scotia. The next gentleman is Alderman Jennings who, it is known, gave to the late government the best aid in his power in reference to the past exhibition. The only remaining gentleman on the Executive committee is the one upon whom above all others the responsibility falls,—one who lives hundreds of miles away from the city in the direction of the constituency represented by the hon. member for Richmond,—Dr. Honeyman. In naming him, I refer to a gentleman who is respected throughout the province for the vigorous and efficient aid he has on every occasion when his services were required afforded. The only gentleman that will derive one penny of remuneration for his services from the public money contributed in aid of this committee is therefore one entirely unconnected with the city, but closely identified with the country. Therefore, I say that whilst the government are not in a position to claim any responsibility in reference to the committee, yet I consider that it is one which is calculated to promote the public interests. I think that I can safely appeal, not to the citizens of Halifax only, but to the people of the province at large, and ask whether I may not justify the construction of this committee and maintain that it presents not a monopoly of city influence, but such an amount of weight as the country may be fairly entitled to. I may add that the government did not feel themselves justified, so soon after so large an expenditure of public money in connection with the International Exhibition, in undertaking the responsibility in the present case and incurring the large expense that would necessarily have devolved upon them. All that they did, after the report which I shall now present to the house to be read, was to express their willingness to give a small contribution to the important object which these gentlemen to whom I have alluded have taken up—the representation of our resources at the forthcoming Dublin Exhibition.

The report was read by the Clerk, after which Mr. MILLER said—Any person who has listened to the long harangue of the hon. Prov. Sec., would imagine that I had asserted something to the disparagement of the gentlemen who compose the committee. Whereas the house will agree with me that no amount of ingenuity can construe my remarks into any thing like a reflection upon any one of these gentlemen; on the contrary I am prepared to endorse everything that the hon. Prov. Sec. has said as to the personal qualifications and merits of the gentlemen who form the committee, from His Excellency down to Mr. Willis—and to add my meed of praise to the eulogium which he has just passed upon them. My objection was of an entirely different character, and it will not do for the Prov. Sec. to endeavor to draw the attention of the house from the real ground of complaint. I objected that in the selection of a body of men who were to form a committee to represent the interests of the whole province, it was exceedingly unfair that with, but a few exceptions, they should be residents of the city of Halifax. It was true that the hon. Prov. Secy. and hon. Atty. Genl. represented country constituencies, but they had their residences in the city, and it was not to be expected that with their public duties, they would be in the position to bestow that attention upon the subject that

gentlemen resident in the country would do. There are 18 counties in the Province, and yet when I take up the list, I find that 14 or 15 of the gentlemen who compose it, actually live in the city of Halifax. Is it fair then, I ask, that the 17 counties outside of Halifax should not receive equal representation, especially in a case like this, where a grant is asked from the public Treasury? It will not do for the hon. Prov. Secy. to endeavour to throw dust in my eyes, by eulogizing in eloquent terms, the merits of the various gentlemen who are upon this Committee. I agree with him perfectly in everything that he has said upon that subject. For many of these gentlemen I entertain the highest respect; and as regards Dr Honeyman, I am sure every one must feel that we are under the deepest obligations to him, for the ability, industry, and zeal with which he represented the interests of Nova Scotia at the last great Exhibition in London. My objection, however, as I before stated, was not to the names, but to the fact of their being nearly all drawn from one locality. It was an objection easily removed for if it was considered essential that those gentlemen should be upon the committee it was competent to add others from the rural districts, and thus secure the proper representation of the interests of the whole province. So far from being averse to the expenditure of this sum, (if the object is properly carried out) I think the amount, compared with the grant of £6000 a few years ago, when the revenue was not in as flourishing a condition as now, is too small if we wish to obtain a proper representation of the industry and resources of this province—and, therefore, I should not object to even a larger sum if the objections I have referred to were removed. I do not deny the right of any number of gentlemen in Halifax or elsewhere, to unite for this or any other object, if that object is to be carried out at their own expense. But when this self-constituted Committee, as it appears to me to be, for no one knows how it was organized, comes before the people's representatives for a grant of the people's money, the case is different. If we grant money to a mere local organization in the city, must we not do the same thing to other sections of the Province? If any number of gentlemen in the extreme West or East—in Pictou or Kings—form a society for representing the products of their sections at the proposed exhibition, if the present application be granted, how can you in justice refuse any of those. Are not their claims equal to the claims of Halifax?

Hon. ATTY. GEN. said,—No person feels the importance of proper representation more than I do, and I am inclined to regret that the sum recommended is not larger. If, therefore, any gentleman feels disposed to move that the amount be increased the Government will not stand in the way of a supplemental grant. We were told the other day when discussing another question that the Government had pursued an unwise course in seeking the assistance and advice of gentlemen from the country upon the subject of the defences of the province, and that the action of the Commander-in-Chief in summoning those gentlemen to the city for that purpose was unconstitutional and contrary to law. I will put this case upon the same footing, and ask how can gentlemen from the country act upon the committee without being present in the city.

Mr. MILLER—If appointed they could correspond with the board here.

Hon. ATTY. GEN.—That has probably been done before now. There is no doubt that Mr. Honeyman, who knows from past experience the proper persons to apply to, has opened up correspondence with them. But suppose that the government had summoned gentlemen from the country—which they could not do without paying their expenses—what would have been the result? We would have heard the member for Guysborough charging them, as he had done in reference to the militia convention, with unauthorized expenditure of the public money.

Mr. STEWART CAMPBELL.—To be sure I would.

Hon. ATTY. GEN.—The government were then in the position of being blamed by the member for Guysborough for spending public monies upon this object, and by the member for Richmond for not having spent them. I think the head of the government in selecting the members of the committee had a right to assume that his choice would meet with the approval of the Legislature and the people, for he had been guided to a large extent by the names of these gentlemen who at the last Exhibition had been charged with the expenditure of £6,070, and as no complaints had been made of the manner in which they had discharged their duties, he had a right to assume that the interests of the whole province, had secured proper consideration at their hands.

Dr. HAMILTON said,—I am not sorry that I asked the question as regards the appointment of this committee, for although I do not object to the names of any of the gentlemen who form it, I think it is right that upon a subject in which the whole Province is interested that the country should know how it has been constituted. I have always been in favor of these exhibitions as a means of shewing to the world the capabilities of the province. The exhibitions that have been held have done more to advance the interests of Nova Scotia than anything I know of. If I had known this discussion was coming up, I would have been prepared with some extracts from the report of the commissioners of the last great International Exhibition; shewing the advantage that Nova Scotia had derived from having her apples and other fruit at the world's great fair. There is one gentleman whose name I would like to see upon this committee, and I am not aware whether he was offered a place there or not. I allude to Robt. G. Haliburton, Esq., a gentleman who, in connection with the last exhibition, probably did more service than anybody else, in travelling about the country, lecturing, and collecting materials for the work. I think he is entitled to be asked to take part in this committee. I repeat, again, that I have no personal objection to any member of the committee, but it would have looked just as well if more gentlemen from the country had been upon it.

Mr. S CAMPBELL said.—I think that the house and government ought to feel under deep obligation to the hon. members for the counties of Kings and Richmond, for bringing up this discussion, inasmuch as it afforded them the means of showing the country an industrial exhibition, which has been rather scarce since the commencement of the session. I hope,

however, that the committee who are charged with representing the interests of Nova Scotia at this exhibition, will not send across the water any specimens of our Legislation, for if they did they would reflect anything but credit upon us. The hon. Attorney General thought proper to say that if this committee had been constituted differently, and the expenses of these who came from the country had been paid out of the public funds, I would have objected as I did in another case. I will answer him by saying that if the law authorized such an expenditure I should not have objected, but, if it did not, I most certainly would have done so. I presume he alluded to my remarks of a previous day, in reference to the militia convention (for I will not call it a *court*) which recently sat in this city. I understand that over £400 has been paid out of the public treasury for the expenses of the members of that convention. If that is the case I do not hesitate to tell the Attorney General that that sum has been paid in violation of the law.

Hon. PROV. SECY. said: It will be quite time enough to raise that question when it comes up legitimately for discussion; but, at present, I consider it entirely aside from the subject before the House. When it does come up, the government will be fully prepared to meet it. I must certainly have misapprehended the remarks of the hon. member for Richmond, (Mr. Miller,) for I thought the whole scope of his remarks went to find fault with the construction of this Committee, and that was the reason why I occupied the time of the House, in referring to the qualification of the gentlemen who were upon it. I am much relieved by the observations of that hon. gentleman, that he will make no objection to the granting of the money.

Mr. MILLER—I repeat, my objection was not to the individuals upon the Committee, but to the exclusive character it presented, as representing Halifax alone.

Hon. PROV. SECY.—I am happy to have the endorsement of the hon. gentleman, upon the remarks I made as to the personal qualifications of the committee; and it is a still greater consolation to know that he does not intend to oppose the grant of money the government have pledged. It seems, then, that the objection of the hon. gentleman is narrowed down to this point, that the majority of the Committee have the misfortune to reside in the city of Halifax. In dealing with this subject, I may remark, that I deemed it my duty to go more minutely into the question, than I would have done, had I been personally responsible for the construction of this Committee, because the gentleman who called it into existence had not the same means of being acquainted with the character and qualifications of those who composed it. Now, upon taking up this list, what do we find? That no less than seven of this small Committee do not reside in Halifax at all.

Mr. MILLER—name them.

Hon. PROV. SEC.—Hon. Mr. Howe, Mr. Archibald, Mr. Downs, Prof. How, Prof. Lawson, Mr. Livesey, Rev. Dr. Forrester, and I find that there is still another, Prof. Honeyman, so there are really eight living outside of the unfortunate city of Halifax. But what more do I find—and I invite the particular attention of the member for Richmond, who seems to consider it such a great crime to re-

side in the city of Halifax, to the fact that I hold in my hand a list of the names of a commission formed by the late Government under the deliberate sanction of the Home—not as in this instance to expend the comparatively small sum of £500 upon a hastily extemporized Exhibition—but charged with the important functions of seeing that Nova Scotia was properly represented at the Exhibition of all Nations in 1861—and I must remind the honourable gentleman that that list received his tacit approval, inasmuch as he allowed the money which they had expended to pass unchallenged. Now, of whom do we find that list to be composed? The first name is that of A. W. McKinlay, a resident of Halifax; the second, hon. A. G. Archibald, then Attorney General, and a resident of Halifax; the next, J. H. Anderson, a resident of Halifax; the fourth, Mr. Wier, a resident of Halifax;—then we have Mr. Jones, P. C. Hill, John Tobin, Charles Tupper, John Esson, Wm. Cunard, John Bell, James Thompson, S. Caldwell, A. M. Uniacke, R. G. Fraser, and John Campbell,—the whole eighteen, residents of the city of Halifax.

Dr. HAMILTON—Was that just.

Hon. PROV. SEC.—I presume the manner in which they discharged their duties must have given satisfaction to the country generally, as no member has ever questioned it. I shall not occupy the time of the house further than by remarking, that when the gentleman who formed this committee was aware of the fact that the construction of the former board, composed entirely of the citizens of Halifax, had met with the approval of the legislature, it was but natural for him to suppose that in the formation of this small committee no objection would be taken to the majority being composed of those residing in the city.

Mr. MILLER said that no better illustration of the species of argument used by the hon. Prov. Sec. when he found himself in a dilemma, was needed, than the speech he had just delivered. When he finds that he could not justify himself in any other way, he invariably resorted to the excuse that somebody else had done so before him. And so the other day when charged by the member for South Colchester with delay in bringing forward the public business, he sought to shield himself with the excuse that previous governments had been guilty of the same thing. The hon. gentleman should know, however, that that sort of argument would not satisfy the country—even when given with double the energy and eloquence of the Provincial Secretary. The house would appreciate the ingenuousness of the hon. Prov. Sec. in reading over the list of names, and putting them all down as residents of Halifax, without taking into consideration the fact that some of them represented country constituencies. Of a like piece is his attempt to take me to task, and hold me responsible for the complexion of a committee formed long before I had a seat in the house. I am inclined to think that the accounts had been passed also before I came to this house, so that I had not the opportunity, if I had had the wish, to attack them. If the hon. gentleman cannot bring forward any better arguments than these to support his position, he had better not advance any at all.—The objections that I have made to this committee have been advanced in no hostile spirit

to the city of Halifax, but simply because I think that justice has not been done to the country, and while I admit the qualifications of the gentlemen upon the committee, I by no means forget that there are other gentlemen outside of the city equally as competent, whose claims have been overlooked.

Hon. PROV. SECRETARY said— I cannot forbear alluding to the extraordinary position assumed by the hon. member for Guysboro, and also by the honble leader of the opposition in relation to the business of the house. Those who are familiar with the parliamentary practice of countries in which responsible government is in force, will peruse the records in vain to find charges of a similar nature to those preferred by these hon. gentlemen against the Government. The complaint generally was, not that the Government occupied too little time, but that they monopolized so much of the time as to prevent the gentlemen of the Opposition from bringing forward and elaborating those important public measures which it was the privilege of a constitutional Opposition to introduce. So much was this the case in the House of Commons, that the Government had to get the sanction of the House to set apart certain nights for the discussion of Government measures. The hon. member for Richmond misunderstood me when he said I charged previous Governments with delay in forwarding the public business. I said that the experience of all former Governments showed that in the preparation of measures upon important subjects, some time was requisite, after the house met, for consultation with their supporters. The Government at the last session, it was true, inaugurated the novel system of bringing forward their measures at an earlier period than had ever been done before, and I am in the judgment of the house when I say that they introduced enough subjects to last for five or six sessions, and despatched an amount of business without parallel in any previous session. The house has now been in session for nearly three weeks, and the government has occupied the whole time.

Mr. ARCHIBALD.—The clerks have.

Dr. TUPPER.—The clerks have been employed in bringing to the notice of hon. members the important public documents submitted by the government. But surely the hon. gentleman would hardly take the position that the government should occupy the whole time of the house. Had no independent member any measure to introduce, or any grievance to bring forward? If not, it was surely a matter of great congratulation to the government that had brought legislation to such a pitch of perfection as this.

The hon. member for Guysborough had, with that deep and pungent satire for which he is so remarkable, expressed the hope that no specimen of our legislation should be sent across the water. I can only say, sir, that we can with just pride send to the old country some of the legislation that has engaged our attention since this session has commenced as a proof that we are not only a people so rich in natural resources as to challenge comparison with any other part of the known world, but that we are also liberal enough and intelligent enough to receive with open arms those capitalists from abroad, who may wish to employ their skill, energy, and

wealth in developing the industry of the country. Therefore I say, sir, that the government have discharged the duty they owed to the country in thus assisting to perfect measures fraught with such beneficial results to the industrial interests of the Province—and based upon the principles of sound legislation.

Mr. MCLELLAN said—The Hon. Prov. Secy. forgets that these specimens of legislation he is so anxious to parade across the water came from independent members of the house, and therefore the government cannot take any credit to themselves.

Hon. PROV. SECY.—I merely said that the government had given their assistance to the gentlemen who introduced them.

Mr. MCLELLAN continued—The Hon. Prov. Secy. asks if we have no grievances to redress. I answer him, that whatever grievances we may have we are content to hold them back until the great grievance the country complains of, the school bill, has been properly dealt with by the government; and until that is done, we are content to waive matters of minor interest. There is some difference too, between the position of affairs this session and the last. It will be remembered that a resolution was passed, changing the financial year, so as to make it close on the 30th September, instead of December as formerly, and the avowed object was to enable the government to call the house together earlier than usual.— And I believe that the Hon. Provincial Secretary stated that he intended to summon the house in the middle of January but in consequence of the great question of Confederation having come up it was postponed for another month. So that we are now two months from the time originally intended for the opening of the Legislature, and still no measures. I therefore think that we have good cause to complain that the government have not furnished us with work; and I am sure that the discussion would not have taken place to-day had there been other work before us.

Mr. ARCHIBALD said—The hon. Prov. Secretary seems to think that it is a very extraordinary thing for the members of the opposition to complain that the government have not furnished them with work. I think it is still more extraordinary for the leader of the government to take credit to himself for enlarged statesmanlike views, because the house had passed a few bills to incorporate coal mining companies—passed without debate and as a matter of course, and these, too, introduced by independent members,—and yet this was the subject upon which the hon. gentleman had grown so eloquent and had just dilated in such glowing terms. Surely the hon. Provincial Secretary does not pretend to say that when they kept the clerks day after day reading long public documents to which nobody listened, they were discharging the high functions of a Government. I think, sir, that the Opposition have shown a spirit in regard to the transaction of the public business which it would have been well for that hon. gentleman, when he occupied a similar position, if he had emulated. They have shown a disposition to forward the business of the House, and not factiously to obstruct or embarrass the Government, as they might have done if they had been so disposed. If the Government were not ready with the public business, they should

not have called the House together until they were. It was true that a large amount of legislation had taken place last session; but the greater portion of the time was occupied in the revision of the statutes, and when there was nothing else to do, the Government used to pitch a chapter of the Revised Statutes on the table, and there was work for the day. I repeat what I said the other day, that we have spent a large portion of time, and have very little to show for it; and I do hope that the Government will at an early day bring down the measures promised in the speech, so that members may have ample time to consider them before they come up for discussion. I do not believe that this discussion would have taken place to-day, but for the dearth of business, and when the hon. Prov. Sec. could grow so eloquent upon the subject of the incorporation of a few coal companies, it only showed with what facility that hon. gentleman could speak upon any subject, no matter how uninteresting it might be.

Mr. KILLAM said the object the hon member for Richmond had in view had been entirely misrepresented. He complained, not of the committee itself, but that the different parts of the Province had not been properly represented upon it. I have never had much opinion myself as to the advantages of these exhibitions, and I think that very often the expense incurred exceeds the advantages to be derived.

Mr. TOBIN said—I have been listening patiently, anxious to hear the complaints that hon. gentlemen have to make against the city of Halifax. Now as regards the construction of this committee, the first I heard of it was when I received a note from Dr. Honeyman asking me to attend at Government House. I attended accordingly with a number of other gentlemen, and his Excellency read a communication from the Commissioners at home, inviting the cooperation of the Governors of the various Colonies. The committee was then organized, and as regards its complexion, I may say, that I should have been exceedingly glad if more gentlemen from the country had been placed upon it, if it is thought that the object would be more efficiently carried out. What I do complain of is that the Government refused to contribute more than £500, which, in my opinion, is not more than enough to pay for newspaper advertising, freight, and other charges. The subject has been taken up too late, as was the case with the last exhibition. The articles have to be in Dublin by the 1st April, and that does not give time to obtain a proper representation.

Hon. ATTY GENERAL said that the Government had nothing originally to do with the matter. The correspondence had taken place with the head of the Government, and the committee had been principally arranged by Dr. Honeyman, who had been guided to a large extent by the names of the last committee. Dr. Honeyman was requested to make an estimate of the cost, and he had replied that he thought \$2000 was all that could be judiciously expended in the short time at his disposal. And the government, relying upon his experience, had recommended that sum. I trust that no gentleman will object to that sum. And as regards the complexion of the committee, I do not think any portion of the country will have any cause to complain of not being fairly represented. It would have been exceedingly

difficult to have got gentlemen from the country to have acted upon this committee, for after all the whole work is done by the executive committee, who must be in constant communication with each other, and they could not be expected to attend in town without considerable expense being incurred. As to the remark of the member for the North Riding of Colchester upon the progress of public business, I may say, that although he is correct in stating that the change in the financial year enables the trade returns to be laid upon the table at an early period, yet still a number of days must elapse before the house can fairly get to work. I would remind those gentlemen who complain of the want of work, that there is abundance of matter upon the table to keep the committees engaged, and there is no objection to their exhibiting their industry in that respect.

As to the school bill, I have before remarked that it stands in a different position to any other question. It is well known that former governments have endeavored to deal with this difficult question without success, and this government has been the first to deal with it in a practical form. The act introduced last session only came into operation last autumn, and it was necessary to obtain information as to its working in the different localities, which could not be done until the representatives of the various counties had met together. It was, therefore, impossible for the government sooner to have matured the measure. I repeat again, and the journals will bear me out in the assertion, that up to this time there has been as much work done as in any previous session for the last ten years, and I do not think anybody has a right to complain of delay on the part of the government.

Mr. STEWART CAMPBELL said that as they were acquiring such a character for industry it would be a pity to adjourn at such an early hour, and I shall, therefore, make a few observations in reply to the hon. Prov. Sec. On a former day I referred to the fact that for three successive Saturdays the house had not met at all, and if I am rightly informed a fourth is to be added to the list, for I understand that next Saturday the government intend to devote to a visit to the country and I suppose there will be no house. Again, I think that reference to the journals will show that during the first few weeks of previous sessions the house was in the habit of meeting earlier in the day than three o'clock. The government then, in my opinion, are fairly chargeable with mispending the public time. The honorable Provincial Secretary had referred in glowing terms to the bills that had been passed for the incorporation of Coal Mining Companies; but he deserved no credit for these,—they were brought in by independent members, and the Government had nothing whatever to do with them. We have been told that it is not the primary duty of a Government to bring forward the public business. To that doctrine I entirely dissent; as also to the statement made by the Provincial Secretary, that they had had so much legislation last session that no more was required. What could be said with regard to the position of the important subject of education, which was agitating the public mind to so large an extent? Was it to be said that there was no need for legislation there, when it was cor-

dered that nine-tenths of the people of Nova Scotia were suffering from the want of education, through the act of the Government at the last session. I consider that it was the duty of the Government to have informed themselves upon this subject during the recess, instead of absenting themselves from the country, endeavoring to form the constitution of a great nation in a few days—I say *days*, for their nights were more agreeably occupied—and then coming down to the House unprepared to bring forward a measure of such vital importance to the people of this country.

We are told by the Attorney General that the committees were organized and ready for work. I would ask him whether he has shown the example to the Post Office Committee, of which he is chairman, and I shall be surprised if he has even yet organized it. There is a great deal of force in the observations of the member for North Colchester, when he said that the change in the financial year had been made for the purpose of allowing the House to meet earlier, and I am sorry that has not been the result. I think that not only should the trade returns be on the table, but the Financial Secretary should be prepared with his estimates. I think, sir, I have shown that the government have failed in expediting the public business, and that the country has a right to ask, Have we a Government? I recollect very well, when the Provincial Secretary led the Opposition, he was constantly taunting the government with not bringing down measures, and although he may say that this is a *tu quoque* argument, I must remind him that as he comes here as the great champion of retrenchment, we of course expect better things from him.

PETITIONS.

Mr McLellan presented a petition from Onslow for the repeal of the school act; also, one from Londonderry against Confederation, and one from Dr. McRoberts, which latter was handed to Pro. Sec.

Hon. PRO. SEC. remarked that the hon. gentleman ought to be very thankful to the government for not hastily rushing public measures through the house, for if they had done so his constituents would have been shut out from expressing their views upon a great public question.

Mr MCLELLAN only wished the measures laid upon the table—not to have them hastily decided.

Mr. Tobin presented a petition from William C. Moir, praying for a return of duties.

Dr. Brown from an aged teacher for a free grant of land.

Mr. Tobin also presented two petitions from St. Margaret's Bay, on the subject of the seine fishery, asking that petitioners may be heard before fishery committees.

Then the house adjourned until 3 o'clock the next day.

THURSDAY, March 2, 1865.

The house met at 3 o'clock,

Mr. ROBICHEAU presented a petition from a number of the inhabitants of Beaver River, Digby, asking the house not to go back to the old school law.

Mr. D. FRASER introduced an act to amend chap. 79 R. S. of Pilots, Harbors, and Harbor-masters.

Mr. BLACKWOOD presented a petition for a way office.

Hon. Mr. MCKINNON presented three petitions—one from W. Valentine and others, another from David McNair and others, and another A. McGillivray and others—all from Antigonishe on the school act.

Mr. ROSS presented a petition, signed by Rev. J. Shaw and 132 others of Inganisher, another from Murdoch McDonald and others of St. Ann's, and a third from the same place, all against Union of the Colonies.

COAL RETURNS.

Hon. PRO. SEC. laid on the table the return asked for by the hon. member for Inverness, (Mr. Blanchard) showing the amount of royalty paid on coal. The total receipts for the 9 months of 1864 were \$37,867; of the 12 months, \$49,079.80. The amount received from Cape Breton is \$29,387.62, and from Nova Scotia proper \$19,692.18. The amount received from the mining association is \$20,186.85, and from the other mines \$23,898.95.

RAILWAY REPORT.

Hon. FIN. SEC. laid on the table the railway report for the quarter of 1864, and alluded briefly to its contents.

The Report shows that for the nine months of 1864, ending 30th September, as compared with the same period of 1863, there has been an increase in the traffic receipts on the line of \$16,438.22.

The receipts for 1864 being..... \$119,602.12
For 1863..... 103,164.50

Increase..... \$16,438.22

These receipts are derived from the several branches of traffic, as follows:

Passengers..... \$55,878 47
Horse and Waggon 9,872 36
Freight..... 53,851 89

Total..... \$119,602 72

Shewing an increase over the same period of last year, on these several services, as follows, viz.:

Passengers..... \$7,148 11
Horse and Waggon..... 1,439 32
Freight..... 7,850 79

Total increase..... \$16,438 79

The number of passengers carried is 86,090, exclusive of 920 members of the Legislature, Canadian visitors, &c., and 6,929 teamsters carried free; or a total of 93,939 passengers carried safely over the line in the period covered by this report,—being an increase over the same months of 1863 of 11,326.

The increase in freight carried, as shewn by the returns attached to Mr. Taylor's report, is equally satisfactory, and proves beyond doubt the rapidity and steadiness with which the facility of transport afforded by the Railway is extending and enlarging branches of trade and industry already established, and developing new sources of industry of which our people readily avail themselves.

The weight of freight moved in the nine months was 42,406 tons.

The Accountant's report shews the total gross receipts for the nine months

to be..... \$121,754 45
Total expenses..... 98,24 44

Leaving a nett revenue balance of... \$23,511 55

There is an increase in the expenses charged, as compared with last year, of \$6736.20. Of this sum twelve hundred dollars is properly chargeable to last year, being the amount awarded by the Railway Committee at the last Session of the Legislature, to Contractors, for upholding.

This increased expenditure is the result of the large outlay on permanent way and fencing. On fencing alone there has been expended the sum of \$5,184.88, against \$403.55 for the same service last year. For this expenditure the Road Inspector reports, that in addition to the fencing partially repaired, nearly *twenty-two* miles of fence was taken down and rebuilt, and new posts and rails replaced for decayed ones; and two and one-fourth miles of entirely new fence built on the Windsor Branch. The Road Inspector reports that up to 30th September, 1864, a total of 36,312 new sleepers were put into the road, exclusive of new sleepers used in the construction of sidings. For this branch of the service the outlay exceeds that of last year by \$5,569.02.

A perusal of Mr. Marshall's report will show a great deal of work done during the season in repairing, and, in many cases, rebuilding, culverts and drains, in constructing necessary sidings for the accommodation of the increasing traffic on the road, and in the general repair of stations and buildings. The roadway has been kept in excellent repair, and there is every reason to believe that, at the close of the season, it will be in good condition to meet the exigency of our winter climate.

The Report also adds that the constant and heavy work is beginning to tell very heavily on the rolling stock, more particularly on the freight and flat cars.

PETITION.

Mr. S. Campbell presented a petition from the merchants of Port Mulgrave, in the County of Guysboro, asking that a bonded warehouse may be established at that place.

CORRESPONDENCE.

Hon. Prov. Sec. laid on the table copy of a communication from the Adjutant General relative to the issue of swords to the Militia.

Also, a copy of correspondence relative to the appointment of Hon. Jas. McDonald as Financial Secretary.

Also, correspondence asked for by the hon. member for Victoria respecting the appointment of Murdoch McLeod as Inspector of Statute Labor.

LICENSES.

Mr. Tobin presented a petition of magistrates, miners, and others at Tangier, asking for an alteration in the license law. The hon. member stated that a similar petition was presented, and a bill in accordance therewith was introduced, by himself last session, but the House would take no action in the matter. Two years' experience of the license law had proved that it had not the tendency to prevent the sale of intoxicating liquors. On the contrary, a number of unlicensed grogeries had grown up along the Eastern shore and in the neighborhood of Tangier. The petitioners feel that a house of entertainment is necessary at Tangier, for the accommodation of travellers.

The hon. gentleman then introduced a bill to amend chap 19, R. S., of the sale of spirituous liquors.

BILLS, &c.

Mr. ROBERTSON introduced a bill to alter the time of holding the general sessions in the district of Barrington, Shelburne county.

Mr. KILLAM presented a petition from Yarmouth in reference to a light house at Little Hope.

Dr. HAMILTON presented a petition from E. C. Foster and others, inhabitants of Berwick, in reference to the opening up of an improved line of road as a mail route.

Mr. LAWRENCE presented a petition from a number of the inhabitants of Kenetcook, Hants, asking for authority to sell a school lot.

SECOND READINGS.

The bills to incorporate the Union Engine Co., and to amend the act incorporating the Union Protection Company, were read a second time, and referred to committee on City bills.

THE PROTECTION OF RIGHTS OF MARRIED WOMEN.

Dr. HAMILTON moved the second reading of the bill which he introduced on the first day of the session, entitled an act "for the better protection of the rights and estates of married women." He stated that the bill was intended to protect women who have property before, or acquire it after marriage, from the incapacity or bad conduct of their husbands. He alluded to the evils that intemperance created in households, and the necessity that existed for preventing intemperate men destroying or wasting the property that women may acquire through their own individual industry.

Mr. TOBIN said that the bill went to create a very radical change, and should not be hastily considered. He was in favor of the protection of the rights of married women as far as possible, but at the same time he was hardly prepared, until after more deliberation, going to the extent the bill went. He therefore thought the bill should be sent to the committee on law amendments.

Mr. BLANCHARD said that now was the proper time to settle the principle of the bill. Although he was ready to protect married women as respects their property, yet he thought the bill was rather too sweeping in its character.—The first clause went to make the property, real or personal, owned by the wife before marriage, not responsible for the husband's debts. That was a change startling to all of us who were accustomed to look upon the property of the wife as that of the husband.

Hon. FIN. SECT. said that he was sure that on reflection the house would consider the change proposed as one founded on equity.—

When they reflected on the necessity of the change, they could not but express surprise that it had not been brought about before this. The principle now was that a woman, on becoming married, was dead in law. No matter what her position or property might be, the moment the nuptial knot was tied, she was divested of all her rights. He could not see anything repugnant to justice or common-sense in the bill before the house—that was to afford a woman protection against the conduct of her husband. How often did we see men, who could not be charged with cruelty in the direct sense of the term; but who were of such extravagant habits as to run through, in a very short space of time, the property of their wives, and

leave their families without any tangible means of support. He considered it but right that the law should say to such men, that they might use the property legitimately, but not destroy it. The second clause of the bill went to protect the wife, in case of desertion by her husband—to protect any property she might have from being liable for his debts, and to prevent him returning and taking possession of any she might acquire in his absence. He did not conceive any difficulty arising, as the bill went through committee, in providing provisions which would prevent any hardship to the wife, and at the same time not injure the general credit a man ought to have in the world.

Mr. BLANCHARD said that when the hon. gentleman who had just spoken stated that the woman was dead in law, he made a mistake. A woman having real estate cannot have it conveyed away without her consent. Gentlemen should consider carefully the probable consequences of the bill if it became law. Suppose an execution were levied on a man, might not he say that the personal property was his wife's. He did not object so much to the second clause; but he ventured to say that no precedent could be found for the first one in any country in the civilized world. In the United States they had a law which protected the property of a wife against the drunkenness of her husband, by means of trustees, and even his own property beside; but they did not go by any means as far as the present bill.

Mr. ARCHIBALD pointed out hardships that arose from the operation of the existing law, and contended some alteration was necessary to protect married women; to a larger extent. He thought the present bill went too far—it would introduce the elements of discord into the domestic circle. The question, however, now really before the house was, whether women, at present, had that full protection to which they were entitled. If not, a law should be certainly passed to remedy the evil. The present bill had a precedent in New Brunswick, where, he believed, it had operated without any of the injurious consequences that might be supposed to flow from it. It would be well, however, for the House to know its workings in the adjoining Province, and he therefore thought the bill should be sent to a select committee. He also added that in the French law a similar principle prevailed, but, as everybody knew, the result was antagonistic to the happiness of home.

Hon. Mr. SHANNON thought that we had hardly in our existing law done justice to the position of a wife. In the British law, which we followed to a large extent, she was considered to have no rights at all, but to be merged in the existence of the husband. Of course the Court of Chancery could step in, in a number of instances, but nevertheless there was not that broad protection which he wished to see. If some plan could be arranged by which the wife's property could be kept for the use of herself and children, he would be glad of it. On the other hand, whilst he would protect every right of a married woman, in accordance with the principles of justice, he would not object to see in our law a provision that a man might alienate the real estate which he himself created, without the signature of his wife.

Mr. S. McDONNELL was surprised to hear the hon. member state that the English law had never done justice to women. It was one

of the boasts of England that the law protected the rights of woman—that it had provisions for her protection that did not apply to the case of men. If we protected a wife from the debts of a husband, he thought it was but justice to reverse the rule, and also secure him from her extravagance. At present, if a man married a woman in debt, his property became liable. He was opposed to making such a radical change as was proposed, so hastily. Whilst he had no doubt there was many cases of hardship arising to women, he must concur with those hon. gentlemen who had stated that the present bill went altogether too far, and who recommended its reference to a select committee.

Mr. TOBIN said that the rights of married women were already pretty well guarded in this country. They had a lien on the real estate of their husbands, and although they might get into debt, they were never arrested for it. He thought it was best to refer the bill to a select committee.

Mr. S. CAMPBELL said that he was one of those who held some old fashioned notions on this subject. A man engaged to take his wife "for better or for worse, &c., and endowed her with all his worldly goods. This was a contract made under circumstances of a very serious character, and nothing should be done that might interfere with it injuriously. He must say that he did not see that any great grievances rendered the introduction of the present bill requisite. It was better, he thought, that this union should be preserved as it had been for ages, and that we should not, by introducing a bill of this kind, bring the elements of discord and trouble into families where there ought to be nothing but love and unity.

Mr. PRYOR said that a few years ago a gentleman in the Council introduced a bill of a similar nature to the one now before the house. He thought it would be advisable to pause before making such a radical change as was proposed in the principles that had long prevailed in the English law, and in the law of the colonies. The observations made by the hon. member for Colchester had considerable weight with him; that the bill should be sent to a select committee. The law now allowed a woman, having property, to have a marriage settlement drawn up before marriage, which she may arrange as she may think best for her own interests. She could prevent that property being alienated by the misconduct of her husband. He thought that there was another matter, connected with this bill, which required consideration, and that was, the protection of a married woman from an abandoned husband. That was a clause in the bill which recommended itself to his mind.

Mr. BLANCHARD questioned the propriety of referring such bills to a special committee, when there were standing committees provided by the house to deal with all such matters.

Hon. ATTY. GEN. considered it advisable for the house to consider carefully the principle of the bill under discussion, and went on to argue in its favor. He believed that there were numerous cases where persons were, though not insane, not in a state of mind competent to manage their property, and where the law ought to step in and provide machinery for

the management of that property, not only for the benefit of the individual himself, but of his wife and children. In the United States, he believed provision was made for the trial of persons who showed themselves by their habits incompetent to deal with their property, as if actually deprived of their senses. If they were proved incompetent, their property was removed from their control, and placed in the hands of trustees. The real question was not, what was in the English law, but what was most applicable to the condition of things, and what should be the subject of legislation here. The first clause in the present bill went to effect what was only founded on justice—to prevent the husband wasting and destroying his wife's property, and turning her out of doors. It provided that that property should not be encumbered—that the husband should not pass it out of her possession, but that it should be retained for the benefit of his wife until she signed a document conveying it away. He believed that it would operate in many cases mutually advantageous to both parties, and not necessarily give rise to those social disputes that some gentlemen appeared to think would arise. He did not deny that a marriage settlement afforded some protection to a woman as respects property belonging to her before marriage, but the bill would also protect her in reference to what she acquired after the union. The bill provided that her property should not be liable for his debts, only those she might contract herself. The two remaining clauses were to protect the wife in case of desertion. If a woman could prove that she had been actually deserted by her husband, then she would be protected. At present, a woman was liable to having any property she might acquire subsequent to the desertion by her husband seized by him in case he should return. The bill remedied what was an obvious injustice, for it was but right that a woman, deserted by her husband, should be protected against him. A similar law existed in New Brunswick, and doubtless if it had operated prejudicially there, it would have been altered before this.

Hon. PROV. SECY. said that now was the proper time to discuss the principle of the bill and then went on to speak at some length in opposition to it. He could see no reason for so radical a change in the existing law, as was proposed. He confessed that his mind to a large extent took the same course as that of the hon. members for Inverness and Guysboro'. Every one knew that a feeling of chivalry animated the majority of men in reference to woman, and threw around them a protection which no law on the statute book could give. The member for Inverness had shown that the property that a woman had previous to her marriage remained her own and that her husband could not alienate it without her consent, and therefore in that respect she was well protected. He had known instances where the present law even operated prejudicially to the interest of the husband rather than to those of the wife. One case he mentioned was where a man succeeded in making the property brought to him by his wife a hundred per cent. more valuable. She fell sick, however, and he spent a great deal of money, and used every exertion to alleviate her misfortune. When the hour of death came, however, the property which he had rendered so valuable by his own

exertions was nearly passing out of his hands into those of strangers. He was sure the honourable gentlemen would find on examination that there were two sides to the question—that the husband required protection just as much as the wife sometimes. The moment a man married a woman, whatever her circumstances might be, she became the owner of his property, irrespective of his will and inclination, and no power on earth could divest her of that except her own pleasure. Every one knew the influence the sex had over man, and how frequently he was carried away by her to do as she willed; and, therefore, he thought a woman was not so unfortunately situated as some gentlemen tried to make out she was. He knew a case where a man who voted for him at an election was asked by a creditor, how it was he broke his promise to vote for the other candidate? The excuse given by the wife was, "Why, you see, you only see him occasionally, but he has to life with me." (Great laughter.) Whilst, however, he could excuse the hon. member for King's for introducing the bill, since he was to some extent under the influence of the glances of approval that beamed from bright eyes on the occasion of the opening of the house when he brought it in; yet he could not excuse the Financial Secretary, in whose judgment he confided largely, for the line of argument that gentleman had pursued. That hon. gentleman should consider that it was repugnant to a higher law than that of man to introduce what would be the elements of discord between those who have been joined together by a holy tie. The hon. gentleman, he thought, also went too far when he wished to have the wife protected in case the husband was extravagant—it was allowing the wife altogether too much latitude. The hon. Provincial Secretary then went on to contravert other arguments in favor of the bill, and concluded by showing in what particulars a woman he considered is protected as the law now stands, and why there is no necessity for the proposed change.

Hon. ATTY. GENL. replied to the Provincial Secretary and pointed out cases where the present law operated unfairly upon females. He knew an instance of a person who deserted his family, for some years, and during his absence his wife managed to make a good business and accumulate a property, worth some hundreds of pounds. In order to protect herself she took the deed in the name of the eldest daughter. On his return, the husband, finding he could not get hold of the property by fair means, appealed to the Court of Chancery, setting forth that that property was purchased with his money, and the deed ought to have been made out in his name. If the case was decided in his favour, then the property she had accumulated by her industry would be handed over to a man who had left his family to shift for himself, and had done nothing towards the acquisition of the property which he so unjustly claimed. These facts would give an idea of the injustice which the present law, in its operations, might inflict upon respectable, hard working wives. As respects the reasons adduced against the bill by his friend the Provincial Secretary, he did not consider them as having much weight. The law, as it now stood, protected a third of the real estate; but a man might have ten thousands' worth

of personal property over which his wife could have no control. Again, in respect to real estate, the wife held no control over it during his life. The husband could mortgage, or sell it, whilst she had only a contingent interest in it—that was, if she happened to live longer than he did. He (Mr. H.) contended, that if it were right to protect a wife by settlements previous to marriage, it was equally right that she should be protected in respect to property which might come to her after that event. The object of all law should be to encourage industry and enterprise, not only in the sterner sex, but also in cases where women were the heads of families, accumulating property by their energy and skill. He did not apprehend the difficulty suggested by the Prov. Secy. that this change in the law would engender domestic strife, any more than the present law relating to dower or marriage settlements. He therefore approved of the general scope of the bill, and as regards the mode of dealing with it. The principle could be tested on the second reading, or it could be read by consent and committed, each gentleman reserving to himself the right of objecting to the details, or if they were not modified to suit his views, of voting against the whole bill in committee.

Hon. FINL. SECY. said, if he had had any doubts as to the propriety of the bill, they were entirely removed by the speech of the hon. Prov. Secy.; for if that hon. gentleman, with his acknowledged ability, could not advance better arguments than he had done, it must indeed be a poor case he was advocating. His (Mr. McD's) arguments and meaning had been entirely perverted by the Prov. Secy.; he did not say that want of sense, economy, or prudence, was sufficient to send a man to the Lunatic Asylum, or to deprive him of the right to manage his property; but he did say, that some provision was needed in the law to guard against cases where persons wanting in these qualities had become possessed of property by their wives, and were inclined to squander it, and leave their wives and children destitute and helpless. The argument used by the Prov. Secy. that all this might be secured by a marriage settlement rather strengthened his position—the policy was the same in both cases—and the object of this law was to do what a prudent father would do on the marriage of his daughter, viz.: put her property beyond the control of her husband. If every one was prudent enough to do this the necessity for this bill would not be so great, but it was to guard against cases where the foresight had been neglected, that the bill was designed. It was by no means a novel idea for a precedent could be found in English law. By the laws of the city of London, any married woman engaged in trade, owns her property irrespective of the control of her husband. Surely, no one could contend that it was a proper state of things, that where a husband abandons his wife and leaves the country, and she by her industry and skill, not only educates and supports her family, but accumulates property, that he should be allowed to come back and squander her hard earned earnings, and perhaps throw her out of doors. Yet such was the present law—and he was presenting no fanciful view of it, for an instance of that kind had come within his own observation. All this law proposed to do then was to secure to the married woman the

property she had accumulated by her energy and industry. It proposed to take away nothing from the husband, so there was no hardship in it as far as he was concerned. The hon. gentleman concluded by expressing the hope that the house would deal with the bill in some form, and remedy the grievances under which married women were now laboring.

Mr. TOBIN doubted the propriety of the bill or whether it would secure the object it contemplated. At all events the bill should not pass until it had been fully examined in all its details by a special committee.

Mr. S. McDONNELL also briefly expressed his dissent to the bill in its present form.

Mr. KAULBACK was proceeding to give his views upon the subject, but the hour for adjournment having arrived the debate was adjourned.

Hon. Mr. SHANNON, from the committee on private bills, reported up seven.

After which the house adjourned until three o'clock the next day.

FRIDAY, 3d March.

The house met at 3 o'clock.

PETITIONS.

Mr. BOURNOT presented a petition from a number of the inhabitants of Gabarous, C. B., for additional mail accommodation.

Mr. ROSS, a petition for a way office at Kempt Head, Boulardrie.

Mr. HILL, a petition for a daily mail to Brooklyn, Hants.

Mr. C. J. CAMPBELL, four petitions:—one of Mr. Kidston and others of Bedeque for an amendment in the license law; another from Murdock McLeod, an aged school teacher, for a free grant of land; the third from the inhabitants of Washabuck, Vic., for a way office; and the fourth from John McNeil in reference to a ferry.

Mr. ROBICHEAU, a petition from the county of Digby in reference to the School Bill.

Mr. MORE, a petition from Kentville against the Union of the Colonies, and another from Lower Horton in regard to the School Bill.

Mr. BLANCHARD, a petition from the Postmaster of Plaister Cove, for an increase of salary.

Mr. P. SMYTH, a petition from River Inhabitants against the Union of the Colonies; another from John McNeil of Mabou, for an increase of salary.

INFORMATION ASKED FOR.

Mr. LOCKE asked the government to lay on the table copies of the letter from the Clerk of peace in 1860, to order a survey of the township lines in Chester; also copies of order in Council to the Commissioner in Crown Lands, to have the lines surveyed; also copies of order of Council to have the lines surveyed in the district of Chester. Also the names of patients in the Provincial Asylum from the county of Lunenburg, which are chargeable to that county, &c.

Mr. KAULBACK was glad to see so much interest taken in the county of Lunenburg by an hon. gentleman. He presumed he had some satisfactory object in making such an enquiry.

Mr. BLANCHARD asked the government to lay on the table all correspondence touching the appointment of delegates in connection with the Union of the Colonies, and in doing

so, he stated that his object was to relieve doubts that seemed to exist on the subject.

LAW RELATIVE TO SEAMEN.

Mr. DON FRASER presented a petition from ship owners and masters of Pictou to amend the law relative to Seamen, which was referred to a special committee consisting of Messrs. Archibald, Killam, LeVesconte, Locke, and C. Campbell. Mr. Fraser stated that the present law operated very prejudicially to masters and that he hoped some remedy would be found for the existing state of things.

Mr. BLANCHARD enquired whether another grievance could not be remedied—one in connection with foreign seamen. At present there is no power to arrest these men for desertion or any such thing. Foreign seamen were only subject to the laws of the country to which they belong.

Mr. BOURNOT said that he was glad the hon. member had called attention to the subject, for the difficulties that arose in reference to foreign seamen were frequently brought to his notice in the county where he lived. In consequence of the large coal trade carried on in Cape Breton very many foreign vessels resorted to its ports, and difficulties from desertion which could not be dealt with constantly occurred.

Mr. LEVESCONTE thought that the trouble rested with the American government, and we could not remedy it ourselves.

Hon. FIN. SEC. said that no doubt it was a matter of international policy rather than one which the legislation of the house could touch, and that it would have to be referred to the Imperial authorities. He was of opinion that some arrangement was very desirable.

Mr. BOURNOT said that the Legislature had the power of calling attention to the matter. Those who had an interest in those counties where coal mines were situated, knew perfectly well the necessity that existed for some prompt remedy being found for the very unsatisfactory state of things that at present existed.

Mr. BLANCHARD said that our vessels on going to the States were exactly in the same position.

Mr. ARCHIBALD said that the matter could be brought to the notice of the Imperial authorities in the shape of an address.

Hon. PROV. SEC. said that it would be the best plan for some gentleman interested in the question to enquire into it and then bring it up again, and have it considered, if necessary, by a committee.

THE REVISED STATUTES.

Mr. BLANCHARD called the attention of the house to an accidental omission in the new edition of the Revised Statutes. This omission, he stated, was not chargeable to the revisors, but was owing to the action of the Legislature last session. It would be recollected that last winter several chapters were amended in the house, but some of the amendments did not meet with the approbation of the Legislative Council. In consequence of this, a lock occurred between two branches, and it was therefore decided to allow the original acts to remain in force. The hon. Attorney General (Mr. Johnston), introduced an act reviving certain chapters, among them was the chapter touching on the descent of real and personal property; but the chap. that was passed in 1860, making a material amendment relative to the descent of real estate was omitted.

The Commissioners noticed the omission, but could not amend it without the sanction of the Legislature. Under these circumstances he introduced a bill to amend chap. 115 R. S., new series.

ENQUIRY.

Mr. C. J. CAMPBELL asked the government to lay on the table a statement setting forth the amount paid in each county out of the general revenue for setting the machinery of the present school bill in operation.

YARMOUTH SEMINARY.

Mr. KILLAM presented a petition from the governors of the Yarmouth Seminary setting forth the claims of that institution to a grant of \$1000.

Hon. PROV. SEC. enquired if this institution was organized under the existing school bill.

Mr. KILLAM replied that the free school connected with it was organized under the act, but the higher department was maintained by fees.

LIGHT HOUSES.

Hon. FIN. SEC. laid on the table a return relative to light houses, asked for by the hon. member for Annapolis, Mr. Longley.

CROWN LANDS.

Hon. PROV. SEC. laid on the table the answer of the Commissioner of Crown Lands to the enquiry put by the member for Richmond (Mr. Miller). In doing so, he stated he hoped this information would be found sufficiently full, for he had no doubt that the hon. member had no desire, in asking what he did, to embarrass a public department. To answer fully the enquiry put by him would keep the clerks of the department busy for weeks, and impede its business generally. The number of petitions received during last year were 626, and it would be consequently seen that to go into their character, dates, &c., would require a very large amount of labour.—However, the Commissioner of Crown Lands had sent in an answer which, no doubt, would be found to give all the information required by the hon. member for Richmond. First of all there are in Nova Scotia proper seventy-one applications approved of but the grants are detained for payment of balance due. In Cape Breton the number was 229. Next came the petitions from people who have settled upon Indian lands. In most cases bonds have been given, and partial payments made. The number is 47. Then came the cases under the act of 1859, upon a large portion of which bonds have been taken. Some have refused to send bonds but are making partial payment. There are 764 in the four counties of Cape Breton; the number of lots surveyed were 1673. A good many have paid and received their grants. Then come petitions in the hands of surveyors appointed with orders of survey. The total number is 192. Next we have petitions sent recently and consequently not yet reported upon, 74. The number of petitions approved, and grants in a state of forwardness is 140.

Mr. MILLER could only say that no one would regret more than himself to give anything like unnecessary trouble to any public officer, and especially to one whose duties he knew to be fully as onerous as they should be. Were it not for the frequent complaints which had come to him in reference to the

management of the department he would certainly not have asked the officer at its head to answer the enquiry in question. He thought when these were examined, it would be found there was good ground for the course he had taken, and if it was likely to produce anything like energy and greater industry on the part of the department, a service would have been done to the country. He was given to understand that within the last two years the accumulation of unsettled business has been out of all proportion to all previous years. The head of the department was not himself so much to blame, especially in respect to the disputed claims, because these were altogether out of his hands and matters for the investigation of the executive committee. Doubtless the delay had occurred in consequence of the fact that the executive had had their attention called during the recess to other questions, but he thought it hardly fair to the country that this neglect of matters so interesting to large numbers of the people should be exhibited. It was no trifling affair for a poor man in the country to be kept in a state of doubt, for many months, in reference to lands on which he wished to raise a home-stead and make his living. He was quite satisfied with the return that had been presented, and would now move that it be referred to the Crown Land committee for their consideration.

Mr. STEWART CAMPBELL said that there was no doubt that there was some necessity for an improvement in the Crown Land Department, for he had to go no further than to a gentleman on his right hand, who had paid money for 100 acres two years ago, but the line of which had not even yet been run out.

Hon. PRO. SECY. could not congratulate the hon. member for Richmond on his success in endeavouring to find some material for a charge against the government. When the return was placed in his hand the other day, the hon. member had actually expressed his surprise that the list of disputed cases was so small, and then put out hap-hazard another question, the answer to which he thought might give him the material which failed him at the first experiment. But even this second venture did not appear to answer the purpose of the hon. gentleman. All he could say now was that the head of the department was a most laborious officer, and that he was convinced that there was some neglect on the part of the government—that these claims must have accumulated during the last two years. True they had accumulated, but it was for the simple reason that during the past two years there had been an amazing activity in the department that never existed previously. Within the last year the applications in the Crown Lands had doubled with only the same number of officers to attend to them. It was a natural result that with double the number of applications and double the amount of money paid, there should be within the past two years an accumulation of work. The hon. member for Richmond, added the Prov. Secy., held in his hand the proof that, instead of any neglect on the part of the government, there was not a single case pending before the Executive Committee with the exception of the list of disputed claims at the smallness of which he himself expressed surprise, and some of which had existed since 1862.

Mr. MILLER said that he did not think there was anything in the remarks he had made to warrant the tone and style of observation in which the hon. Provincial Secretary had thought proper to indulge. When he called for these papers, he did it under the impression that there was neglect on the part of the government, and he reiterated it now. When he moved for the return he was actuated by a desire to serve those whom he was convinced had been badly treated in connection with the department. When the return was placed on the table, he did not deny that he had expressed his surprise that the list was small. He was not, however, astonished that the list of disputed cases was so small, but that the list of what he thought were the undecided applications was so insignificant in comparison with what he imagined it was. He considered it a disgrace to the government that they had not endeavoured to settle these claims and put the matter at rest. It was a very easy matter for gentlemen to sit at ease in their offices and pocket their salaries, but the people had a right to have more attention paid to their affairs. The government might have been more worthily employed in settling these claims than gadding about the country on self-constituted missions and endeavouring to barter away the privileges which these people so highly value without their consent and approval. If these gentlemen had remained at home last summer he thought they would have been in a better position to assume the tone of arrogance and superciliousness which they adopted with reference to those who took them to task for their neglect of the public business. The hon. Provincial Secretary assumed he had a right to sneer at gentlemen who charged him with neglecting his public duty; but he had to learn, as others had already, that the independent members of the house were not to be treated with impunity, in the style he was accustomed to use. If any member came forward and asked a question of the government, he ought to be given the information he required in a courteous manner. If the hon. gentleman could take credit for himself for the condition of the land office, he was certainly exhibiting an amount of modesty for which he deserved a mark of distinction. There were some four or five hundred cases for which poor men in the country could get no satisfaction for years, and yet the honourable gentleman seemed to consider the matter of little importance. He (Mr. Miller) knew of several cases in his own county, in reference to which he had been trying for two years to get a settlement. The only answer he had, day after day, was, that the department could not get a committee of the Executive Council together. He would tell the Hon. Prov. Secy. that if he took the trouble to ask for the returns of the cases undecided when that hon. gentleman came into office, and compared them with those since that time, the comparison would not be flattering to the government. It would be found that the number when he came into power were few indeed in comparison with what he had allowed to accumulate for the last two years.

Hon. PRO. SECY. replied that when he listened to the hon. member for Richmond he was reminded of an anecdote of a person who on his way to attend a discussion between two noted characters, met with a deaf and dumb man. He asked that individual, by means of a

state or signs, where he was going, and the reply was, "To the discussion." "But how are you going to tell who has the best of the argument?" "Oh," was the reply, "I shall know who has the best of it, for I shall see who first gets angry." So when the honourable member got up and made such an exhibition of anger on the present occasion, he must have convinced the House that he had a very poor case. He had not taunted the hon. member for anything except this: that when he got information, which he had asked for he endeavored to send forth to the country in the debates the impression that he had substantial cause of complaint against the Government. Why, the hon. member himself held the evidence in his own hand that the case he wished to make out had broken down at the very outset. More than that, when he received the return of the disputed returns, he did not hesitate to express his great surprise that what he hoped was going to be a mountain, had turned out a *mus*. Then what next did he do? Finding that the whole case had failed—as his own admission showed—then he thought that he would make another venture, in the hope of gaining something, and so he asked for a return of all the cases of every description. And what was the result? He got the evidence placed in his hands—evidence from an officer in whom he admitted he had the highest confidence—that there was not a single case whatever except the list of disputed ones, at the smallness of which he was so astonished. Now, it was obvious to the house why the hon. member was groping in the dark when he asked for the return. He wished to take the government to task for sending a delegation to Canada last fall. It did not say much for that hon. gentleman, that having admitted that the entire amount of disputed claims were altogether less than he had supposed, he should endeavor to create a false impression over the face of this country, that the government was chargeable with what could not be proved by the returns before the house. The accumulation of business in the department, as he had previously observed, arose from the great activity that now existed in this country. Yet the hon. member endeavored to get off a little ebullition of temper, and attacked the government for sending delegates to Canada. That was not the question before the house, and when the hon. member dragged it in he was simply making himself ridiculous. Any independent member would get a courteous reply, and all the information he required, from the government, if it were asked in the proper manner.

Mr. ARCHIBALD said that he had listened to the observations of the hon. member for Richmond, and he certainly did not think there was anything either in the manner in which they had been delivered or the subject referred to, to call forth the reply that had just been given by the hon. Provincial Secretary. Any hon. gentlemen had a perfect right to enquire into the working of a public department—especially one in which the public was so much interested as the Crown Land office. In view of what had transpired, he felt that the country was under a great obligation to the hon. member for Richmond in bringing this matter before the House. Although he knew nothing of the cases referred to, he happened to know that there

were several claims still in abeyance, which were pending when the late government were in office. He did not think this was very creditable to the present government, although he had no intention of charging them with dereliction of duty,—for he was aware from his own experience of the difficulties attending the adjustment of the various claims presented. There was no department of the public service that required more attention and industry on the part of the government than the Crown Land department, and it was of the utmost importance that controverted claims should be decided as speedily as possible. If it was the fact, as stated, that 46 claims still remained undisposed of, it certainly seemed a large accumulation of business,—and although he was aware, as he had just remarked, of the arduous nature of the duties which devolved upon the government in connection with this department, he could not help thinking that the business was getting too much in arrear. When his government were in power he had felt it a most serious duty to endeavor to prevent the accumulation of business in this department of the public service, and he thought it was almost better in some cases of controversy to decide at once, even if it were a hasty decision (and perhaps subsequent events might prove a wrong one) than to keep the contending parties in doubt and put them to increased expense. The hon. Provincial Secretary had not alluded to the case mentioned by the member for Guysborough, of a member of this house having two years ago made an application to the Crown Land department for a grant, and paid his money, and yet no survey had been made. That was a case that did not affect the government, but the office in charge of the department.

Hon. PROV. SECY. said that the member for Colchester had better wait until he heard the facts of that case before he reasoned upon it. At present he was totally in the dark.

Mr. ARCHIBALD said he had no personal knowledge of the case—he merely repeated a statement made by a member of the House in course of this discussion. He was not acquainted with the motives or object of the hon. member for Richmond in making his enquiry, but he certainly thought he deserved the thanks of the House in drawing attention to the state of this department. He would not say that the government had failed in the discharge of their duty, because he was unacquainted with the facts, and there might be good and sufficient reasons why these 47 cases had not been disposed of—but he thought that a sufficient case had been made out to warrant the Crown Land Committee in ascertaining whether the affairs of this department had been administered with that vigor they should. As regards the case mentioned by the member for Guysborough he could not help thinking that there must be some mistake, for if true, the blame rested not upon the government, (for it was not a case of disputed claims) but upon the Crown Land Commissioner, and from his knowledge of that officer, he had always found him most anxious to discharge the duties of his office faithfully. He was in hopes, therefore, that some explanation would be given, and in the absence of the necessary information, he would refrain from any further observations.

Hon. ATTY. GEN. remarked that the present government had disposed of more of these disputed claims than any previous one, and they had a pretty good list bequeathed to them by their predecessors. Not that he imputed any blame to them, for as the member for Colchester had truly said, there were no subjects so difficult to deal with as the claims referred to, and very often the delay was occasioned by the dilatoriness of the claimants themselves—where the rights of four or five were involved, and correspondence had to be opened with first one and then another in order to elicit all the information, it was a difficult matter to arrive at an early decision. As regards the case mentioned by the member for Guysborough, it had never been officially brought to the notice of the government, but he remembered having a conversation with the member for Eastern Halifax (Mr. Balcom) on the subject, and if he was not mistaken the Surveyor reported that the land had been previously granted, or that something was wrong.

Mr. S. CAMPBELL—No.

Mr. BALCOM—also denied the statement.

Hon. ATTY. GENL.—Then it must have been some other case the hon. gentleman mentioned to me. This case, however, has not been brought to the notice of the Government, and consequently they cannot be blamed.

Mr. STEWART CAMPBELL said that it was no answer to say that because the matter had not been immediately brought under the notice of the government, that they were not to blame. He held in his hand the return of their own officer, showing that the money had been paid two years ago, and it was their duty to have seen that the grant was made.

Mr. BALCOM stated that when he applied for the grant and had paid his money, he enquired whether he could work upon the land but was told he could not until the grant passed. When he asked how soon he would get it, he was told as soon as possible. The winter before last he wished to cut wood upon it but refrained in consequence of not having his grant; and when he enquired last winter why the land was not laid out, he was told in the Crown Land Office that the Surveyor would be instructed to do so—but when he returned home in the spring to his surprise he found that it had not been done, nor was it to this day.

Mr. MILLER said that he did not think that the house had been much complimented by the tone of the speech they had just listened to from the hon. Prov. Secy—nor could he imagine that the hon. gentleman's followers and supporters would be much flattered, by being represented as deaf men—incapable of being influenced by arguments and only capable of forming their conclusions from the gesticulations of their leader. The hon. gentleman is always unfortunate in his attempts at humorous illustrations, but he is extremely so in the present case. If his anecdote is good for anything it tells most strongly against himself. If the man who loses his temper first is the one who gets the worst of the argument, then he certainly must feel that he has been worsted in the present instance. If temper had been exhibited in this discussion, he could safely ask, who had been the first to show it? The Prov. Secretary had submitted a return from the Commissioner of Crown Lands. He (Mr. M.)

had made some remarks upon it, and he was in the judgment of the house if he had not done so in the most courteous and respectful manner. What did we then witness? The hon. Provincial Secretary got up, and in that peculiar tone of sarcasm for which he has become unenviably noted abroad as well as at home assailed him in unfair terms, and charged him with motives entirely unjustifiable under the circumstances. Nothing was farther from his mind than to say anything unnecessarily offensive to the government. His only object was to serve the public interests, and to endeavor to promote the efficiency of a department in which the people were so deeply interested. The hon. gentleman was, therefore, not justified in the course he adopted.—It only clearly proved his loss of temper, and consequently that his cause was bad, and the position he assumed untenable. But it was very evident why the Prov. Sec. had exhibited so much temper. He had been touched in a weak joint in his harness, and he could not withstand the truth of the assertion that he and his Government had been guilty of gross neglect in reference to the management of the Crown Land Department. It would be for the country to judge whether the Provincial Secretary had raised himself in their estimation by the exhibition he has just made of himself—or whether he had advanced the dignity of his position by the course he had adopted. He had thought proper to use the term "false," in connection with the remarks he (Mr. M.) had made. The proper course probably would have been to have called him to order for the use of unparliamentary language. He did not know in what sense that hon. gentleman intended to apply the expression but he threw back the words to him in whatever application he had used them. The hon. Prov. Secy. had endeavoured to misrepresent his meaning in reference to the observation he had made on a previous day when this return was laid on the table, and to get the House and the country to believe that he had expressed his astonishment at the smallness of the number of disputed claims. Now, what he did say was that he was surprised that the return did not include a larger number, as he intended his inquiry to embrace all descriptions of cases pending in the Department. It would not do, therefore, for the Provincial Secretary to endeavour to misrepresent his language, and create a false impression as to the observations he had made. The hon. gentleman had better have spared the remark that he (Mr. Miller) was groping in the dark and did not understand the matter he was talking about. Such language was simply offensive, and nothing more. It did not require very extensive knowledge, or enlarged abilities to deal with this question of the Crown Land Office—and altho' every one could not be supposed to be endowed with the superior attainments and vast intellectual powers of one of the "ablest statesmen of British America," yet it was not a difficult matter to deal with a subject like the present. It would have comported more then with the dignity of the position that hon. gentlemen held, if he had been more guarded in his language. The sooner the hon. gentleman got over his bad habits of sarcasm and vituperation, the more qualified will he become for his position. For his

part, he (Mr. M.) would never fail to administer a suitable rebuke when he attempted such conduct towards him. If the hon. gentleman's powers of irony were greater than they are, he would always vindicate himself from insult as an independent member of that house. When he applied the term "supremely ridiculous" to him, he would remind the Provincial Secretary that it was just as easy for him to retort in the same style, and perhaps in harsher terms, and with more truth. He was amused at the hon. Attorney General, who gave as the reason for the delay in the Crown Land office—the difficulty of obtaining the proper evidence. He had no doubt that in some cases this difficulty was experienced, but what he complained of was, that there was no court to try the cases—that the committee of the Executive Council could not be got together, and that the arrears of business had accumulated in consequence of their neglect. He repeated, he was glad that he had brought this subject to the notice of the house, as he was inclined to think some good would come of it. Already he was informed that a number of undecided cases had been disposed of since his enquiry had been made, which, probably, would not have been the case had the question not been asked.

Hon. Prov. Secy. said that he was aware that in times past, in the heat of debate, his extremely amiable temper had been sorely tried, and no doubt he had occasionally said some pretty sharp things,—but he thought that the house would bear him out in the assertion that he had never so far forgotten himself as to allow anything that fell from the hon. member for Richmond to disturb the equanimity of his temper. If he had done so, he should be very much ashamed of himself. He did not say that that hon. gentleman had stated what was false, but he told him that he could not permit him to convey a false impression to the country as to the nature of the returns he asked for—and to convey the idea that there were over a hundred undecided claims, whereas the list he held in his hand only shewed forty-six. It was very evident that the object of the member for Richmond in making this enquiry was to find grounds for attacking the government and to charge them with neglecting the public business. He would advise him, however, in the prosecution of his praiseworthy researches for a grievance to care next time to make himself a little better acquainted with the facts before he undertook to bring it before the house. The leader of the opposition had also come to the rescue, but in doing so he had admitted enough to destroy the whole case—for he said that the proceedings connected with the investigation of these claims were analogous to those adopted in courts of law,—and everybody familiar with the practice of those courts knew, that with all the advantages of personal examination of witnesses, and the presence of judge and jurors, how much delay resulted and how overburdened the docket always was with arrears. If this was the case in courts of law, was it to be wondered at, that in cases where the witnesses resided one hundred miles away, and information had to be gathered by correspondence, that some delay should be occasioned.

Mr. MILLER begged to inform the hon. Provincial Secretary that he was not in the habit

of seeking advice from him, nor did he feel inclined to accept it when it was proffered. He did not think that hon. gentleman had ever used language more characteristic of himself than that contained in the first paragraph of the speech he had just delivered. He (the Prov. Secy.) had taken an unwarrantable liberty with the House, and with himself, in using the language he did. The hon. gentleman forgot that any one can be insolent—"that a scullion might call names." It was easy for any person to use contemptuous language, but he must remind the Provincial Secretary that he lowered himself in the estimation of the country, and degraded the dignity of the House by pursuing such a course. But when he looked around these benches and remembered that others had received like favors from at hon. gentleman's hands—when he recollected that not a year ago the hon. member for Yarmouth—whom all respected for his honesty of purpose and integrity of principle, had been assailed with coarse abuse—when he reflected that others of the Prov. Secy's. present supporters whom he now, no doubt, regarded as worthy associates, had in times gone by, felt the unjustifiable licentiousness of his tongue, he could well afford to treat such puerile remarks as they had just heard, with the contempt they deserved. He would not allow the Prov. Sec. to pervert his meaning and to convey to the country an inaccurate idea of what he had really said. This was the chief object, and in this he had succeeded. Yet if he had allowed that hon. gentleman's version to pass uncontradicted, he did not fear but that a large portion of the people would have little difficulty in coming to the conclusion that it "lacked the essential element." He would not occupy the time of the house any further by replying to the observations of the Prov. Sec. for the best way to treat them was with contemptuous indifference.

Hon. Mr. SHANNON deprecated the warmth exhibited by the member for Richmond, who appeared to be always working himself into a passion about something or other. As regards the state of business in the Crown Land Office he would remark that when this government came into power, he was one of the committees of the Executive Council—and they were told that there was a large arrear of business. They went to work with the utmost energy and soon found why some of these cases had not been disposed of. He knew of no more arduous duties than these connected with this department, and in many cases the want of sufficient evidence rendered the decision extremely difficult. If as it had been remarked there were arrears in courts of law, it was not surprising it should be the case where they had not the same opportunities of obtaining evidences.

Mr. ARCHBALD said that there were some cases where there was no dispute and but one applicant—in these there should be no delay. He regretted the warmth that had arisen in this debate. It was better to discuss the matter calmly, and he thought enough had now been said on both sides.

EDUCATION ACT.

Hon. PRO. SEC. said,—I rise, Mr. Speaker, to introduce a bill for the better encouragement of education, and, in doing so, I may remark that although the government have not been able to lay it upon the table at an earlier period

than the present I am quite sure that hon. gentlemen will appreciate the difficulties under which we have labored, and will make allowance for the time that was necessary to confer with the members of the Legislature after the opening of the session. I was anxious, also, that the country should have the fullest opportunity of expressing its views upon this important question, and even down to this very day petitions have been presented on this subject. I need hardly say that no government was ever called upon to undertake a more arduous task, than when a twelve-month ago the present government undertook to grapple with this difficult subject of education. That question has been fraught with such difficulties, that although, from time to time, tolerably strong Governments—sustained by very fair majorities in this Legislature—have held the reins of power, and whilst it has been admitted that there was no matter that demanded more imperatively the consideration of the Legislature and the action of the Administration, yet none of them were able to carry successfully through the House a measure calculated to promote the education of the country. Although the present Government, at the last session, had the good fortune to be sustained by a very large majority of this House—although the previous general election had proved that the party with which I have the honor to be connected had the confidence of a very large proportion of the people, yet on a question of this kind, of such vital consequence to the country at large, they did not hesitate to invite the co-operation and support of gentlemen on the Opposition benches. They felt they were entitled to ask that aid from any opposition in reference to a question which did not affect one class or party, but all classes and parties in this Province;—that it was due to the great question of Education that it should be as far as possible placed above party, and dealt with in such a mode as to secure the confidence and co-operation of both parties. Everyone must feel that, however strong a government might be, however strong any party might be who was called upon to take up so difficult and delicate a question, that it was due to the success of the measure that it should secure the interest and sympathy of all classes in this country. Therefore when we proposed a radical change in the system of education, which had been so long desired in this country, we assumed all the responsibility which should fall upon a government, and at the same time invited the cordial co-operation of all our opponents, as essential to the proper construction of a wise and useful measure on the subject. The government were aware, as every intelligent man was aware, that to deal with a question of such difficulty and delicacy as that of education, it would be impossible for any party however strong,—for any government, however much they might enjoy the confidence of the house or country, to mature a measure which would not necessarily involve a great deal of hostility and trouble on the part of many of their friends and supporters throughout the country, and that it became doubly essential therefore, if any educational measure were to be successful, that it should have the support of intelligent and patriotic minds of all sections in the country, as that alone would place it upon the sound and stable basis which it was desirable that such a

measure should rest upon. I am bound to admit that the gentlemen who composed the opposition in this Legislature did, with a patriotism that I think is deserving of all praise, frankly respond to the invitation of the Government, and on this, as upon many other questions of public policy, avowed at the outset their determination to assist in, and give their best energies to the maturing of such a measure as would tend to the most successful results in regard to the great cause of education in this country. I believe that owing to the aid derived from both sides of the house, the government were enabled to pass a measure which will be recognized in all time to come as a great step in advance in relation to the education of the masses in this province.—I am aware that a great deal of clamor has arisen in the country—that much hostility has been excited in connection with the measure—that much difficulty has occurred in reference to its administration, and that probably this province was never agitated, from one end to the other, to a greater extent than it has been during the last twelve months in relation to the important subject of common school education; but I am proud to be able to say that notwithstanding all this excitement and clamor—despite the fact that this question was one which touched the pockets of the masses, and was therefore necessarily calculated above all others to excite a feeling of hostility,—we have the facts before us and the public to show that this measure, although not so perfect as it was desirable it should be—although not so successful as it ought to be—has proved itself eminently adapted for the great object for which it was intended. When I call the attention of the house to the facts bearing upon this question, I think I shall be able to show, whatever may be the shortcomings of this measure, whatever difficulties may have been connected with its administration, so far from having proved a failure, we have the evidence, after only three months of time since it has been in operation, that it has been as successful as this house, in reference to a question of such delicacy and difficulty, could reasonably expect.

Those who will take the trouble to refer to the reports of the able superintendents of education who filled the position for many years in this Province, will find that the common school education of this country was in as deplorable a condition as it could well be at the time this measure was brought up for the approval of the house. They will see that the common school education of this country required reorganization throughout the Province from one end to the other—that the time had come when some great radical change was imperative. There is, perhaps, no duty of a more delicate character that any Government could be called upon to discharge than the re-organization of the school sections. It is obvious that, coming home, as the rearrangements did, to the interests of every man in the province—attended with difficulty as it was, inasmuch as it touched the pecuniary interests of the people residing within these sections—this measure must have been necessarily fraught with much embarrassment. No duty could be calculated to involve a greater degree of difficulty in its adjustment than the arrangement of these school sections. Now let us enquire into the results that have at-

tended the operations of the Act. In over two hundred of the school sections, no school houses existed at the time it was brought in. There was no means for carrying on a school. Many houses were without windows or doors, and in a dilapidated condition generally. Now we have the gratifying evidence that out of these 1400 sections outside the city, in 16 counties which have only been heard from, embracing a little over a thousand sections, there were only 213 in which no meetings were held under the Act passed last year. There were only 142 sections in which meetings were held, and refused to organise under the law. In 654 cases of the 1000 heard from, the law was adopted—a law making a radical change in the mode of carrying on the schools of the country—a law carrying on its face the most obnoxious feature that any law can—assessment, which imposed the principle of direct taxation upon the people. In twenty-nine of these sections graded schools were established, containing numerous departments. A still more gratifying fact is it, that, obnoxious as the law was calculated necessarily to be, that not only 654 meetings have been held under it, but at this day, with something like one half the schools in operation, the result of free schools is, (as we have good reason to believe,) that there are more children at school than under the old law. Whilst great difficulties have arisen, whilst this law presented the most unpopular feature that a law could exhibit—whilst it required time for the people to understand and appreciate it, yet it has given a stimulus to free schools that must be exceedingly gratifying, not only to the government but to the Legislature which gave it force. In many cases the result has been that when under the old law the attendance was only from 30 to 60 pupils, you can count the number by hundreds—proving satisfactorily to the mind of every man that the effect of the law has been to open wide the portals to hundreds and thousands of children who otherwise would be without education. This is a result so satisfactory that I think it has placed for ever at rest the question whether in this province the principle of free schools shall continue to exist. I believe, considering all the difficulties that this measure was necessarily exposed to, the evidence which is now furnished to the House of the result of its operations during the comparatively brief period the people have had an opportunity of understanding its merits, have been such as to render it impossible for any government or any legislature, unless they forget what they owe to the country and the education of the masses, to recede a single step back from the great principle of establishing free schools and of maintaining that legislation which has been already enacted—that every child in Nova Scotia shall have the means of obtaining a common-school education.

Not only is the attendance at schools numbered by hundreds where there were only forties and fifties, but in connection with another feature of the enactment, the arrangement made to establish superior schools, the most gratifying results have been obtained. A most effective stimulus has been given all over the country to the common school education by the principle that the best school should be entitled to, and should, by a competitive process, obtain the position of superior schools. Not only is every one enabled to obtain a common

school education, and a still higher education through the superior schools, but in every county the means are provided of learning those acquirements that would fit a man for the highest position in life—for the learned professions or whatever his abilities might enable him to fill. Out of 12 counties to which that provision applied—for the law did not touch those counties where academies already existed, 9 made arrangements for giving the highest means of education to the people. In connection with these academies the memorial which has been read by the hon. member for Yarmouth, (Mr. Killam,) shows the extent to which that county has appreciated the importance of the highest description of education and the amount of patriotic exertion that the people in that enlightened section have been prepared to exhibit, in order that they may have the indisputable advantages that are afforded by an academy for instruction in the higher branches of learning. When it is recollected, as you will see by reference to the report of the Superintendent of Education, that the common school education of the country was in such a deplorable condition, that the persons who were qualified to fill the position of teachers had abandoned their profession for more lucrative pursuits, you can easily understand that if the law which is now on the statute book had been as perfect as it could be—if there had been the utmost disposition on the part of the people to adopt it—it would, nevertheless, have been impracticable to carry it out to a much larger extent than has already been the case. For out of all the teachers in the Province, only 650 were found in a position to obtain a license to teach school under the law—proving that the condition of common school education was such as to give no encouragement to men of the qualifications necessary for teachers. In order to meet the difficulty of not having persons who would be able, under the operation of the law, to fill the position of common school teachers, and to provide for the requirements of the country whilst in a state of transition from the old to the new law, the examiners were instructed throughout the Province, to give *permissive licenses* for one year to persons whose qualifications would not bring them under the provisions of the Act. The Government do not intend to propose any fundamental change in the mode of carrying on the common school education of the country. The only step which they propose to take is one which, I am proud to say, will be in advance. If the government of the day were disposed to recede from the position which they felt called upon to take a year ago, when they brought forward a measure for the education of the people; if they were so recreant to their duty as to abandon the stand which they assumed and recede from the great principle, that in Nova Scotia free schools shall exist, and the means of education be opened up to all classes of the people, I believe the independent spirit of this Legislature would rise up on both sides and would say, that the course of the government was not only unworthy of themselves, but, with the evidence that is now before the country of the success of the measure, would be, in the last degree, prejudicial and distasteful to the people of this province.

I have listened with most anxious attention to the voice of the country, as expressed in this

truly constitutional manner, of petition to the Legislature. I have no hesitation in saying that when the government brought forward the measure, they did it with the full knowledge, and under the clear conviction, that they were taking a step which would naturally arouse great hostility throughout the country. They felt they were taking a step which endangered the popularity of the government and which would naturally tend to arouse to a large extent in all probability the opposition of many people in reference to the law. They brought forward the measure, however, through the conscientious conviction that the government of the country could no longer refuse to take a step which had been so long declared necessary for the public welfare. I confess I was prepared to find this table flooded with petitions from every county in the province, especially in connection with the great difficulties that have been found in the transition from the old law to the new—in fact, I was prepared to find an amount of hostility exhibited on the part of the people of this country which I am happy to say has not been the case. No people are better acquainted with the right which they have to approach this House by petition, or with the influence which their wishes have over the minds of their representatives. And yet in reference to a measure which has not yet had an opportunity of being fully understood—a measure fraught with very great difficulty in its introduction,—I am proud to find that the voice of the people in opposition to it has been very small. From the county of Antigonish there has come a number of petitions, signed by 635 persons in all, against the School bill.—I am happy to know that that county stands almost alone in the amount of hostility exhibited to this measure—King's only bearing it company. The county of Queen's sends several petitions with 333 signatures. I am glad to find, whilst a great deal of difficulty has been experienced in Yarmouth, in putting the act into operation, yet it has exhibited the most patriotic and enlightened spirit in connection with this measure. Only 36 persons in that county have asked for its repeal. The county of Colchester, it is gratifying to find, only sends 63. The results in that county have been eminently satisfactory—the law having been brought more extensively into operation than in any other county. The county of King's has sent in a number of petitions, and I regret to be obliged to say that some of them are not couched in the most courteous language in reference to this measure. However, there are only 470 persons who petition from that county for the repeal of this enactment, leaving an overwhelming majority of the intelligent electors, as far as petitions go, in favor of its provisions. From Inverness there are two petitions, one of 37, and the other of 38, 75 persons in all. From Annapolis there is but one petition, signed by 133. In Cumberland, I am happy to find, 77 petitioners have only approached the House. Although great difficulties have been experienced in that county, I am gratified to see that the most intelligent persons of both parties have been united in the most patriotic manner to advance this great step in advance. Digby only sends 79 petitioners. And the total in the whole Province is only TWO THOUSAND ONE HUNDRED and SIXTY-THREE petitioners, which is small indeed, when you reflect that the num-

ber of electors must be between 50 and 60,000 at least. You must remember, too, that these petitions come up at a time when this bill has not had an opportunity of demonstrating the value it possesses—when the public mind has been excited to a greater degree than it will be excited again—that it is founded on a principle most obnoxious to the people. And yet, under all these disadvantages, after the house has been in session some three weeks, and full opportunity given to the people to express their opinion to as great an extent as they could wish, we find the result as I have stated it to you.

The house is aware that one of the provisions of the bill which has been the subject of discussion is that which constitutes the executive council the council of public instruction. Gentlemen opposite opposed that clause of the bill, although they did not attach any very great importance to it, but even if they had, it was a point on which the government entertained so strong an opinion that it would have been exceedingly difficult for them to yield. Now, we have had the law in operation for some six months, and I have yet to learn that a single substantial argument can be raised before this house and country, proving that the objections to a council of public instruction, as constituted under the bill, are well founded. As a member of the executive council I have the greatest reluctance to occupy such a position. It is one that, whilst it is impossible that a government can make it subservient in the slightest degree to its own popularity, necessarily brings down a great deal of odium in connection with the operation of the law. The government introduced that clause in the act, believing that it would be impossible to find any council that would be as well adapted efficiently to work the bill; and I have no hesitation in saying that the experience we have had, during the past six months, confirms us in the position we have taken in reference to this matter. It is well known that if there is one subject in reference to which the government in England feel bound to assume a full share of responsibility it is in connection with the question of education; and it was only at the last session of Commons that the minister of public instruction was challenged in his place, and held responsible to the parliament, in reference to a great question touching the education of the people, and obliged to vacate his position. So watchful are the people in that enlightened country and so determined are they that the government shall not be in a position to hold power and evade responsibility in relation to this delicate question by throwing the odium upon any board or section of persons that are not responsible to the people. There is not a member of the present government that would not be delighted if it were in accordance with what he considers his duty to the people, to avoid the responsibility he takes upon himself in the council of public instruction. If I were to go from the treasury to the opposition benches, I would wish to have the security for myself and children that I would feel when the high functions of the council of public instruction were discharged by a body of gentlemen who were directly responsible to the parliament and country in connection with duties of so onerous and delicate a character. In New Brunswick the council of public instruction is

the executive council also, with the addition of the Lieutenant Governor and superintendent of education. It was suggested last session that we should add these two gentlemen to the council here, but we declined, and I have no hesitation in saying we did so for reasons which were substantial and valid. In the first place I hold, notwithstanding the example of New Brunswick, that it is unconstitutional for the Lieutenant Governor to occupy the position of chairman, inasmuch as he becomes personally implicated in the management of matters which, I consider, are not only of the most delicate and onerous character, but for which the people of the country have a right to hold somebody directly responsible. Suppose a question which has created a great deal of sectional difficulty, touching Education, was brought up in this Council of Public Instruction, what takes place? The Council have to deal with it in the only way that is practicable where there are a number of minds holding various opinions, that is, be guided by the majority. The Lieutenant-Governor sits in the chair,—a controversy arises of an exciting character,—a tie occurs, and a vote is taken,—what then? The vote of the Lieutenant-Governor decides the question; but herein lies the difficulty: It is in the power of any member of this House to rise and ask for the minutes of that Council, and on their production to show what the action of the council has been, and the constitutional dilemma would have been exhibited, of the Lieutenant-Governor, standing high above all parties, discharging functions similar to those which which Her Majesty discharges in relation to the British parliament, held directly responsible for that act. It may be said that this is an extreme case, but nevertheless it is one perfectly natural, but involving a constitutional difficulty such as would warrant any Lieutenant-Governor refusing his sanction to a bill which placed him in such an equivocal position. It would be also a most unwise and inconvenient step to make the superintendent of education a member of this council. He, like every other public officer in the country, is responsible to the people for his acts, but not directly so; and the mode in which you reach such an officer is as you reach a commissioner of mines, through the government. There is no power in this house to change a public officer except by changing the government; and, therefore, anything that would place a subordinate officer in the position to overrule (as he would be able to do) what would be otherwise a majority of the government, would be inconsistent with our practice, and extremely unwise in its effect. The superintendent of education should be in a position to give the best aid in his power and to carry out the requests of the government in such a way as should devolve the responsibility, not directly upon himself, but upon them. I have no hesitation in saying that the experience of the past year has confirmed me much more strongly in the opinion I held, that the best body which could be obtained in the province of Nova Scotia to deal with the great question of education is the executive council, and the bill which is now submitted to the house will embrace that provision.

It has been contended that the number of inspectors was too large—that the duties could be performed more efficiently by a smaller

number, who could be selected with a regard to their high qualifications, and could give their whole attention to the important matters entrusted to them. There will be hardly a member found who will deny that if there is to be anything like an efficient system of education, its very life and soul must be found in an able and vigorous inspection of the schools of the country. I will not, therefore, discuss the question as to the necessity that exists for the appointment of inspectors; but I may state that the Government are bound to accept the suggestions of hon. gentlemen, whatever their political opinions may be, especially when experience has proved that they are based on sound premises. Having had some months' experience of the bill, I think in this particular it may be modified to some extent, though I believe that it would have been very difficult to have organized our school system, unless there had been a school inspector in every county. This bill will provide that instead of an inspector for each county, there will be seven for the Province, or one to 200 sections. This provision will enable us to retain men of qualifications requisite for the onerous position of school inspectors, since they will receive such an amount of salary as will remunerate them sufficiently for giving their whole time and attention to their duties.

The House may decide what shall be the character of the Council of Public Instruction, or what the number of inspectors should be—it might sweep away the system of County Academies; and yet the fundamental principle of this measure would not be touched. All these are matters of detail in reference to which every gentleman is invited to express his opinions fully; but the fundamental principle of the bill is what is contained in the act of last session—that is, the great principle of FREE SCHOOLS. That is the fundamental principle, and in order to carry it out, I know of no other means by which it can be accomplished than assessment—the principle of recognizing the duty and obligation which the property of the country owes to the education of the people; and this principle will be found not only to be contained in this bill, but advanced to a more stable foundation than in the measure which received the sanction of the Legislature a year ago. A great deal of difficulty has arisen from the fact that the people in the various sections were invited to come together and say whether they would organize a school or not. Conflict was, as it were, invited between those who favored, and those who opposed assessment. Therefore, whilst it is desirable to retain in the hands of the people as much power as possible in reference to taxation, I feel that the sentiments of some gentlemen opposite, in respect to this measure a year ago, have been proved to possess a great deal that was sound and worthy of the attention of the house. The hope was that the inducement that was held out to adopt the principle of assessment would be such as to induce the people to come forward and adopt the principle. Under the operation of the law there are a great many instances in which this conflict of opinion has resulted, that a bare majority in a school section have refused to organize, and have left a large minority sincerely desirous to have a school without one. We believe it is necessary that whilst going as far as the house can possibly—as far as the go-

vernment can in accordance with their duty—to meet the objection which is felt to anything like taxation, we should take another step in advance. And whilst providing the means to render this mode of supporting schools as little obnoxious to the public mind as is practicable, we believe that it would be unworthy of ourselves if we refrained from pursuing a course that will secure to a still greater extent the operation of free schools throughout the Province. In order to do that, and at the same time meet the feeling of the people on the principle of assessment, the government have decided to go further in the direct contribution which shall be given from the treasury of the country to the common schools. A great step, as everybody is aware, was taken at this last session, and the amount granted to common schools was enormously increased, but the Government think that they may safely, in relation to so important a branch of the public service, go further, and relieve the people, as far as direct taxation is concerned, to a much larger extent than they did in the measure of last year. The amount under the old law was \$45,080 for common schools, and \$6,500 for the grammar schools, or \$51,580 in all. The Government proposed last year, and the House sanctioned, a very large advance upon that sum, but we shall ask the Legislature under this bill, to double actually the amount which under the old law was given from the revenue in support of schools. The fact that the Government are the Council of Public Instruction, enables them to feel, not in that remote manner that is the case when the business goes through a subordinate department, but directly whenever there is any friction, whenever there is any difficulty encountered in working the law. In this way we are in a position to know what the public sentiment is, and what are the difficulties, to an extent that we could not possibly, if the council were differently constituted. If there is any one feeling which is especially popular throughout the Province in relation to the maintenance of common schools, it is that the government should resort to as large an extent as is possible to indirect taxation for that purpose. Therefore, yielding to that feeling and sentiment, the Government have decided to draw, as largely as they can, the means for the support of common schools from the treasury; but having taken that great step in advance, we also propose to ask the Legislature to go still further ahead, and impose a direct assessment on the people of Nova Scotia, from one end to the other, to supplement the provincial grant, and provide such a fund as will make provision for a school in every section. It is therefore proposed to levy a county assessment upon every county in Nova Scotia for two-thirds of the amount which is contributed directly from the treasury of the country. Having increased so enormously from the treasury the means for the education of the people, I do trust that the house will be disposed to assist the government in respect to what is the fundamental principle of the bill, and that intelligent men of all classes and parties will be ready to contribute a limited amount by assessment for the support of schools all over the face of this country.—I may be asked why the county has been substituted for the section. Under the existing law, suppose two sections adopt the principle of assessment in order to have efficient schools.

You may see two farms, each worth £500, alongside of each other, though in different sections, and whilst the owner of one may be taxed \$10, the other may be put down at \$20. The fact is, that the amount required for the support of schools in one section is what governs the section, and therefore these two individuals, although neither of them may have any direct interest in the school, are so unequally taxed. When it was found that such was the operation of the act, the mode to which I have alluded has been arranged as one that will be more equable—as one recognizing the principle that the property of the county should provide for the education of the county and that the amount so levied should be distributed equally and fairly according to the necessities of the county and the condition of the schools that are supported in each section.

The mode in which the money from the treasury will be distributed will be this:—Whilst we propose to have seven inspectors, with salaries, we shall at the same time pursue a course that will enable us to save the entire amount required for their payment. Instead of sending the grant to the counties and allowing the inspectors to levy 5 per cent. upon it, thereby diminishing its amount considerably, it is proposed to pay the money from the treasury to the school teachers upon the certificates of the Board of Commissioners as to the position that the teacher occupies. As the money is now given according to the class of the teacher, no difficulty will arise in apportioning the amount which each should receive. The county assessment will go into the county treasury, and the party receiving the provincial grant will also obtain an order on the county treasurer for a like sum, and the amount levied on the county will be distributed upon the same principles as are applicable to the provincial grant. In that way a fund will be created that will enable the people in every section to have a school. We also propose, having furnished a large quota from the provincial treasury, and drawn a comparatively small amount by direct taxation from the pockets of the people all over the Province, to supplement the fund thus raised by a still further sum as the people may themselves decide in every school section—either by subscription or assessment. The only thing the legislature will demand is, that the schools of the county in virtue of the grant from the Province, and the sum levied upon the property of the county, shall be free and open to all. Another difficulty has arisen in connection with the fact that the people in a section could exclude the section from a school, by refusing to organize under the law, and appoint trustees. That would not be likely to arise under a bill which levies county assessment, and compels the people irrespective of their own action to contribute to schools; but it is possible that such a contingency may arise, and in order therefore to meet the injustice that might be done to the parties in the section that might be deprived of a school, the bill will provide that where the people shall refuse to organize and elect trustees the difficulty may be supplied by the Board of Commissioners appointing such trustees on the application of any 7 ratepayers who shall be contributors to the school fund.

I do not intend going into the full details of this bill. I will, however, state that the govern-

ment, a year ago, felt themselves at liberty to ask the late Superintendent of Education for his aid in preparing such a measure as would subserve the great object which they had in view. So now the government have not hesitated to avail themselves of the services of the present Superintendent in the preparation of a measure that would grapple effectually with the difficulties that have arisen in connection with the bill of last year. Therefore a bill has been prepared in connection with that officer that they believe will simplify and render more conspicuous many points which, on experience, have been shown are attended with some little doubt and difficulty. Under all these circumstances, it has been thought more advisable to substitute another act for the one now on the statute book. I now lay this bill on the table of the House in the confidence that it will receive the same dispassionate consideration, and generous assistance from gentlemen opposite which they gave to the bill submitted last session, and that both sides will co-operate in maturing such a measure as will obtain the important object we have all in view. I have no hesitation in saying that I feel deeply grateful to the gentlemen who, on former occasions, gave the government their aid in improving the act now on the Statute Book, and that I am also under great obligations to the patriotic gentlemen throughout the country who, irrespective of party feeling, have united in coming forward to give their aid in carrying into effect a measure fraught with such vital consequences to the people. I need hardly add that the government approach a question of this kind with great diffidence and reluctance. In bringing forward the measure of last year as well as the one I now lay before you, they have been actuated by the belief that a government, however great their duty to the party with which they are connected may be to adopt such a course as will strengthen and consolidate their influence, have a still more solemn duty to perform, and that is what they owe to their country. But I believe that in this enlightened legislature it will be said on all sides—by gentlemen who support, and by those who oppose, the government—that no administration could bring forward a measure of this kind with any other motive than to discharge a solemn duty to the country by whom they have been placed in the responsible position they occupy, and that in the fulfillment of that obligation, they are entitled to the frank co-operation of all, whatever their views may be on other questions of a public nature.

On the conclusion of the hon. gentleman's remarks the House was adjourned over until Monday at 3 o'clock

MONDAY, March 6th.

The House met at 3 o'clock.

PETITIONS.

Hon. FIN. SEC. laid on the table petitions relative to education and militia which were referred to the committees appointed to deal with such subjects.

Mr. ROBICHEAU presented a petition from Clare against Confederation.

Mr. PARKER presented a petition of W. Silver and others for a new mail ride in Colchester County.

Mr. DONALD FRASER presented a petition from Pictou Island for aid for a Grist Mill. The hon. gentleman stated that the petitioners

were situated some distance from the mainland, and for five months in the year were cut off from communication. He also mentioned that these persons had themselves subscribed one hundred pounds, and expressed his hope that the government to whom, under the rule of the house, he handed the petition would favorably consider it.

Mr. BLACKWOOD presented a petition from A. Munro, and others, asking for a re-adjustment of line in the township of New Annand.

Mr. LOCKE presented a petition from the inhabitants of Shelburne, asking for a light house at Little Hope. He trusted that the government would attend to this matter, since so large a number of petitions, in reference to it, had been already presented this session.

BILLS IN COMMITTEE.

On motion of Mr. Blanchard, the bill to amend chap. 115 R. S. concerning Real and Personal property, was read a second time, and referred to the committee of the whole.

The house then went into committee, and took up the bill which is to supply an accidental omission in the Revised Statutes, which occurred on the part of the house last winter in not reviving the act of 1860 touching the descent of real estate.

Some desultory discussion occurred in reference to the second section of the act which reads as follows:

"In case of a married woman, entitled to real or personal estate in her own right, dying intestate without *kindred*, the same shall go to her husband to his own use."

The section, on motion of Mr. Blanchard, was finally amended, by substituting for "kindred," "without issue—father, mother, brother, or sister surviving."

The bill to incorporate the Waverly Gold Mining Company was next taken up, and Hon. Mr. Shannon stated that he had had some conversation with His Worship the Mayor who informed him that the Company was a perfectly bona fide one intended to develop the gold mines of this country. The bill then passed.

The following bills also passed:

To incorporate Virgin Lodge of Freemasons.

To incorporate Acadia Boot and Shoe Manufactory Company.

To enlarge the powers of the trustees and governors of Acadia College.

To amend the act authorizing a loan for the erection of a Court House at Yarmouth.

To legalize the assessment for the county of Lunenburg.

To change the names of certain places in the county of Lunenburg.

The committee then rose and reported up the foregoing bill.

MISCELLANEOUS MATTERS.

Mr. LONGLEY presented three petitions from the township of Granville against the law now on the Statute Book in reference to education.

Mr. MACDONNELL presented a petition from the inhabitants of Plaistead Cove against the Confederation of the Colonies.

Hon. ATTY. GENL. moved that the bill meeting to the rights of married women which had been read a second time, be referred to a select committee.

Mr. MILLER said that there was a great deal in the bill which he approved of, but in some respects he thought it went too far.

Mr. LONGLEY thought the principle of the bill had better be tested upon the second meeting.

Hon. ATTY. GENL. said that it was quite competent for hon. gentlemen to assent to the principle of the bill and object to the details in committee.

Hon. PROV. SEC. said that the bill had not passed its second reading and the whole debate on a previous day had turned upon the question whether the bill should be read a second time or not. After some desultory discussion, the speaker decided that the motion made on a previous day by the member for Colchester, was to refer the bill to a select committee. The bill was accordingly referred to the law amendment committee.

Mr. LONGLEY introduced a bill to enable the railway commissioner to take possession of certain property on Pictou harbor for railway purposes.

Hon. PROV. SEC. by command, laid on the table copies of circulars addressed to the different counties in reference to the action taken upon the franchise act; and also answers received. He would take the opportunity of stating that the provisions of the act had been complied with, with the exception of the counties of Guysborough, Lunenburg, and Victoria.

Hon. Mr. SHANNON asked leave to introduce a bill in relation to the patent laws. The hon. gentleman briefly explained that the bill was based upon the reciprocity principle, and proposed to give the same privileges to the inhabitants of the United States as Nova Scotians received in that country.

Hon. ATTY. GENERAL expressed himself in favor of giving every encouragement to the original patentee of useful inventions. This was a very important subject, and afforded a favorable opportunity for a thorough revision of the patent laws of the province.

Hon. Mr. McFARLANE alluded to the want of a proper place to exhibit patents in. He thought that some suitable place should be appropriated for that purpose.

Mr. ARCHIBALD said that the difficulty in carrying out the patent system properly, was the necessity of having a regularly organized staff, as they had in the United States highly salaried—who gave up their whole time to the subject. He had no objection to giving every encouragement to scientific and classical improvements, but as regards mechanical inventions he thought our mechanics, by going to the United States, might learn everything they wanted there.

Mr. LONGLEY, on a previous day, had enquired as to the cost of the light house service, and he now begged to call the attention of the house to the unequal manner in which the salaries of light house keepers were distributed. He found that the salaries ranged from \$400 down to \$80, with an allowance of fuel from \$100 down to \$16. He presumed that the salaries were regulated by the number of lights, and he could not understand why Margaretsville and Port Williams, in the county of Annapolis, the former of which burnt five lights, and the latter seven, should only receive \$80 and \$16 for fuel, while others, which burnt a less number of lights realised \$200, and fuel in proportion. He would move that the whole subject be referred to the committee on Navigation Securities, with a view to having the present inequalities arranged.

Hon. PROV. SECY. said that as the motion involved a money grant, the proper course

would be to refer it to the government, and they could take what action they thought proper.

Mr. LOCKE hoped that no reduction would be made in the present salaries; they were small enough already, and no class of men deserved higher pay than those engaged in this arduous service.

Mr. MILLER said that no doubt there were great inequalities in the salaries, but he hoped that no reduction would be proposed in those that already existed.

Hon. Mr. McFARLANE referred to the necessity for a light at Amnott's Island, from which for sixty miles of coast, no light could be seen; and for the last fifteen years they had tried unsuccessfully to obtain public aid.

Mr. PRYOR hoped that the government would give their most serious attention to this subject, and especially to the light at Peggy's Point, which he had so frequently brought to the notice of the house.

Mr. BLACKWOOD was glad that the member for Cumberland (Mr. McFarlane) had advocated the claims of the Amnott Island Light. It was one of the most important lights upon that coast, and he hoped that the government in the distribution of the public grant for that service would not forget its claims.

Mr. TOBIN said, that while upon that subject, he would call the attention of the government to the necessity of having a steam fog bell at Sambro. He was informed that the one in St. John harbor cost originally £650, and was maintained at an annual cost of \$700.

Hon. PROV. SEC. said that he presumed that the member for Halifax was not in the house when this subject was under discussion and the matter had been referred to the committee on navigation securities. An offer had been made to place one suitable for the harbor for the sum of £400 stg., at an expense for maintenance of a cent per hour, as stated by the member for Halifax, and as the gentleman who made the offer is about leaving the country, he hoped that the committee would soon report upon that subject.

Mr. TOBIN was not in the house when the correspondence alluded to had been submitted. He was glad that the government had moved in the matter, and he hoped that the committee would report as soon as possible.

Mr. BLANCHARD pointed out the inequalities in the present scale of salaries of light house keepers. He did not think that the Pictou light, which received \$400 a year, was more difficult to keep than Margaree Island, which only received \$200 and Arichat the same sum. Not that he thought the highest sum was too much, but the scale should be arranged more evenly.

Hon. PROV. SEC. said that the regular way would be for the government to refer the whole matter to the committee on navigation securities. It may be true that in some instances the salaries were too small, but he knew that whenever any vacancy occurred there were twenty persons ready to take it. He would read an extract upon the report of the committee in 1858 which showed that the whole subject had then been reviewed and the present scale of present salaries arranged.

Mr. LONGLEY had no objections to refer the matter to the government but he thought that the better way would be for a special committee to investigate it and report upon an equalized systems of salaries.

Hon. PROV. SEC. said that course would be perfectly irregular, a committee might go out and report the whole of the present system. The matter should be left with the government.

Mr. MILLER approved of the position assumed by the government. He did not think it was right to reduce the salaries of those who were already too poorly paid in order to increase others. He would rather be inclined to go further and increase the vote for this service.

Mr. LOCKE thought that the proper course was to refer the matter to the committee on navigation securities.

Hon. FIN. SECV. said that as far as he was aware the light house keepers were satisfied with their salaries. He had no petitions in his office for increased pay.

Mr. LONGLEY had several letters in his possession from light house keepers asking for increase of salary. After some further discussion the matter was left to the government.

Mr. TOBIN enquired whether the government had ever received any communication from Captain Anderson of the Cunard steamer China, on the subject of a light house at Jed-dore Head. When he (Mr. T.) went home in that vessel the captain had alluded to the dangerous nature of the rocks in that locality and to the necessity of a light there, and he had advised him to bring the subject under the notice of the government, from whom he had no doubt that it would receive due consideration. He would like to know if he had ever done so.

Hon. PRO. SEC. would make enquiry, and if any such letter had been received, he would lay it upon the table.

Mr. COLIN CAMPBELL said that the matter under discussion related to a money claim, and should, under the rules of the house, go to the government without any remarks. He had had several claims of a similar nature and had always adopted that course; but it seemed that some gentlemen were in the habit of raising a discussion upon matters that had no right to be before the house, in order that their remarks might go to the country. He did not think that was right.

Hon. PRO. SEC., by command, laid on the table a return asked for by the member for Victoria, showing the expense incurred in setting the machinery of the present school bill in motion. Also, a return from the Chairman of the Board of Works shewing the number of patients in the Lunatic Asylum, chargeable to the county of Lunenburg—asked for by the member for Shelburne.

Mr. TOBIN had presented a petition from the magistrates and proprietors of mines at Tangier, praying for some revision of the present license law. At present the law restricts the sale of intoxicating liquors within four miles of any mining district. Petitioners wish the Sessions to have discretionary power in such cases. He would suggest that the whole subject of the revision of the license law be referred to a select committee, and he would name Messrs. Blanchard, Longley, Locke, Hamilton, and himself.

Mr. LONGLEY was glad that he had so far made a convert of the member for Halifax as to get him to see the necessity for some alteration in the present law. He was aware that some parts of the law had not proved as satisfactory to the people as the old one had, and he should be happy to co-operate with the

hon. gentleman in endeavoring to render it more perfect.

Hon. ATTY. GENL. was not quite sure whether the member for Halifax had not converted the member for Annapolis.

Mr. STEWART CAMPBELL said that after the member for Annapolis had been converted on the subject of railways, it was not at all surprising that his views on temperance should also undergo a change.

Hon. PROV. SEC. by command laid on the table an application from William Hicks Esq, formerly of the Royal Navy for a grant of land, referred to Crown Land committee. Also copies of correspondence relating to the appointment of delegates to the Charlotte town conference.

Then the house adjourned until 3 o'clock the next day.

Tuesday, March 7th.

The House met at 3 o'clock.

Hon. PRO. SEC. laid on the table an answer to the enquiry of the hon. member for Shelburne (Mr. Locke) relative to the township of Chester.

DISCUSSION OF THE UNION QUESTION.

Mr. BOURINOT said, as there was nothing before the House, he was desirous of asking the government a question in reference to the Union of the Colonies. That question was agitating the country to perhaps a greater extent than any other question for years, and the people were naturally anxious to hear the views of the House on the subject. He was therefore desirous of learning from the Provincial Secretary, as the leader of the government, when it was proposed to discuss this all important topic.

Hon. PRO. SEC. replied that the House was now in possession of all the correspondence relative to the subject, and the policy of the government relative to it would be submitted at an early day.

Mr. BOURINOT said this was not the answer he expected. He had hoped that the government would have been prepared to name the day when they would be ready to lay this question fully before the House. When the prorogation was close at hand, was not the proper time for the discussion of a question which required so much deliberation on the part of every one in the Legislature.

THE FRANCHISE ACT.

Mr. ROSS said he would like to know from the Provincial Secretary what action the Government intended to take with the counties that did not comply with the terms of the Franchise Act. He observed that the Custos from Victoria county merely mentioned that nothing was done in that county to enforce the terms of the Act, which fact he mentioned the other day. He thought the Custos should have assigned some reason why the proper steps were not taken, as plainly expressed in the law. The Custos also mentioned that assessment rolls would be forwarded. Such rolls can operate only from the counties that acted under revisors and revising districts. The sessions in that case would meet this month, and if they can act legally, then it was necessary that some positive instruction should be sent to a Custos who failed to act up to the law and gave no reason for so palpable a neglect of duty.

Hon. PROV. SECY. replied that perhaps the hon. member for Victoria would furnish the house with the reasons that the sessions in his county had not complied with the law. All that he himself could say was, that the circular was sent to that county, and the Government had now only learned that nothing had been done in that county. He thought, under existing circumstances, it would be advisable for the hon. member to bring in a bill for the purpose of enabling the court of quarter sessions to take such action as would meet the case. He was desirous that the house should not lose the hon. member in case of an election, but that they should long continue to have the pleasure of seeing his face present among them.

Mr. ROSS said that he would state, for the information of the hon. Provincial Secretary, that it was his intention to come back to the house as often as the people chose to send him. All he now asked was for the compliance with the law that would enable him to do so when the proper time arrived. He was quite prepared, however, to introduce a bill for the purpose of enabling the sessions to carry out the law.

Hon. ATTY. GEN. said that he had received a letter from the Custos, stating that the Clerk of the Peace had a correspondence with him, (Mr. H.) in order to get directions how to proceed to remedy the omission to call a special session. In consequence however, of the absence of the custos, it appeared, the sessions had not been called at all. He had however, never received the letter from the Clerk of the Peace, though he had one from the Custos on his return. In reply, he had stated that an act could be readily passed by the present Legislature to enable the special sessions to carry that law into effect.

Mr. STEWART CAMPBELL asked what guarantee the house had that those persons who defied the law in the first instance would not do so again. The hon. Provincial Secretary would find that in the county of Guysboro a party majority decided at the special sessions not to carry the law out. He thought the government should state how they were prepared to deal with these magistrates who declared, with the law in their hands, that they would set themselves up as a superior authority to the Legislature, and refuse to obey its enactments. The time had now passed when the action of the sessions was to take place, and he was anxious to know if the government were disposed to place any act that might now be passed to give effect to the franchise law, in the hands of those who had already so flagrantly acted in violation of their duty as magistrates.

Mr. KAULBACK said that he considered it would be best for the government to repeal the law altogether. As far as his county was concerned the people, irrespective of party, disapproved of it altogether, and he would, therefore, be glad to see the opinion of the house tested on the subject.

Mr. ARCHIBALD said that nowhere was this question considered in a party light except in Guysboro. In his own county both parties combined to carry out its provisions. Every magistrate was bound to obey the law, and if he was not prepared to do so, he should resign his position. If he violated the law, he was not only liable to be superseded, but also to an indictment for misdemeanor. He had no doubt that if the magistrates in Guysboro, af-

ter the discussions that had taken place in the house, should continue to act in defiance of the law, the government would not fail to pursue that course which, as administrators of the law, they were bound to take. He, however, was inclined to believe that these magistrates committed the indiscretion of which they had been guilty, in a moment of excitement, and that they would not offend again.

Mr. LEVESCONTE thought it was most advisable to have the law repealed, for it was most obnoxious to the people at large. The bill was unjust in its provisions. He knew of one district in his own county where out of four hundred men who had voted last election now only fifty-five could exercise the franchise, though they largely contributed to the revenue. These men were fishermen in tolerable circumstances, but because they had not a large amount of real estate, upon which they are taxed up to the requirements of the law, the greater number were disfranchised. He considered it but right for the government to take this matter into their most serious consideration and repeal the law which now disfigured our statute book.

Mr. KAULBACK said that in some cases it was not any of the magistrates but the grand jury that were to blame, and he did not see how they were to be dealt with. He again expressed the hope that the government would not fail to take the matter up as soon as practicable and restore the old act. He was desirous that the same people, that sent him to the House should have an opportunity, in his case of an election, to continue or reject his services.— The means for educating the people were now largely increased, and he was in favour of giving the intelligence of the country its due influence in the election of the representatives to the general assembly.

Hon. PRO. SEC. replied that gentlemen were mixing up two questions. One question was the observance of the law on the statute-book, and another the policy of changing it. If any gentleman wished to repeal the law, he could move in that direction, but as he (Dr. T.) had observed on former occasions an insuperable difficulty lay across the path in the way of any change. As to the other question there was no doubt as to the obligation that rested upon every grand jury and sessions to pay implicit obedience to the law. In the county of Lunenburg the difficulty lay with the grand jury and not with the magistrates, and therefore the government could take no action in respect to the latter. Looking at the district of Guysborough, he was inclined to take a more charitable view than the hon. member for that county, for he found that the reason assigned was not a settled determination to obstruct the law, but that the gentlemen who voted on the occasion referred to were under the impression that as no election was likely to occur for some time, therefore no immediate action was requisite, and they therefore postponed taking the step required by law until they were able to approach the house by petition, with the hope of having the Franchise act repealed. Under all the circumstances, he was inclined to believe that if measures were taken to remedy the difficulty, there would be no opposition on the part of the magistracy of the county in question.

Mr. STEWART CAMPBELL said that he was glad to notice that the Provincial Secretary did

not attempt to justify the action of the magistrates, although he was disposed to take a more charitable view than he himself. He was close at hand when the difficulty under consideration arose at Guysboro, and it was a very significant fact that a distinct party majority at the sessions expressed their determination not to act out the policy of the law. The gentleman who represented the political opinions of himself and colleague voted to carry out the law. It was moved by one of the minority "that the court proceed to set off the revising sections as the law requires in order that the revisors may be nominated." Then the amendment was moved by a gentleman, a friend of the Provincial Secretary, "that the business of setting off the revising sections and the appointment of revisors be deferred until the court of general sessions in the January term of 1865 shall have an opportunity of petitioning the General Assembly in order to have the act repealed." The sessions met in January, but these gentlemen did not attempt to carry out the purpose of their amendment. They had obtained their object of defeating the law, and therefore they did not consider it necessary to do anything more. He also mentioned that in the county of Guysboro they were required to perform the duty of carrying out the law at the supreme court last fall.

Hon. ATTY. GEN. asked if the law required that.

Mr. STEWART CAMPBELL replied that he was surprised that the Attorney General of this Province should be so ignorant of the law as not to know that at the last session of the house the act in question was passed. The special sessions was held at the fall term, and the matter was then to be attended to or not at all. It was a mere pretext to say that when the general sessions came around they would make an attempt to have the law repealed. Although an amendment of this law was proposed to enable that county to have the franchise extended to them, he did not think it would have the effect intended. He hoped the Provincial Secretary would take steps to show these refractory gentlemen that they would not be allowed to violate the law with impunity.

Mr. C. J. CAMPBELL thought it would be very hard if the magistrates were treated as harshly as some thought they should be. He considered the franchise law as most obnoxious to the people, and expressed his belief that the country was under the impression that the party now in power who opposed it when in opposition would take measures for its repeal. The whole tendency of the law was to corrupt the constituencies of the province, and therefore he hoped it would not be kept much longer a blot upon our statute book.

Mr. ROSS said that now perhaps the house could form an idea why the law was not complied with in the county of Victoria.

CONFEDERATION.

Mr. JOST presented three petitions from Lunenburg which he stated were against Confederation.

Mr. McLELAN presented a petition from Acadia Mines, another from Hebert River, and two from Lower Onslow, on the same subject.

Hon. PROV. SEC. said that some misapprehension appeared to exist as to the character of these petitions. They left the question whether a union was desirable or not, entirely open.

They asked for time for the consideration of the question. Any gentleman who took the liberty of putting on the back of these petitions that they were against confederation took an unwarrantable liberty with them.

Mr. McLELAN said that the petitions spoke against Confederation being dealt with by the present House, and in favor of the question being first submitted to the people.

The petition being read, Mr. LOCKE said that he conceived the tenor of the petition was opposed to Confederation, for it stated at the very commencement that this people were to be forced to be represented at Ottawa by only 19 members.

Hon. ATTY. GEN. replied that any one could see that the petitioners' desire was to get more information on this important subject before making their minds up.

Mr. McLELAN said that the petitioners earnestly prayed that before passing upon the matter, the people would have an opportunity of expressing their wishes at the polls.

Mr. STEWART CAMPBELL asked if the people were not led to believe that Confederation was to be passed *instanter*. Petitioners, believing this, asked for delay. The petitions were therefore against Confederation in the sense in which the Provincial Secretary and his friends had presented the question to the public.

Mr. LOCKE said that the petitions stated at the very outset that they were going to surrender our revenue to a Parliament sitting at Ottawa.

Hon. ATTY. GEN. said that petitioners appeared rather to wish to know what they were going to receive in return for what they gave up.

PETITION—MILITIA COMPENSATION.

Mr. McLELAN presented a petition from Robert Corbett, asking for remuneration for certain services in connection with the re-organization of the militia. The Financial Secretary referred it to the Militia Committee.

YARMOUTH BANK.

Mr. KILLAM introduced a bill, entitled "An act further to amend the act relative to the Bank of Yarmouth," and stated that its object was simply to alter the time of holding the annual meeting, and to allow the shareholders to pay in the whole amount of their capital stock.

A question arose as to whether bills in amendment of those already passed should again pay the fee of \$20. It appeared that whatever was the original intention of the rule it had been applied last session to bills of a character similar to the one mentioned.

MISCELLANEOUS MATTERS.

Mr. JOHN CAMPBELL presented a petition from the inhabitants of North Queens on the subject of the Union of the Colonies.

Mr. CHAS. CAMPBELL asked if it was the intention of the Government to introduce a measure during the present session to amend the Franchise Act. The Provincial Secretary replied that the subject was now under the consideration of the Executive.

Hon. PROV. SEC. laid on the table the report of the Fruit Growers' Association of Nova Scotia, which was read. It states that the efforts of the society have been attended with encouraging success.

Hon. FIN. SEC. laid on the table certain petitions respecting road damages, which were referred to the committee on that subject.

Mr. S. CAMPBELL asked the government whether it was the intention to lay the report of the Adjutant General of Militia upon the table this session.

Hon. PROV. SEC. replied that it would be submitted as soon as ready.

The following bills were read a third time:— To enlarge the powers of the trustees and governors of Acadia college; To amend chap. 115 R. S. concerning the descent of Real & Personal Property; To change the names of certain places in the county of Lunenburg. To incorporate Waverly Gold Mining Company; To incorporate the Virgin Lodge of Free Masons; To incorporate the Acadia Boot & Shoe Company.

PATENT LAW.

Hon. Mr. SHANNON moved the second reading of the bill he introduced on a former day, to amend the existing Patent Laws. The object is to grant patents to foreigners on the same terms that our own people can obtain them in foreign countries, thus establishing a reciprocity in respect to this subject. Under the existing law no foreigner or persons residing out of the Province, can procure a patent for an invention or secret. The mover earnestly advocated the provisions of the measure, and argued that its adoption would facilitate manufacturing operations, and materially enhance the interests of many branches of Provincial industry.

Hon. Mr. McFARLANE said that he was to some extent in favour of the bill for there could be no doubt whatever that the law at present on our statute book was exceedingly restrictive and calculated to prevent the introduction of necessary inventions and improvements in this country. He knew of the case of a gentleman who was desirous of introducing a system of bridges which was used largely in Canada with great advantage, but could not do so under our law. If some such system had been adopted here, a large saving would have been effected in all probability in this country. In view of the development of our mining interests he was of opinion some change was very desirable. He thought however, it would be advisable before adopting the bill of the hon. member for Halifax to see what was the scale of fees in the United States to which country it had especial reference.

Mr. BLANCHARD said that he had been on a committee for some years which had to deal with the question of patents. The policy of that committee was pretty much that of the bill now under consideration, but the house by a large majority, three sessions ago, passed the law as it at present stood. He pointed out cases where the law operated prejudicially to the interests of this country.

Hon. ATTY. GEN. said that he was to some extent responsible for the law which is now on the statute book, and he was still inclined to uphold it to a certain degree. It would be recollected that on an application for special permission to take out a patent, he opposed it on the ground that the article was one that could be manufactured by our own workmen. He was still opposed to opening a floodgate to all sorts of patents coming in either in the hands of the original patentees or their assignees.— There were a great many articles manufactured in the States and other countries that could be introduced here, without subjecting the inhabitants to the payment of any patent rights.

He was inclined to think that whilst we should not admit those that were in common use in other countries, we should allow those that were new to come into the province. The policy of the law in the States was to give a patent to a person belonging to any country that admitted their own people on the same terms as they offered. A citizen of the States had to pay \$30 for his patent to the institution that enquired into the merits of the invention. In New Brunswick the law was very free, but he did not think it was safe to go so far in this country, for we had not the machinery requisite to guard against the improper issue of patents. He thought it would be advisable to have the matter referred to a special committee for the purpose of considering it fully.

Hon. Mr. SHANNON stated that his object was to test the opinion of the house as to the policy of the present law.

Mr. ARCHIBALD said that a few years ago this house, by a very large majority, affirmed the principle of the present law. It appeared to him that the moment we put it into the power of any man to come into this country and take out a patent, we subjected the people to an amount of annoyance which we could not now conceive. A party applies for a patent; he swears it is a new invention; it is referred to the Attorney General, who, naturally enough, knows nothing about it, and the petition is granted. The whole difficulty, he thought, arose from the fact that we had no officer whose whole business it would be to investigate the claims of an article to a patent. Pass the bill before this house, and the result would be that we would have individuals stalking about the country, threatening everybody who attempted to violate a patent with an action. A person might contest the right of the patentee, and justify himself in a court of law; but who was going through all the paraphernalia and expense in reference to a matter which should have been decided in the first instance by the Crown Officer? Our mechanics were now able to go to the States and see any invention of a mechanical character, and come back and give us the benefits of their investigation. One class of patents, however, he thought, could be safely introduced: that was, those of which we could not get the secret on mere observation. For instance, he understood there were now certain inventions by which the gold can be extracted from quartz, even from that which contained sulphurated matter as at the "Ovens," with the exception of two per cent. If that process was a secret, it would not be introduced into Nova Scotia except by a patent; and therefore he thought such inventions might be safely allowed to come in. He concluded by expressing his opinion that it would be preferable to allow the whole subject of Patents to be referred to a special committee.

Hon. ATTY. GEN. differed from the views of the member for Colchester. He thought that if by establishing the reciprocity system a Nova Scotian could obtain in the United States for \$30 what it would now cost him \$500 it would be as well to alter the law.

Mr. ARCHIBALD said that if anybody really discovered any invention of practical value there was no difficulty in getting his rights protected.

Mr. LEVESCONTE cautioned the house against opening the door too wide. One Ame-

rican patentee would take more out of the pockets of our people in one year than any of our inventors would in ten years.

Hon. Mr. MCFARLANE said that the American system was sustained by the means of highly salaried officers, some of whom received \$3000 a year. In that country a citizen could obtain a patent by paying into the treasury \$30 but a British subject, had to pay \$500 for the same privilege. He thought that some system of reciprocity should be established.

Hon. FINL SECRETARY objected to the principle of taxing any branch of industry when there was no need for it. There was nothing to prevent any of our mechanics going to the United States and copying any of their improvements and bringing them down here, and if there was a case now and then where important chemical secrets could be employed in developing the resources of the county—as in the case of gold amalgamating, it would be a sufficient reason for the House to depart from its usual policy and give the required privileges.

Mr. TOBIN said that this Bill would open aside the door to every patentee of every possible invention to come in. Any one who visited the patent office, at Washington, would find it more like a museum than anything else. If a person invented a new handle to a hammer he would take out a patent for it, and so it would be here if this bill was passed. In Canada the subject was pretty much in the same position as in this country, and he would read a clause of a bill introduced into the Parliament there, which he thought would meet the views of his hon'ble colleague.—The hon. gentlemen read the clause of the Canadian act.

Hon. Mr. SHANNON said that it was almost useless alluding to the moral aspect of the question, as it seemed to be the established policy of the country, to pillage everything that could be got from the brains of the inventor.—This he did not consider the right policy. If any one looked abroad at the great manufacturing countries of the world, they would find mechanical and scientific inventors encouraged and fostered. Last summer he had travelled in the western states and upon one occasion he met an intelligent farmer whom he questioned upon the subject of the difficulty of getting farm laborers in consequence of the war but he was told that no inconvenience was experienced as nearly everything was done by machinery. That was one great cause of the prosperity of all branches of industry in that country. Instead of being afraid of these inventions being introduced, he thought that we should encourage them in every possible way; and the result would be that the people would be largely benefitted. There was no doubt that there were important secrets in connection with gold amalgamating which were unknown to our people, and which it was of the utmost importance they should obtain. By the present restrictive system we were acting the "dog in the manger" policy, and would neither take advantage of these advantages ourselves nor allow any body else to do so.

Hon. ATT. GEN. said he thought he was correct when he stated that they had passed a law in the United States, allowing foreigners to come in on the same terms as citizens, when the same privileges were granted to American

citizens. The hon. gentleman read the law to that effect. This was a subject that required great consideration, and he thought that a committee should go out and report upon the whole subject. He was not disposed to look upon it in a narrow spirit, but he thought care should be taken to guard against old patents being taken out and introduced as new ones.

After some further remarks, the subject was referred to a special committee, consisting of the hon. Attorney General, Killam, Tobin, Shannon, Archibald, Blanchard and LeVesconte.

PETITION.

Mr. STEWART CAMPBELL presented a petition from the Postmaster at Sherbrooke, praying for an increase of salary.

THE REGISTRATION ACT.

Mr. BLANCHARD asked the government to lay on the table a return showing what steps have been taken to carry into operation the act passed in 1864 for the registration of births, marriages and deaths, and of all payments made thereunder for salaries of officers and other expenses; also, whether any officer has been appointed or is now engaged in carrying out the requirements of said statute, and the correspondence relating to such appointment, with the principal officer's report on the subject.

MISCELLANEOUS MATTERS.

Mr. BLANCHARD introduced a bill to amend chap. 154, Rev. Stat.—Of the limitation of actions.

The PRO. SEC. announced that his Excellency the Lieut. Governor would attend at the Council Chamber at half-past 2 o'clock the next day, to assent to a number of bills.

The hon. gentleman called attention to the advisability of the various committees proceeding with their work.

The list was called over.

Mr. TOBIN enquired whether there was any probability of the railway depot being brought into the city; if not, something ought to be done to improve the station buildings at Richmond.

Hon. PRO. SEC. said that it was originally intended that the depot should be brought nearer to town, and these buildings were only intended for a temporary purpose. Hence it had never been thought advisable to spend much money upon them. How far the position of affairs would be affected by the prospect of the Intercolonial road, or of connection with the European and North American road, he was not prepared to say at present, but there was no immediate intention to change the depot.

Mr. DONALD FRASER presented a petition for aid for a packet between Pictou and Prince Edward Island; also one relating to disputed claims for Crown Lands.

Mr. MILLER enquired when it was proposed to take up the second reading of the school bill.

After some conversation it was made the order of the day for Tuesday next.

Then the house adjourned until the next day at 2 o'clock.

WEDNESDAY, 8th March.

The house met at 3 o'clock.

ENQUIRY.

Mr. BOURINOT asked the government to lay on the table of the house the annual returns

since 1874 of all provincial grants for roads, bridges, breakwaters, wharves, and all other public works (excepting railways) expended in the several counties respectively.

Hon. PROV. SECY. said that the information asked for could be obtained by any gentleman on reference to the public journals. He thought there ought to be some little limit to the requirements of hon. members. The practice had been invariably only to ask the government to furnish that information which was not within the reach of members.

Hon. FIN. SEC. said that any person who looked at the paper would see that all the information required could be obtained by reference to the public accounts.

Mr. BOURINOT said that he was not aware that a refusal had been ever given to an enquiry of the character he had presented. When the hon. member for Richmond put an enquiry respecting matters connected with the Crown Land, involving a considerable amount of trouble, his request was granted to all intents and purposes. His object in putting the question he had was to get a statement that might be considered authentic.

Hon. PRO. SEC. said that he was not under the impression that the hon. member had any desire to give any unnecessary trouble to the government, but as respects the information asked for by the hon. member for Richmond it was not accessible to the members of the house. He had never seen such an enquiry as the one in question presented before; he would, however, lay it before the executive.

PETITIONS, &c.

Mr. Ross presented a petition from John McLeod and sixty-two others, of Cape North, Victoria, against confederation.

Mr. BOURINOT presented a petition from Low Point, C. B., asking for a daily mail.

CROWN LANDS.

Hon. PRO. SEC. laid on the table a reply to the hon. member for Victoria respecting the petition of the trustees of a Presbyterian Church at Middle River. He stated that as far back as the 4th April, 1864, the executive committee approved of a report of the Commissioner of Crown Lands which partly disposed of the question, but in the meantime no action had been taken, as it was understood some difficulty and litigation had arisen.

Mr. Ross said that an assault had been made on certain parties, and the Crown Counsel had taken the matter in hand.

Hon. PRO. SEC. presumed that when that matter came up the whole question would be investigated.

The papers were referred to the committee on Crown Lands.

EDUCATION.

Hon. Mr. MCKINNON presented two petitions from the township of Tracadie respecting the Educational act. He mentioned that the hon. Provincial Secretary was not correct when he stated the other day that the great bulk of the petitioners from Antigonishe were opposed to the school law. By reference to the petitions it would be seen that the majority of them desired that a large proportion of the money required for school purposes should come out of the treasury, and in fact, were in favour of amendments similar to those now proposed to be made.

Hon. PRO. SECY. was exceedingly glad to learn that he had, to a certain extent, misap-

prehended the scope of the petitions from the county represented by his hon. friend, and that they were in favour of some such amendments as were now proposed by the government. Under those circumstances the 2163 persons whom he supposed were opposed to the present school law would be considerably lessened in number.

MESSAGE FROM HIS EXCELLENCY

A message was received from His Excellency by the Lieutenant Governor requesting the presence of the house in the Council Chamber. On their attendance he was pleased to assent to the following bills:

An Act to amend the Act to Incorporate the International Coal and Railway Company.

An Act to Incorporate the Caledonia Coal Mining Company.

An Act to Incorporate the Clyde Coal and Mining Company.

An Act to Incorporate the Sydney and Louisbourg Railway Company.

HISTORY OF NOVA SCOTIA.

Hon. PROV. SEC. laid on the table a memorial from Beamish Murdoch asking for aid in the publication of his work on the history of Nova Scotia, together with a prospectus and a portion of the same. The hon. gentleman stated that the house had, from time to time, approved of the policy of giving a certain amount to parties who were engaged in the preparation of similar works, and he thought it was well worthy of the consideration of the house, whether they should not continue that policy in the present instance.

Mr. BOURINOT said that he believed that no one more competent in this province could be found than Mr. Murdoch to prepare a work of such a character, and that when it was completed it would be found to throw light upon matters that were now in obscurity.

Hon. PROV. SEC. said, in answer to a question put by Mr. Miller, that the work must be in a considerable state of forwardness inasmuch as Mr. Murdoch had devoted 5 years almost exclusively to the preparation of the material requisite.

Mr. BLANCHARD stated that the work was already finished up to 1810, and that the author had the remainder in a state that would enable him to advance its publication rapidly.

Mr. MILLER said that everyone must see the necessity of having the work completed, if any assistance from the province were to be granted.

Mr. ARCHIBALD said that matter could be arranged by the committee who had it in charge.

Mr. TOBIN gave testimony to the value of such a work as was proposed, and stated that the most of the work was already in manuscript.

The subject was referred to the committee on Printing and Reporting.

PETITION.

Mr. MCLELAN presented a petition from Onslow against the present school act.

REGISTRATION.

Hon. FIN. SEC. laid on the table the report of Mr. Scott, secretary to the Board of Statistics of the returns under the act passed last session concerning the Registration of Marriages, Births, and Deaths. Also a return showing the payments for salaries and other expenses connected with the act. Also a return from the Postmaster General giving an account of

the marriage licenses up to the 31st, Dec. 1864. The Post Master General asks that the department be relieved from the duties of issuing licenses.

CONFEDERATION.

Mr. JOST presented a petition from James Smith and others of New Dublin, Lunenburg, against the Confederation of the Colonies.

LUNENBURG MATTERS.

Mr. KAULBACK wished the hon. member for Shelburne to lay on the table the answer to the enquiry he had put the other day concerning the township of Chester, and other matters connected with the county of Lunenburg. He did not understand what object the hon. gentleman had in making such an enquiry, and thought he could just as well have obtained the information through the members of the county. As far as he was concerned he was always ready to answer all questions respecting his constituents.

Mr. LOCKE replied that he believed the hon. member for Lunenburg had no right to enquire into his motives for making the enquiry he had. He had made it for the purpose of informing himself in respect to the management of affairs in Lunenburg.

Hon. FIN. SEC. said that in all probability the hon. member for Shelburne wished to see if the results of his mismanagement of public affairs, during the time his government were in power, were still felt by the people of Lunenburg. His conscience, doubtless, upbraided him at times.

Mr. LOCKE hoped the hon. member would also at some day have the same burthen on his conscience.

Mr. KAULBACK said he hoped the hon. member would lay the papers on the table.

Mr. LOCKE expressed his willingness to let the hon. member look at them.

Mr. JOST said that so satisfied was he that the affairs of his country were well managed under the present representation, that he was quite prepared to allow the hon. member for Shelburne to make what enquiries he thought proper.

FOG TRUMPETS.

Mr. ROBICHEAU, chairman of committee on Navigation Securities, reported in part from that committee, recommending that a fog trumpet be placed at Cranberry Island, near Cape Canso, and at Sambro.

Mr. Locke, hon. Fin. Sec., Mr. Miller, Mr. McLellan, Mr. S. Campbell, Hon. Attorney General, Mr. Blanchard, Mr. Tobin, Mr. Levesconte, referred briefly to the necessity that existed for the establishment of a trumpet at Cranberry Island, and the benefit that it would be to all vessels, not only those that pass through the gut, but all that approach our coasts.

ST. PETER'S CANAL.

Hon. ATTY. GENL. laid on the table the report of Mr. Perley, the engineer that was employed by the government last summer for the purpose of reporting on the St. Peter's Canal. The report having been read,—

Mr. LEVESCONTE asked whether the government intended to put anything in the estimate for the Canal.

Hon. ATTY. GENL. said the matter was under the consideration of the government, and they would be prepared to state their decision in a few days, perhaps during the present week.

Mr. MILLER trusted that the government would deal with the matter with a view to the interests of Cape Breton. It had been remarked, a few days ago, by the hon. member for Halifax that if anything like justice had been done to the eastern section that canal would have been completed long ago. Every impartial man would bear out the remarks of that hon. member. This public work should be treated as public works in Nova Scotia proper, whatever the cost. The government in the case of a work like the Pictou Railway, for instance, did not give four or five thousand pounds at a time towards its construction, but, in a statesmanlike manner, put the whole under contract at once. That was the proper course to pursue in reference to all public works considered necessary. He trusted it would be followed in the case of the canal. When the whole sum was given at once, the work could be constructed much more economically than if money towards its completion was given in dribblets from year to year. He had no intention to go into any lengthened remarks as to the necessity for the work, inasmuch as it had been before the House for years and ought now to be pretty well understood. As respects a marine railway, referred to by Mr. Perley he had no hesitation in saying that it would not be received as a boon by the people of Cape Breton. On the contrary they would prefer that the money which would be necessary for constructing a marine railroad should be expended in public improvements over the island generally. In conclusion, he expressed his hope that the government would treat this long vexed question in a broad, statesmanlike spirit, and yield to the wishes of the people of Cape Breton.

Mr. LEVESCONTE said he perfectly agreed with the remarks of his colleague that the railway would be no boon to the people of Cape Breton.

Mr. TOBIN expressed his belief that a railway would not be desirable at St. Peters; if anything were requisite, it was a canal. He referred to the experience of the Inland Navigation Company in connection with such enterprises, and showed the large expenditure that even a tramway would cost. He hoped that the canal would soon be built and the house relieved of what had long been a standing grievance.

Hon. ATTY GEN. said, although he was not prepared to say that he would urge the expenditure of money for a tram railway in Cape Breton, yet no could deny that in certain localities such works were of great public advantage. In certain parts of the States where they existed, they were found of great use. He was of opinion with the hon. member for Halifax that if there was a grievance in Cape Breton with respect to this canal, it should be removed, and if there was only some guarantee that another grievance would not start up after this one was settled, he was inclined to think the work would soon be built. He had no doubt that there was every disposition on the part of the Government to do justice to Cape Breton in this matter.

After a few words from Mr. Tobin and Mr. Miller in support of their previous remarks, the subject dropped.

ADJUTANT GENERAL'S REPORT.

Hon. ATTY. GENL. laid on the table the report of the Adjutant General's report for 1864.

It treated, he stated, of the militia organization generally; of the regimental finances; of the volunteers; of the distribution of arms; and of the casualties that have happened them. A large number had been damaged, being defective in the first instance, and these would be doubtless replaced from the ordnance stores. Still it was a matter of some importance to the inhabitants that care should be taken not to distribute arms which would be liable to cause casualties, among those who made use of them. It appeared from the report that in the beginning of this year, that the whole of the militia of the first class, for actual service, numbered 56,111 men. The number that were called out on Militia duty were 41,811, leaving 14,240 that did not attend—the majority of them consisted of fishermen, and seamen absent temporarily from their homes. There are in the province 110 regiments of Militia, beside a militia artillery brigade. There are 110 Lieut. Cols.; 146 Majors; 620 Captains; 653 First Lieuts.; 410 Second Lieuts.; 3 Sergeants Majors; 861 Sergeants. The whole number of militia enrolled in 1863 was 48,677, and in 1864, 56,111, showing an increase of 7436. In 1863 there were drilled 34,878, and in '64, 41,871, or an increase of 6993. In 1862 the number of volunteers was 1893; in 1863, 2010; and 1864, 829; the number of companies disbanded last year was 38 in all.

The report having been read,

Mr. McLELAN said that there was one paragraph of the Adjutant General's report which contained rather a reflection upon the character of the province and should not be allowed to go abroad uncontradicted. He referred to that part which spoke of the difficulty of obtaining proper Rifle Ranges, owing to the unquoting nature of the country and to its being so densely wooded. The impression which would be conveyed would be that no suitable range could be obtained in the country whereas he was not aware that the difficulty had ever been experienced.

Mr. PRYOR thought that the Adjutant General had reference to the county ranges, and the difficulty of finding a proper range in each district.

Mr. BLANCHARD said that a stranger would naturally infer that the country was so densely wooded as to render it impossible to find room for a rifle range.

Mr. ALLISON said that it would be found to be a fact that in most counties, great difficulties would be experienced in getting proper ranges.

Mr. BLACKWOOD said that there was no difficulty in his part of the country. They could fire across the beach out to sea.

Hon. ATTY. GEN. said every part of the country is not so favourably situated. He thought the Adjutant General had only stated the real fact. It was well known that although there were plenty of places suited in other respects, yet from their exposed and public position they could not be used for rifle practice. It was only unfrequented places that would do, and these were not so easily to be found. In Antigonish County the difficulty had been experienced.

Mr. COLIN CAMPBELL had something to say in reference to another paragraph which referred to the disbandment of the Weymouth Rifles, which company he had had the honor to command. The Adjutant General says that

"this company was in good order two years ago, but has since fallen away and been disbanded." He would like the house and the county to know the reason why this had happened. They had taken some of the best men of the company and made militia officers of them—some of his privates had been promoted over his head—and this was the reason why the numbers had diminished. He did not think the volunteers had ever been treated fairly. It was too evident that there was a disposition to break them down in every possible way. He was informed that in some cases if the returns were not in up to the very day, they were immediately disbanded without further notice. This was not the way to treat men who had sacrificed so much time and money as the volunteers of Nova Scotia. The late Governor, the Marquis of Normandy, congratulated himself upon the fact that when he left the country, he left 5000 efficient volunteers to defend it, the best blood of the province—men who were trained and disciplined to the use of arms, and who, when danger threatened, would be found to the fore. He would ask where are they now, and whose fault was it that their numbers had decreased? He thought that the volunteers had been shamefully used, and he spoke from personal experience—as one of them. They had to go to all sorts of expense and sacrifice their time and comfort in making themselves efficient, and then received no sort of consideration whatever from those whose duty it should be to foster and encourage them in every possible way.

Mr. ARCHIBALD held in his hand a communication from an officer connected with the Rothsay Blues Rifle Corps at Truro, which disclosed great hardship to which he would like to draw the attention of the government. It appears that the gentlemen connected with that company, not only had to incur the usual expenses which had to be borne in common with their brother volunteers, but they had to put their hands in their pockets and contribute something like \$600 for the erection of a drill shed, and now that the company has been disbanded through no fault of theirs, it is proposed to hand their property over to the government. There was still a debt upon the building, from which, at all events these gentlemen should be relieved.

Hon. ATTY. GEN. said that by referring to the report of the last inspection of the Rothsay Blues it would be found that they only mustered upon parade—1 Captain, one 1st and one 2nd Lieuts, 3 Sergeants and 29 men so that they did not come up to the strength required by law. There was no doubt that the Volunteers were the best qualified to receive Militia Commissions, and it was probably owing to the fact that a large number of these had gone into the Militia service, that so many volunteer companies had been disbanded for want of sufficient men.

Mr. ARCHIBALD again expressed his opinion as to the hardship of the case.

Mr. BLANCHARD said it was evident that the small number of men in attendance could not have been the reason for disbandment, because on looking at the list it would be found that several other companies had a less number of men and yet were not disbanded.

Mr. COLIN CAMPBELL said that although his company had only turned out one less

than the number required by law, it had been disbanded, and he had felt that he had been so unjustly treated that he did not think that it was worth his while to use fresh exertions to get up the effective strength of the company when, perhaps, the men who had served their five years would be treated as all other volunteers had been in Nova Scotia, with neglect, and almost with contempt, and after all the time spent in making themselves efficient, be sent back to the militia ranks.

Dr. BROWN observed that the surgeons had been omitted from the list.

Hon. PROV. SEC. said in reference to the position of the Volunteer force and the Militia organization that upon more than one occasion, he had called attention to the great difficulty of maintaining the Volunteer organization upon an efficient footing in a country like this. Lord Mulgrave had undertaken the formation of the Volunteer system in this province, and there was no doubt that his efforts had been eminently successful, although the success was to a large extent due to the fact of the novelty of the undertaking. Even in England where the movement originated in the idea that it was necessary that some steps should be taken to preserve the national honor in view of foreign invasion, where it received the patronage of Royalty, and the hearty co-operation of the Peerage and the landed gentry of the country—where in point of fact all classes combined to give it a most hearty support—even there, with all these favorable circumstances the government found it was necessary in order to maintain the system on a proper footing to pay the Volunteers, from the public Treasury, a pound sterling per man per annum. He had always said that too much praise could not be given to the Volunteers of this province for the spirit which they evinced in coming forward at a time when the militia force was in a state of desuetude, and something had to be done for the local defences of the country. They had come forward and rendered themselves so efficient as to compare favorably with any other organization in the world. In point of numbers, when the relative population was taken into consideration, they equalled those of England, and as regards efficiency as he said before, they could hold their own with any others. Yet still, while fully admitting the success of the movement, he had always been convinced that in a country like this, where time is so valuable, great difficulty would be experienced in maintaining the system after the novelty had worn off. In the city it might possibly be done, but in the country, where the people are scattered over a large area, it was almost impossible. He did not think the organization had ever received proper encouragement from those in authority, and in saying this he did not wish to cast any reflection upon any one government more than another, for he was aware that he was open to a share of blame. It was not much a matter of surprise to him that the movement had rather declined. It was the natural result of the circumstances he had alluded to, although he did not think it would have been so much the case had not the militia organization been placed upon its present comparative state of efficiency. He had no hesitation in saying that a large amount of the success which had attended the re-organization of the militia service

was justly due to the volunteer force. Instead of the member for Digby (Mr. Campbell) being offended at the fact that some of his volunteers had received militia commissions, he should consider himself complimented at the idea that his men should be considered fitted above others to receive promotion. He had no doubt that what that hon. gentleman complained of, was the case in either parts of the province, and that many of the volunteers would now be found holding militia commissions.

Hon. PROV. SEC. concluded by acknowledging the great claims the Volunteers had upon the gratitude of the country, and as regards the individual case of hardship presented by the member for Colchester, he said it would receive due consideration.

Mr. COLIN CAMPBELL reiterated his conviction that the Volunteers had been made use of, and then sacrificed in order to build up the militia system.

Hon. Mr. SHANNON said that in town the two systems seemed to work together; a good many militia officers were privates in Volunteer companies, and performed duty in both capacities.

Mr. TOSHIN could not understand how gentlemen could consider the militia system on an efficient footing when the men were not armed. He would like to ask his hon. friend from Lunenburg (Mr. Kaulback) what he could do with his men, without arms. He thought the sooner they were supplied from some source the better. If he was rightly informed, those that had been supplied to the Volunteers, came from the Imperial Government. He thought it was time we began to do something for ourselves. This subject of the local defence of the country was a most serious one, and deserving of the utmost attention. They had only to look across the borders, and see what their neighbours were doing to become impressed with the necessity of taking some action in the matter. It was wonderful to see the powers put forth by the North in this great struggle. Before the war commenced, she had not more than 14,000 soldiers, half of whom went with the South, and a very few ships of war. Since then she had placed in the field 800,000 men, at a cost of one hundred millions of dollars, besides having in her Navy some 500 ships of war. It behoved us, therefore, to prepare in time, for we knew not what a day might bring forth.

Mr. BLACKWOOD was sorry that the volunteer system was dying out. He considered that it possessed many advantages over the militia system—the one was voluntary and the other forced, and you could not rely with the same certainty upon the men in the latter case as in the former. If the volunteer force was dwindling away, it was necessary that something should be done to place the militia upon a more efficient footing, for he considered they were far from that now.

Mr. PRYOR was glad that the efficiency of the militia was beginning to attract the attention of the house; and he hoped that they would deal with it in a liberal spirit.

Hon. ATTY. GEN. remarked that in some parts of the country the volunteer system was really obnoxious to those engaged in the militia business, inasmuch as advantage was taken of it to elude serving in the militia; and in many cases they actually served in neither one branch of the service nor the other. No

THURSDAY, March 9, 1865.

The house met at 3 o'clock.

GEOLOGICAL SURVEY.

doubt this had some weight with the authorities in disbanding some of the companies. He would make enquiry as to the reasons why so many companies had been disbanded, and he had no doubt that satisfactory explanations would be given.

Mr. KAULBACK expressed his opinion that the volunteers had not received proper encouragement. The impression had got abroad that having served their purpose they were not wanted any more, and that idea no doubt had operated largely in causing the disorganization of so many companies. He had particular reference to the volunteers in his own county. As regards the state of the militia there—he was pleased to find that the Adj. General referred in complimentary terms to the regiment he had the honor to command. He was bound in honor to say, however, that that efficiency was due in a great measure to the volunteer companies at that place. He agreed with the member for Halifax, that in view of complications that might arise with our neighbours, it was necessary that the militia should be armed. If any trouble should unhappily arise with that country, no doubt Lunenburg would be specially favored, as it would be remembered that during the last American war that place was taken by the enemy, and a bond given by the inhabitants by way of ransom, which had never been redeemed.

Mr. LEVESCONTE enquired whether the government considered that in the case of invasion all persons found in the possession of arms were liable to be shot, not being in uniform.

Hon. PROV. SEC. was rather inclined to doubt the policy of a small province like ours arming the few men we had to prepare for an invasion from such a force as could be brought to bear upon us. In the meantime a great deal had been done, and could yet be done, without arms; the primary thing was to get the men enrolled, and instructed in the rudiments of drill, and to get the officers qualified for their duties. The subject, however, was now engaging the attention of the Commander-in-Chief, and would soon be brought under the notice of the house.

Dr. BROWN presented two petitions from North Kings' against Confederation.

Mr. SHANNON presented a petition from the Educational Association of Nova Scotia. Also introduced a bill to add an electoral district in Western Halifax.

ENQUIRY, &c.

Mr. MCLLHAN requested the government to inform the house whether any Provincial Debentures had been sold, for the purpose of raising money for the construction of the Pictou Railway, and if any, the amount—the rate of interest they bear—the premium obtained, if any—the names of purchasers, and the mode of disposal.

Mr. BALCOM presented a petition from Sheet Harbour, praying aid to remove obstructions from the East River.

Mr. KAULBACK handed in the returns submitted by the government in answer to a request of the member for Shelburne relative to lunatics chargeable in the county of Lunenburg. He might find it necessary to refer to them at a future day.

The House then adjourned until 3 o'clock, next day.

Hon. PRO. SEC. laid on the table the report of a geological survey made by Rev. Dr. Honeyman. In reference to the report, the hon. gentleman stated that when Dr. Honeyman was in England he read a paper before the Royal Geological Society on the geology of Arisaig; and subsequently called the attention of the government to the fact that some investigations which he had made whilst preparing for the International Exhibition, could be extended at a comparatively small expense. Measures would have been taken by the Government for an efficient geological survey, but for causes to which he need not now particularly refer. It was considered not improbable that the subject would be dealt with in a more efficient manner under different arrangements that might be made. The government, however, thought they would be acting in the interests of the Province if they authorized the prosecution of the work commenced by Dr. Honeyman, and assumed the responsibility of making an advance, in the first instance of \$20, to obtain a number of copies of the paper read by that gentleman in London; and in the second place, a further sum of \$400 to enable him to continue his researches, which were attended with most interesting results in connection with the geology of this Province.

A number of copies of the report were ordered to be printed.

LICENSE LAW.

Mr. S. McDONNELL introduced an act to amend the law relative to licenses. The law, as it at present stood, rendered void notes, agreements, specialities, and all documents given in whole or part payment for intoxicating liquors. It was, however, most unfair, since it had an *ex post facto* operation. This object was to remedy this defect. He considered that some provisions in the license law were most tyrannical, and did not reflect much credit upon the legislature that passed them. He was afraid some gentlemen were influenced by their zeal for temperance to go too far and try impossibilities.

Dr. HAMILTON said the question might arise whether it was wise to adopt any license law at all. If we admitted the sale of spirituous liquors, he did not see why we should tie it up. The hon. member for Inverness had said the house had dealt injudiciously with the subject, but he would like that hon. member to say why we should deal with it at all.

Hon. Mr. MCFARLANE said that the provisions of license laws were sometimes so exceedingly stringent that in many instances it was found impossible to carry them out. He was desirous of aiding temperance whenever it was practicable, but he did not think it was wise to go to such extremes as some would.

Mr. BLANCHARD said that it had become fashionable to say that license laws were tyrannical, but he would undertake to say that, with the exception of one section, our law was not more oppressive than was any other municipal regulation. The section of which he spoke had been brought to the notice of the committee to whom the subject of the license law had been referred, and it would probably be amended. He thought that the bill of his hon. colleague might be submitted to the same

committee, and if it was shown to be necessary no doubt it would be adopted.

Mr. LEVESON-BE thought that the law was most unjust in the case referred to by the introducer of the bill.

Mr. S. McDONNELL again pointed out that the law in this respect had a retrospective operation.

BILLS REPORTED.

Hon. Mr. SHANNON, chairman of committee on private bills, reported up the following:—To incorporate the New Glasgow Marine Insurance company; to incorporate Miré Bay Harbor company; to incorporate Sydney and Bras d'Or Steamboat company; to authorize the sale of Parsonage lot and house at North West Lunenburg; to alter the time of holding sessions in Barrington; to amend the act to incorporate the Glace Bay mining company.

RIVER FISHERIES.

Mr. BLANCHARD stated that he had introduced on a previous day a petition from a number of the inhabitants of Margaree, Inverness, complaining that the act passed last session on "river fisheries," bore hardly upon the fishermen, and was only for the benefit of "gentlemen sportsmen." Sec. 5 of chap. 95, R. S., provides that no net should be set for the catching of salmon within a mile from the mouth of the river. The bill he now introduced in accordance with the prayer of the petition in question, was intended simply to reduce the distance in the county from one mile to a quarter.

The bill was read a second time by consent, and referred to the committee on River Fisheries.

CITY BILL.

Mr. PRYOR, chairman of committee on city bills, reported up a bill, entitled "An Act to authorize the city to borrow money to pay off the debt upon the market house."

PETITIONS.

Mr. G. S. BROWN presented a petition from Yarmouth in reference to the school act.

Mr. PRYOR presented two petitions—one from Lower Prospect, and another from Terence Bay, against the Union of the Provinces.

Mr. MILLER presented two petitions from Richmond on the same subject.

Mr. DONALD FRASER presented a petition from the town of Pictou, asking for amendment in the license law.

Mr. ROBICHEAU presented a petition from Weymouth, praying for an alteration in the present school law.

BILLS.

Mr. DONALD FRASER introduced a bill in accordance with the prayer of the petition previously referred to, "to provide for the expenditure of duties arising from the sale of licenses for intoxicating liquors in the town of Pictou."

Mr. BOURINOT introduced an act to confirm certain grants, and authorize further grants of land in the island of Cape Breton.

THE SCHOOL ACT.

Hon. ATTORNEY GENERAL said—I rise for the purpose of asking leave of the house to present a bill entitled "An act in addition to chap. 53 of the third series of the R. S. of public instruction, and ratifying and confirming proceedings therein." I may mention what is well known to gentlemen around these benches that in accordance with the act that was passed last session proceedings were taken to establish schools in all parts of the country,

and in some places parties neglected to adopt any of the provisions of the chapter. No provision was made, therefore, to enable persons to obtain the means of education and, at the same time, receive a share of the legislative grant for the remaining half of the present year. The principal object of this bill is to enable parties throughout the country who wish to adopt the provisions of the school act to have the means of doing so on the same principles as were in force last year. A bill has been already introduced by the government which will be of course considered at a future day, but it will not go, if passed, into operation until the first day of November next. It has been, therefore, found advisable to bring in the bill I now hold in my hand to provide for the term up to that date. Whatever may be the opinion of the legislature, whatever may be its action in reference to the bill on the general subject of education, I take it for granted that the house will see the necessity of making provision for all sections where schools do not now exist. I have now stated the main object of the bill, but nevertheless I shall briefly run over its different clauses for the information of the house. The first clause provides for holding meetings in May, which are to be called by the Inspector. The Inspector will decide what time in the month of May he will call that meeting. Under that clause therefore, the inhabitants will have an opportunity of appointing trustees and of deciding whether they shall adopt the school act or not. The second clause provides for the appointment of three trustees, either at any of these meetings called by the Inspector, or, if necessary, at any adjourned meeting. The third clause provides that, if the meeting decide to support a school for the period of five months, and adopt assessment as the principle upon which that school is to be maintained, the trustees can assess for the sum which is to be collected by their secretary from the roll of 1864—the last made up, and therefore the more likely to be correct. The fourth clause provides that when subscription is adopted and fails, the amount can be raised by assessment, which is the principle of the old law. By this means the trustees who have entered into contracts with schoolmasters will be able to indemnify themselves. The fifth clause imposes a penalty of \$20 on a trustee or collector refusing to act, or failing in his duty, and provides the machinery by which it may be collected. The sixth clause empowers the trustees to borrow money for the erection of a school-house. If the new bill is to come into operation in November next, it is obvious that the necessary steps should be taken to make provisions for carrying it out satisfactorily. The seventh clause provides that in all cases up to the time of the passing of the act, where trustees have estimated too small a sum, they may have an opportunity of refunding themselves by assessment. There were some cases which had been brought to the notice of the Superintendent of Education where parties, by mistake, had estimated too small an amount—in some cases by as much as \$100. The trustees, knowing nothing of the mistake entered into arrangements with the teachers and brought the schools into operation. In none of these cases is there any opposition to the assessment principle. The eighth clause defines the duty of trustees. It incorporates several provisions that are

contained in the bill laid on the table the other day. It has, however, one new provision enabling the trustees to determine on the site of school houses. They are to furnish school accommodation. It also provides schooling free of charge to all persons resident within the section of five years and upwards. It makes provision for the different grades of schools, and for blending them together. The ninth clause provides for arrangements to be made between the governing body of any academi- cal or other institution drawing a distinct grant from the legislature, and three trustees of any school, for the purpose of incorporating the two, to further the advantage of the section where they may be situated. There are cases where persons might be contributing to an academi- cal institution, and it would be hardly fair for them to pay to the general assessment fund without receiving any benefit in return. It is the same clause that is in the new act. The tenth clause gives to trustees of any school the power of admitting to school privileges pupils from other sections under cer- tain terms. The eleventh clause gives the trust- ees power to suspend or expel any pupil from a school who shall persist in disobedience or be guilty of any vice that may demoralize the other pupils. It also provides for the dismissal of any teacher for gross neglect of duty, or im- morality. The trustees are to acquaint the ex- aminer with their decision, and he shall for- ward a statement of the matter to the superin- tendent, and the pay of any such teacher shall cease unless otherwise ordered by the Board of Commissioners on an appeal by the party accused. The twelfth clause allows the trustees to call a special meeting to transact any necessary business other than what is re- quired to be performed at the general meet- ings. The thirteenth clause gives to the pro- vincial examiners the power of granting li- censes to teachers. The fourteenth clause rati- fies the proceedings at those meetings where the law has been adopted which have not been altogether regular. The fifteenth clause is in reference to Colchester and Queens, which have two distinct boards, and in the appendix to the act of last year the grant was put down for these counties in one sum. It was divided, however, by the council of public instruction on the proper scale, but the law specifically gave it to each county in one lump. The six- teenth clause confirms the lines of school sec- tions, as not laid down by the council of pub- lic instruction, until altered. In fact, I may say, the chief object of the bill is to legalize errors that have arisen in consequence of parties who have adopted the law in good faith not properly appreciating its provisions.

Hon. PROV. SEC. said that the policy of the government in relation to the important sub- ject of Education had been already explained to the house in connection with the bill laid on the table a few days ago. The object of the present bill was simply to provide all the facili- ties that were possible for the schools of the country during the ensuing six months,—en- abling meetings to be held where they have neglected to hold them, and providing for the arrangement of technical difficulties which have occurred under the law, and legalizing certain irregular proceedings which pro- ceeded from a misapprehension of the pro- visions of the Statute. Whatever opinions gentlemen might have as to the policy of the

existing law—as to the mode in which it should be altered to meet the necessities of the coun- try, he took it for granted that there was no doubt as to the propriety of this house, by an enactment such as was now proposed by his hon. friend, rendering legal the action which has been taken by the inhabitants in different sections for the purpose of putting schools into operation. He was sure that every one would at once see the necessity of removing difficul- ties which now existed in carrying on the edu- cation of the county.

Mr. ARCHIBALD, who was almost inaudible, said that all matters connected with education were of too great importance to be disposed of in a few cursory observations. When the whole subject came up legitimately, then he would enter into the merits of the question as fully as the vital consequences involved de- manded at his hands.

Hon. ATTY. GEN. said that there was no new principle endeavored to be established in con- nection with the present bill. The acts of grand juries, of sessions, and of various public officers, had frequently to be legalized.

Mr. BLANCHARD considered it inadvisable to pass the present bill before the general measure on education was first disposed of; a large portion of the former was taken from the lat- ter. He thought the bill should be printed.

Hon. PROV. SEC. replied that, alter the new bill as you might, it would not change the ob- ject of the present act. Its object, as he had stated, was merely to facilitate the manage- ment of educational matters up to the period when the new act would, if passed by the house, go into operation.

Mr. S. CAMPBELL expressed his opinion that the main bill introduced the other day should be the first one disposed of.

Mr. ARCHIBALD also gave it as his opinion that the main bill should be the first discussed.

After some further observations, it was agreed that the bill should be printed immedi- ately for the information of members.

HARBOUR-MASTERS AT SYDNEY.

Mr. BOURNOUT introduced an act to autho- rize the appointment of a harbour-master at Sydney, C. B. The law, he stated, now pro- vided for harbour-masters at Spanish River, but, as the house was aware, there were two ports on the river, one of which had already such an officer. The present bill went to provide for a harbor-master at Sydney town, and defined the limits assigned to each.

PEOPLE'S BANK.

Mr. TOBIN introduced a bill to amend the act incorporating the People's Bank of Halifax. He stated that its object was merely to make a few immaterial amendments, and to alter the time of holding the annual meetings. No change in the charter was contemplated.

PETITIONS.

Mr. RAY presented a petition from ninety- four persons in Annapolis Royal, requesting a repeal of the present school act.

Also, a petition from Annapolis county rela- tive to the dog tax.

ASSESSMENT.

Mr. DONALD FRASER introduced an act to amend chap. 46, R. S.,—Of county assessment.

Mr. STEWART CAMPBELL hoped the house would pause before they put a revision upon almost every chapter of the Revised Statutes. The whole question of assessment was fully disposed of last session.

Hon. FRN. SEC. said that the Revised Statutes could not be considered perfect, but that amendments must naturally be made as circumstances required it. A court representing the public voice of Pictou, had thought it proper to have the present law amended as to the amount of pay they were willing to give to public servants, and he could not see why any one should object to that.

Mr. MILLER thought the house should have a uniform policy on the question, and he did not see any reason for making an amendment in the existing law for the sake of the county of Pictou. The whole question was fully discussed last session, and disposed of by a large majority of the house, and yet they were now called upon to stultify themselves. Already was the house asked to bring in a measure repealing the pilotage act, in reference to Pictou, though the house had affirmed its policy last winter by a very large majority. He did not see any reason why the house should stultify itself to oblige that county.

Mr. ARCHIBALD said the house was not to assume that the revised statutes were perfect, but he thought if the petition in the present case came from the body of the people he would give it more attention than he could give to the application of men who wished to have their pay increased. He thought the house should have a general policy on this question.

Hon. FRN. SEC. replied that public servants, if they were to be paid at all, should receive a sum equivalent to the time and attention they gave to the public service. There was not a man on the grand jury who could not earn more than a dollar a day in his ordinary avocations. The half dollar they now received was altogether inadequate. The magistrates who sat in the sessions as the guardians of the public interests sanctioned the present bill and the grand jury who requested them to deal with this matter were men who would not receive any benefit if it passed, for the assessment has been already made. As to the remarks of the hon. member for Richmond in reference to Pictou, he would allow them to pass for just what they were worth.

The subject then dropped.

Mr. DONKIN presented a petition from Edward B. Oxley and 95 other inhabitants of River Philip, county of Cumberland, asking that the subject of Confederation be submitted to the people. The following bills were read a third time:—Further to amend the act to authorize the erection of a Court House and Jail in Yarmouth—To legalize the assessment-rolls of the County of Lunenburg.

Mr. KAULBACK presented a petition from Middle LaHave, asking for delay before action was taken on the subject of the Union of the Colonies.

The house went into committee on bills, and passed the following:—To incorporate the New Glasgow Marine Insurance Company—To amend the act to incorporate the Glace Bay Mining Company—To alter the time of holding the General Sessions of the Peace in Barrington.

Then the committee adjourned, and reported progress.

Then the house adjourned until 3 o'clock the next day.

FRIDAY, 10th March.

The house met at 3 o'clock.

Mr. BLANCHARD introduced an act to incorporate the Scotia Lodge of Free Masons, Canning.

Mr. DONKIN presented a petition from a number of inhabitants of Parrsboro' against the present School Bill.

THE PASSPORT SYSTEM.

Mr. BOURINOT said that he had been requested to put a question to the Government whether there had been any communication received by them with regard to the passport system between this Province and the United States. He noticed in a telegram to the city papers that the order had been rescinded in regard to Canada.

Hon. PROV. SEC. replied that no communication had been received touching any proposed alteration in the present system. He was exceedingly glad to see in the English news that in consequence of communications that had taken place between the British Government and the United States authorities, the determination had been arrived at to discontinue the system as respects Canada. He hoped that this also included the Maritime Provinces. He was inclined to believe that the fact that Canada only was mentioned arose from the want of information that so frequently characterised communications with reference to British America. He could not imagine how so extraordinary an act should be committed as discontinuing the system between the States and Canada and keeping it in force as regards these Lower Provinces. Whilst there might have been some plausible reasons for having a passport system between Canada and the United States, there had been none why there should be such an obnoxious and inconvenient proceeding carried out in respect to the Maritime Provinces. Communication would be had with the Imperial authorities at Washington upon the subject, and he had no doubt that the system, which was attended with great inconvenience and expense, would be also repealed with respect to these Provinces.

Mr. ARCHIBALD said that he was afraid the Prov. Secretary was anticipating too much in supposing the Passport system was abandoned as regards the Lower Provinces. He regretted to be obliged to say, that not only was the system not discontinued, but that it was exercised in such a way as to create the impression that it was used in this community not so much as a matter of national safety, but as an instrument of personal annoyance. He had the authority of a leading merchant in this city, to say, that the United States authorities here refused to *visa* the passports of gentlemen in this community of the first characters and standing; whose business called them to the States; and who were above all suspicion of interfering in their local disputes. He did not question the right of any country to exclude such foreigners as they choose from entering their borders, but he could not help thinking that it was a very unwise exercise of that power, if it was exercised in such a way as to lead to the conclusion it was used for purposes of personal and individual oppression; and he thought it unworthy of the great nation to the south of us.

CORRECTION.

Mr. TOBIN corrected an error which he noticed in a report of some few remarks he had made in reference to the militia on a previous day. He was made to say that the expenses of the North since the war commenced amounted to one hundred million of dollars. What he did say was, that the army estimates for the present year were over one hundred million dollars. When the war broke out the United States had only 41 ships of war, whilst now they were increased to 671 ships, 54 of which were monitors and iron clads. He thought it advisable to correct the mistake of the reporter, inasmuch as the papers containing the debates went abroad, and it might not be known where it originated.

Mr. BLANCHARD pointed out an error of the printer in placing his name to some remarks which were made by Mr. Blackwood, and *vice versa*, in the same debate. He was made to say that in his county they could fire across the beach out to sea whereas it was Mr. Blackwood who said so.

Hon. ATT. GEN. called attention to the unfairness of some of the papers that did not publish the official reports.

CONFEDERATION.

Mr. LOCKE presented four petitions from the township of Shelburne against the Union of the provinces. He also stated that he noticed in one of the papers a telegram that Canada was going to take certain action on the question of Confederation, and therefore he wished to know whether the government had had any correspondence on the subject.

Hon. PRO. SEC. replied that the government had received no official communication from the government of Canada upon the subject, but at the same time he made that statement he thought it right to add that the substance of the telegram, as it exactly appeared, was communicated to him by a member of the Canadian government. He did not regard that as an official communication in the real sense of the term.

Mr. S. McDONNELL said he noticed that the petitions presented on the subject under consideration were styled "with regard to Confederation." He considered that these petitions were, to all intents and purposes, against the scheme.

Mr. LOCKE said the good sense of the country would tell at once that they were against Confederation.

Mr. P. SMYTH presented a petition from Ship Harbor, in Inverness, against Confederation.

Mr. ROBERTSON expressed his opinion that all the petitions were not really against the proposed Union.

Hon. ATT. GEN. replied that the people wished time for the consideration of the question. They were certainly against legislating upon it this session, but they did not express any opinion adverse to the scheme.

Mr. S. McDONNELL said that the Attorney General could not, by any amount of ingenuity, construe these petitions in any other way than that they are opposed to Confederation. They were opposed to the consummation of the measure at the present time, and there was not a single word in them in its favor.

Mr. MILLER was surprised that gentlemen should argue the question. Petitioners said they did not wish the house to deal with the

question, but to leave it to them to decide in reference to it. They gave a significant hint what they would do with it if they got hold of it.

Hon. ATT. GEN. supported his position by reference to the state of things that occurred in connection with the measure touching the Incorporation of the Counties that was before the house some years ago. The fact that the people said they wanted time for consideration proved that they had not yet made up their minds either to oppose or reject it.

Mr. STEWART CAMPBELL said that the petitioners not only expressed their anxiety lest this measure should be passed during the present session, but they wished to obtain from the government a pledge that it would not be carried through until it had been first passed upon by the people at the polls. The house had now been in session for a month, and a large number of petitions, containing very many signatures, had been presented, and he thought it was about time that the government of this country should relieve the people from the anxiety they now felt lest this measure should be passed through during the present session.

PETITIONS.

Hon. Mr. MCFARLANE presented a petition from certain persons in Parrsboro asking for an alteration in the School Law. This petition which was most elaborate and contained a draft of a proposed act was read by the Clerk.

Mr. S. CAMPBELL presented to the Financial Secretary the petition of Henry Peitch and others asking for remuneration for placing buoys in the harbour of Canso. It was subsequently laid on the table.

Mr. BOURINOT presented a petition from Mira, C. B., asking for a daily mail to Sydney.

INLAND FISHERIES.

Mr. LEVESCONTE reported in part from the committee on the Fisheries that the bill introduced on the previous day and referred to that committee by Mr. Blanchard was not necessary. Petitioners were under the misapprehension that shear nets could not be used whereas they could be, the law only referring to bag nets.

Mr. BLANCHARD was glad to have the explanation of the hon. member for there had been an impression that the statute referred not only to bag but those which were commonly called shear nets. As his constituents had a right to set these nets, it was unnecessary to have the bill he had introduced passed.

Mr. LEVESCONTE also brought to the notice of the house that large quantities of fish were detained in the locks of the canal, and the largest size were only taken whilst the others were left to rot upon the shores. He would therefore wish the attention of the Custos of Hants to be called to the matter.

Mr. PARKER mentioned that the Shubenacadie was between the two counties, and the sessions of neither made provisions to remedy the evil complained of. Great injury was done since by destroying the gasperaux salmon were also destroyed. He trusted that something would be done in reference to this matter.

Mr. ROBERTSON thought whichever county could best look after that matter should attend to it.

Mr. ARCHIBALD explained that the law now contained provisions to enable sessions to deal with a difficulty as occurred in the present case.

Hon. ATTY. GEN. pointed to difficulties that prevented the law being carried into operation, and said it would be best to place the whole charge of the matter in one county.

CROWN LANDS IN CAPE BRETON.

Hon. PRO. SEC. laid on the table an answer to an enquiry asked by the hon. member for Inverness, (Mr. McDonnell) respecting Crown Lands in Cape Breton, showing the amount paid into the Receiver General under the act of 1859 in reference to that island; also amounts expended under section 10 and for what purpose. These returns show that the gross proceeds were in, 1859, 1860, 1861, 1862 1863 and 1864 inclusive—in—

Cape Breton,	Paid for Surveys,	Net proceeds,
\$16,475	\$7018	\$9,458
Inverness,	"	Net proceeds,
10,153	4614	6,039
Richmond,	"	Net proceeds,
9,139	4795	4,474
Victoria,	"	Net proceeds,
6,932	4145	2,479

Making the whole gross amount 42,719; for surveys, over 20,000; and leaving a balance of over 22,000 of net proceeds.

Mr. BLANCHARD was glad that the return showed that the island of Cape Breton at this moment was entitled to some twenty-two thousand of dollars to be expended on the opening up of her crown lands, &c., and he trusted that the government would carry out the intention of the law.

Hon. PROV. SEC. said that the hon. member had fallen into the same error that he had himself, for he (Dr. T.) was somewhat under an erroneous impression when he addressed the house a few days ago. As the hon. member would see the clause of the act which referred to the expenditure of the money for the opening up of roads did not apply solely to that which arose under the settlement of titles but to all money received from crown lands; and the statement which he had just read, showing the total net proceeds of \$22,000, embraced all the money that had been received for crown lands of every description, whether under the settlement of titles or in any other way. The clause read: "A distinct account shall be kept for the sale of all crown lands in the several counties of Cape Breton, and out of the net proceeds thereof shall be appropriated such amount for surveys and opening up or making roads through the crown lands in that island as may be considered necessary by the Governor in Council to promote the sale and settlement thereof."

MESSAGE FROM THE L. C.

A message was received from the Legislative Council stating that they had agreed to a bill to incorporate the Royal Sussex Lodge of Freemasons; and to a bill to incorporate the Acadia Coal Company, without amendments; and to a bill to incorporate the Stone Cutters' and Mason's Association of Halifax, with amendments, to which they desired the concurrence of the honourable house.

PROVINCIAL DEBENTURES.

Hon. FIN. SEC. laid on the table a return asked for by the hon. member for North Colchester, (Mr. McLellan,) giving a statement of the debentures sold in connection with the building of the Pictou Railway. There were

28 bonds of £500 sterling, amounting to £14,000, and 78 of £100, making a total sum of £21,800 atg., sold at par.

Mr. ARCHIBALD said that at the present moment it was quite obvious that the amount of our provincial currency in circulation was altogether inadequate to the wants of the country. The greatest difficulty was experienced by gentlemen engaged in mining enterprises to get the notes that they required for their purposes, and he was informed by gentlemen well qualified to express an opinion on this matter that £50,000, or £60,000 might be put into circulation quite easily, which should save the province a sum equivalent to £3, or £4000 a year. He regretted that it should have been thought necessary to incur the obligation in question before the course he alluded to was taken. He did not think it wise to sell the bonds and incur 6 per cent interest, when such a cheaper plan was available if any money were actually required to meet present exigencies.

Hon. FIN. SEC. replied that the work was under contract on every section, and several contractors were actually employed; and a much larger amount would soon be required. During the ensuing summer there would be probably expended on the work something like \$600,000. It was only a necessary precaution to secure the comparatively small amount shown by the return he had handed in. It would be remembered that an extension of the Lunatic Asylum was to be made, and any amount of money that might be available from the source alluded to by the hon. member for Colchester—the issue of Provincial currency—would be entirely absorbed in connection with that undertaking. So the Receiver General, in view of the fact that our bonds were selling at a large discount in England, exercised a wise discretion in selling at par a small amount for any contingency that might arise.

Mr. TOBIN stated that he had been ignorant until very recently that our bonds were for sale here, but it was quite certain that the price which they had brought was satisfactory. He believed that the Provincial Bonds were selling at a very much less rate in London, and, therefore, he saw no reason for complaint. He did not agree with the hon. member for Colchester that £50, or £60,000 of Provincial paper could be readily put into circulation. A large sum, about £102,000, was already afloat, and it was not likely that a small province like this, with 330,000 people, required more at present. He heard the question discussed by mercantile men and they thought that perhaps £10,000 might be put in circulation; but not more. If £60,000 were put out, every bank in the city would soon be flooded. He looked upon the policy of selling the bonds in the province itself as judicious. Many of our own people had suffered materially from the depreciation of the currency in the States, and would be glad to invest their money in our own securities.

Hon. PRO. SEC. said that the question had received the most careful consideration of the Executive Government, and their policy was to have the money required for the construction of the Pictou Railway raised as far as possible within the country. They believed that on every account it was desirable that the interest which is payable by the Province should as far as practicable be paid to the peo-

ple of the Province. The government had offered these bonds to no one; parties came and solicited them for these bonds, and when it was thought advisable to obtain money in view of some contingency, they were sold at par. The government avoided anything that might cause a rush for these bonds at one time and tend to their depreciation. The government were quite under the impression that a further issue of Provincial paper might be resorted to, but the only issue that had been authorized was the expenditure of £10,000 for the purpose of paying for the site of the new building now in course of erection. It was quite possible that a further extension of £10,000 or more might be safely resorted to, but the issue, as stated by the Financial Secretary, would be absorbed in connection with the Hospital for the Insane. In consideration of the position that our debentures occupied in England, he thought it was a wise policy to dispose of the bonds on the terms they had received.

Mr. ARCHIBALD gave some figures to show that the amount of provincial money now in circulation was £121,682, and said that under the acts of 1858 and 1859 we had the authority to issue to the extent of £159,000. The hon. member for Halifax evidently formed his opinion from the business done in the city, but he (Mr. A.) had stated what he had from information derived from gentlemen who were conversant with the wants of various sections of the province. He had the best reason for believing—and he gave some facts within his own knowledge in connection with this point—that the sum of £50,000 could be absorbed without the least difficulty, or derangement of business. The fact that a railway was to be commenced in Cape Breton during the present year would show that a large sum could be easily put into circulation. Nothing could be more gratifying than that our people should be ready to invest in our debentures in this country, but he did not think that it was right that the government should have taken no steps to inform the public that the bonds were for sale. No difficulty would have arisen from advertizing the public of the fact, for the government were not bound to sell more than was necessary. Other persons beside those who had friends in official quarters should have had an opportunity of knowing that these bonds were for sale. It was not until the other day that he had become acquainted with the fact; and he must confess he did not think the favoritism that had been displayed was creditable to the government.

Mr. S. CAMPBELL said that the city of Halifax had authority to obtain money precisely in the same way as the Province, but the civic authorities did not consider the passage of an act as a sufficient notice to the public that debentures were for sale. On the contrary, the city issued advertisements, and the result had been that it obtained money on more favourable terms than the province had in connection with these debentures.

Hon. ATTY. GEN. said that he imagined there was no man in Nova Scotia who could complain that he could not get the debentures, for bonds, if the law carried out, would have to be issued to a very large amount, sooner or later. It was a matter of notoriety, not only in the city, but in other parts, of the province that the bonds were to be sold, and very many persons were laying up their money for

the purpose of investing it in the debentures required for the construction of the Railway in preference to mortgages. Any person who had money to invest knew where to apply, and he was not aware of anyone who felt he was disappointed in getting these bonds. He considered it a wise move on the part of the government to have allowed these bonds to go off at par, and it was not improbable that if they had advertized money lenders would have been placed in a position to combine and depreciate them by making use of the fact that they were only worth so much in the money market in England. One of the gentlemen whose name was in the list told him that the money he had invested did not belong to him, but to a friend who did not wish to have the trouble to go to England. If the money had been his, he added, he would have remitted it to England. The government seeing it was clearly for their advantage, had sold the bonds at par, and in that way procured beforehand a certain amount of money which they thought might be necessary. He denied that any favoritism had been displayed to any one, in connection with the matter of the sale. Any one, looking at the list, would see the names of many of the strongest opponents of the government in the city of Halifax. It was obvious that if one merchant was aware that bonds were for sale, he would mention it to others, and in that way the fact would have all due publicity. As respects the amount of notes that might be put into circulation he was inclined to draw a very different conclusion from the hon. member for Colchester. In 1858 or 1859, these notes were held by the banks for some months. At last they would not receive them as deposits and the government were obliged to withdraw several thousands. Since 1858 there had been no extraordinary demand for these notes, and it would not, in his opinion, be wise to issue any large sum, though he was inclined to believe that a small amount of notes of a denomination of one dollar and such sums, might be made available. He did not think that if we put into circulation any large amount of our notes, the banks would be so ready to hoard them. He granted that there was some reason for a certain amount in the fact that the number of banking institutions has now considerably increased, and that they hold these notes as so much assets. It was also true that the development of the mines of Cape Breton might absorb a certain amount, but when the first outlays of the companies were over their expenses would be dwindled down to an amount equal with the expenditure of the Mining Association. So taking everything into consideration he could not think that any such amount, as stated by the hon. member for Colchester, could by any possibility be absorbed.

Mr MCLELAN could not understand the necessity for the Government issuing these debentures. There could not have been a very large expenditure incurred in connection with the Pictou Railroad.

Hon. FIN. SEC.—\$56,000 had been expended when these Bonds were sold.

Mr. MCLELAN.—Even that was a small amount, besides there was no need for it when there was a balance in the Treasury, and if more was required a further issue of province notes (which the country required) was the proper course. The Attorney General must

be very ignorant of the wants of the country when he stated that there was enough of notes in circulation to satisfy the demand. He forgot that since 1859 every branch of industry and trade had largely increased, and that the Revenue had nearly doubled. He (Mr. McL.) spoke from personal knowledge when he said that in the country the want of province notes was severely felt. There was therefore no reason for the issue of these Bonds, and as regards the mode in which they had been disposed of, he differed entirely in the opinion that the passage of the law to authorize the construction of the Pictou Railroad was sufficient notice to the public that the Government wanted to borrow money. They might take pattern by the City Council, who, when they wanted money, advertised for tenders, and in some instances had obtained it for five per cent. This was the course the Government should have adopted, and it was one that would have been more satisfactory to the country, and more profitable to all parties concerned.

Hon. ATTY. GENL. agreed that if the government only wanted a small sum such as the city generally required, the course suggested would be the proper one; but he doubted the policy of the government advertizing these bonds for sale. He thought it would tend to lower their value. No one acquainted with the subject could expect that, in view of the state of the money market in England, anything more than par could be got for them. It might be true that a larger amount of Provincial paper could be floated, but it would find its way into the vaults of the different banks, and would not be of any real benefit to the country in the way of accommodation.

Mr. ARCHIBALD said that no doubt it was to the advantage of the banks to keep their own notes in circulation; but at the very time it was stated that there was too much Provincial paper in circulation, he had experienced great difficulty in obtaining Province notes from the banks. No one knew better than the hon. member for Halifax, the vast increase in trade that had taken place since 1859; and surely, if the Province was able to float \$150,000 then, it could afford to increase it by half that amount now. It was a matter of great importance to the country that increased accommodation should be given, and he could not see any danger of depreciation; for, if it was necessary to redeem the paper, the government had the power to borrow from the Savings' Bank at four per cent. As regards the system pursued by the government, in disposing of these bonds, he considered it a gross injustice to the country that publicity had not been given of their intention to offer them for sale. He, himself, as Trustee of a Public Institution, had occasion not long since to invest some £2,000, and had he known of this, he would have been glad to have purchased government bonds to that amount; as it was, he was obliged to put it in the banks at four per cent, thus losing to the Institution two per cent. per annum. He could not understand the argument of the hon. Attorney General, that by giving publicity to the matter, the value of the bonds would be depreciated; but whether it did or not, was not the question; what he complained of, was that preference had been given to a favored few, who possessed the confidence of the government, and thus obtained an unfair advantage over the rest of the community.

Hon. ATTY. GEN. denied that any favor had been shown. The government had acted in good faith with a view to advance the best interests of the Province—certain persons who had money to invest thinking that the government required it for the Pictou railroad—without having any other mode of information than was open to the whole public—came forward and offered to buy government bonds at par—and the government accepted their offer,—that was the whole case, and no preference had been shown to one above another.

Mr. MCLELAN said that what he complained of was that the government borrowed money when there was no necessity for it. They had money enough in the treasury, and if they had not they had the power to issue province notes. He could not understand the argument of the Atty. Gen., that if they only wanted a small sum it would be right to advertise, but it was not so necessary when a large sum was required. It appeared that a few favored individuals had obtained these bonds at par—whereas if they had been open to competition they would probably have brought a premium. The proper course manifestly was to advertise for tenders, so that all might have an equal chance.

Hon. PRO. SEC. said if there was anything wrong in the policy pursued by the government it was not the result of accident—for it had been adopted advisedly and after due deliberation—and he thought the result would prove, with a due regard to the interests of the country. But if the house considered that they were wrong, the government would have to submit to their decision. A little reflection would show that the course pursued was a wise one, for if the government advertized to the world that they wanted money for the Pictou railroad, what was to prevent capitalists from combining together and dictating the terms upon which they would give it. If, however, the house thought proper to alter the policy, he only hoped that the result would be, that the bonds would be disposed of upon as favorable terms as those to which objection had been taken.

Mr. LOCKE said every one knew that these bonds are good for 6 per cent. What we do complain of is, that they were disposed of secretly.

Hon. PROV. SECY. said—There was no secrecy whatever. Every man was treated alike, and no preference was shown to any friends of the Government. And, in proof of that, he had only to refer to the fact mentioned by the member for Halifax (Mr. Tobin.) that he was ignorant they were to be issued. Surely, if the Government were inclined to shew favor, they would extend it to him, and yet he knew nothing of it.

Mr. TOBIN had received some information of the intention of the Government to issue bonds.

Dr. TUPPER—Not from the Government.

No. My information was derived from the Secretary of the Acadia Fire Insurance Company.

Dr. TUPPER—It is evident that no favoritism has been shown. All who came forward were treated alike.

Mr. LOCKE—What we complain of is, that the country was kept in ignorance of the intention of the Government to sell these bonds.—He himself had had large sums to invest,

which he would gladly have put in provincial securities. The Government should have advertised in the papers, so that all might have been put upon equal terms. As regards the further issue of provincial paper, he thought the wants of the country required it, and there would be no difficulty in floating £50,000 more.

Mr. TOBIN thought that the Government had made a pretty good speculation of it, in disposing of these bonds at 6 per cent., when the state of the stock market in England was taken into consideration. When the railroads were first commenced in this country, it was impossible to dispose of these bonds at 5 per cent., and the Government had to take them into the English market, and pay Baring & Bros. a commission to dispose of them. He differed entirely with those who advocated a further issue of Provincial paper. It was quite true that trade had largely increased, but not to a sufficient extent to warrant the course recommended—and his impression was that if they attempted to float more, it would become almost as much depreciated as Lincoln's greenbacks. A small amount might possibly be safely issued, but it should not be done unless in case of great necessity. He doubted the policy of the Government issuing paper, when they could get money by the sale of their bonds. They had only to look abroad—at Germany, for instance, to see the mischievous effects of an undue issue of State paper, as exhibited in the depreciation of her currency. He was surprised to hear of complaints of the scarcity of Province notes, for he was under the impression that there was quite enough in circulation to answer the wants of the country.

Mr. BLANCHARD said that it struck him as singular that the city of Halifax could get money at 5 per cent., and from the very same men too who held the provincial bonds, for which the Province had to pay them six per cent. And it was no small sum either, as the Atty. Gen. had stated, that the city had borrowed. She had issued debentures to the extent of £100,000 for the water works—and she was about issuing £10,000 more to pay off the debt on the Market house. There was no doubt that the proper course would have been to have advertised for tenders and thus have given all an opportunity to compete.

Hon. ATTY. GEN. said that the member for Shelburne complained that he had money to invest and was not aware that government bonds were for sale. Surely no one knew better than he did that money was required for the Pictou railroad, and all he had to do was to enquire at the Receiver General's office and he would have received all the necessary information. He was inclined to think that gentlemen who now objected to the course pursued by the government would change their opinions upon reflection.

Mr. LOCKE did not consider that it was his place to run round to the public offices to ascertain a fact that should be made known to the public in the proper way through the newspapers.

Hon. FIN. SEC. argued that there was a pressing necessity for the issue of these bonds, when some \$56,000 had been advanced by the Receiver General for the surveys connected with the Pictou railroad, it became necessary to provide for the amounts that would shortly become due for the construction of the road, and the government had either to take money

from the savings bank or to issue debentures. They adopted the latter course, and the only question was as to whether proper publicity had been given. He was inclined to think that neither individual interests nor provincial rights had been injured by the course pursued.

Mr. McLELLAN enquired what amount was in the Treasury on the 31st December last.

Hon. FIN. SEC. could not tell him that, as the financial year closed on the 30th Sept. At that date there was \$225,000, but of that \$45,000 consisted of Provincial notes, and \$40,000 Savings' Bank deposits, so that the available balance was about \$140,000.

After a few further remarks, Mr. LEVES-CONTE said he was only astonished that the Government had succeeded in selling so many of these bonds at par, when in England they could be got at 93 or 94. He hoped that they would be able to dispose of more on the same terms.

Mr. CHARLES CAMPBELL presented a petition from St. ANN'S, asking for special grant for a road.

Hon. PROV. SECY. presented a petition from Alexander Munro, author of Statistics of British North America, asking for aid in connection with that work—referred to committee on printing. Also, a memorial from certain persons in Inverness, in reference to surveys of Crown Lands—accompanied by the report of the Crown Land Commissioner.

Mr. PARKER presented a petition from Gay's River, for a mail ride.

Dr. BROWN introduced a bill concerning school lands in Horton.

Mr. BALCAN presented a petition from Waverly gold diggings on the subject of the license law; also, from the same place asking that a way office be changed into a post office.

Mr. MILLER presented a petition from Aitchat, against the school act of last session.

Hon. PRO. SEC. called attention to the backwardness of the business before the respective committees. It would greatly expedite the business of the house if gentlemen in committees would forward their work, and in order to bring them together he would move an adjournment until 11 o'clock the next morning.

The house accordingly adjourned to that hour.

SATURDAY, March 11th, 1865.

The House met at 11 o'clock.

Mr. Hill presented a petition from the Post Master of Hantsport for an increased salary.

Mr. Colin Campbell from the inhabitants of Clare against Confederation. Also from Ed. A. Potter, for an increased remuneration as Way Office keeper at Smith's Cove.

Two private bills were read a third time.

The House went into committee on bills and passed the following:—To incorporate the Mira Bay Coal Mining Company; to incorporate the Sydney and Bras D'Or Steamboat Company. A bill to enable the City of Halifax to borrow money to pay off debt on Market House. A bill to authorize the sale of the parsonage house and lot in connection with the Baptist Church at North West Lunenburg.

Then the committee adjourned and reported up the bills.

Mr. Archibald introduced a bill to amend the act relative to the elective franchise.

Mr. MacDonnell gave notice of his intention shortly to bring in a bill to repeal the present franchise act.

Hon. ATTY. GEN. said that the bill brought in by him the other day to amend the act relating to public instruction had been printed and was now ready for distribution, and as it was extremely desirable that the matter should be decided as soon as possible, he would move that it be made the order of the day for Monday next. It was made the order of the day accordingly.

The list of the various committees were then called over and progress reported.

Upon motion of Mr. McFarlane, Mr. Killam was substituted in place of Mr. Le Vesconte on the committee on the petition of James Barron.

Then the house adjourned until 3 o'clock on Monday in order to give the committees an opportunity of meeting.

MONDAY, 13th March, 1865.

The House met at 3 o'clock.

Mr. G. L. BROWN presented three petitions from the township of Argyle, against the present school law.

Hon. PRO. SEC. laid on the table, by the permission of Mr. Burkner, a large bar of solid gold, weighing 457 ozs., worth \$9000, and the product of 10 days work at the German Company's claims, Waverley.

Mr. RAY presented a petition from the inhabitants of Victoria Beach, Annapolis County, praying for the establishment of a Way office. Also a petition from Annapolis county against Confederation.

Mr. ROBERTSON handed to the government a petition from a number of the inhabitants of Barrington praying for the erection of a light house at Shag Harbor Island.

Mr. PRYOR presented a petition of certain inhabitants of Mill Cove, St. Margaret's Bay, in reference to the protection of shore fisheries.

NEWFOUNDLAND.

Hon. PROV. SEC. laid on the table a communication from the acting Colonial Secretary of Newfoundland asking for aid from the government towards a proposed line of steamers between Newfoundland and Pictou. He proposed that it be referred to the committee on Navigation Securities for the purpose of having the subject fully enquired into.

Mr. LEVESCONTE thought the committee in question should confer with the committee on fisheries in connection with the exaction of duties on our fishermen on the coast of Newfoundland.

Hon. PROV. SEC. said that it was only proposed to refer this subject to the committee in order to see if the proposed line would benefit this province.

Mr. LEVESCONTE alluded to the injustice of the course pursued by the Newfoundland government in reference to this province, and expressed his belief that the line of steamers was not wanted by our people.

Hon. PROV. SEC. said that the committee would enquire into the whole matter, and added that he would lay on the table in a few days certain correspondence from the United States authorities, complaining of what they consider illegal and unjust exactions that have been made upon their fishermen.

The communication was referred to the committee on Navigation Securities.

MUSEUM.

Hon. PROV. SEC. laid on the table a communication to the government from Rev. Dr. Honeyman and J. R. Willis, in reference to the establishment of a Provincial Museum. Referred to the committee on Mines and Minerals.

MISCELLANEOUS.

Hon. PROV. SEC. laid on the table a communication from Benjamin Randall in reference to the imposition of duties on imported lime. Referred to the committee on trade and manufactures.

Mr. KAULBACK presented a petition from St. Margaret's Bay, Lunenburg, praying for a way office.

Hon. ATTY. GENL. laid on the table a communication from D. Monaghan on the subject of postage of agricultural reports. Referred to P. C. Committee.

MILITIA.

Hon. ATTY. GEN. laid on the table the report of the Militia Court recently held in this city, together with a resume of proposed alterations in the Militia Law. The Court have not, however, touched upon that part of the law which refers to Militia in war times. The hon. gentleman also presented minutes of the proceedings of the Court, general orders and other documents connected therewith, as well as correspondence on the subject of the Militia generally. The hon. gentleman stated that he had looked over the suggestions contained in the report, and thought that they were valuable in many respects, and laid on the table a return of small arms and stores belonging to the British Government that might be available for the service of the Militia, and amounting to some 20 000 stands of arms. It is suggested that four or five battalions in Halifax be turned into Artillerymen, and in connection with this subject is a letter from Gen. Doyle stating that at least 1500 gunners would be required for the working of the guns in the neighborhood of the city. It is also proposed to add largely to the number of the artillery in Pictou and Cape Breton. It is not intended, however, added the Attorney General, to apply any money this year to the erection of a fort at Pictou. It is also proposed to provide clothing for a certain number of Artillery men as an inducement to individuals to give a large amount of time to the instruction that is necessary before they can be considered qualified to perform the duties which they will be expected to perform. One style of clothing will cost £1 7s. 4d. stg., and a better description of article, £1 14s. 9d. stg.

MESSAGE.

A Message was received from the Legislative Council stating that they had agreed to the bill to enlarge the powers of the trustees and governors of Acadia College, and to the bill to incorporate the Virgin Lodge of Free Masons without any amendment; also that they had passed a bill to authorize the sale of the old Zion Congregation Church at Liverpool, in which they desired the concurrence of the hon. house.

LICENSE LAW.

Mr. TOBIN reported from the Committee to whom was referred the License Law. The Committee agreed upon the bill with the exception of the last clause in reference to a licensed tavern within the limits of a proclaimed gold district. The Committee express no

opinion as to the bill introduced by the hon. member for Inverness (Mr McDonnell) and referred to them, but leave it to be dealt with by the House.

THE SCHOOL LAW.

HON. ATT. GEN. then moved that the order of the day be taken up, namely, the bill entitled "an act in addition to chap. 58 of Public Instruction, and to ratify and confirm proceedings thereunder." In doing so, he said—It is unnecessary that I should say much in relation to the present bill, after the remarks that I made the other day. As I stated previously this bill provides for carrying out the law that was adopted as the policy of this country last session. That policy was of a duplex character—subscription or assessment. It gave to the people in each section the option of deciding by which of these two modes the school should be supported. In the one case legislation was hardly necessary, for we had already a law which provided for it, but in view of difficulties that might occur it was considered advisable to enable the trustees in each section where subscription was made, but withheld, to assess the inhabitants thereof for the amount required for the support of the school. It was necessary also to provide for the collection of the assessment. Provision was made for the mode by which the assessment was to be levied. Persons were to be appointed in October last as trustees and collectors. In a great many cases the law was carried out,—trustees and assessors were appointed. In a great many instances the trustees, acting on the strength of the law, proceeded to make the necessary arrangements for the support of the school. They entered into contracts with schoolmasters and made themselves personally liable in other respects for the construction and repair of school houses. It is not surprising that difficulties should arise in the inception of a law which was new to the people, and that misapprehension as to its provisions should arise. Accordingly little inaccuracies crept into the proceedings that were taken to carry it out; persons failed to perform the duties assigned to them under the law in a good many cases, and trustees, through no fault of their own, found themselves in the position of being answerable in their own persons to the teachers for salaries as well as for other expenses connected with the education of the country, without having the means of indemnifying themselves. Schools are now in effective operation, but when the year comes round, and the schoolmasters call upon the trustees for their salaries, the law does not enable the latter to collect that money by the assessment upon the sections. The trustees did their duty, and assessors were appointed, but these refused in some cases to do their duty. The trustees, therefore, have no means of indemnification. I take it then there can be no objection on the part of this Legislature carrying out their intention and passing a law to indemnify those trustees who have made themselves answerable, and prevent them suffering any loss. I cannot imagine for a moment that the House will consider it so monstrous a proposition for the trustees to approach the House through the Council of Public Instruction, and ask that they be protected from any loss, but that every one will be prepared to yield to their wishes. It may be said that there are parties in some sections who are opposed to this law,

and that being in a minority they have a right to take advantage of any little slip in the proceedings, so as to entitle them to refuse payment of the subscription. I believe if any such claim is made that on examination it will be found to have no foundation in right. If the law had been carried out, as it was intended it should, they would have to pay. For instance, if the assessors had acted, they would have been forced to pay. If the trustees had not made arrangements for a school, the section would have been without the means of education. If the school has been in operation all that the law contemplated has been accomplished. Now if we are under the conviction that no injustice has been done to any individual—that he has not been called upon to pay anything more than he could be asked to give under the law in all its integrity—if he has only been asked to pay that which the law which received the sanction of both branches of the Legislature requires, what possible objection can there be to passing the present bill. If parties have entered into engagements, under the law, it is but right that they should fulfill them. There are a variety of cases in which parties have gone to the meetings, agreed to assess themselves with their neighbours for the support of the school, and induced the trustees to enter into contracts with schoolmasters, and afterwards opposed the assessment altogether. I think there is no Legislature that can come to the conclusion that these parties should not be bound to pay. If there has been any little informality in the proceedings, in respect to the number of days' notice of the meetings, or the number of notices that have been put up—it should not be allowed to have any weight. This bill, therefore, provides for the indemnification of trustees where schools have been put into operation, and in connection with which liabilities have been incurred. If, indeed, the assessment was made upon terms different from that which the law provided, then there might be some reason why the Legislature should say that injustice has been done, but it is not so in the cases to which this bill is intended to apply. I think it will be acknowledged as perfectly just that if parties refuse to act as assessors, after having accepted the position, the assessment, even if made by only one of them, should be carried out. It is merely doing the act by one which should have been done by three, and if there is no incorrectness as to the mode of levying the assessment, no Legislature, I think, ought to refuse to sanction the proceeding in question. If there is any objection as to the details of the bill, it can be urged in committee, but I cannot see how the House can refuse to sanction the second reading. The principle of the bill is founded upon justice to all the interests concerned. The other sections go merely into the details necessary to carry out the law, and enable parties to apply it for the next six months of the year. They provide for the holding of meetings in May instead of October, as required by the law of last session; I trust, then, that no obstacle will be thrown in the way of the desire of the government to pass a law that will provide requisite educational facilities to the people for the ensuing half year. It may be said that the law now on the statute book is bad, but I don't think that apart from the difficulties that attended the working of a new measure it can be assumed to have been

anything like a failure. This Legislature, after a good deal of attention, and with the aid of the best authorities on the subject, passed a militia bill of some one hundred and fifty clauses. Yet I find, looking at the report of the Militia Court that was held in this city, that a year's experience has proved that the law which was passed after so much trouble, requires many material amendments. It is to be expected that difficulties will arise in the inception of legislation upon any important question affecting a great variety of interests. No one can doubt that the Education Bill was a step in the right direction, and that the difficulties that have attended its working were but the inevitable results of a new measure which the people have hardly yet appreciated. Because it has been misconstrued, is no proof that it is radically bad. We have now on the table of the house an amended bill founded on the experience of last year, but whatever may be the opinion as to its merits, I take it that there are few if any who would be willing to go back to the old law. The principle of our law is a step in the right direction—that of giving the people *free schools*; and I am sure that the house, by a large majority, are in favour of this great means of educating a people.

Mr. LEVESCONTE.—I would like to ask the Attorney General whether it would be perfectly competent for any gentleman who was opposed to certain clauses in the bill to vote for the second reading.

Hon. ATTY. GEN.—Certainly.

Mr. ARCHBOLD.—There are two principles involved in the present measure, the one being the amendment of the act of last year in such a way as to enable that act to be operated upon in instances where it cannot,—the other being the ratification and legalizing of proceedings that have taken place under the act. I may say that I arise with exceeding reluctance for the purpose of stating my regret that the government have seen fit on this occasion to introduce the subsidiary before the main bill. I expressed my opinion the other day that the discussion of the main question ought to proceed that of the subsidiary bill and that I would approach the subject with less embarrassment than I can under existing circumstances. I am of the same opinion still, and I regret that I have to rise now to state that I feel bound to oppose this bill in its present shape. The very fact that the government of the country have introduced an amended bill—that, after an experience of twelve months they have come to the conclusion that the bill of last year was not successful, shows that it is a measure which, in their judgment, ought not to be in operation at the present moment. Yet the government come forward to carry out for the ensuing six months a bill which they themselves declare is unjust and impolitic. It cannot be denied by any person on either side who has considered the subject of education that in many respects the law of last year has disappointed its warmest advocates. That has arisen to a large extent from the mode of sectional assessment which was adopted. That provision was a great mistake and that the government have come to the same conclusion is shown by the fact that they have, in the bill on the table, abandoned the system of sectional, and substituted that of coun-

able, when the bill was under consideration last winter, to anticipate the results of sectional assessment, it would never have become law. I don't hesitate to say that I have always been an advocate of the principle of assessment, but not in the mode which the law of last session requires. The system adopted differs, I believe, from any other in the world—it imposes upon the section the whole amount necessary for the support of schools—and has been proved to be productive of great hardships all over the face of this country. I could give you numerous instances, but, as I do not wish to weary the house, I shall content myself with one or two. In that part of the county of Colchester represented by my hon. friend from Londonderry (Mr. McLellan) a private gentleman of moderate means was assessed, for the support of a school, no less than £47 when he ought not to have been called upon to pay 20s. at the most. And when I tell you that this case is not the only one—that I can point to a gentleman who has been assessed \$1500 when it ought to have been nothing like that amount if he had been taxed more in accordance with his position, I think you will confess that it was time this mode of assessment by sections was discontinued. And yet in the face of these facts—with the knowledge of them pressing upon their minds—as the bill on the table proves to you—we see the Attorney General gravely coming forward and asking the house to pass a law which will bring into operation a measure which is so unjust on its very face. If the experience of the last 12 months is to be of any value, let us amend the bill in the manner that will be best adapted for the interests of the country, but don't let us perpetrate the injustice during the next six months that I have shown is the case under the present system. Suppose the bill is passed, then you impose a tax, during the next six months,—in many cases, a most enormous tax—which the Provincial Secretary, in the measure he introduced, declares is unjust. Is it right that a man should be taxed for the ensuing six months twenty times what he will have to pay after the new law goes into operation in November next? I cannot conceive a stronger admission on the part of the government of the inequalities—to use a mild term—of the law on the statute book, than the bill they have laid on the table, and which soon comes up for consideration. But there is another feature of the present bill, one which the Attorney General laboured the most—and I am not at all surprised that he did so—he calls upon the house, with the knowledge of the injustice with which this law has operated, not only to continue an act of that kind, but to make that a liability which is not so in fact, and when he does that he asks us to perpetrate an act which no free Legislature should sanction. I assume that in all cases where the assessment has been fairly made—where no gross inequalities such as I have stated have arisen—the spirit of fairness that actuates our people in all matters will influence the inhabitants to carry it out. All honest members of the community will be disposed to carry it out, but if there are cases of the gross character where the parties have to bear a burthen that they ought not to have to bear, you are going to impose it upon them. What I think the government ought to do is this: they should frame and mature a

bill so as to legislate for the best interests of the people, and not continue a system which is admitted by the entire country to operate injuriously. I speak earnestly; not in a spirit of opposition to the main measure. Had the main bill come up here first, it would have been our duty to lend our aid to mature such a measure as would be best calculated to promote the cause of education. There is not a gentleman in this house probably who has not during the past year given the subject of Education much consideration, and I am sure there is not one who is not prepared to acknowledge the injustice of the provision to which I have alluded. With the knowledge of the facts before us, it is impossible, I think, for this House to pass this bill. To say that a law is sound in May and unsound in November—to make a man pay double or treble in May what he will have to pay six months after—is so palpable an inconsistency, that it would be an insult to the intelligence of this house were I to dwell on it any longer.

Hon. ATTY. GEN.—I accept the remarks of the hon. and learned gentlemen in the same spirit in which they were given, and I have no hesitation in expressing my conviction that he is animated by the feelings he has expressed; but, at the same time, I must beg leave to differ from him as to his conclusions. The hon. member asks this house not to pass this bill on its second reading on two grounds. He tells us that the law of last year was bad; that it was unequal in its impositions upon individuals and that, therefore, this house should not continue its provisions until the end of the year. He next says that if any change is to be made for the ensuing six months, it should be based on the principle of county assessment in accordance with the new law. If he will be convinced of the impropriety of applying that Act for the next six months, I have no doubt we will obtain his sanction towards this bill with some slight modification perhaps. The bill now on the statute book had the entire concurrence of the hon. gentleman, and I cannot understand the position he has taken to-day. Does he not see that what he urges would be impracticable, if not totally wrong? In the majority of cases the law has been set in operation, and the assessments have been made, and how are you going to have one-half of the schools supported on one principle and the other half on another? Where the people have unanimously established schools, where they have assessed themselves willingly and paid in their share, on what principle could you impose a county tax in addition? He complains of the inequality of the bill of last year but how much more unjust would it be to again tax an individual who has already paid more than under county assessment he would be likely to pay. Therefore after consideration the hon. member will see the course he proposes is impracticable but even if it were practicable it is wrong on principle. During the passage of the bill, last session, the hon. member said:—"The people were fully aware when they adopted this system of subscription at the annual meeting that they were liable for the teacher's pay and in such a case it would be no great hardship for them to fulfill their engagements. He was in favour of a provision that all schools should be free, in case the requisite sum for maintenance was subscribed and paid before the end of the first quarter."

So you will perceive that the hon. gentleman actually went further than even this bill does, that he adopted the same principle, that where parties entered into subscriptions and failed to pay they should be assessed for the amount required. All I ask is that where parties by a majority, have adopted assessment, they shall not be permitted to escape by a mere technical objection. The hon. member complains that this bill was taken up first, but I don't see what difference it makes. It seems to me that we should ratify and confirm what has been done in pursuance of the intention of the law; that when parties are willing to adopt the law, we should give them an opportunity of doing so for the next six months; I consider this was the first thing that this Legislature was bound to do. Parties have incurred liabilities under the act, and don't know the moment they may be called upon to pay for them out of their own pockets, and I cannot see that any one can hesitate a moment in passing a bill to indemnify them. The hon. gentleman says the government have done right to abandon the principle of sectional assessment, and I agree with him on this point. I believe the principle adopted in the new bill will operate much more equably than the present system. It will prevent the assessment falling disproportionately upon individuals of property living in a comparatively poor section. No doubt the system operated particularly hard during the first year, because provision had to be made for the erection and repair of school houses, and therefore I can easily understand that many individuals have felt they were called upon to pay too large a sum. Under the new law these inequalities will be removed to a large extent, and the cause for any complaints that may now exist taken away. I feel I need not labour the present question. The justice of protecting from loss those parties who have entered into contracts in connection with the cause of education is too palpable to require any lengthened demonstration. All that we desire is to indemnify the trustees, and to make parties comply with the law. The evil of which the hon. gentleman speaks will cease as soon as the new bill now on the table becomes law, but, as I showed you at the outset of my remarks, it is impossible to act differently than we propose doing during the ensuing six months. All I can add is, that if there are any details that gentlemen think are susceptible of improvement, the government are quite prepared to adopt them when they are shown to be advisable. At present, however, we have only to deal with the principle of the bill, and its justice and necessity I am sure no one can, after due deliberation, deny.

Mr. BLANCHARD said—If the bill now before the house only professed to do what the Hon. Attorney General says—it would probably not meet with very much opposition. If its only object was to legalize what the majority of the people had undertaken to perform it would not be so obnoxious in its character, but my objection to it is: that it will compel a great many people to do what they never promised, and to fulfil engagements which the majority of the rate-payers never undertook to carry out. I have only to go to my own county for an illustration of this statement, and to mention a case in which my honorable colleague was a sufferer. There a dozen persons as he says met and agreed upon an assessment which was to bind the whole inhabitants, and

this at a meeting which the great mass of the people never heard of—due notice not having been given—and was it to be said that the people were to be carried by this,—and compelled by this bill to carry it out, when an overwhelming majority were opposed to the law as evidenced by the petitions on the table of the house. Take another case—some of the assessors imagined that all the property in the district no matter whether owned by residents or not must be assessed. It could not be contended, presume, that the law was intended to apply to absentees, and yet by the terms of the bill under discussion they would be compelled to pay although illegally assessed.

Hon. ATTY. GENL. said that a case of that kind had never been brought to the notice of the council of public instruction, a very few words in the bill would prevent it from applying to such cases.

Mr. BLANCHARD.—Take another case. The impression prevailed amongst a great many persons, that the property of Gold Mining Companies, the proprietors of which were not residents, could be assessed, and I can point to a case not very far from Halifax of the grossest injustice where a gold company was taxed \$140, and not one of the stockholders was resident in the country.—I do not wish to multiply cases but there is one that came within my personal knowledge, when half a dozen persons met and undertook to tax their neighbours without having given legal notice of the meeting, and yet I presume this is to be legalized by this bill.

Hon. ATTY. GEN.—No schools came into operation under that meeting.

Mr. BLANCHARD—I am not aware whether in this particular case they did, but I have been told of hundreds of similar cases, where schools have been set in operation by the authority of meetings just as informally held. I contend that it is impossible to frame this bill so as to prevent the grossest injustice. If it could be so worded as to apply only to cases in which the parties had honestly agreed to carry out the law, but were prevented by technical informalities, I should not object, but to pass a sweeping law to legalize the proceedings of all meetings, whether held surreptitiously or not, would be to perpetrate a piece of injustice I cannot agree to. In Pictou, I understand, a number of persons of considerable means, who have been assessed to a very large extent, have taken legal advice as to whether they are not justified in resisting the payment.

Dr. TUPPER—Nothing has been done under that assessment. No schools are in operation under it.

Mr. BLANCHARD—In the case of the Gold Mining Companies, however, to which I have alluded, schools have been set in operation; and the machinery, and other property of the Company was actually levied upon to enforce the rate.

Dr. TUPPER—It was quite right to enforce the law.

Mr. BLANCHARD—It did not happen to be legal then, and I venture to doubt whether it ever will be enforced; but enact this law, legalizing the whole of these proceedings, and you put these men in the position of resisting the officers of the law in the discharge of their duties. I assure the government that I do not make these remarks in any factious spirit, but because I really feel that if this bill is passed, the grossest injustice will be done in

many instances; and even if it has only in a few cases, I contend that this House has no right to perpetrate an act of injustice upon fifty people in order that justice may be done to five hundred. It is not necessary to occupy further time at present, but I do hope that the House will pause before they pass an act so obnoxious in its character, and so erroneous in principle, as that now under discussion.

Hon. ATTY. GENL. said the objections of the hon. member for Inverness did not touch the principle of the bill, and could be removed by the introduction of a few words. The bill was only intended to apply to cases where schools had been called into operation. These were matters of detail, however, which could be easily arranged in committee.

Hon. PROV. SEC.: If ever there was a question in reference to which the Government had a right to demand the assistance of the House, it is the one now before us. The House, last winter, was called upon to deal with one of the most difficult subjects that ever came before it for its consideration, namely, the education of the country. The measure obtained the ample consideration of this Legislature—it was altered and matured by the joint action of members on both sides. I think, therefore, that the House must feel that this is an occasion in which the Government have a right to demand the assistance of the Legislature for the purpose of meeting the difficulties which have arisen. The question before you may be embraced in two sections—the one refers to the past, and the other to the future. The House will appreciate the character of what is proposed, by regarding the matter in these two lights. In the first instance, when this bill that was passed at the last session came to be put into operation, difficulties that were not foreseen came to be encountered. It was not strange, however, that difficulties should arise in the inception of a measure which was new to the people. The Government, as the Council of Public Instruction, took upon themselves the grave responsibility—not for the purpose of subserving any purpose of the Government, but of promoting the educational facilities of the people—of issuing a notice which I now hold in my hand, and it is in consequence of that notice that we now come forward to ask the house to pass the present bill legalizing the past. (The hon. gentleman here read the notice which was published many weeks ago in all the newspapers of the city. He then continued:—) Now I ask whether the government were warranted in giving that notice to the country. There is nothing attempted to be done that could have the result of effecting anything that the people under the law ought not to do. The people had met together and it was discovered, when they supposed that everything had been regular, that they had adopted assessment in a regular manner—that the chairman belonged to another section, and that that simple technical irregularity rendered all the proceedings invalid. Therefore, in a section which desires to have a school, a difficulty of this petty character prevented them having the means of educating their children. Let me ask you, if that is not a case where the government are justified in acting as they are doing—coming forward and asking the house to carry out the intention and object of the law. Nothing strange is asked. How often do we see the legislature approach-

ed with the view of legalizing some proceedings of a court of sessions, or other body, into which some irregularity has crept? The leader of the opposition himself has asked this house to render the acts of his government legal when it was found that owing to some inadvertence a series of contracts connected with a public department would have got into confusion and difficulty, and the house did not refuse him. Therefore I say, there was nothing novel in the course we propose; but I ask was there ever a case in which the government could more confidently ask the assistance of the legislature of the country than in the present one. A bill of a most delicate and important character passed this house, and difficulties arose in connection with its working—the people having had no experience of its merits, and all that is now asked is, that you should make the irregularities that have occurred legal, and enable the inhabitants of this province to obtain those educational facilities to which they are entitled. What may be done in the future is another question. The main point is the one on which I have touched, and that is, the support of this legislature to the government of the day in carrying out that which they have pledged themselves to the country to do. I am led to believe that any influence or any feeling could be brought to bear upon any number of gentlemen in this house, so as to prevent them giving their support to a government who are looking only with a single eye to the public interests. If there is a gentleman disposed to thwart the action of the government under such circumstances, I do not envy him the position he occupies before the people of this country, who are so deeply interested in the settlement of this question. As to the future, that is another matter. If the house wishes to keep the country to the strict letter of the law, although in many instances they do not understand sufficiently its provisions to avail themselves of them, it is open to them to do so. But I think it would be very unwise for the house to pursue such a course. I think it is as right for the people to hold meetings in May as in October. The fundamental principle of this bill is the redemption of the pledge of the government to the people that they would ask the legislature to assist them in obtaining schools for the children of the country. The leader of the Opposition says that the bill ought not to be in operation now—that we have proved it so because we have laid on the table an amendment of the act. Whatever may be the feelings of gentlemen in relation to the future policy of this house, it has nothing to do with the present bill. A gentleman may be opposed to the principle of assessment altogether—he may believe that it is an unwise system, and yet I call upon him to give his support to the government in legalizing the steps that have been taken to carry out the law. I take issue with the hon. member for Colchester as to the point he raised. I will ask him when we passed the law last session, why did we allow the old statute, which was condemned by an overwhelming majority of the house as unsuited to the requirements of the country, to be continued for six months? We did so because we believed it was impossible to bring the new law into operation at once, and that it was necessary to keep the existing statute until such time as we thought the people were

prepared for the former measure. We believe that the new bill is an improvement on that of last session; but that is not saying that the latter is itself radically defective. We believe that no attempt should be made to carry out the alterations suddenly, but that the people should be quietly and gradually inducted into its provisions. The hon. gentleman cannot suggest to the House any means by which we can suddenly give effect to a new law. All over this Province there have been engagements made for twelve months. The hon. member has brought up some cases that are more intimately connected with the new act—the inequalities of the sectional assessment. He tells us that a person has been assessed for \$1500; but that must be a case of a person of enormous wealth, in a section where a spirited community are determined to have a most expensive institution in connection with education. The hon. gentleman also tells us of another case of a gentleman who has been assessed £47; and that also must have arisen in connection with the erection of a school building of a superior kind.

Mr. McLELAN: It is in connection with a school fund simply. The gentleman in question is Mr. Robert Foran.

Mr. ARCHIBALD: He is not liable now, and you are going to make him liable.

Hon. PRO. SEC.—Why is he not liable? It is in consequence of some technical difficulty, but the assessment has grown legitimately out of the operation of the law. If a gentleman happens to have so large an amount of property as would reach to that amount, he ought to be liable; although I am induced to think that in the present case there must be some mistake somewhere. I cannot believe that any person could be assessed for a school at the Acadia Mines such an amount as £47, apart from the property of the Mines. If such a case has occurred it must have arisen from the fact that parties who live in that district have adopted a very expensive system of school. But any inequality that has arisen in connection with sectional assessment will be removed by the new act. The house deliberately sanctioned the law on the statute book and gave it to the country as the best means they could provide for the education of the country, and therefore it is but right that we should give facilities for carrying it out, for the next six months at least. The hon. member for Inverness spoke of some sections where a majority was not present at the meeting. The hon. member knows that the notices were required to be issued by the inspectors. The inspector in the county to which he refers is a very efficient officer, and great pains must have been taken to give these notices as much publicity as possible. I am aware, however, that there are a great many cases where a large body of the people would not attend the school meeting, and subsequently complained of the action of those who were present. Parties having acted under the law have a right to have their action carried out fully and faithfully. There are other instances in which they thought they could tax the whole property in the district, but this shows they had not the information which they ought to have had. In the case of the mines to which he refers, parties say they do not belong to the country and therefore should not contribute to the schools. The hon. member says the legislature have no

right to press unfairly upon one man for the benefit of the many.

Mr. BLANCHARD.—By an *ex post facto* law.

Hon. PRO. SEC.—This is not an *ex post facto* law. It is only intended to pass a bill which will give legal sanction to the acts of the people under the law of the land. If the hon. member takes the ground I have stated he strikes down a fundamental principle of legislation. But when the main bill comes up, then will be the proper time to argue the question of education in full. The simple question here is, whether the house will give their assistance to the people of this country in carrying on education by means of the law now on the statute book for the next six months.

Mr. STEWART CAMPBELL.—I am exceedingly sorry that the Government did not accept the suggestion offered the other day, and consider the main bill first. There are two principles involved in this bill—one of a prospective, and the other of a retrospective character. In adopting the prospective character of the bill, the house at the same time is called upon to sanction the principle of the main bill.—No person could accept the first part of the bill under discussion without agreeing to the principle of assessment. It is true that that principle was approved of by a majority of the last house, but I have reason to doubt whether the same verdict of approval would be given now. I think the evidence is incontestible that the mind of the country is changed upon this point. We have proof of it in every quarter.—Where in many districts there were formerly a large number of schools, the number has dwindled down to mere units. I take it therefore, that the sense of the people has undergone a change, and if the house adopt the principle of assessment they will be going adverse to the wishes of the country. When the Provincial Secretary the other day was alluding to the principle of the main bill, he stated that but few petitions had been presented against assessment. I can account for that very readily.—When the government published to the country that the measure would be reconstructed—the people took it for granted that the principle of the bill would receive some modification, and therefore there was no need for them to petition.

Hon. PROV. SEC.—There was nothing of the kind contained in the notice.

Mr. S. CAMPBELL.—Any one would naturally infer from the notice that the principle of the bill was to be materially changed. That accounts for the absence of petitions against it. There was another reason—the government were not supposed to have their eyes more blinded than their neighbors, or their ears more deaf to what was said on every side. It was natural then that people should imagine that the government were not ignorant of the universal condemnation the bill was receiving from every quarter. I repeat my opinion that it would have been infinitely better to have settled the main bill first, for the principle of assessment being incorporated into this measure I am called upon to perpetuate a principle to which I believe the great body of the people are hostile. It is said the bill will enable the people to obtain schools where there are none now; but what security have you that they will accept it? Under the old bill the same authority was given, but they did not choose to avail themselves of it—and so the

same thing might happen again. There are other obnoxious features in this bill—the composition of the council of public instruction, for instance, is most objectionable in the eyes of the people, and I think will not find much favor here. The hon. Pro. Sec. says the bill is not an *ex post facto* one. I don't know whether he is serious or not, but I will refer him to his hon. colleague (the Att. Gen.) for a definition of that term, and I think he will tell him that that is *ex post facto* which justifies as law that which at present is not the law. I have no doubt that many inconveniences have resulted from the present school act, and that in some instances injustice will be done to contractors unless their contracts are amended in some shape, but I don't think this bill is calculated to afford them relief. It is true, as I before remarked, that last session I gave my assent to the principle of assessment, but I did not go as far as some hon. gentlemen did. I think, however, I am bound to pay some respect to the opinions of the people, and not persist in upholding a principle I have good reason to believe is distasteful to them. In the neighboring Province we have an example of the folly of going against public opinion, and here, although the government have committed themselves to a measure of great importance, I hardly think they will venture to carry it out after the inkling they have got of the views of the people upon it. If they respect the views of the people in that case why not in this. I, at all events, am not disposed to run my head against the wall and to sanction what I consider a large body of my constituents are opposed to, and I think the government should pause before they attempt to perpetuate a principle so distasteful to the country at large.

Hon. ATTORNEY GENERAL.—I must congratulate the hon. gentleman upon the spirit in which he has approached the subject. No person can object to the style or manner of his address, although I shall have to differ with him as to his arguments. Nor can I agree with him in his opinion that this is an *ex post facto* law. An *ex post facto* law is one made to create new rights that had no previous existence, and new liabilities never contemplated either by the legislature or the acts of the individual concerned. That is not this case. This case is analogous to that of legalizing the assessment rolls of counties—a thing that is done every day, where the proceedings of grand juries have been irregular—and that has been done too in cases where verdicts have been given and private rights disposed of. In the one case the object was to carry out the intention of the sessions. Here it was to give effect to the policy of the Legislature in cases where irregularities had occurred. The objection raised by the member for Guysboro—that the assessment principle would not now be approved of—does not apply to the case. The point is, that the Legislature having decided upon the policy, the country is bound to abide by it, whether the majority have adopted it. It was not forced upon the people, but was left open for them to adopt it or not.

I differ entirely from the view of the hon. member for Guysboro, that the notice given by the Government conveyed the idea that the principle of the bill would be modified. On the contrary, no other conclusion could be drawn from it but that the Government intended to uphold the principle. As to the statement that

the measure is so unpopular, I can only say that I judge of that by the results. In some sections it has not been adopted, not because the majority were opposed to it, but because they were frightened with the idea that the law could not be carried out. The returns show that, even with all the difficulties it had to contend with, there were nearly as many children going to school as in 1863 under the old act—so that it cannot have been so unpopular after all.

Mr. ARCHIBALD.—I am very much astonished at the definition given by the hon. Atty. Gen. of an *ex post facto* law. It is one of the first principles that lies at the root of all legal education, that all laws should have a prospective and not a retrospective application. And what, may I ask, does this law do? Does it not subject individuals to liabilities to which they were not subject before, and create rights that had no previous existence? What difference is there in principle between it and imposing duties upon goods already in the market, which did not exist at the time of their importation? None that I can see, and surely the Atty. Gen. would not deny that would be an *ex post facto* law. I undertake to say that any act, the effect of which is to make that law, which is not law at the time of its passage, is *ex post facto* in its relation, and involves a doctrine which has been scouted from the earliest times. Every one is familiar with the celebrated definition of Cicero, who, in speaking of such laws, said they were contrary to natural justice, unsound in principle, and pernicious in their effects. All laws should be prospective in their application—not retrospective. The effect of this law was to enforce obligations which did not now exist, and to legislate money from the pockets of one into those of another, which was inconsistent with the principles of natural justice. But it was urged that the object of the law was only to remove technical objections. Every one remembers the celebrated case tried not long since in the city of Halifax, where a party was acquitted of the crime of murder on the ground of a technical objection—just because a little bit of brass had not been passed over the seal of warrant. This appeared a trivial matter, yet in the opinion of the judges it reduced the crime from murder to manslaughter. And yet they might, just upon the same grounds in that case, have asked the legislature to pass an *ex post facto* law to remedy the informality, as in this case. The hon. Pro. Sec. said that the case I gave him in my previous remarks was an exceptional one. I can give him one of a person who was assessed for a third of £500 who did not reside in the district at all; but it so happened that the people abandoned their own assessment, otherwise the law would make him pay.

Dr. TUPPER denied that it would apply to a case like that.

Mr. ARCHIBALD.—Certainly it would, and I would give him cases by the thousand. If the old law contained irregularities so great as to induce the Government to take notice of them,—if the sectional system bore so unjustly and unequally upon the people, why not remedy the evils as far as possible by the bill they were introducing. Surely a fair and equitable system might be devised without resorting to the dangerous and un-English system of *ex post facto* legislation. When the government

gave notice to the country that they could go on in violation of the law of the land, and pledged themselves that when the Legislature met, the House would be called upon to legalize their proceedings, I cannot help thinking they assumed a position that no government should occupy, and it is but an apt illustration of the warning I gave of the danger of associating the subject of education with the politics of the country. If the Government had not been identified with the Council of Instruction, they would not have taken that position. A thousand times better would it have been to have let the law stand as it was until the house met than to tell the country no matter what violation of law was committed, it would be all sanctioned when the legislature met.—This, as I have said, was taking a position that no Government ought to occupy, and I defy the Hon. Prov. Secy. to produce a parallel instance in the whole civilized world. If the Council of Instruction had been composed of persons totally disconnected from the politics of the country, this extraordinary spectacle would not have been presented. So far from thinking that the Government were right in giving this notice of their intention to legalize what had been done, I think they should have contented themselves with expressing their regret that difficulties had arisen, and should have informed the people that however great the inconveniences might be, they would have to wait until the legislature met, when their grievances would be dealt with in the only constitutional manner. That would have been the proper course to have pursued, and I do not think the government are warranted in calling upon the house to justify their illegal acts. The hon. Pro. Sec. urges, as an example, that last year when we passed the present school act, we left the old law in force for a certain time; but he forgets that nobody was injured by that course—no new responsibilities were created—and no person was called upon to discharge liabilities he never incurred. There was, therefore, no parallel between the two cases. I am at a loss to know what is to prevent the equitable principle of the new bill from being embodied in this and coming into immediate operation. I shall not weary the house at any greater length. I make these objections in no hostile spirit to the main principle of the bill but from an honest conviction that I am right. So strong was the repugnance to the principle of *ex post facto* legislation felt by the great men who framed the constitution of the United States that they felt it necessary to express in the written constitution of that country that none such could be enacted—so that if anything like this were attempted in Massachusetts or New York, it would be contrary to the declared policy of the country. Is it right then I ask to violate this principle when no great public necessity exists? I beg the government to pause then and consider whether the remedy they desire cannot be accomplished in no other way. A large number of the members of the house have no objection to the principle of the bill—and in that respect I differ from the hon. member for Guysborough, who says that he has changed his mind. I have not experienced any change in my opinion. I am satisfied that a sound system of assessment, based upon the county principle, and regulated by the experience of the past year, will com-

mend itself to the judgment of the people. But I must strongly oppose this attempt to legislate in defiance of constitutional principles, and of those rules of legislation which have their origin in natural justice and reason.

Then this debate was adjourned, and the house adjourned until the next day at 3 o'clock.

TUESDAY, March 14.

The house met at 3 o'clock.

Hon. PROV. SEC. laid on the table the report of the Commissioner of Mines.

THIRD READINGS.

The following bills were read a third time:— To enable the city of Halifax to borrow money to pay off the debt on the Market House; To authorize the sale of parsonage lot and School House at North West, Lunenburg; To incorporate the Miré Bay Harbour Company; To incorporate the Sydney and Bras d'Or Steamboat Company; To incorporate the new Glasgow Marine Insurance Company.

ACTS OF INCORPORATION.

Mr. PRYOR introduced a bill to incorporate the Cambridge Coal Mining Company, which was read a second time.

Hon. Mr. SHANNON introduced an act to incorporate the Cape Breton Mining Company, Port Hood, Inverness.

ASSESSMENT.

Mr. BOURINOT introduced a bill to amend Chap. 45 R. S., and in doing so he stated that in the county of Cape Breton properties which were of enormous value were estimated on the assessment roll at a very small amount. For example, mines that were worth from \$500, to \$500,000 were put down at \$7000 only. Therefore a large proportion of the rates, it was quite obvious, had to be borne by the mass of the people of the county. The object of the bill was to give the clerk of the peace the power of calling the sessions together for the purpose of taking the matter into consideration, and remedying it.

LICENSES IN HALIFAX.

Mr. TOBIN presented a petition of the grocers in the city of Halifax, and stated that it appeared that a law is to go into operation on the 15th of this month, separating the sale of spirituous liquors by retail from that of groceries. The grocers complain that due notice was not to be given, and ask the House to take the matter into their favorable consideration.

Mr. BLANCHARD stated that last session the Council sent up a bill in which the sale of liquors was restricted. He regretted to see it stated in the petition that the persons affected had had no opportunity of defending their interests. The fact was, that a number of them appeared before the Committee on City Bills, and many gentlemen present would doubtless remember a very eloquent appeal that was made by one party engaged in this traffic. The committee reported up the bill as it then existed. Some discussion took place in the house, and the hon. Atty. Genl. suggested that the matter be referred to the City Council, and that they be allowed to make such restrictions as they might think proper. It was accordingly sent back to the Council to do as they might think proper, and they adopted such measures as they thought advisable. He did not think that the house should interfere between the City Council and their constituents.

On motion of Mr. Tobin the petition was referred to the committee on city bills.

RIVER FISHERIES.

Hon. PRO. SEC. laid on the table, in answer to the hon. member for Richmond (Mr. LeVesconte), letters from the Custos of Halifax and of Hants, stating that Inspectors of River Fisheries had been appointed in both these counties.

PETITION.

Mr. ARCHIBALD presented a petition from Truro against the present school law.

INCORPORATION OF COS.

Hon. Mr. SHANNON, chairman of committee of private bills, reported up the bill to incorporate the Commercial Bank of Windsor, and the bill to incorporate the Central Mining Company.

PETITION FOR A ROAD.

Mr. HILL presented a petition from E. Hansen praying for a special grant for a road, and, in doing so, stated that the petitioner was an enterprising man, and had established a saw mill at the locality. He had 100 men at work and 6 horses.

Hon. PROV. SEC. did not know of any parties who came before the government or legislature under more favorable circumstances than the petitioner. He was a partner of the gentleman who was present on the previous day with the mass of gold that attracted so much attention. They were engaged in developing the gold mines of this province in a most successful manner, and were disposed to apply the wealth so acquired in the development of other material resources of the province. Any person travelling to Windsor might see a very large establishment which is being carried on with great enterprise in connection with lumber by the petitioner. He (Dr. T.) had no doubt that the government and legislature would view the application favorably.

Mr. S. CAMPBELL said if ever there was a private speculation introduced for the purpose of obtaining a grant from the government it was the one before the house.

Mr. HILL explained that the road asked for would be a great boon to the people in the neighborhood, as it would afford them much easier means of access to the railway than they now possessed.

Mr. COLIN CAMPBELL thought it a very strange thing for the leader of the government to advocate a claim for money when others had to go the proper channel and take their chance.

Hon. PROV. SEC. replied that he was confident that he could say, with the approval of the house, that they as well as the government would be always disposed to look with the greatest favor and consideration upon the claims of any parties who were engaged in developing the resources of the province. Last session the government showed their desire to do everything that was in their power in the way of improving the communications with the gold mines. He would undertake to predict for the future that parties belonging to any county who came before the house with a just claim for aid in carrying on a great public enterprise connected with the development of the resources of the province would always receive the most favorable consideration.

Mr. BOURINOT said he was glad to hear the Provincial Secretary express such views, that it was the duty of every government to use

every effort to improve the means of communication to the mines, both of gold and coal, in this country. Every one knew that our coal mines contributed largely to the revenue, and it was but right that every means of communication should be afforded to the parties engaged in these enterprises. Last year he was proud to say that they had in Cape Breton a special grant for the opening up new roads to their new mines, and he trusted that this year much larger means would be afforded for the same purpose. There was now upwards of twenty mines ready for work in that county, some of which could not be reached by even a bridle path, and he was quite sure that when the government had cognizance of these facts they would take them into their most serious consideration.

THE TALLAHASSEE.

Hon. PRO. SEC. laid on the table the report of the Chief Commissioner of Mines for 1874; also copies of correspondence between the Lieutenant-Governor, Vice-Admiral Hope, the American Consul, the Provincial Secretary, and the Right Honorable Edward Cardwell, upon the subject of the visit to this port of the Confederate cruiser Tallahassee. The British government cordially endorsed and approved the proceedings taken by Sir Richard Graves McDonnell, in respect to this delicate matter.

MISCELLANEOUS.

Mr. ARCHIBALD presented a petition from a number of miners relative to the law of patents.

Mr. TOBIN referred to the committee on humane institutions the petition of Mrs. Sullivan, who considers that her daughter, now in the asylum is not really insane, and that her husband is mainly the cause of her detention. Dr. DeWolfe, to whom the paper had been submitted, stated that the woman was entirely unfit to be set at large. Mr. Tobin wished the committee to enquire into the matter, for the purpose of satisfying the petitioner who was very troublesome.

Mr. ARCHIBALD made an enquiry of the government relative to a right of search, but as he spoke inaudibly the purport was not caught.

Mr. LONGLEY presented a petition from the inhabitants of Handley's Mountain praying for an alteration in a post ride.

ASYLUM FOR INEBRIATES.

Mr. LONGLEY presented a petition from the Grand Division of Sons of Temperance for the establishment of an asylum for the reformation of inebriates; also a bill in accordance with the prayer thereof. Mr. Longley said that he did so in deference to the opinions of several respectable persons in Halifax, and he would move that it be referred to a special committee with a view to enable those gentlemen to appear before it and explain their views.

Mr. ARCHIBALD said that the hon. gentleman had better explain the general features of this bill.

Mr. LONGLEY said the principle of the bill was to tax the Rumseller for the support of those unfortunates who had been brought to that state by his means, but as it would be difficult to get at them in the first instance, the Legislature would have to be applied to for aid. He had scarcely had time to examine the bill, and he might say that it did not ex-

actly accord with his views. In his opinion nothing but entire prohibition would do.

Mr. LEVESCONTE said it was the habit of some persons to be constantly referring to those engaged in the importation and sale of intoxicating liquors, as a class that ought to be crushed. Now, he considered that as long as the house maintained the policy of deriving a large amount of Revenue from this service, they should not look down upon those engaged in a legitimate traffic, and therefore he could not see why they should be taxed for this object any more than anybody else. It would appear to be the wish of the member for Annapolis to shut these men out from the pale of society altogether.

Mr. LONGLEY had no wish to say a word offensive to a class of persons, many of whom were highly respectable; but, he would ask, if through the operation of this business men are ruined, and become nuisances to society, what persons could be more legitimately taxed for their maintenance than those who contribute to make them so? He had no hesitation in saying that all those engaged in the manufacture and sale of intoxicating liquors were doing a great harm to society, no matter how high their character or position might be. He would like to have this bill referred to a select committee, so that those more immediately interested in it might have an opportunity of shewing the necessity for it.

Hon. ATTY. GENL. said the attempt had been made by the imposition of high duties to restrain the importation of intoxicating liquors into the country, but it had failed. He was ready to go with any gentleman to prevent the undue use of them, and if this bill was calculated to improve the condition of the unfortunate class to whom it had reference, he would be inclined to give it his assistance. He did not think the Province was in a position to erect a separate Asylum, but as it was the intention to enlarge the Lunatic Asylum, there might be a separate ward set apart for these unfortunates who, no doubt, required the same treatment as other Lunatics.

Mr. MILLER was happy to hear the remarks of the Atty. Genl. He thought an Institution of this kind was quite indispensable, it would not be a novelty either, for they were in successful operation in the United States. There was no doubt, that there were a large number of persons in this country—(one or two serious cases had come under his own observation.) who required to be treated in an establishment such as that contemplated in the bill, and he hoped the subject would receive the favourable consideration of the house.

Mr. TOBIN stated that an establishment of this kind had been opened in the State of New York about five years ago, he could not say with what success, or how it was supported; but he thought it would be well for the committee to whom the bill would be referred to put themselves in communication with the managers of that institution, and he had no doubt they would obtain useful information. He well remembered the occasion when that establishment was opened, when the late Edward Everett delivered one of the most eloquent addresses he had ever heard. He did not know how the idea of the hon. member for Annapolis, to tax those who deal in the article would work; he rather thought that if they did, it would be found that the consumers

after all would be the ones who would have to pay. He for one would rejoice if anything could be done for this unfortunate class who were incapable of taking care of themselves or their property; and if this bill afforded a feasible mode of accomplishing that object, it deserved the consideration of the house.

Mr. ARCHIBALD reported favorably on the petition of George Turner relative to compensation in connection with a road from New Ross, County of Lunenburg. The Committee recommend that he be indemnified out of the road funds of the County of Lunenburg.

Hon. ATTY. GEN'L. laid on the table an estimate of the Militia service for the year ending September 30th, 1865, the amount being about \$80,000.

THE SCHOOL LAW.

HON. ATTY. GEN'L., on moving the adjourned debate, said: As the Leader of the Opposition made some remarks last night which I had no opportunity of answering, I now think it necessary to say a few words. He appears to have misunderstood what I said concerning an *ex post facto* law. I did not say that it would not have in any respect a retrospective operation. I referred to cases of legislation that have taken place here for half a century back in this house, and stated that this bill was no more *ex post facto* than the most of them. The hon. gentleman based his chief objection to the clause upon the ground that it raised liabilities where none such existed. He will recollect this house imposed the liabilities by the legislation of last year. The moment a majority of a school section decided to support a school by assessment, the liabilities of the party for a proportion of that assessment was made. Therefore he was, under the law, provided the school kept for the year, bound to pay his share. The clause applies to sections where the schools have been established, and all the benefits contemplated by the law have been enjoyed. If therefore an individual receives value for what he is assessed, it is but right he should pay for it. Therefore there is no injustice in the case to which the hon. member refers. It was the law of the land, but it failed to be carried out because of some technical objection that the party raised. Now we all know that technical objections are not encouraged in courts of law or in legislatures and when mere technical objections interfere with the carrying out of the provisions of the law, it is the duty of the Legislature to remove that difficulty. If the law was changed, so that a man who was called upon to pay £2 under the act, had to pay £5, it would be a breach of faith. If you changed the law, that would be *ex post facto* legislation. I have not had time to look into the principles of the American constitution to which the hon. gentleman referred, but if my memory serves me right there is nothing in the United States system by which any local legislature would be prevented from passing an act like this. I believe it goes so far, that you cannot make a man by an *ex post facto* law guilty of a crime that he would not be otherwise guilty of. If the legislation that is now asked for takes place, it will be but carrying out the law. I consider that in legalizing the acts to which I have referred you don't do more than justice to all the interests concerned.

Mr. ARCHIBALD—The hon. member says that the house last year imposed the liability,

but does he not see that it was imposed upon certain conditions. Suppose that half a dozen rate-payers of a district met together and agreed to assess the whole section, and that the rest of the people knew nothing about it. Could the hon. gentleman say that a liability of that kind was a just one? If he is willing to say that he exempts from the operation of this act all those cases where sufficient notice was not given, I will go with him. But the operation of this act is to take away substantial and legal objections. You will find many cases where the wishes of the people were against adopting the principle of assessment altogether. If the Inspector has called a meeting, of which he has given due notice, you do not require this legalizing act at all, but your object is in reference to cases where the notice has not been given—where the people have not been properly informed—where the meeting has been held surreptitiously, or in such a way as not to be legal. Now, if parties have not been assessed legally, you are making them liable. If the Attorney General would alter the bill so far as to say that where the Inspectors have given due notice—where the people knew the meeting was to be held—where a majority have united on assessment, then no one could complain. I consider that it is as unsound to apply an *ex post facto* law in reference to property as to cases of crime. If the house choose to pass a bill to hand over the property on the one side to those on the other, it is within the jurisdiction of Parliament, but it would be unconstitutional and a gross violation of the rights of individuals. The same remark applies to cases where you impose a liability where none really exists. If the law has gone into operation in some quarters legally, it should be carried out. It is the law of the land, and persons who may be subject to the greatest impositions cannot have any remedy, but where by good fortune they are exempt, is it right for the Legislature to step in and say, it will enforce a wrong which it had not the foresight to guard against? I consider that the principle which lies at the foundation of this bill is subversive of all the rights of property.

Hon. ATTY. GEN.—The more I listen to the debate on this bill, the more convinced am I that the objections which are urged should be properly made in committee, and that there should be no opposition to the second reading. I cannot understand how the hon. member can uphold the principle that when a man obtains all the benefits the law intended he should have, he should be exempt through some little mistake or irregularity. Does not he know that his government came in and declared the city of Halifax liable for the \$100,000 and a large sum for interest besides, though the question was in litigation? Was not that *ex post facto* legislation in fact? It was placing the legislature in the position of a court of law, and doing away with the objection that the city might urge to the payment of the money. It was going a great deal further than is now attempted under the present bill. There are cases where every man in the district knew of the meeting, where they agreed to assessment unanimously, and said afterwards that the proceedings were not regular—that the proper number of days' notice had not been given—that the notices had not been properly circulated. Should not the legisla-

ture interfere in such cases, and make these parties incur the liabilities. In other cases exception was taken because the chairman was not on the rate roll. If the words are not sufficiently definite in the bill, I have no objection to altering them. I am quite ready to restrict its operations to the cases where the schools have been in operation under the act of last year, and the sections have received all the benefits which it was intended they should have.

Mr. S. CAMPBELL—The mistake which the hon. member makes is at starting. His premises are wrong, and his conclusions, therefore, must be incorrect also. He tells us that the education act imposed liabilities upon parties, and that the present bill is only intended to enforce them. I differ from him totally. The act only imposed liabilities *sub modo*, and that is the distinction which he has lost sight of altogether. There were no liabilities, I contend, if the requisites of the law were not complied with. For instance, I know a case where one of the trustees appointed was not a rate-payer in the district. The hon. member has assumed liabilities to exist which do not in fact. He tells us that technical objections do not prevail in a court of law. These requisites were embodied in the law. The Legislature considered that there was something substantial in them, or they would not have placed them in the law. When these requisites have not been fulfilled the Legislature would say that the parties who availed themselves of the fact did not shelter themselves under a technical but under a substantial objection. Again, if you make a man pay one pound when he is not by law liable for one penny, is not that *ex post facto* legislation? The hon. member shakes his head, but I wish he would shake something out of it. If there are nothing in these objections—if they are only technical and not substantial, what is the meaning of this legalizing act? What is the necessity for it? These are objections which courts of law will take notice of, and we will not live much longer without finding that we do not know all we ought to know upon that subject.

Mr. ARCHIBALD—With regard to the law respecting the city of Halifax, I may tell the hon. member that it bears no analogy to the present bill. We did not make a debt, but simply declared the mode in which one that existed should be carried out. But this is not the case before us. The moment the Attorney General will show me that this is a liability imposed by law, I am ready to give him a remedy.

Hon. ATTY. GENL.—If I can shake something into the heads of gentlemen opposite, I will have done some good in rising so often. The hon. member for Colchester says that this bill bears no resemblance to that relating to the city of Halifax which I referred to. He says it only required the recovery of a liability. That is all we are doing. I hold that the moment the meeting of the inhabitants of any section took place, and assessment was adopted, the liability was imposed upon every man within the limits of the section to pay his proper proportion for the support of the school. The city of Halifax took certain objections to paying the liability—that the Railway was not carried out as was first contemplated—and the House stepped in and said that the city was

legally responsible, and fixed the amount they were to pay. The hon. member cannot deny that was going very much further than we wish to do. Does anybody pretend that the assessment in any case was wrong, and that any man was called upon to pay what he was not liable to under the law? No such charge has been made. If the gentleman referred to by the hon. member for Colchester could say he was assessed in disproportion to what he ought to pay, he would have a case for appeal to the proper quarter. All that we wish to do is to carry out the law, and protect public officers who have endeavored to discharge their duties faithfully.

Mr. McDONNELL said—It will be remembered by the hon. gentleman that when the very clause of the school act of last winter which has caused this debate was being discussed, I gave it my most strenuous opposition. However the law was passed and was imposed upon the country. In dealing, therefore, with the subject at present, we must do so as we find it before us, and in that manner which to us may seem best calculated to effect the greatest amount of public good, and thus set the difficulties now existing in many of our school sections at rest. In approaching the subject I consider that I possess a considerable advantage over the hon. leader of the opposition, who, when the bill was introduced into the house last winter, went further in support of the principle of assessment than any other gentleman, and made use of the expression that his greatest fault with the act was that it did not go far enough, but should have firmly established the system of assessment by leaving no alternative. Now, sir, a great deal of unnecessary debate has taken place as to what is the meaning of an *ex post facto* law? to which it is said the present bill amounts. I have no doubt but every gentleman around these benches, professional and lay, fully understand the operation of such a law. As to the present bill, I must admit, and as a lawyer, that as part of it has a retrospective effect, it will have an *ex post facto* operation. It is, however, admitted that there is such a species of legislation in all countries having civilized governments—and in the laws of this country we are not wanting in instances of this mode of legislation employed under certain peculiar and special circumstances. The question as it presents itself to the house is—are the circumstances of the present case such as to warrant our adoption of this course. Let me review the subject. At the last session of the Legislature an act was passed establishing an educational system in this province. The intention and spirit of this law was plain and obvious to every body, but in the wording of the act it was found that there were slight and technical defects—but none sufficient to mislead any person in its interpretation of it. Now, sir, I admit that the bill before the house has an *ex post facto* operation as far as the technicalities of the act of last session are concerned, but as to the spirit, real and plain intention of this act it has not. We find two classes of persons will be affected by the passage of this act—those who were subjected to certain duties and liabilities by proceedings taken under the law of last winter before the publication of the notices issued by the of council public instruction; who maintained that there were

defects in the language of the act, and therefore evaded its obligations, and set at naught the enactment of this Legislature, while well knowing its purposes and intention. A second class are those who resided in school sections in which no proceedings were taken under the act before 25th of October, but in pursuance of the notice of the council referred to afterwards were subjected to the provisions of the act. Now, sir, let me ask the hon. gentleman whether those persons who, while knowing the intention of this Legislature in passing that act and while fully understanding the law under this obligation created under it, owing to trifling defects in the wording of the act, set its provisions at naught and defiance, and treated the enactment of this house as well, are in a position to ask this Legislature to refrain from enforcing and carrying out the spirit of the act. No person who has treated the action of this legislature with contumely will complain against the passing of the present bill, and I say, sir, that they should ask favours with clean hands. There was no possibility of any person being misled. The notices given by the council of public instruction had full publicity in the *Royal Gazette*, and the press, as much as any of the laws on our statute book, and none could have misunderstood his situation and obligations under the law. I think this is a fitting case for the exercise of this mode of legislation; and that while the council of education will be much benefitted, the legal rights of individuals are not unjustly affected.

Hon. Mr. MCFARLANE.—The leader of the opposition expressed his indignation at the serious wrongs we are going to impose, but when he was so eloquent upon that point, I recalled to mind when what I considered a most atrocious act of *ex post facto* legislation was supported by him and his friends. I allude to the case of the township of Granville, which caused a great deal of excitement in this Legislature. The party with which the hon. gentleman was connected brought in this Legislature an act to assess that township, and compel them to pay a claim two or three years after it had been incurred, and the township had resisted it. Looking at the journals of the divisions that took place on this occasion, I find the name of Mr. Archibald in favour of the bill. I voted for the amendment to reject the bill. But what are we asked to do now? It well known that gentlemen opposite were instrumental in passing the law of last session. The hon. leader of the opposition spoke in favour of the principle of assessment of which he has always been an advocate. We passed the act for the improvement of the country. In many sections it met with some opposition from the people—who are a law abiding people, as a rule—but in other districts it was otherwise. And let me say that the question has never been treated in a political aspect. In my own county the strongest advocates of the bill were in the rank of the Liberal party. All that this Legislature is asked to do is to protect individuals who on the faith of the law of last session entered into engagements. We wish to provide for irregularities, mere technical difficulties, that have arisen in connection with the working of the law. We only impose a liability where it has already been imposed, and call upon par-

ties to pay where in equity they are bound to do so. I happened to be travelling last fall when this bill was to be brought into operation, and had an opportunity of seeing the commotion consequent upon the holding of the sectional meeting. I heard parties say that the time of notice was too short—the circulars had not been properly distributed. However, meetings were held, and the trustees incurred contracts with the teachers in order to carry out the provisions of the act. But are we to say that owing to some insignificant technicality the spirit and intention of the law is to be evaded, and parties who incurred responsibilities in good faith are to be made liable, whilst the parties who have received all the benefits of the school to which they were entitled under the statute are to pay nothing. When the government found that in consequence of want of information on the part of the people, as respects the law, sections were without schools, and the cause of education about to suffer, was it not right for them to step in and ask the legislature to give an opportunity of organizing schools. We are only taking that course which we believe to be for the benefit of the whole people. I frankly admit to the hon. member for Colchester that the law has operated hardly upon individuals, and that will be remedied in the bill now on the table. We believe, however, that at present we are taking that course which will be of the greatest advantage to the people. If we are doing a wrong to the few, it is for the benefit of the many. I believe if you refuse to legalize the proceedings taken under the act of last session, you will plunge the people into an amount of trouble and difficulty that we cannot now hardly estimate.

Mr. KAULBACK.—I am surprised at the arguments advanced by honorable gentlemen opposing this bill. It proposes to carry out the legitimate objects and intentions of the law passed by us last year—and which the learned leader of the opposition supported to the full extent of the assessment principle. It also proposes to allow the people to have schools, if they think proper to have them, under the present existing law until next autumn. In carrying out the law it has been found that by some mere technical omissions parties might escape the effects of their own acts, and where they had, by a majority at the meetings, opened schools and appointed trustees, who had contracted and made themselves personally liable for salary of teachers and other expenses, they might oblige the trustees to pay it out of their own pockets without any means of redress. The people should be obliged to keep the engagements they have made, and it is our duty to protect and indemnify those who, through no fault of their own, entered into obligations in full faith and confidence in the power of the law to save them harmless. We must not and will not, I am sure, allow any persons to suffer through any impotency in our legislation. The hon. leader of the opposition styles this bill arbitrary and tyrannical—on the contrary, I believe, did we refuse this present bill we would then be acting arbitrary and tyrannical—that we would not do our duty did we fail in remedying the patent omissions in it. I was not a little surprised at the law advanced by that honorable and learned gentleman yesterday, when he stated that the founders and framers of the constitution of

the United States viewed *ex post facto* legislation with such abhorrence as to engrave its entire prohibition on the constitution, which was binding upon each of the States. The little learning I have of that constitution induced me to believe this only applied to criminal matters. I hold in my hand, Mr. Speaker, a high authority—which fully justifies me in condemning the law of the learned gentleman. With your permission I will quote from Kent, an authority of high standing, and recognized not only here, but in the courts of the mother-country:—

“*Ex post facto* laws relate to penal and criminal proceedings, which impose punishments or forfeiture, and not to civil proceedings, which affect private rights retrospectively. A retrospective statute, affecting and changing vested rights, is very generally considered in this country as founded on unconstitutional principles. But this doctrine is not understood to apply to remedial statutes, which may be of a retrospective nature, provided they do not impair contracts, or disturb absolute vested rights and only go to confirm rights already existing, and in furtherance of the remedy, by curing defects, and adding to the means of enforcing existing obligations. Upon the same principle, whenever a power is given by a statute, everything necessary to the making of it effectual or requisite to attain the end, is implied.”

I am glad to see honorable gentlemen on both sides acknowledge and approve of the law just quoted, and therefore feel confident that the great objection there seemed to be to the bill now before us is removed, and that we all will be able to give our cordial support to it. The Council of Public Instruction, which is the Government of the day, have I think, rightly directed the proper steps to carry out the law, and we would fail in our duty did we not support them in legalizing those acts and the pledges they have made to the people. To my mind there are objections to some of the details of this bill, but they can be remedied when the bill goes into committee. But I trust this house will sustain the Government on the main principles introduced in this bill.

Mr. ARCHIBALD: I think that the House ought to be obliged to the hon. member for Lunenburg for the definition of *ex post facto* laws he has just read. It is just what I have been contending all along,—that where they are opposed to the principles of sound legislation as laid down by Kent, they should not be tolerated. As to the case referred to by the hon. member for Cumberland, of the township of Granville, that stood in a very different position. There they actually owed a debt, and there was no way of enforcing it. The law passed was simply to assess upon the township a debt it had really incurred. That was a very different matter from this case, where it was sought, not to carry out obligations already assumed, but to create them. Suppose that a meeting was held and an assessment made and no legal notice had been given, does any one contend that that was a legal obligation that should be carried out. I admit that where persons have honestly incurred obligations on the faith of the law being carried out, some remedy should be provided. I am not quite sure, however, whether the obligations of trustees informally appointed assuming to act under the law, can be enforced; although, in that case, the burden would be thrown upon a

class least able to bear it. I do not anticipate, however, that much difficulty of this kind will ensue. I must again denounce this act; and I cannot do it in stronger language than that quoted by the member for Lunenburg, as being “contrary to the sound principles of legislation.”

Mr. TOBIN:—As the lawyers have so far had the battle all to themselves, I think it is time for the laymen to step in. I have sat here and patiently listened to the arguments pro and con. The hon. Attorney General has had a great deal to say, and so has the leader of the opposition, but they don't seem to understand each other's arguments. I think the Attorney General's head must be nature's great storehouse, judging from the variety of arguments he has been obliged to adduce in support of this little measure. Now what is the nature of this bill under discussion? It is simply to give effect and to legalize the proceedings taken under the law passed last session, and to remedy irregularities that have occurred, such as where trustees have incurred obligations, and the parties assessed have refused to pay on account of some technical informalities in the proceedings. Now I cannot see what objection there can be to this. I consider it to be the duty of the house to give effect to the law, and to enable its provisions to be carried out, even if it has to be done by a bill retrospective in its character. I believe that in a great many sections the provisions of the law have not been complied with at all, and the effect will be that many children will be deprived of the means of education for the next six months, unless the legislature steps in and affords them facilities for availing themselves of the law. We have had a great deal of discussion about law and a great many different subjects have been bandied across the floor of the house, but after all they must come to a common sense view of the subject, and the question was, whether having passed a law, they were not bound to see it carried out,—having created the difficulty and caused the confusion, it was not their duty to remove it, and enable the people to educate their children as the law intended. The bill may not be perfect in all its clauses, but let it go into committee where all defects could be remedied as regards details. The main question was whether some such bill was not required, and upon that point I should imagine there can be but little difference of opinion.

Mr. BLANCHARD said that it was a very common practice amongst certain persons in the House—and with none more so than with the hon. member for Halifax—when a subject was being discussed by the legal gentlemen on both sides, to listen attentively to what was being said, and then to get up and pronounce their opinions *ex cathedra*, and to say, “We don't want any legal advice—all we want is common sense; these are our opinions, and you must accept them as sound doctrine. All the sound sense is with us, and lawyers are endeavoring to mislead.” It might be all very well for hon. gentlemen, after taking advantage of the opinions of the lawyers, to profess to scout them afterwards, but it is not exactly the fair course to pursue. The hon. Attorney Gen., in the course of his remarks, said that the more this bill was discussed the more he was convinced that it should go into committee. I differ entirely from him. I think the more it

is sifted the more palpable are the objections to it. He told us last evening that it was not an *ex post facto* law.

Hon. ATTY. GEN.—I said it was not such an one as was objectionable in its character.

Mr. BLANCHARD.—The hon. gentleman did not qualify his statement—but I think there could be none more objectionable. I will now give the hon. Atty. General an illustration of what this kind of legislation would lead to—and although I do not approve of the *tu quoque* style of argument, I will ask him what he would have thought if this kind of thing had been attempted in 1860, when objections were taken to a number of gentlemen taking their seats in this house, because they had not resigned certain offices at the right time. It was considered a valid objection then by the gentlemen opposite, that because a member had held the position of Coroner, or Commissioner of Streets, or some such office, the duties of which he had seldom or ever performed, and had forgotten to resign on the precise day named by law, he could not hold a seat in the house. Suppose an attempt had been made then, as is now being made, to legalize by an *ex post facto* law past proceedings, who would have been so loud in his denunciations as the hon. member for Halifax; and yet were not these objections as technical as those sought to be remedied. I will refer for a moment to the case of the county of Cumberland. There the majority were opposed to assessment, and after they went away from the meeting, the minority passed a resolution assessing the inhabitants—and yet that was to be legalized under this law.

Dr. TUPPER: No. The bill only applies to meetings held under the law, and would not legalize proceedings taken after a meeting had dispersed.

Mr. BLANCHARD: The parties, at all events, assumed to meet under the act. It has been said that in this case the parties have their remedy by appeal. But that is not correct, as the first meeting of the Sessions to which the law gives an appeal has been held, and therefore they have now no such remedy. I feel grateful to the hon. member for Cumberland for admitting that this law will work injustice to some; and I contend that if any—I care not how few—are injured by it, the Legislature has no right to pass it. I am aware that in some cases private rights must submit to the public good, and that all laws are passed for the welfare of the whole community; but that principle does not apply to the present case. (The hon. member here illustrated his position by reference to highways and railways made through private property; and showed that although such roads might be opened by law, even against the interests of private proprietors, yet if illegally opened, he would ask, would any legislature afterwards, by such a law as this, compel parties to submit to gross injustice without appeal.) I shall therefore feel it my duty to vote against this bill.

Hon. ATT. GEN.—The legislation in 1856, in relation to the township of Granville, ran upon all fours with this. In that case the overseers of the poor entered into a contract with a Mr. Dunlap for the support of paupers. They went out of office, and their successors refused to assess the township for the amount due Mr. Dunlap. The legislature then stepped in and passed an act to compel them to pay. What

difference, I would ask, is there between that and the present case? Here trustees properly appointed assess the district, and enter into obligations upon the faith of that assessment being carried out—and the assessors refuse to act. Surely this is a stronger case for the interference of the legislature than the Granville case,—there they stepped in for the protection of private rights,—here, we are asked to indemnify public officers in the discharge of their duty in honestly endeavoring to carry out the law.

Mr. MCLELAN.—There is this important difference between the two cases. In the one case the house was acquainted with all the particulars of the transaction, and knew exactly how far they were going, and whether the circumstances justified them in taking the action they did. Here we are called upon to take a leap in the dark, and to legalize all irregularities and informalities that have taken place over the whole country during the past year. It appears to me that the house is not justified in adopting the system of *ex post facto* legislation without being aware of the effects that will result. It is quite evident that some of these irregularities have resulted in gross injustice, and yet we are called upon to ratify and confirm them. I have no doubt that the principal reason why this bill has not been carried out is because public opinion has turned against it, and the people are so convinced that it is unjust in its operations they will have nothing to do with it. I do not feel justified, therefore, with these views, in lending myself to perpetuate its provisions, and shall vote against it.

Mr. ARCHIBALD.—There is no analogy between the Granville case and this. There a debt was actually in existence, and could not be recovered without the passage of a law.—Here the attempt is made not to enforce rights but to create them. In the one case there was not even an inchoate right—in the other there is a vested one.

Hon. ATTY. GEN.—The bill is only intended to apply to cases where liabilities have been incurred.

Hon. Mr. SHANNON.—The question upon the second reading of the bill is a very simple one. The house is asked to assent to the principle,—and what is that principle? Nothing more than to pass an act having a retrospective effect, for the purpose of doing justice. Is there anything un-English or unconstitutional in that? I think not. It has been done in England for a similar purpose, and although I have not been very long in this house, I think I can remember its having been done here. No case was more to the point than that which referred to the position of the late chairman of the railway board. When the change in the board of commissioners was made there was no law to authorise his acts, and the house was obliged to step in and legalize his contracts before they could be carried out. There was no doubt that *ex post facto* legislation was wrong in principle, but it was necessary sometimes, and this was an exceptional case. Every body knew the difficulties experienced in endeavoring to carry out a new act. Even with all the guards and checks with which the act of last session had been surrounded it was found that great irregularities had occurred. No doubt many of these were owing to the fact of its coming into operation so soon as Oct-

There were so many things to be done before then—so many preliminaries to be observed—that it was no wonder in many instances the time was allowed to pass by. And yet, notwithstanding the disadvantageous circumstances connected with the introduction of the measure, it was surprising in how many instances good schools had been established and were in successful operation. Again, in some sections the people would have been deprived of schools altogether, having neglected to adopt measures in the time appointed for the preliminary meetings to be held. To meet cases like these the government had issued the notice authorizing them to go on, and intimating that the legislature would be applied to to legalize the proceedings. Obligations had been assumed under these circumstances, and the object of this act was simply to do what justice required—to remedy small irregularities that had occurred, so as to enable the law to be properly carried out. If the bill was objectionable in some of its details, that could be remedied in committee; but I cannot understand how any one can object to the principle.

Cries of question.

Hon. PRO SEC.—I hope gentlemen will not think it necessary to divide the house upon the question. There are two distinct features in this bill—one refers to the action of the council of public instruction as regards the past—the other refers to provision for the next six months. I hope all will unite in lending their aid to carry out the provisions of the law that has already been passed.

Mr. ARCHIBALD reiterated his opinion that a clause in the main bill would remedy the whole difficulty in regard to past legislation.

Hon. PRO. SEC.—It might just as well be understood at once that the government intends to deal with the two questions separately.

After some further desultory discussion a call of the house was had, and upon the motion being made to refer the bill to a committee of the whole house, there appeared for the motion 29; against, 17.

For.—Messrs, Pryor, MacFarlane, Allison, More, Kaulback, Killam, McKay, Hamilton, D. Fraser, Churchill, Lawrence, J. Campbell, Les Vesconte, Tobin, McDonnell, Donkin, Jost, Hill, Longley, Shannon, McKinnon, Cowie, Caldwell, King, Colin Campbell, Prov. Secy., Atty. General.

Against.—Messrs, Locke, Ray, Heffernan, Balcom, Bill, G. S. Brown, Parker, Miller, McLelan, Robertson, Blackwood, Stewart Campbell, Blanchard, P. Smyth, Ross, Robichau, Archibald.

Then the house adjourned until next day at 3 o'clock.

—
WEDNESDAY, 15th March.

The house met at 3 o'clock.

MISCELLANEOUS.

Mr. BOURINOT presented a petition, which he handed to the government, from Mr. John McLean, Superintendent of Scatarie Light House, asking a small grant in order to provide educational facilities for the families living on that island. He hoped that the Government would give it their favorable consideration.

Mr. COWIE presented a petition, which was handed to the Government, from the officers of

the 1st and 2nd batt. Queen's militia, asking for a grant to enable them to provide a parade ground.

Mr. DONKIN presented a petition from certain persons in Cumberland on the subject of the Union of the Provinces. Also the petition of S. Eaton, praying that a militia fine be remitted.

Mr. P. SMYTH, a petition from the inhabitants of Inverness against the Union of the Provinces.

Mr. G. S. BROWN, a petition signed by 167 inhabitants of Yarmouth, on the same subject.

Mr. JOST, a petition from La Have on the same subject.

Mr. P. SMITH, a petition from Bedeque, Victoria, relative to a change of mail route.

Hon. ATTY. GEN. laid on the table the petition of Col. Tupper and other militia officers, on militia affairs.

Mr. BLANCHARD presented a petition in reference to the opening up of Mabou harbor, Inverness, and, in doing so, stated that the Government had, within a very short period, sent an engineer to enquire into the feasibility of the undertaking.

Mr. S. McDONNELL asked if the engineer had made his report.

Hon. PRO. SECY. replied that the report had just reached him, and he would lay it on the table shortly.

Hon. ATTY. GEN. laid on the table a petition from the officers of Militia at Bridgewater, in reference to a parade-ground. This petition, as well as the others on the same subject, were referred to the Committee on Militia.

Hon. Mr SHANNON, from the Record commission, reported in favor of the publication of the Public Documents in a single octavo volume, under the superintendence of Mr. Aikins.—They recommended that 1000 volumes be published, as fully 800 will be easily sold at a dollar a-piece, since they will contain an amount of information that will be very valuable. The report was received and adopted by the house.

Mr. MILLER presented three petitions from Richmond against the Union of the Colonies. Also the petition of Rev. Mr. Gerroir and others, against the school-act of last session.

On motion of Dr. BROWN, the bill concerning the school-lands in the township of Horton was read a second time, and referred to the Committee on Private Bills.

Hon. ATTY. GEN. laid on the table a memorial from the trustees of the school at Truro, on the subject of the school act.

EXHIBITION AT BERGEN.

Hon. PROV. SEC. laid on the table a communication from Mr. Oxley, Norwegian Consul, in reference to an exhibition to be held at Bergen, in Norway. Its object is to obtain an exhibition of everything connected with the fisheries; and the parties who are holding it engage to pay the expenses to and from the place where it takes place. The communication was referred to the Committee on Trade and Manufactures.

A message was received from the Legislative Council stating that they had agreed to a bill further to amend the act for the erection of a Court House and jail in Yarmouth, and also to a bill to legalize assessment rolls in Lunenburg.

THE RAILWAY.

Mr. LONGLEY handed in a communication from railway officers showing that the state-

ment that appeared in one of the weekly papers that the road near Ten-mile House was in an unsafe condition was inaccurate.

Mr. TOBIN stated that having seen a statement in the Bullfrog on this point, he had felt it his duty as chairman of the Railway Committee to call the attention of the Railway Commissioner to it and he was now glad to find that the road was not in bad order but that the officers having it in charge were securing every care and vigilance requisite to ensure the public safety.

SCHOOL LANDS.

Hon. PROV. SEC. laid on the table a copy of a letter from His Lordship the Bishop of Nova Scotia relative to the proposed sale of School Lands. His Lordship asks that no steps be taken in this matter for the present.—The communication was referred to the committee on Private Bills.

Hon. PROV. SEC. also laid on the table an amended list of School lands from the Superintendent of Education.

PRIVATE BILLS.

Hon. Mr. SHANNON, from the Committee on Private Bills, reported up the following:—To authorise the appointment of a harbor master at Sydney: To incorporate the Cambridge Coal Mining Co.; To incorporate the Scotia Lodge of Freemasons, Canning; To further amend the act incorporating the Bank of Yarmouth.

HARBOUR MASTER AT SYDNEY.

Mr. BLANCHARD asked what necessity was there for the bill appointing a Harbour Master at Sydney. As he understood, the office now at the North Bar was a perfect sinecure. He also enquired if a vessel would have to pay the dues twice.

Mr. BOURINOT replied that there were harbour masters at North Sydney, Lingan, and Cow Bay. As respects the officer at the Bar, he mentioned that that appointment was of much benefit, since it had been the means of preventing the harbour being injured by vessels unloading their ballast indiscriminately. It should be known to the House that there were two ports in Spanish River. The law now provided for the appointment of such an officer as he had stated, at North Sydney, and the object of the present bill was to have one at Sydney proper, in view of the railway that was about being constructed from the mines. The bill contained a clause, he added, providing that vessels would only have to pay dues once.

Mr. STEWART CAMPBELL did not think there was any necessity for the present bill, inasmuch as the Sessions had now the power of appointing harbour masters in such ports as they considered necessary, and could prescribe their duties.

Mr. BOURINOT said that the present bill defined the limits of the jurisdiction of the two officers.

Mr. BOSS said that it was impossible for one officer to perform the duties at both ports, and that the duties at North Sydney were very important. Vessels coming there were generally in ballast, and it was absolutely necessary to have an officer to point out the place where they were to discharge. He considered that a similar officer was also required at Sydney town, in view of the proposed railway, which would necessarily bring a great deal of shipping to the port.

Mr. BLANCHARD did not understand why the appointment, in reference to Spanish Ri-

ver and Lingan, should be different from that in respect to other places. What was there particular about Sydney that the patronage should not rest with the sessions but with the government. He did not see any necessity for so much haste in appointing the officer, inasmuch as the railway to Sydney would not be completed for some time yet.

Hon. ATTY. GEN. said that the ports where coal was shipped were situated differently to others. The law now gave the appointment of a harbor-master to the Governor in Council, at Spanish River, but it so happened that that river included two ports. The present bill was to provide an officer where none existed now, and define the limits of each. It might be a wise policy to give this matter into the hands of the sessions, but it was better he thought, to guard against the contingency that they might not appoint such an officer. Some person was required to protect the port from the injury that would necessarily be done, if ballast were unshipped indiscriminately.

FREE GRANTS TO AGED TEACHERS.

Mr. MILLER laid on the table the petition of Roderick Bethune, an aged teacher, praying for a free grant of land.

Hon. PROV. SEC. called attention to the fact that there were a large number of similar petitions lying on the table, and that it was advisable to dispose of them.

Mr. LE VESCONTE moved that these petitions be referred to the Committee on Education.

Hon. ATT. GEN. thought it would be advisable for the House to settle its policy at once in reference to these grants.

Mr. LE VESCONTE thought that our Crown Lands could not be applied to a better use than to reward this useful class of public servants.

Mr. MCLELAN was in favor of the House settling its policy, and of treating all applicants fairly.

Mr. MILLER said he had been always in favour of giving these free grants, and moved the following resolution:—"Resolved, that all teachers who shall have been engaged in the employment for 30 years up to the month of Mareh, 1864, shall be entitled to a free grant of land, under the usual checks and guards." He stated that he did not think the resolution went quite far enough, but he introduced it as the best adapted to existing circumstances.

Hon. Mr. SHANNON moved an amendment—"Resolved, that this House considers that the policy of giving free grants should be discontinued." He believed that unless the House came to such a determination the number of petitions would accumulate every year. He did not think it likely that men who were engaged in teaching all their lives would go into the forest and cultivate the land.

Mr. BLANCHARD was in favor of the resolution.

Mr. DONKIN expressed himself in favor of doing justice to aged teachers, and of the resolution.

Mr. STEWART CAMPBELL said, if the resolution passed, it would stultify the action of last winter.

Mr. ARCHIBALD stated it as his opinion that we should provide some fund from which school teachers in old age and infirmities could derive a small annuity. A similar provision was made in the States and Canadas, and would be an infinitely greater boon to the

teachers than a tract of land which could be little use to them.

Mr. PRYOR agreed with the remarks of the last speaker, and was opposed to annulling the policy agreed upon last winter.

Mr. MILLER considered that the resolution passed last winter did not really settle the policy in regard to these grants.

Mr. TOBIN expressed the hope that his hon. colleague would not press his amendment, and was favorable to any policy that opened up our wild lands to cultivation. He also gave it as his opinion that it was advisable to impose taxes upon those lands that were not brought into cultivation, or otherwise force the owners to open them up to settlement. That subject was an important one which had long engaged the serious consideration of himself and others.

Mr. ARCHIBALD stated that he would be ready to grant these lands if there was any guarantee that they would be really cultivated. As respects the other matter alluded to by the hon. member for Halifax he stated that the late government instituted proceedings for the purpose of bringing back to the possession of the crown some thousands of acres of these lands which stood in the way of the settlement and improvement of the country. These had been escheated and were now in a position to be re-granted. He considered the policy of free grants which was attempted to be re-established as likely to retard the cultivation of our crown lands, and place them in a position similar to those previously alluded to.

Mr. KAULBACK said as far as Lunenburg was concerned he did not know of any grant that was made to a teacher that had not been settled upon, and appealed to the house in behalf of the claims of the school master.

Mr. LEVESCONTE withdrew his resolution.

On a division, the amendment moved by Hon. Mr. Shannon was lost by 17 to 29.

Yeas—Pryor, Allison, Heffernan, Hatfield, G. S. Brown, Robertson, Locke, Archibald, McFarlane, Longley, Shannon, McKinnon, Cowie, Robicheau, John Campbell, King, Hill.

Against—Killam, Parker, McKay, Churchill, Donkin, Ray, Lawrence, Donald Fraser, Bill, Whitman, More, Kaulback, LeVesconte, Tobin, Hamilton, Jost, Bourinot, Miller, McLelan, Blanchard, Blackwood, Stewart Campbell, Balcum, Ross, P. Smyth, Annand, Attorney General, Provincial Secretary.

Mr. ARCHIBALD said that it ought to be clearly understood whether it was intended that these grants should be given without the teachers having to pay the expenses of survey.

Mr. CHURCHILL expressed himself in favor of such a fund as stated by the hon. member for Colchester for the benefit of aged schoolmasters. He was quite willing to give them the land, if he knew they would improve it.—He expressed himself in favor of a good system of immigration that would open up our waste crown lands.

Hon. PROV. SECY. said that he had yielded his views on this subject so far as to support the resolution, for he thought it but right that all parties should be put on an equal footing up to the month of March last. It was the practice, he added, for the teachers to pay the expenses of surveys, and he trusted that gentlemen would not interfere with so necessary a check.

After some further discussion, the original motion passed by a vote of 27 to 14.

ENQUIRY.

Mr. ROBERTSON asked the Government to lay upon the table a return from the Commissioner of Crown Lands of the names of all applicants for grants of land, and the number of grants passed and names of grantees, and when passed, in the County of Lunenburg, on the new road from New Ross to Windsor, in the years 1862, 1863, 1864 and 1865.

LUNENBURG AFFAIRS.

Mr. KAULBACK said that if the member for Shelburne had asked him for the information he could have obtained it without troubling the Government.

Mr. ROBERTSON was not aware that the Crown Land department was under the control of the member for Lunenburg. He believed that any gentleman had a right to apply for Crown lands in any County of the Province.

Mr. TOBIN would like to understand the meaning of these constant allusions to Lunenburg. If there was anything "rotten in the state of Denmark," it would be as well to know it.

Mr. KAULBACK reiterated his willingness at all times to afford every information connected with the county he had the honor to represent. He and his colleague were ready at all times to render an account of their stewardship to those who had a right to ask it. He did not know why this question was asked, but if he had been applied to he could have answered it in five minutes.

Mr. ROBERTSON had adopted the usual method in such cases and he could not understand why the member for Lunenburg should be so sensitive.

Mr. KAULBACK was not at all sensitive, but there was a certain courtesy due from one member to another which it would be well for the member for Shelburne to observe. The proper course was to refer the matter to the members for the county, and if they refused it would be time enough to trouble the government.

Mr. ARCHIBALD said that while upon the subject of Lunenburg matters he observed a bill had been introduced to change the name of a place in that county. He had no wish to interfere in such matters, but he thought it an exceeding pity that names connected with the early history of the country should be changed.

Mr. KAULBACK said that it was no wish of his. A petition numerously signed had come to his colleague praying for it, and a bill had been introduced accordingly.

Mr. LOCKE did not think it was right for any one to enquire into the reasons which prompted hon. members to enquire into matters connected with the different counties. The crown lands of Lunenburg did not belong to Lunenburg, but to the whole Province. As the law allowed non-residents to represent counties, perhaps his colleague had an eye to the future representation of that county. At all events he asked for the information for his own satisfaction.

Mr. JOST, in reply to Mr. Archibald, said the members of the county were not anxious for the change in the name referred to, but a large petition from the inhabitants having been sent to him, he merely introduced a bill in accordance with the prayer of it. As regards the questions which were continually being asked in reference to the affairs of Lunenburg, if they came from those who represented the in-

terests of the whole Province, it would not be so much matter, but when they came from a small clique, he thought they were making themselves small indeed.

Mr. MCLELAN enquired when the Government would be prepared to lay upon the table the information asked for by him, relating to the construction of a railroad to Annapolis and New Brunswick.

Hon. PROV. SECY.—It would be done at an early day.

Mr. PARKER presented a petition from Robt. Smith and other inhabitants of Truro, against the school bill.

Mr. LAWRENCE, from 100 inhabitants of Newport, against Confederation.

Then the house adjourned until 3 o'clock the next day.

THURSDAY, March 16th, 1864.

The House met at 3 o'clock.

Hon. PRO. SEC. laid on the table a report relative to a landing wharf at Port Hood.

LIGHT HOUSES.

Mr. BALCAM referred to the fact that he had presented a petition last year relative to the construction of a light house at Jeddore. He pointed out the great necessity that existed for the construction of such a light house at the dangerous ledges that existed in that locality.

Mr. BLANCHARD also advocated the construction of a light at that point, and alluded to the fact that from this port to Cape Sable, there were 12 or 13 lights, whilst to Cape Canso there were only three. Again from this point to the borders of New Brunswick westwardly there are 26, whilst easterly to the same there are only 17, though the latter is by far the longer distance.

Mr. LOCKE stated that the Lighthouse at Little Hope would be the last one that the Western coast would want for some time.

Hon. FINL. SECY. said that there was certainly a great disparity between the Eastern and Western coasts, but this year we were going to have a light house on Green Island, and a steamwhistle at Canberry head, Canso.

Mr. STEWART CAMPBELL also advocated the establishment of a light at the point in question as a great desideratum to vessels approaching our coast.

In answer to Mr. Ross, the hon. Pro. Sec'y stated that directions had been already given by the Chairman of Works to have the light house at Flint Island rebuilt.

Mr. COWIE hoped the government would not lose sight of the light house at Little Hope.

LIEUT.-GOV.'S PRIVATE SECRETARY.

Hon. PROV. SEC. laid on the table copies of correspondence relative to the Private Secretary of the Lieutenant-Governor. After the reading of the correspondence, hon. Pro. Sec'y announced that it was the intention of the government, at an early day, to bring in a bill to provide the same salary for the Governor's Private Secretary, as was formerly allowed.

PETITIONS.

Mr. COLIN CAMPBELL presented a petition from 150 inhabitants of Weymouth, against Confederation.

Mr. BALCOM presented a petition from Sheet Harbour against a petition previously presented for an act to incorporate a company to remove obstructions from East River.

Mr. BILL presented a petition from a number of rate-payers of Cornwallis, praying that the proceedings of a certain school district in that locality may be legalized. In answer to a question from the hon. gentleman, the Attorney General replied that the case would be met by the bill before the house.

INCORPORATION ACT.

A bill to incorporate the Cape Breton Coal Mining Company, at Port Hood, was read a second time and committed.

COMMITTEE ON BILLS—SCHOOL ACT.

Hon. ATTY. GENL. moved that the House resolve itself into a Committee of the whole, for the purpose of taking up the bill to amend, and in addition to chap. 58 R. S. "of Public Instruction," and to ratify and confirm proceedings thereunder.

The House accordingly went into committee on bills.

Upon the reading of the first clause, Mr. McLelan enquired what difficulty there would be in making the new bill which had been introduced, apply on the 1st May.

Hon. PROV. SEC. replied that engagements had been made which would not terminate until August. Besides that great inconvenience would result from having two systems in operation in the same county at the same time.

Mr. LeVESCONTE moved that the whole of the bill be struck out except the last three clauses, which related to legalizing past proceedings.

Hon. PROV. SEC. said that no doubt the course pursued by the member for Richmond was a perfectly legitimate one, although he would be sorry to see it adopted. The bill as he had already explained had two features, the one relating to future provision for the next six months, and the other legalizing past transactions.

Mr. BLANCHARD said that as it had been found so difficult to work the bill in his county, he should be compelled to vote for the amendment.

Mr. MILLER had opposed the school bill most strenuously when it was before the house last session, and the experience of the past year had not induced him to change his mind; that the government had been obliged to admit that the principle of the bill was wrong, was evidenced by their departure from it, in the bill introduced by them on a previous day. He did not see why they should continue a policy admitted to be wrong and consequently he should vote for the motion of his colleague.

Hon. ATTY. GEN. said it was a question for hon. gentlemen to consider whether they wished the whole grant of the county divided amongst a few schools in one half of it, and the other half to be left without any means of participating in it at all. If any gentleman could suggest any better mode of providing for the wants of the people for the next six months he would be glad to hear it.

Mr. MACDONNELL thought it would be inexpedient to adopt the amendment of the member for Richmond without substituting some provision for the next six months, and he therefore proposed the following amendment:

"In any section where no school has been established under the school act of 1864, the inhabitants of such section shall be at liberty to establish and support one or more schools by voluntary subscription from the passing of this act, till the first day of October next.

"None of the provisions of the said act passed in the year 1864, for the purpose of supporting schools, shall affect the school sections referred to in the foregoing section."

Mr. STEWART CAMPBELL enquired whether it was intended in case there were only two schools established under the Act in a district, to divide the whole grant between them?

Hon. PROV. SECY. could hardly imagine such a case could exist.

Mr. S. CAMPBELL—It will be the case in the district of Guysboro. There were only two schools there now, where they used to be thirty.

Mr. LOCKE—In Shelburne there will not be more than four.

Mr. BLACKWOOD said there would be about the same number in his district.

Hon. PROV. SECY. said the member for Guysboro, as a lawyer, ought to know that the government had nothing to do in the matter. The board of school commissioners distributed the money under the law, and he had no doubt they would do it in the most liberal manner.

Mr. S. CAMPBELL thought it was the duty of the government to bring in an act to prevent such an unfair appropriation of the public monies.

Hon. PROV. SEC. said it would be a legitimate subject for the government to consider whether it would be necessary to provide for an extreme case of that kind.

Mr. BLANCHARD said in the southern district of Inverness the schools had gone on under the old law—were they to receive no portion of the grant?

Mr. LOCKE said—If the government had nothing to do with it, the council of public instruction had. It would be very unjust in places where there were only 3 or 4 schools to divide the whole grant amongst them.

Mr. ARCHIBALD again expressed the hope that the government would adopt his suggestion and strike out of the bill all the clauses except those that legalized past proceedings, and add a clause or two to the main bill to provide for the next six months.

Mr. JOST did not think it wise to enact a policy for the next six months, different from that contained in the new bill.

Mr. MILLER said that if the House decided to strike out the first thirteen clauses of the bill, it would be necessary to substitute something in their place, and he differed from the member for Colchester in his opinion that it would be more advisable to embody in the main bill, what was only intended to be temporary in its nature. He was in favor of substituting the voluntary system, and he thought the amendment of the member for Inverness would meet the difficulty. There were other clauses of the bill, very objectionable in their character. The powers conferred upon Trustees, in the 8th clause, to determine the sites of school houses, he considered most arbitrary. Another clause gives the Trustees power to assess the district to any extent, at their own discretion. The sixth clause also conferred most extensive authority upon Trustees—more so than they enjoyed under the old act, and more than the new bill intended to give them. By that clause the Trustees were enabled to borrow money for school purposes, and to assess the inhabitants without restriction. He thought the machinery of last year's bill was sufficiently complicated, but this was even more so. He knew of no more simple

mode to provide for the next six months than voluntary subscriptions, and he should therefore vote for the amendment of the member for Inverness.

Hon. PROV. SEC. agreed with the member for Richmond that it would be injudicious to incorporate into the main bill anything that was not intended to be of a permanent character. He could not see much difference between the course proposed by the member for Inverness and this bill. His object was to enable the people to adopt the voluntary system for the next six months, that was open to them under the present law. He did not suppose anybody wished to deprive the people of the right they had enjoyed for the last twenty years, of adopting the assessment principle if they preferred it. As regards the objection of the member for Richmond to the powers given to trustees to borrow money for school purposes, he would say that one of the most serious difficulties in carrying out the bill was to provide sufficient accommodation for the enlarged number of pupils who attended under the system of free schools, and the object of this bill was instead of levying a tax at once for a sufficient sum to erect suitable school houses, to enable the trustees to borrow money, and to spread the assessment over several years, thus making it bear more lightly upon the inhabitants.

Mr. McLELAN thought that section seven conferred too extensive powers on the trustees. He thought the amount to be assessed should be first submitted to the vote of the rate-payers at the annual meeting. He also thought that under section four injustice might be practised—a minority might adopt measures by which the majority would be governed.

Dr. TUPPER said the law only referred to cases where the majority had agreed upon the mode of supporting the schools.

Mr. McLELAN said, that supposing at a meeting the majority decided in favor of voluntary subscription, how easy it was to get men of straw to make up the majority, and the result would be that the subscriptions failing, recourse would have to be had to assessment, although the majority of the rate-payers were opposed to it. He repeated that he could not see what was to prevent the main bill from coming into operation on the first of May.

Mr. ARCHIBALD again alluded to the necessity for settling the main bill first. Let them settle the policy of that first, and then return to this.

Hon. ATTY. GENL. could not see why they could not settle the powers to be given to the trustees, as well under this bill as the other. It was necessary to give the trustees power to borrow money to erect schoolhouses, otherwise the operation of the new act would be postponed another six months. He did not think this bill had been treated in a proper manner by those who had voted for the principle of last year's bill. He did not expect the member for Colchester would have divided the House upon the second reading. He intended to introduce a clause to enable trustees, in cases where parties owning lands required for school purposes refused to sell them, to take possession of them under certain checks & guards, and have them appraised, and the amount assessed. As regards the remark of the member for North Colchester (Mr. McLelan), he would say that it was impossible to apply the machinery of

the new bill on the first of May, because in many sections arrangements have been made under the existing law for the whole year, and in some cases subscriptions have been paid, and obligations assumed for the whole year. He would be happy if any gentleman could suggest any better mode of accomplishing the object he had in view, which was to provide the people with the means of education for the next six months; but he could not see how it could be attained except under the provisions of this bill.

Mr. MACDONNELL would like to ask the Prov. Sec. whether a single school had been established under the right which he says the people have enjoyed for the last 20 years of assessment. The system was perfectly valueless and useless. The amendment he had proposed was hastily drafted and may not provide for all cases, but it could be easily added to so as to make it more perfect.

Mr. PARKER didn't think it likely that meetings would be held under the present bill, and was in favour of consulting the people's wishes as evidenced by the numerous petitions on the table. He pointed out the difficulties that arose from the working of the act on the statute book, and expressed his opinion that the bill now before the house was only going to perpetuate these difficulties. Whilst he was in favour of an amended education measure, he felt he could not bring himself to support a bill which he thought was contrary to the wishes of the people.

Mr. STEWART CAMPBELL said that it must be obvious to the government that the present bill had no friends in the house. He considered it their duty to have brought forward such a measure as could commend itself to the approval of a considerable number of gentlemen. He believed the country had condemned the principle of the education act, and yet the government persisted in forcing it upon them for the next six months. That was not the treatment the people had a right to expect from the gentlemen whom they paid to do their business. As gentlemen had been reproached with having been as responsible as the government themselves, he thought few if any would be ready now to offer any assistance whatever in respect to the present bill.

Mr. C. J. CAMPBELL said that he had been among those who opposed the principle of the bill last session, and he had now the most positive proof that it had not taken in the country. He had been in hopes that the government would have come down with a bill that would have been in accordance with "the well understood wishes of the people," but to his surprise they had introduced one that was possibly more obnoxious than the last. He considered the present bill established the principle of taxation more clearly than ever. He could not support a bill that was so arbitrary in its principle; it bore heavily upon the people who ought to be the governing power. He felt very reluctant to express his opinions so strongly in opposition to those with whom he had been long politically associated; but he had a duty to perform to his country that had more influence with him than any political ties.

Hon. ATTY. GEN. said that if section four of the act was considered unnecessary or unwise in the peculiar position of the country for the next six months he had no objection to strike

it out. If this clause was left out parties would be allowed to meet and choose assessment or subscription, but they would not be obliged to resort to the former in case the latter was not paid up. The collection of the subscription, in such a case, would have to be conducted in the usual manner. As respects the statement made by the hon. member for Guysborough, he did not think the report of the inspector bore it out. That gentleman stated that in the town of Guysborough there were three schools doing well.

Mr. S. CAMPBELL.—They are all one school.
Hon. ATTY. GEN.—There were three teachers, and three schools, in fact, in one building. He did not think the sense of the people was so antagonistic to the bill now on the statute book as gentlemen represented it to be. What petitions there had been presented bore on their face the impress of being stereotyped. There was no spontaneous expression of public sentiment against the law. Gentlemen should remember that there was no question so fraught with difficulty as that of education, and it should be a matter of satisfaction that a most sure making so great a change had worked as well as it had.

Mr. ARCHIBALD was not prepared to say the bill was altogether a failure, but was in favour of making such amendments as the experience of last year had shown to be desirable. He felt if there was one question that should be kept free of party politics it was that of education, and in that spirit he had always endeavoured to act. He still held to the opinion, however, that the main bill should have been considered first, and he, therefore, moved the following amendment:—Resolved that whilst the bill before the House, introduced by the government in regard to the general subject of education, remains undisposed of, it is inexpedient to discuss the temporary provisions of the bill before the committee constituting the first thirteen clauses.

Dr. HAMILTON said that it would be readily perceived that a great deal of extraneous matter had been introduced in the discussion of the present subject. Whilst the main bill was not before the house, it was quite unnecessary for any one to express his opinion with regard to the mode of raising the amount necessary for the purposes of education. There were two points which required the consideration of the house. One was to legalize the action taken under the act, and the other, to provide such simple machinery as will enable schools to be established for the next six months in sections that wished them. He would go further and say that any majority in a district should have a right to build school houses, and support schools, and to borrow money therefor. If the individuals agreed upon subscription, let it be collected, but assessment should not be resorted to.

Hon. PROV. SEC. expressed his surprise at the mode in which gentlemen were disposed to approach the question under consideration. The house, on the previous evening, had settled the policy, and yet gentlemen wished them to nullify that action. The policy of assessment had been most unfairly introduced into the question, it was not then under the consideration of the house. He was astonished to hear the honourable member for Guysborough declare that he was not going to assist the government in this matter, but to sink down

into a mere attitude of faction—that he was not paid to provide legislation for the house—and that he would keep some valuable suggestions he had prepared deep within the recesses of his cranium; but he was confident that such a position would not gain that hon. member much credit among the people of this country. The government had brought forward this question in a manner that he was sure would obtain the approval of the people, notwithstanding the opinions of the hon. member for Guysborough.

In answer to an enquiry made by Dr. Brown, the hon. Attorney General stated that there were a number of schools in the country which had not been kept under the law. It would be, however, competent to move a clause that would be applicable to those schools that, in the opinion of the Commissioners, ought to participate in the benefits of the act.

Mr. KILLAM said that he was of opinion that something should be done for the coming year, and that the difficulty should be settled satisfactorily. He doubted, however, whether it was wise to hold meetings and to put the country into confusion again. The people had rejected the law of last session generally, and a number of petitions were present on the table showing the tendency of public opinion.

Hon. ATTY. GEN. said that it was necessary to provide some machinery by which the people who wished to meet could do so.

After some further desultory discussion, Mr. Archibald's amendment was put, and lost by a large majority.

Mr. McDonnell's amendment was also lost by 30 to 14.

Mr. LeVesconte's resolution was also lost by 20 to 23.

The 2nd and 3rd clauses then passed. The fourth clause was struck out by the hon. Atty. Genl.

The fifth clause passed. Mr. Miller moved that the sixth clause be struck out for the reasons he had given—that too much power was given to the Trustees to borrow money. Some discussion ensued, but as the hour for adjournment had arrived, no decision was taken.

The committee adjourned and reported progress; after which the house adjourned until 3 o'clock the next day.

FRIDAY, 17th March.

The House met at three o'clock.

Hon. PRO. SEC. laid on the table a return of crown lands upon the new road from New Ross to Lunenburg, asked for by the hon. member for Barrington.

Hon. J. MCKINNON presented two petitions, one from Pomket and the other from Fraser's grant, on the subject of the school law.

DIVISION OF ROAD MONEYS.

Mr. CALDWELL asked leave to move the following resolution:

Resolved—That a committee be appointed to re-distribute the road and bridge grants for 1865 according to the population of the several counties.

Hon. PRO. SEC. thought such a resolution ought to be submitted by the government. He had voted for a somewhat similar resolution some time ago, but he thought the hon. member had better let the matter lie over until it could be brought up more legitimately.

Mr. MILLER said the resolution did not ask for an appropriation.

Hon. PRO. SEC.—Suppose a gentleman were to move that £100 be taken from the road grant of Antigonish and appropriated to Richmond, would not that be an appropriation of money.

Mr. BOURNOT said that he did not wish to interfere with the prerogative of the government, but he desired to know upon what principle the present distribution of road grants was made. Why was it that Cape Breton should be placed so far below other counties of far less population? That was a legitimate subject for the house to consider, and whilst this inequality existed he would never fail to raise his voice against it. No government could justify such a state of things, and he hoped the hon. Provincial Secretary would act up to the spirit of a somewhat similar resolution which he (Mr. B.) had moved some sessions ago, and for which that hon. gentleman had voted.

Hon. PROV. SEC. replied that the subject was a very important one and should be fully considered, and all that he wished was that it should come up in a legitimate manner.

Mr. SPEAKER said the subject could come up when the Estimates were under consideration.

Mr. CALDWELL expressed his readiness to let the matter lie over for the present.

RIGHT OF SEARCH.

Hon. PROV. SEC. laid on the table papers asked for by the hon. member for Colchester, relative to a right of search by Mr. Felton, which were referred to the Crown Land's Committee.

ENQUIRY.

At request of Mr. Kaulback the papers previously laid on the table relative to the crown lands at Lunenburg, were read.

Mr. KAULBACK then asked the government to lay on the table a return showing the population of the county of Shelburne in the years 1851 and 1861, exhibiting the relative increase and decrease, and, if any decrease has occurred, the causes which have led to it. In doing so he said he had no objection to state his object in asking these questions; he had turned his attention to the inequality and injustice of the representation in the house, which he hoped to have constructed on a more equitable basis—that of population. He could not see why the county of Shelburne with a population of only one half that of the county he had the honor to represent, and shewing only an increase of forty-six in ten years, should have the same number of members. He did not believe that either the government or the members of that county could shew him on what grounds that county could claim it. Surely not on the basis of wealth or property; and it was well known that they stood very low in the productions of the soil. It is true, they were a great fish county,—but even in that important branch of industry they could not equal the county of Lunenburg. The only thing he was ready to admit they did excel in is sterility and rocks.

Mr. MILLER asked why the hon. member had not included Queen's in the question. The population of that county was not more than half of that represented by Cape Breton, and yet it had three members.

Mr. LOCKE said when the question of representation came up legitimately before the house

sufficient reasons would be given why Shelburne and Queens were entitled to have the same representation as Lunenburg.

Mr. Jost did not think it necessary to trouble the government for an answer to the enquiry, since one could obtain the information from the proper source. He found, on looking into the subject, that Shelburne in ten years from 1851 to 1861 had only increased 51.

Mr. LeVesconte.—The hon. member who asked the question of the government gave a reason for the fact just mentioned, namely, the sterility of the county.

Hon. Pro. Sec. said the government would be obliged to refuse to lay on the table the information asked for. In the first place, the information in reference to the population of Shelburne was already on the table. Again, the government could not be expected to give information which was not in their possession. The Provincial Secretary at present could not be spared to examine the county, and therefore the hon. member must excuse the government if they could not state the cause which had led to the decrease of population in Shelburne.

Mr. Locke said that there was no doubt that there had been a mistake in taking the census. It was not probable that whilst Queen's had increased 2000, Shelburne should have fallen off.

MISCELLANEOUS.

Hon. Prov. Sec. laid on the table copies of correspondence relative to railway extension, and in doing so stated that the Government would be able to lay on the table, in a few days, a resolution showing their policy on that question.

Mr. Kaulback presented a petition from the Commissioners of the school district of Chester.

Mr. Archibald presented the petition of Mr. A. McCurdy and other inhabitants of Clifton, in Colchester, against the school bill of last year.

Hon. Attorney General laid on the table the memorial of a number of inhabitants of Port Mulgrave, in the County of Guysboro, praying for the appointment of a Stipendiary Magistrate. He stated that such an officer was necessary in consequence of the number of foreign vessels that were constantly at that port, and the affrays that were occurring. He expressed his intention of introducing a short bill in conformity with the prayer of the petition.

Mr. S. Campbell showed the necessity that existed for the immediate appointment of such an officer.

Hon. Mr. McFarlane said the bill passed last session in reference to the appointment of Stipendiary Magistrates required amendment, inasmuch as it took a year or a year and a half to bring it into operation. He expressed his intention of bringing in a short bill in amendment.

THE SCHOOL BILL.

The house then went into committee on bills and took up the bill to amend and in addition to the school act of last session, and to ratify and confirm proceedings thereunder.

Clause 3 was reconsidered; it reads as follows—

"If either of the said meetings shall decide, under the terms and provisions of the said chapter, to support by assessment one or more schools for the remaining portion of the school

year, not to be less than five months, or for the purchase of lands whereon to erect school-houses, or for the building, renting, or repairing of school-houses, the trustees shall forthwith assess the amount on the inhabitants of the section, by an equal rate, under the provision of section 26 of said chapter, but according to the assessment roll for the year 1864, and which shall be collected by the Secretary of the Trustees, or under his direction, by a warrant signed by at least one of the Trustees, and under the provision of said section 26 of said chapter."

On motion of Attorney General the above clause was amended by adding to it the following words, "but where subscription shall be adopted as the means of support, assessment shall not be resorted to." "The purchase of," inserted previous to words "building, renting," etc.

The 4th clause, providing assessment where subscription failed, etc., was struck out.

The 6th clause was next taken up:—

6. Trustees shall have power to borrow money for the purchase or improvement of grounds for school purposes, and for the building, renting, or repairing of school houses; and the same shall be a charge upon the inhabitants of the section, and be raised by assessment and levied and collected by equal annual instalments.

"Purchase of," was inserted previous to "building, renting, &c." The first line was altered so as to read as follows:—"Trustees shall have power, on the vote and direction of the meeting, to borrow any money authorized by the said meeting, &c."

Mr. Miller expressed himself in favor of a two-third vote, and of ten days' notice, but did not press his motion.

The 7th clause was amended to read as follows:—

"In any section where, *previous to the passing of the act*, the amount provided, either by subscription or assessment, for the support of the school or schools therein for the current year, or for the purchase of lands whereon to erect school houses, or for the building, renting, or repairing of school houses, is insufficient for all or either or any of the required purposes, the trustees shall have power, on the approval of the Inspector, to supplement the amount assessed or subscribed therefor, by an assessment on the inhabitants of the section."

On the reading of the eighth clause the hon. Atty. Gen. said that it would be necessary to provide for cases where the schools had been established and the assessment had not been carried out, or the subscription had failed. He would, therefore, move the following addition to the eighth clause:—

"In cases where at meetings under the said chapter provision has been made for the support of schools, or for any other of the purposes in the next preceding section mentioned by assessment, and the assessment has not been made, or the subscription has failed, the trustees shall have power to assess and collect the amount thereof under the terms and provisions of section three of this act."

Considerable discussion ensued upon this clause,—Mr. Miller, Mr. Longley and others urging that too much power was placed in the hands of the Trustees. As finally passed, the acts of the Trustees were made subject to the sanction of the three nearest Commissioners.

MONDAY, March 29.

The ninth, tenth, eleventh, twelfth and thirteenth clauses passed without amendment.

Hon. Attorney General said it would be necessary to make some provision for the erection of school houses in the poorer districts. He would therefore move the following clause, to be added after the thirteenth—"The Commissioners shall out of the grant for each half of the current year, appropriate, upon the recommendation of the Inspector, such portions of the Provincial Grant as they may deem proper to aid poor sections in providing school houses, and they shall distribute the remainder to such schools as have complied with the law, according to the class of the teacher's license."

Mr. Blanchard thought they might go a step further, and allow the commissioners discretion to make some allowance to schools that were in operation, but not under the present law.—He would therefore move this addition to the clause:—

"Provided that the commissioners may in their discretion, on the report of the Inspector, give a proportion of the Provincial grant to the teachers of any efficient school kept during any part of the six months ending on the 1st of May next, though such schools may not have been kept under the act of 1864."

The Atty. Gen. doubted the policy of offering a premium to those who did not choose to avail themselves of the law.

Mr. S. Campbell thought some such provision should be made as suggested by Mr. Blanchard.

Hon. Pro. Sec. said that where a strong case was made out no inspector would refuse to recommend some aid.

Mr. Miller objected strongly to giving that power to any one man. He thought it should be left with the commissioners.

Mr. Bill coincided in that view. The commissioners were a body of men who performed their duties without fee or reward, and were superior to any influence which might warp the judgment of others. They were better acquainted with the wants of the people than an inspector, who might be a perfect stranger, and therefore they were the proper persons to exercise this power.

Mr. Caldwell agreed with the observations of Mr. Bill. There could be no doubt that the Commissioners were the persons who should decide as to the requirements of the district.

After some further discussion, the matter was left open—the Government intimating that they would modify the clause so as to meet the views expressed.

Then the committee adjourned and reported progress.

Mr. ARCHIBALD said that he understood that the Railway Committee intended to visit Truro on the following day for the purpose of inspecting the rolling stock, and as a number of the members wished to avail themselves of the opportunity, he would suggest to the Government that if there was no pressing business the house should adjourn over until Monday. The Provincial Secretary agreed, and the house accordingly adjourned until Monday at 3 o'clock.

The House met at 3 o'clock.

Mr. BOURINOT presented a petition from Lingan, C. B., praying for a daily mail to Sydney.

Mr. MCKAY presented a petition from Rogers' Hill, Dalhousie, Pictou, for additional postal accommodation, and in doing so urged the claims of petitioners.

Mr. BOURINOT handed to the Financial Secretary a memorial sent him, asking assistance for a scow.

A message was received from the Legislative Council, stating that they had passed a bill to incorporate Trinity Church in Halifax in connection with the Church of England; and that they had agreed to a bill to alter the time for holding the Sessions in the county of Barrington, and to the bill to amend the act incorporating the Glace Bay Mining Company.

Hon. PRO. SEC. laid on the table a report on the Legislative Library.

RAILWAY EXTENSION.

Hon. PRO. SEC. laid on the table a notice of a resolution which the government propose to move touching the extension of the railway, and in doing so stated for the information of the House, that it would be seen from the correspondence on the table the proposal on the part of the International Contract Company for the construction of the railway was both in reference to the road from Truro to the borders of New Brunswick, and to that from Windsor to Annapolis. In both instances the proposal was outside of the terms of the resolution which was proposed by the government and sanctioned by the house last winter. Under the resolution it was proposed to give for the construction of these two lines a subvention of 4 per cent. on £10,000 a mile for the road from Truro to the border, and 4 per cent. on £6000 on that to the West. The proposals on the table settled a point which was left open in the resolution, and that was, whether the payment of the entire subvention should commence at the end of a year after the commencement of the work instead of on the amount of road built. They required that the payment, which was a certain sum of money per annum for twenty years, should become payable at the close of a year from the commencement of construction. The other point was that the Province should take a subscription; £100,000 worth of stock on the Trunk line; that also varied very little from the terms offered by the resolution. With reference to Western extension, they required that the expenditure required for bridging the Avon should be borne by the Province. The government believed that both of these proposals was reasonable, and that the same policy which induced the House at its last session to pass the resolution for the construction of the two lines in question would be again affirmed. He then read the following resolution:—

"Resolved, That the executive government be authorized to secure the construction of the lines of Railway from Truro to the borders of New Brunswick, and from Windsor to Annapolis, upon terms not less favorable to the Province than those offered on behalf of the International Contract Company, as contained in the papers now on the table of this House, signed by Messrs. Livesey and Bate respect-

ively; and the route and location of the respective lines of Railway to be approved by the government. And the executive government is hereby authorized to enter into contracts upon such terms with any responsible party for the construction of either or both of the before-mentioned lines of Railway."

MISCELLANEOUS.

Mr. BLANCHARD introduced a bill to incorporate the Mabou Coal Mining Company.

Mr. ARCHIBALD introduced a bill to incorporate the Commissioners of the Widows and Orphan's Fund of the Presbyterian Church of the Lower provinces.

Mr. PARKER presented a petition from D. Cameron for money alleged to be sent through the P. O.

Mr. COLIN CAMPBELL presented four petitions:—One from 291 persons resident in Hillsburg, praying for the establishment of a Post Office; the second from the same place for a special grant of money for a road; the third from Digby in favour of a road from that county to Shelburne; and the fourth from 82 inhabitants of Digby town on Militia and Volunteer business.

THE SCHOOL LAW.

On motion of the hon. Attorney General the house went into committee and took up the bill to amend and in addition to the School Act of last session, and to satisfy and confirm proceedings thereunder.

[The 14th clause was under consideration when the house adjourned on Friday. Hon. Attorney General had moved the following clause in substitution:—"The Commissioners shall out of the grant for each half of the current year, appropriate, upon the recommendation of the Inspector, such portions of the Provincial Grant as they may deem proper to aid poor sections in providing school houses, and they shall distribute the remainder to such schools as have complied with the law, according to the class of the teacher's license."

Mr. Blanchard moved this addition to the clause:—

"Provided that the commissioners may in their discretion, on the report of the Inspector, give a proportion of the Provincial grant to the teachers of any efficient school kept during any part of the six months ending on the 1st of May next, though such schools may not have been kept under the act of 1864." The discussion that ensued to-day was as to whether the power given above should be in the hands of the Inspector or commissioners of schools.]

Hon. ATTY. GENL. said that he was disposed to think that in all cases the inspector would be inclined to recommend such schools as should get a share of the money, and that to alter the clause, as some gentlemen proposed, would not work so satisfactorily.

Mr. BILL was opposed to giving the power to any inspector in preference to the Commissioners of Schools, who were best able to understand the wants of the country, and knew every part of it. As far as his knowledge went, it was through the inspector that school-houses that had been private property were taken away from the people—that three school-houses were put into one district, and perhaps two or three districts left without any. No doubt it was a matter of surprise to some of his constituents that he should vote against a bill legalizing all the acts of some inspector,

but he did so because he could not conscientiously do otherwise. He could never agree to the proposition that the commissioners should consult the inspector, and be guided by his directions. The commissioners of King's county were composed of the Custos, the Clerk of Peace, the Queen's Attorney, some four or five medical gentlemen, and the Clerk of the Crown, a Doctor of Law, and a number of honest intelligent farmers scattered broadcast through the county—all good men and true. They had no Attorney General or Solicitor General, but they had intelligence and integrity enough, he was convinced, not only to transact the business of King's county, but that of Nova Scotia itself. He had never seen any number of men anywhere better qualified to govern the province than the Commissioners of that county, of which he was proud to acknowledge he stood on the floors of the Legislature one of the representatives. The hon. Provincial Secretary had insinuated that the language of some of the petitions that came from King's, against the school act of last session, was not couched in the terms they ought to have been; but he could tell that hon. gentleman that they emanated from a parent's heart. Was it strange that much indignation should be felt when more than a thousand children that had formerly enjoyed the advantages of schools were now idle? It was only the other day that he received a note from a person entreating the house to do something, for fifty pounds would not pay the damage that had been done by idle boys. The gentleman who wrote the petition to which exception had been taken only expressed the feeling of the people generally; he was a lawyer, and for industry, intelligence, and integrity it would be difficult to find his superior; for some thirty years he had been a successful practitioner in the county where he had been reared—he was eminently a lawyer of the people, and appreciated their sentiments. He would not dwell any further on the subject on which he need hardly tell the house he felt deeply interested, except to say again that to require that the Commissioners should consult some Inspector (supposing, of course, there was such a man) on all occasions was an insult to the intelligence of the country.

Dr. HAMILTON said in respect to the Inspector, that he was born within some eight or ten miles of Mr. Bill, that his father was born on the farm adjoining; that he was educated under the superintendence of Mr. Somerville; that he taught school in various parts of Cornwallis, and from the neighbourhood where he (Dr. H.) resided he was called to take an important position in the Model School at Truro. The gentleman to whom he referred was Mr. Calkin, a gentleman as well qualified in every sense of term to occupy the responsible position of Inspector as any one he knew. If any error had arisen in respect to the school sections it must have proceeded from an error of judgment and nothing else. He also added that Mr. Calkin had the assistance of Mr. G. Barnaby, and the Surveyor, in this matter of laying off the sections.

Mr. BILL trusted that no one would understand him as speaking disrespectfully of a gentleman whom he so highly esteemed as Mr. Calkin. At the annual meeting an immense number of people assembled, and almost every man had a petition in his hand against the

mode in which the districts had been laid off. Even after two days earnest consideration, the Commissioners could not attend to all the petitioners. What he wished to urge was the giving the Commissioners of Schools preference over the Inspectors, in respect to matters of which the former must be supposed to be the best judge.

Hon. PROV. SEC. did not imagine that any person could expect that it was necessary, in order to pass the bill, they should arrive at the conclusion that an inspector or any body else was infallible. He regretted to hear that from his hon. friend (Mr. Bill) that the proceedings of the inspector had not met with general favour in his county. No one could deny that the Board of Commissioners was composed of a very excellent and useful body of men who have exhibited a great deal of pains-taking care on the subject of education, and whose opinions were entitled to the highest respect; although he believed it was the misfortune of the government on one occasion when a matter came as reference from the county in question not to be able to take the same view as the commissioners. This question of school sections was of a most delicate and difficult nature, and if his hon. friend would look at the new bill now on the table he would see that it would be satisfactorily disposed of hereafter. If there had been any want of judgment on the part of the inspector in laying off the sections it could be arranged. The clause under consideration only gave the inspector the right of recommendation as being familiar with the necessities and position of the whole of the sections, and it was left to the commissioners to accept or reject it. The poorer districts were going to receive the most substantial assistance in the shape of school-houses.

Mr. MILLER regretted that the hon. Attorney General had not thought proper to alter the clause since the bill was under consideration on Friday last. He did not think it necessary to make any charge against inspectors as a body, but no one could deny that it was entrusting them with a very great deal of power. The appointment of these officers was of a very delicate character, and it was not surprising that in some instances men were selected who did not possess the confidence of a large body of the people. Since therefore such might be the case would it not be advisable to withdraw from these men the large power given them under the bill, and entrust it to a body who enjoyed the confidence of the people. Where a number of commissioners decided on a matter of this sort, the decision would carry with it much weight. Under this conviction he moved that the words "on the report of the inspector" be struck out, and that power be given to the commissioners to divide, in their own discretion, the money either for the support of schools, or for the building of school-houses in the poorer districts.

Hon. PROV. SECY. said that the clause in question did not give the Inspector the power of disposing of one shilling, but he had only to make a recommendation to the Commissioners, who would either act upon, or reject it, as they might consider most advisable. All that he desired was that the House should take such a course as would be most advantageous to the poorer districts.

Mr. LOCKE did not see why the Commissioners should not be permitted to manage this matter for the short period to which the present bill had application.

Mr. MILLER said that without the recommendation of the Inspector no money could be appropriated; so the power, after all, was in his hands rather than in those of the Commissioners. He urged strongly the necessity of withdrawing so large a power from men who might use it injuriously at times.

Mr. S. CAMPBELL expressed his desire to look favorably upon those who have been teaching school *bona fide* though not acting under the provisions of the law. He would be very sorry if such parties should be excluded from participation in the grant. As regards the clause itself he did not care personally, but, nevertheless, looking at the matter in a broad light, he believed there was good reason why it should be left in the hands of the Commissioners.

Hon. PROV. SEC. reiterated the opinion that the Inspector was the most competent person to deal with the matter in question, inasmuch as he must naturally know what would be agreeable, not only to the community immediately around him, but to the whole county. They were perfectly familiar with the counties in which they were acting.

Mr. ARCHIBALD was in favor of a uniform system, but the few remarks he made were inaudible.

Hon. ATTY. GEN. said that the hon. gentleman had anticipated some remarks he intended to make. Under the law the Inspector would have to make his report of all the schools entitled to the grant. But there was no provision made for a return of schools not acting under the law. It was only by the investigation of some person, that the Commissioners could know anything about these schools. He had no doubt that if the inspector was not allowed to deal with the matter, but the commissioners were to have it all to themselves, one schoolmaster would get a grant on one principle, and another man on another; in fact, there would be no uniform system. He was a favour of considering favourably the claims of those schools that the inspectors could recommend. He thought the government had already yielded a great deal and he did not see any reason for adopting the amendment proposed.

Mr. BLANCHARD in reference to the amendment proposed by him on Friday evening—which was to the effect—that schools actually in operation, although not under the act—should receive aid upon the "report of the inspector," consented that it should be upon the recommendation of the Inspector.

Mr. PARKER expressed himself as decidedly opposed to the power being left in the hands of the Inspector. That officer was of all persons the most unfitted for the position—He thought that if he was left to judge that great difficulty would be experienced in obtaining the proper disposition of the money.

Mr. MILLER's motion to strike out, "upon the recommendation of the Inspector—and to give the power to the Commissioners—was then put and lost by a large majority.

Hon. ATTY. GENL. moved an addition to the sixth clause (which gives the trustees power to borrow money for school purposes), making it apply to cases which have occurred during the

last six months, and enabling trustees to return moneys in cases where a part of the subscribers have paid and the remainder have failed.

After some slight discussion, the policy of the amendment was agreed to, and the Atty. Genl. intimated that he would put the clause into proper shape.

Hon. ATTY. GENL. said difficulties had arisen in some localities, as regards land required for the erection of schoolhouses—persons had refused to sell their land upon any terms; and he would now move a clause authorizing the trustees, under certain restrictions, to take such land for the purposes required. The hon. gentleman read a clause to that effect.

Hon. FIN. SEC. explained that the principle was the same as in cases where the necessities of the public service required that private lands should be taken for roads.

Mr. LEVESCONTE considered that the proposed law was very arbitrary in its character. It enabled trustees to take possession of the pleasure or ornamented grounds of a private gentleman for public purposes.

Hon. ATTY. GEN. and hon. FIN. SEC. replied that although that was possible under the law, it was highly improbable such a course would be pursued. The law required not only that the three trustees must concur, but their proceedings must be sanctioned by the board of commissioners, so that it was most unlikely that the injustice alluded to would be committed.

After a few further remarks the Attorney General said that he would ask that the bill should remain in committee until the next day, as he wished to perfect some of the clauses.

The following bills were then taken up and passed: To incorporate the Cambridge Coal Mining Company, to authorize the appointment of a harbor master at Sydney, to incorporate the Scotia Lodge of Free Masons at Canning, to amend the act to incorporate the Yarmouth bank.

Then the committee adjourned and reported progress.

THE SUPREME COURT.

Mr. S. MACDONNELL introduced a bill to alter the time of holding the courts on the Cape Breton Circuit. The hon. gentleman explained that the object of the bill was to make the spring term of the court terminate at Port Hood and the autumn term at Sydney.

Mr. MILLER could not see any necessity for the change. In his experience, which extended over ten years, there was a larger docket of causes at Arichat than at any other place on that circuit.

Mr. BOURNOUT said he thought it would interfere with the arrangements of the Judges, as regards the route of travel. It would in effect oblige them to retrace their steps, instead of as now taking up the places in their regular course.

The bill was read a first time.

SUPPORT OF THE POOR.

Hon. FINL. SECY. introduced a bill to amend chap. 80 Revised Statutes, of the settlement and support of the Poor, the provisions of which he would explain on the second reading.

RAILWAY COMMITTEE.

Mr. TOBIN reported from the Railway Committee. In reference to a paragraph contained in it, as to the non-erection of a blacksmith

shop and forge at Richmond, which had been recommended in a previous report.

Hon. FINL. SECY. explained that the reason why this had not been done, was because it was considered inexpedient to incur any very large expense at Richmond, while the question remained in doubt as to whether the position of the terminus would not be changed, in view of the proposed Railway extension.

Mr. PARKER strongly urged the necessity for increased station accommodation at Shubenacadie. He also alluded to the unsafe state of railway fences; many of them were prostrate for miles; while others were as useless from want of proper gates.

MISCELLANEOUS.

The FINL. SEC. said he wished shortly to lay the estimates on the table, and he therefore hoped that committees having money claims before them would report without delay.

Mr. C. J. CAMPBELL presented a petition from Alexander McCaskill and a number of others against assessment for schools.

Mr. DONKIN introduced a bill to amend the Jury law.

Mr. S. CAMPBELL recommended that all amendments made this Session in the new edition of the Revised Statutes be embodied in one act, as was done with the last edition.

Then the house adjourned until 3 o'clock next day.

TUESDAY, 21st March, 1865.

The House met at 3 o'clock.

Mr. KING presented four petitions signed by 200 persons, resident in Hants, against Confederation.

Mr. BLANCHARD, a petition for a way office at Port Hood Island.

Mr. BILL, three petitions numerously signed from Western Cornwallis, praying that no immediate action be taken in reference to Confederation.

Mr. ALLISON handed to the Financial Secretary a petition to His Excellency the Lieut. Governor, in reference to a dam.

MABOU HARBOUR.

The Hon. PRO. SEC. laid on the table a report from Mr. Perley on Mabou Harbour.

Mr. S. MCDONNELL said that he imagined there were very few individuals around the benches who were acquainted with the Harbour referred to. If the bar that now obstructed the entrance were removed, a very great boon would be conferred upon that side of the island. The country that surrounded the place in question was a fine agricultural district, one of the best in the island; and if the improvements suggested were made, it would contribute largely to the advancement of the whole country. The expenditure required was large, but the work would fully warrant it.

Mr. BLANCHARD was greatly in hopes that the Mining Companies that are now engaged in opening up Mines in the neighborhood would be very willing to contribute largely to the construction of so desirable a work. If it could be not immediately carried on by the government he trusted that the time would soon come when it would be.

MISCELLANEOUS.

Hon. Mr. SHANNON presented the petition of W. C. Silver and others in Halifax in reference to the license law in the city of Halifax.

Mr. S. SMYTH presented a petition from a number of the inhabitants of Inverness against the Union of the Colonies and the school bill.

Mr. ARCHIBALD asked the government to lay on the table certain information which would enable him to make comparisons between the trade returns of 1863 and 1864.

Hon. PROV. SEC. laid on the table statements explanatory of the financial position of Canada, and a comparison thereof with the position of the other British North American Colonies, issued by the department of the minister of finance, Canada.

Hon. Mr. MCFARLANE, from the committee to whom was referred the petition of James Barron, reported in favor of giving him \$80— which report was received and adopted by the house.

BEAR RIVER BRIDGE.

Mr. ARCHIBALD presented a petition very numerously signed by inhabitants of Bear River, praying the House not to take any further steps towards the completion of a bridge on the ground that it was an obstruction to the navigation of that river. The hon. gentleman, in doing so, stated that it was not often the inhabitants of any place combined to so large an extent to prevent the expenditure of a large sum of public money, and that they did so in the present case showed that they must have strong reasons for the course they had taken. He knew nothing about the locality in question, but he felt that the House had a right to attach no inconsiderable weight to the statements of a petition that was so largely signed. If it were true that the bridge was an obstruction to the trade and shipbuilding at the place in question, that its importance as a harbour of refuge were injured, then the prayer of the petitioners was deserving of most serious consideration.

Mr. STEWART CAMPBELL said that parties who resided on this river which was navigable were entitled to its free and uninterrupted intercourse. In his opinion the erection of the bridge had been premature; it was a nuisance which parties affected by it could abate if they pleased. It might be said that it was proposed to have a draw constructed on the river, but that did not meet the difficulty without legislation, for the people on it were entitled to its entire use. Therefore until legislation took place, doing away with the common-law rights which these parties possessed, the erection was illegal.

Mr. LONGLEY regretted that his hon. colleague was not present, as he was more intimately acquainted with the subject than himself, but he would state for the information of the house that the bridge was not only an advantage to one, but two or three counties. He believed it saved some seven or eight miles on one of the most hilly roads in the province. Persons had been detained at the ferry for hours, and at times passed over at the hazard of their lives. He was of opinion that the majority of the people were in favour of the bridge and that it did not interfere to any serious extent with the rights or interests of individuals.

Hon. ATTY. GEN. said that the subject of building the bridge had been before the house for twenty years. It was urged as a great public necessity to the travelling public in the

west, and not with reference to the convenience of some few individuals in Digby or Annapolis. He had himself been detained for some hours at the ferry, and knew the bridge was most desirable. Although every attention should be given to the feelings of individuals whose convenience might to some extent be impaired, yet he thought the interests of the general public should be first considered. The same objection that had been raised in the present instance could be urged with reference to the bridge at New Glasgow, where a far larger number of vessels were built. He was inclined to doubt if the availability of the place as a harbor of refuge had been destroyed. He thought there might be some want of legislation in the matter as the hon. member for Guysborough had intimated, but he took it for granted that if the work was finished, a bill could be introduced into either branch of the legislature, in order to prevent persons destroying public property in the shape of the bridge. He referred to the case of the Thames, where the bridges were very frequent, and ended by expressing his belief that the draw that was contemplated would be sufficient for all the requirements of the petitioners.

Mr. BLANCHARD said that the question to consider was, whether the government ought to invade the rights of private individuals? He contended that the parties had rights which could not be set aside, without the constitutional and legal course having been taken. The New Glasgow bridge had been built long before a ship was built above it; but the petitioners declared the erection of the bridge at Bear River was positively injurious to the interests that now existed. They had a perfect right to the free navigation of the river. He knew an instance of a bridge having been built across the Bras d'Or and an individual came and destroyed it, and it was never rebuilt.

Hon. Mr. MCFARLANE considered that a draw in the bridge would answer all the requirements of the people, and alluded to the fact that there were numerous instances all over the face of the province where bridges actually crossed even the mouth. He considered that private rights should give way to the public interests. He remembered how strenuously the erection of the present undertaking had been pressed upon the consideration of the house and government for years. This was the first time that these petitioners had come forward in opposition to the work; and he was curious to know why they did not express their sentiments at the time it was about being constructed, and before any large expenditure of public money had been incurred.

Mr. ARCHIBALD said that it was urged the entire property owned by the people was rendered valueless to a large extent. If there was so large an opposition to the erection of the bridge, — if the people at the spot showed that they were injured, ought not the House to pause before proceeding further. It was the duty of the government, under existing circumstances, to find out how far the statements of the petitioners were correct, and be governed accordingly.

Mr. MILLER was not at all surprized at the discussion, for he looked upon it as a result of the policy of last session. The House had be-

fore it the question of a great public work, and in order to carry it, it was necessary to subsidize the western counties to an enormous extent. He was not surprised that the only gentleman in the house who appeared to take any interest in the work in question, and tried to justify it, was the hon. Railway Commissioner, and even he "damned it with faint praise," and was desirous of throwing the responsibility upon his hon. colleague. If the undertaking was of such great importance why did not the western members come up and try to justify the expenditure? The hon. members for Guysboro and Inverness had placed the question in its true light, when they said that any person whose rights have been interfered with by the obstruction caused to the navigation of the river, would be justified in removing it. Had the money for this erection, which appeared to cause such great dissatisfaction, been expended in the St. Peter's Canal, he was sure no complaints would have arisen.

Mr. LONGLEY said what the hon. member for Colchester passed over, the hon. member for Richmond took up. Nothing but the strong claims that the undertaking had upon the western members had secured the grant for its construction. He was not aware of any inducement to vote for that great public work the Pictou Railway, and he never saw a moment when he was not prepared to justify it on its own merits.

Mr. ARCHIBALD suggested that the hon. gentleman might have been influenced by the government in power in his conduct respecting the railway.

Mr. LONGLEY—There might be something in that; but at all events he had voted for the work on its own merits. He thought it was only a minority that was at the head of the present movement, and that a very large majority were in favor of the erection. He was not aware of any damage or injury that had been caused to the petitioners. In looking at the petition he found that it contained only 253 names of persons who, as he conceived, had any right to express any opinion. Persons living over at Granville might feel an interest in the harbor, but they were far removed from deriving any inconvenience from the bridge.—He was quite sure that 1000 names might have been got in the same very populous district in favor of the bridge, within forty-eight hours.—He was convinced the expenditure was a most judicious one.

Mr. MILLER thought the hon. member, in his reference to the Pictou Railway, had been rather unfortunate. Was it his principle to oppose a measure, however good and desirable, because it was introduced by a Government in whom he had no confidence. Such a principle would not commend itself to the good sense of the House or of the country. But there might be other reasons which influenced the hon. gentleman in his course. Perhaps, viewing matters from a different standpoint, from a Railway Commissioner's office, his principles and opinions had been considerably modified. Some arguments were more convincing than any that were heard on the floors of the House.

Hon. FIN. SEC. said that no doubt the petition presented to the House would receive the most serious consideration of the Government. As asserted by the hon. Attorney General, the subject of a bridge across the Bear River had

been a subject of agitation for years in the House. At the last session of the Legislature, the members of the Counties specially interested united in asking for the grant, and after it had been allowed, notices were issued for material for the bridge. Then was the time for these parties, if they thought they were going to be injured, to apply to the Government to stop the construction of the undertaking. As they had not done so, he thought that their observations at this moment were entitled to less consideration than they would be otherwise entitled to. He hoped that the petitioners would not proceed recklessly to destroy the bridge, after the remarks that had been made by some gentlemen that day. He thought the case of hardship must be very strong indeed that could justify any set of men in a decision as to the legality or propriety of a public undertaking. Looking at the petition, he did not consider that the parties made out any case. Neither shipbuilding nor trade was interfered with, inasmuch as a draw afforded all the accommodation required. The only ground for a grievance was that the bridge destroyed the harbor, and even that was disputed. It would be found, he believed, on investigation, that no injustice had been done to the community, and that the bridge was necessary to the Western Counties.

Mr. ARCHIBALD said that he held in his hand a petition signed by 153 people, against the erection of the bridge which was presented last session. So it would be seen that at the first opportunity they had, they availed themselves of the right of expressing their opinions by petition. The hon. Financial Secretary must admit that any obstruction that impeded the free navigation of the river, without the authority of law, was a nuisance that any private individual has a right to abate. He had always understood that the hon. member for Annapolis was against Governments constructing railways at all; but he could understand that that hon. gentleman might now view things from a different stand point; he had five or six hundred reasons for thinking differently. At all events, he did not think it right for any gentleman to support or oppose a measure of public importance only with reference to the party that was in power.

Mr. LONGLEY replied that he would have scarcely thought it worth his while refuting the remarks that had been first made respecting the railway if they had not been repeated by gentlemen. He had not said that he would have voted for the railway had another government been in power. He meant that his views might have been modified if there had been a better government in power, but he had never asserted that he had voted for the work because his own friends were in office. When the hon. member for Richmond made the statement he had, he thought it scarcely worth considering for he imagined it was merely spoken in a spirit of banter.

Mr. MILLER said that he thought the house had been told more than once that "Rum and Railways were the curse of Nova Scotia;" that was the hon. member's song for years; now he admitted that his views in respect to railways had undergone change, and it had been even stated that he had also undergone a transformation in respect to the former. Substantial reasons might exist for the course of the hon. gentlemen and it was unnecessary, doubt-

less, to mention them to the house. It was well known that it required considerable inducement to get the support of the hon. member for the Pictou Railway, and that certain views he held on that and other questions had been rapidly modified. The position of Chief Railway Commissioner—or as the hon. member for Colchester had said, five or six hundred reasons had something to do with the hon. gentleman's course. It would be as well for him at times to remember that there was no gentleman in the house that occupied a more equivocal position than himself, and that he should be humble accordingly.

Mr. LEVESCONTE asked the Government to lay on the table the petitions that were presented in favor of the Bear River bridge. He did so, because he wished the house to justify his course as Financial Secretary and member of the Government in reference to this undertaking.

Hon. ATT. GEN. referred to the action of the Opposition in 1859, in reference to the Pictou Railway. In that year Mr. Wilkins brought in a resolution in favor of the work, and the Government moved an amendment to defer it until the finances of the country warranted its construction. Then a resolution was introduced by Mr. Chambers, in which it was stated that "in the opinion of the House the road should be extended to Pictou with the least possible delay, as soon as the management of our public affairs passed into other hands, and the work could be economically and efficiently conducted." So it would be seen that, in the opinion of Mr. Archibald and his friends, the construction of the railway was a question intimately connected with the party that might be in power. The hon. gentleman should have remembered this when he referred to the hon. member for Annapolis.

He (the Attorney General) could easily imagine how many of these persons who signed this petition, censuring the government now that they had got the money, would have been equally ready to have signed another, blaming the government, if they had not granted it.

The advantages of this work had been advocated not only by the friends of this government, but by those of the late as well. Looking at it therefore in all its bearings, he was not disposed to look upon the petition as reflecting the sentiments of the majority of the inhabitants.

Mr. KILLAM said that the question of the Bear River bridge had been long talked about, and there was no doubt the want of it had obstructed travel to the westward to a great extent. Inconvenience had been felt in that way, and inconvenience would result to some after it was constructed—the question was whether the advantages did not overbalance the disadvantages. There was no doubt that the bridge should be built with the most improved draw, so as to allow the passage of vessels.

Mr. ARCHIBALD would remind the Attorney General that the work was being carried on without the sanction of law. There was no law on the statute-book to authorize its construction. He could assure that hon. gentleman that he was entirely mistaken in supposing that in presenting this petition he was casting any censure upon the government. He thought there was enough upon the face of it to warrant them in pausing until they had investigated the facts

Mr. WHITMAN, (who was indistinctly heard,) was understood to say that many of the names signed to the petition were of those interested in vessels, and others who were influenced by the idea that if the bridge was built the price of exports would be reduced, and that obstruction would be offered to vessels coming in to trade. He would explain that it was intended to have a draw forty feet wide, which would be amply sufficient to admit all vessels built there, and it was proposed to admit them free of charge. The harbor would not be injured, as stated in the petition, and if he had known this discussion would have been brought up he would have been prepared with a certificate from a number of ship-masters to that effect. This work had been petitioned for for the last 15 years, and any one who had travelled over the road would understand the advantages to be derived from it—forming as it did the connecting link in the route between Halifax and Yarmouth.

Hon. Mr. SHANNON said this was just like many other cases where people sign their names against a thing which they afterwards approve of, and he had no doubt after this work was completed the very people who now petitioned against it would be loudest in its favor. Just as upon the great question of Confederation many persons had petitioned against it thinking it was going to injure them; but he was confident that when the great work was accomplished they would be satisfied with it.

Mr. McLELAN said that the number of petitioners against this bridge had increased three fold since last year, and he had no doubt that before next year the petitioners against Confederation would increase in the same ratio. There was another matter which had grown out of this question to which he would like to draw the attention of the government. Enormous sums of money were spent from time to time upon the bridges of the country and after a very few years they fell into decay. In his own county some £700 had been spent on a bridge which only lasted six years. He would like to invite the attention of the house to an improvement in their construction, which had been successfully tried in the district in which he resided. It was to have the lower stringers of iron instead of wood. This was a great improvement, and rendered them much more durable. He would suggest to the government that they should import from England iron manufactured for the purpose in a certain way so as to be ready to be linked together.

Mr. CHURCHILL said that the subject was one of great importance. He did not approve of the combination of iron and wood, but he thought if the bridges were covered they would last much longer.

Mr. BLACKWOOD approved of the suggestion of the member for the North Riding of Colchester. There was no doubt it would be a very great improvement over the present mode of construction, and he thought a special committee should be appointed to report upon this subject.

Hon. PRO. SEC. said that the subject was well worthy of the attention of a committee of the house. He had the pleasure of seeing a bridge near the Acadian iron mines constructed in the manner alluded to by the member for Colchester, and he believed it tended largely to reduce the cost of construction and the expense of maintenance. He would recommend

that a special committee be appointed to consider the subject.

The following gentlemen were named as the committee:—Messrs. McLelan, Killam, McFarlane, D. Fraser, and Ross.

MISCELLANEOUS.

Mr. LONGLEY moved that the bill to establish an asylum for inebriates be referred to a special committee, and in doing so he would remark that since its introduction he had ascertained that in the Washington Home Institution 251 had been admitted during the last year, and of these 150 had been reclaimed and restored to society. He believed that the institution could be started at a small expense, and he was glad to find that the subject had been favorably entertained by the press.

Mr. MILLER enquired whether the bill contained any clause relating to the guardianship of the property of inebriates.

Mr. LONGLEY believed it did.

After a few further remarks the bill was referred to a special committee consisting of Messrs. Longley, Miller, Hamilton, Archibald, Brown, Tobin, and LeVesconte.

Hon. Mr. SHANNON, from committee on private bills, reported the following:—To authorize the trustees of the Baptist church at Yarmouth to sell lands: to incorporate the Cape Breton coal mining company; to add an electoral district in Halifax county.

Mr. ARCHIBALD asked the government to lay upon the table all the information in their possession as to the proposed cost of the railroad from Truro to Pictou.

The house resolved itself into committee on bills and resumed the consideration of the school bill.

Hon. ATTY. GEN. slightly amended the sixth clause at the instance of the member for Yarmouth. The time over which the assessment was to be levied was limited to five years. He then read the clauses which he proposed to add, and which were discussed on a previous day—giving the trustees power in cases where persons refused to dispose of their lands for the erection of school houses, to take possession of them under certain guards and restrictions.

After some discussion the clause was lost upon division.

An amendment was made to the 14th clause, which is the one ratifying the proceedings of meetings informally held—providing that it shall only apply to cases where schools have been established and put in operation. An amendment of Mr. Blanchard that the section should not apply to non-residents in the district, was also adopted.

Hon. FRN. SEC. moved a clause to the effect, that where school houses have been built by a few persons originally, the trustees before obtaining possession of them must reimburse the original owners.

After some little discussion the consideration of the clause was left over and the remaining clauses passed with the understanding that any gentleman could move to reconsider them on the next day.

Then the committee adjourned and reported progress.

Hon. PRO. SEC. gave notice that, for the purpose of expediting the business of the house, it would meet in future every evening, except Wednesdays and Saturdays.

Then the house adjourned until 3 o'clock the next day.

WEDNESDAY, March 22nd.

The house met at 3 o'clock.

Mr. LOCKE presented a petition from a mail courier in Shelburne asking for a change of mail route.

A message was received from the Legislative Council stating that they had agreed to a bill to incorporate the Acadia Boot and Shoe Manufacturing Company, and to the bill to incorporate Miré Bay Harbour Company, and had passed a bill to change the names of William Henry, Dorcas, and Frances Ann Henderson.

Hon. FRN. SEC. laid on the table a petition from J. F. Phelan, B. Wier, and others, asking for aid towards the Boston and Colonial Steamship line, plying between Halifax, Boston, and Charlottetown. Also the petition of James King, B. Wier, and others asking for aid towards a steamer between Liverpool and Arichat, &c.

RIVER FISHERIES.

Mr. DONKIN asked the government whether they had taken any action on the report last session of the committee in reference to the River Fisheries and obtained information in respect to fish ladders.

Hon. PROV. SEC. replied that the subject had been under the consideration of the government, and having made enquiries, they found that Colonel Laurie had brought out a drawing of a fish ladder, in reference to which an expression of opinion was sought from a society which exists here for the purpose of protecting the river fisheries. He had now a model in his office of this ladder which he would present to the house shortly, and which, he believed, would work admirably.

UNION OF THE COLONIES.

Hon. PRO. SEC. laid on the table a report on the deep sea and coast fisheries of Ireland.

Also the following resolution which would be moved at a future day:—

“Whereas under existing circumstances an immediate Union of the British American Colonies has become impracticable, and whereas a legislative Union of the Maritime Provinces is desirable whether the larger Union be accomplished or not:

“Therefore Resolved, That in the opinion of the House the negotiations for the Union of Nova Scotia, New Brunswick, and P. E. Island should be renewed in accordance with the resolution introduced at the last Session of the Legislature.”

CITY BILL.

Mr. PRYOR introduced a bill entitled an act to enable the City of Halifax to purchase real estate. In answer to an enquiry from Mr. Tobin he stated that the City had determined to buy property belonging to the estate of the late Hon. W. Black, where they keep the office of the water works.

Mr. TOBIN said he did not think the City of Halifax wanted a very large office to transact business in connection with the water works. It was about time to look carefully after such expenditures. No doubt there was a very intelligent and influential body of men in the City of Council, but sometimes they might be acted upon by their constituents. There was already a bill before the House to borrow a certain sum of money to pay off some debt; in fact, it was only substituting one debt for another. He found the debt was extending

faster than the city itself. The taxes were already very high, and increasing every day. In fact, it was becoming very expensive to live in the city of Halifax. The hon. gentleman concluded by showing the insufficiency of the sum allotted to departmental officers of the government to live in a city where the cost of living was so dear.

Mr. PRYOR suggested the propriety of allowing the bill to go to Committee where the parties interested in it could give reasons for its introduction.

Mr. C. J. CAMPBELL presented a petition from 116 inhabitants of Little Crossing, Victoria, against Confederation and the school bill.

THE SCHOOL LAW.

The house then went into committee and passed the bill to amend and in addition to the school law of last session, and to ratify and confirm proceedings thereunder, the amendment proposed by hon. James McDonald on a previous day not having been pressed.

THE LICENSE LAW.

The bill to amend Chap. 19 R. S. of Licenses for the sale of Intoxicating Liquors was then taken up.

Mr. BLANCHARD stated in reference to the first clause that the statute of 1863 defined the amount of penalties to be imposed upon parties for breach of the license law, for the first offence \$10, for the second \$20, for the third, \$40, &c. The present bill in place of that gave the power to the magistrates in their own discretion not to impose a fine less than \$10 and not more than \$50 for each offence.

Mr. ARCHIBALD doubted the policy of altering the present law in the way proposed, unless there could be good reason shown for it.

Hon. ATTY. GEN. pointed out the difficulties that prevented the satisfactory working of the present law. He was in favor of the policy of allowing the magistrates to impose the fine according to the circumstances of the case. He approved of it because there were cases where one man ought to be fined \$10 and another twice as much. The clerk of the license, under the law, was the person who selected the two magistrates to act, and it was most probable that the selection would be in the interests of the law.

Mr. TOBIN said that it would be well if gentlemen read the bill as a whole before attacking it in detail. The law on the statute book had been found so arbitrary that it had defeated itself, and he had himself presented a petition for the purpose of amending it. It was sent from Tangier and was very numerously signed. It complained that places for the sale of intoxicating liquor had sprung up in all directions, and it was well known to most gentlemen in the house that this was a fact. Several magistrates, not only of this, but of adjoining counties, had said that there was no possibility of getting convictions under it—no one would inform—it was so severe. Under these circumstances he got leave from the house to introduce a bill on the subject, and had it referred to a committee, to which the hon. member for Annapolis who always took a deep interest in the question belonged. That hon. gentleman himself confessed that the law to a certain extent defeated its object. There was a clause in the bill which provided that any officer with the authority of a magistrate between sunset and sunrise could enter into

any suspected house and there search, and bring the parties to justice if they had violated the law. He was informed on very good authority that the practice of not granting licenses had done a vast amount of injury to the country, and that it was by far the wisest policy to give a license, not to many houses, but to some respectable individual. If gentlemen would read the bill they would see that it was consistent in all its clauses. In granted licenses within any gold district. He believed that the law had failed also in respect to such places. There were at this moment licensed houses, and a large number without any license, selling liquor, within the limits of a proclaimed gold district.

Mr. ROSS said that his great objection to leaving the matter to the magistrates was that in some parts of the country you find magistrates themselves selling liquor without license, and even the members of the house of Assembly.

Mr. LONGLEY was of opinion that any person who would take the pains of examining the license law would see that it was founded upon the supposition that the people themselves were anxious to put down the sale of intoxicating liquors, and providing that assumption was correct the amended law of 1863 was fully adapted to effect the purpose. It must depend upon the sentiment of the people themselves if it was to be effectual. He must say that whilst some part of the bill introduced by the hon. member of Halifax commended itself to his judgment, he thought its passage would not improve the existing law, for just as you put in a little clause here and there you ran the risk of making the statute inconsistent and confessed throughout. There was nothing to prevent any polling district saying whether there should or should not be liquor sold within its limits. The present law from which so much was hoped had failed to some extent to effect the object in view because it was left to the sentiment and determination of the people to carry it out. He believed that all legislation that stopped short of prohibition was unsound. The hon. member for Inverness had stated that the law was improved in the first clause. He was of opinion, however, himself that the clause of the law of 1863, which gave a graduated scale of fines, was preferable to leaving the matter in the discretion of the magistrates. The penalties had been fixed in the act of 1863 in consequence of the representation of those who had large experience in the matter. The man who violated the law three or four times was certainly entitled to a heavier penalty than one who had offended but once.

Mr. BLANCHARD said he had rendered to the hon. member for Annapolis all the assistance in his power when the License Law was passed in a previous session of the House. His experience, however, of the working of the act had proved to him that it required some amendment in certain particulars. He then went on to point out several instances which had been brought to his knowledge in his legal practice of the unsatisfactory manner in which the present law worked. The same difficulties, however, he believed, would not arise now under the new bill because a person convicted of selling without a license would have to be fined a certain sum for each offence.

It was not always wise to leave matters in the discretion of the magistrates, but in the present instance he thought it advisable.

Mr. STEWART CAMPBELL, in allusion to a dispute that arose between Mr. Blanchard and other legal gentlemen, as to the decision of the Judges in respect to some appeal in a license case, said that what had transpired that day ought to be a strong hint to the government to provide some means for reviving the reporting of the decisions of the Supreme Court; that was a matter in which not only legal gentlemen, but magistrates and the whole country were interested.

Mr. ARCHIBALD said as the law now stood, the matter of fines was not left in the discretion of the magistrates. The moment the offence was perpetrated the punishment followed; but if the present bill was passed, he could see that the object in view would not be subserved. Suppose the Clerk of License was a great temperance man, and was desirous of enforcing the law, he would naturally go to the most extreme temperance magistrate, and the result would be that the offender would be fined to the utmost extent. Suppose, on the other hand, that the clerk of license happened to be of different feelings—was of opinion that the law was too strict, he would go to a magistrate of the same sentiments as himself, and the guilty party would be leniently treated. So it would seem that two offences of a similar character would be treated in the one case as highly penal, and in the other as of very slight importance. Was it right that an offence which was punished in Hants by a fine of \$10 should be estimated at \$50 in Colchester? Yet such was the natural consequences of the present bill. There was much force in the observations made by the hon. member for Inverness and the hon. Attorney General, but the discussion that had taken place that day would remove the difficulties that had occurred as to the meaning of the law to a large extent. The moment it was understood after the present discussion that whenever an offender was punished by a conviction that atoned for all the past offences, no magistrate could bring an action in reference to a case which had occurred previously to the one in which punishment had followed. He was of opinion that the men who were sent to the Legislature to make laws should be the persons to award the punishment, and he was of opinion that the less discretion there was left to the mere executors of the law the better. It was not right to give such discretion to those who might themselves be violators of the law, or who might look upon the offence as of a very unimportant character. He expressed his surprize at the fact that a clause was introduced into the act by which the issue of licenses in a gold district would be permitted. As the law now stood, if the majority of the inhabitants were in favor of issuing licenses, they could do so; but it was stated by the hon. member for Halifax, that there were cases at this moment in the limits of the gold district of parties selling under licenses. They were just as much violators of the law as if they were without any licenses at all. The policy of the house had been to keep away from temptation bodies of men who were separated from their families and were without the ordinary means of enjoyment. The hon. gentleman went on to argue

against the amendment proposed, and concluded by saying, that he did not deny that the probability was, our existing law went in the direction of too great stringency, and whilst he was disposed to concede any amendment that was desirable, he was not prepared to put it in the power of a magistrate to give his decision according to his opinions on the subject of temperance.

Mr. TOBIN said that he was not wedded to any particular clause in the bill, but an influential magistrate in the county of Hauts had called his attention to the present state of the law, and had stated that the law now on the statute book defeated itself, and was not nearly as effective as the old law. As to the clause referring to the granting of licenses in gold districts, he would say that there was a petition on the table signed by two Justices, a number of proprietors of gold mines at Tangier, and other respectable persons in the outlying districts, praying that one tavern be licensed in the district. There must be some necessity for it; and it seemed to be the proper mode to have some one person licensed who would be responsible; instead of as at present, where many were in the habit of selling, and none were responsible to the proper authorities for the manner in which their houses were kept. He thought the provisions of this bill met the difficulty. It had received the approval of the members of the committee to whom it was referred, who were better qualified to pass an opinion upon it than he was, and he trusted that it would receive the attention of the house.

Mr. PARKER regretted that the member for Halifax had revived this question of granting licenses in Gold districts, when it had been settled, and wisely settled as he thought, before. If one tavern was licensed the evil would not stop there—others would be supplied from it, and he knew of an instance in point. The German Gold Companies, which were doing the largest amount of business in the province, had adopted a very wise system of discharging every man from their employ who used intoxicating liquors. He thought, therefore, that the law in that respect should remain as it was,—and as to the other part which referred to fines, in his opinion it would be far better to make them specific, and not leave them discretionary with the Magistrates.

Mr. MCLELLAN said that about as much time had been occupied in the discussion of this question, since he had been in the house, as had been given to any other subject that had engaged its attention. He was in hopes that when the sliding scale of fines, which is now the law, was adopted that the matter would have rested there, but it appeared that difficulties had arisen in carrying out the law, and it was now proposed to leave the matter of fines in the discretion of the Magistrates. He thought this was unwise because in addition to the possibility of their sympathies going with the offender and inducing them to impose the lowest fine, they were influenced by the fear of incurring his displeasure if they imposed a heavy fine, and of suffering either in their persons or property. It appeared to him that if the old law did not work, it would be better to adopt a specific fine, say of \$20 or \$25.

Mr. HILL agreed with the hon. member who had just spoken. It would be much better to fix some certain sum, so that the magistrates would know how to act.

Dr. HAMILTON said that he understood that there were only two points involved in the present bill. One had arisen in consequence of the opinion of the judges that the law required some change in regard to the imposition of fines—the other related to the granting of licenses for the sale of liquors in gold districts; the latter point, he thought, was more peculiarly within the province of the government. His own opinions upon the propriety of licensing the sale of intoxicating liquors were rather peculiar. He very much questioned the policy of licensing the sale at all, after once legalizing the importation into the country, but would rather leave it to every person to use them as he felt inclined. He would not, however, discuss that question further at present. As regards the point under discussion he was opposed to leaving the question of fines optional with the magistrates, for the reasons so forcibly put by the member for South Colchester, (Mr. Archibald). He thought it would be much better to make them specific, and he would, therefore, propose that the fine be \$25 in every case and two months imprisonment.

Mr. LONGLEY had not much to say against that proposition, although he had always been led to believe that where the offence had been repeated the punishment should be increased.

Mr. ARCHIBALD said that the hon. gentleman was theoretically correct, but it was found difficult in practice to graduate a scale of punishment. Where a party has been fined two or three times, the magistrate, in fining him for the third time, according to the sliding scale, virtually decides that the first punishment was correct; but suppose, in case of an appeal, the first fining is quashed, the subsequent ones fall with it. The object should be, not to impose so large a fine as to render it impossible to have it enforced, and he thought that a fine of about \$20 for every offence would answer every purpose.

Mr. McLELAN then moved, instead of the first clause of the bill, that the penalty be \$20 for each offence.

Dr. HAMILTON moved that it be \$25.

Mr. STEWART CAMPBELL said that gentlemen should consider the effect of interfering with existing laws. They were going to impose a less penalty for an actual infraction of the law than the present law now imposed upon a licensed liquor seller who kept a disorderly house. He was liable to be fined \$40, for not carrying out the requirements of the license, and yet a less penalty was proposed for an actual violator of the law.

Dr. HAMILTON thought that a person who kept a disorderly house deserved to be fined \$40. It appeared to him that there was a material distinction between the two cases.

Mr. PRYOR said there was also another difference. In the case alluded to, the law said the party should not be fined more than \$40—leaving it discretionary with the magistrate to reduce the fine according to the circumstances of the case. Here it was proposed to establish a certain fine which could not be varied.

Hon. ATT. GEN. said that the policy of all penal statutes was to give a certain amount of discretionary power to those who administered the law, so as to enable them to graduate the punishment according to the circumstances of the case. It was the case with the Judges of the Supreme Court. In some instances a Judge in one County would sentence a prisoner to

nine months in the Penitentiary for a certain offence, while another Judge in a different County would punish the offender with two years for the same offence.

Penalties were imposed more for the purpose of preventing the violation of the law than the individual punishment of the offender. He did not approve of stereotyped penalties, and he thought it would be far better to repose a discretionary power in the magistrates.

Mr. ARCHIBALD said he did not think the illustration of the hon. Atty. Gen., drawn from the practice of the supreme court, was a happy one. The judges themselves felt that the system was not a proper one, and he was aware that they had held several consultations with a view to equalize the scale of punishments.

As to the case put by the member for Guysboro, of a person having a license being fined for keeping a disorderly house, he thought that was a case above all others that called for severe punishment—for he was an officer of the law, having confidence reposed in him, and if he violated that, he should suffer more severely than the man who never came within the provisions of the law. If the penalty was fixed and specific, the magistrate would be relieved from an unpleasant responsibility. He would simply have to carry out the provisions of the law, and could give offence to none. He (Mr. A.) was in favor of fixing the penalty at about \$20, as if it was made much higher, it would be impossible to carry it out.

Mr. STEWART CAMPBELL illustrated the injustice that would be perpetrated by adopting a fixed penalty, by a case which actually occurred—of a person who was not in the habit of violating the license law, but who was applied to and sold a bottle of wine for the use of a sick person; an enemy of his informed the Clerk of License of the fact, and he was brought up for a breach of the license law. Now how would this proposed law work in a case of that kind. If there was no discretionary power in the hands of the magistrates to deal with every case according to the circumstances, that man would have to pay the full penalty. This ought to convince any one of the advisability of leaving the law as it is.

Mr. LONGLEY did not think the proposed changes would improve the existing law.

Mr. STEWART CAMPBELL proposed that in case of a violation of the license law it should be competent for the magistrates to impose a penalty of not less than \$4 and not more than \$30.

Mr. TOBIN objected to it.

Hon. ATT. GEN. argued that the system of having one fixed fine for all offenders, no matter what their condition might be, was wrong in principle, and exceedingly unjust in its application. The bill as reported by the committee was to his mind a wise one, and the most likely to be successfully carried out.

Mr. McLELAN said that in nine cases out of ten the rich man escaped with less fine than the poor man.

Mr. ARCHIBALD again urged the advisability of relieving the magistrates from the responsibility of fixing the amount of penalty, and thus incurring the enmity of the party fined.

Mr. S. CAMPBELL repelled the insinuation that the magistrates generally were influenced in their decisions by fear of incurring the displeasure of the offender. If there were any such, the Government should strike them off the list.

Upon division, Mr. S. Campbell's amendment was lost; as also Mr. McLelan's, fixing the fine at \$20—the first clause of the bill as originally introduced, then passed. On the reading of the second clause, which relates to the mode of enforcing the penalties prescribed—the hon. Atty. General and Mr. Archibald expressed their opinion that the machinery was defective, and suggested that the bill should remain in committee, so as to give time to make it more perfect.

After some slight discussion, Mr. Tobin consented, and the Committee adjourned and reported progress.

The Education Bill was made the order of the day for Thursday.

Mr. Kaulback was substituted for Dr. Slocomb (who was absent from illness) on the committee on Mines and Minerals.

Hon. Atty. Gen., by command, laid on the table a letter addressed to the Secretary of State for War, by Col. Jervois, upon the defences of Canada—which was referred to the Committee on Militia.

Then the house adjourned until 3 o'clock the next day.

THURSDAY, March 23.

House met at 3 P. M.

STATUTE LABOR.

Mr. ALLISON moved the second reading of the bill to amend chap. 62 R. S. of "Highway Labor." He stated that last session he had differed from his colleagues as respects exempting Queen's county from the operation of the act. He was of opinion then, as now, that the people were not anxious for the exemption, and that he was right, the resolution which he held in his hand proved. It was moved at the court of sessions last January, and passed by a large majority. It gave, as the opinion of the sessions, that Queen's county should not be exempted, and that the legislature should be asked to place it under the operation of the law. Under these circumstances, he trusted that the house would pass the bill before them. In doing so, they would only be acting in accordance with the feeling of the people of Queens.

Mr. COWIE was of opinion that a large majority of the people of the southern district—whatever might be the case in the northern district—were opposed to any such alteration as was proposed.

The bill was read a second time, and referred to the Committee on the amendment of the laws.

FISH LADDERS.

Hon. PROV. SEC. laid on the table a copy of a letter from Capt. Charnley, in reference to a model of a fish ladder, which he also presented to the house.

RAILWAY EXTENSION.

Hon. PROV. SECY. laid on the table a copy of a letter addressed by the Provincial Secretary to Mr. Brydges, Dec. 2, 1862, in addition to the correspondence that had been previously presented. The hon. gentleman took occasion to state that the letter had been asked for in the other end of the building, and attention had been called to the fact that the correspondence as presented upon the subject of railways, appeared to be incomplete. He mentioned that the reason why the correspondence was presented in the shape it was arose from the fact that a great deal of personal communication had taken place in relation to the subject-mat-

ter, and that some letters addressed to him had been marked "private." He had, however, submitted everything that he considered was necessary in order to afford the legislature a means of arriving at a full and explicit understanding of the question to which the printed correspondence referred.

Mr. ARCHIBALD was understood to refer to the necessity of having every information before the house touching so important and delicate a matter.

Mr. KILLAM expressed the opinion that, in view of the importance of the railway correspondence, it would be advisable to have it referred to a special committee, for the purpose of reporting to the House in regard to the proposals made to the government. In that way he was convinced the house would be better enabled to arrive at a proper understanding of the whole subject.

Mr. TOBIN said, if he understood aright the opinions of the hon. member, he considered that inasmuch as the Province owned all the railways that have so far been constructed, it was not advisable now to depart from the same policy. Before these proposals were agreed to, no doubt it was only right that the question of our future policy should be fully considered, and a decision arrived at as to whether it was better that the company should construct the proposed line of railway, or that the Province should continue the policy it had pursued in the past.

Hon. PROV. SEC. was much astonished to hear the nature of the motion that had been proposed by the hon. member for Yarmouth.—It was the last proposal which he could have expected from that hon. gentleman, for it was calculated to defeat the object which he had in view. The government had laid on the table all the correspondence on the subject of Railway Extension and had followed it up with a resolution which they intended moving at a future day, for the purpose of bringing the whole question under the review of the House. If the resolution of the hon. member was adopted it would have the effect of introducing between the government and the Legislature a Committee whose action would to a large extent relieve the former from the responsibility that justly devolved upon them in reference to a question of such importance. If there was a member of the house who was opposed to a course of that kind, it must be the hon. gentlemen himself. The true constitutional course was to have the matter fully debated before the house—that was the committee to which it ought to be referred.

Mr. KILLAM said that he had no thought in suggesting the resolution he had, that it would be an infringement of the rules of the house.—The correspondence had been laid on the table and become the property of the Legislature, which could deal with it in that manner which it was considered would best promote the interests of the country. It might be better for a disinterested Committee to take up the question in order that such information might be arrived at which could not be obtained so easily if gentlemen took it up and examined it separately. It had been hinted that it was his opinion that the government should continue the policy which they had agreed upon at the last session of the Legislature. At that time the leader of the government, the Provincial Secretary, and their supporters said that although

they had been decidedly opposed in the past to the construction of railways by government, yet since it had become the fixed policy of the country, they would continue it. If that policy was pursued in reference to the Pictou road, there was much stronger reason for carrying it out in respect to the extension of the main Trunk line to New Brunswick. The correspondence that was laid on the table showed that some parties representing the International contract company made certain proposals, and these the government wished the house to accept. The offer of last session was to give to a company 4 per cent. on £10,000 for 20 years on the line to the borders of New Brunswick. The company in question did not confine themselves exclusively to that offer—they wished the Province to become in addition a shareholder to the extent of £100,000. We were not now at the commencement of the construction of railways, but had worked them for some years and must have some knowledge of them. Under these circumstances he felt the house should pause before changing the policy which had been deliberately adopted. He mentioned that the company also wanted the right of way over our road for the transport of their materials, and after their work was constructed they wished to have the privilege of running their cars over our line. That he considered would be an interference with our line. We had now a large portion of the Trunk line under our own control; but if the company built the other portion there would be a separate interest existing. He thought it hardly advisable to have a third party intervening between the Province and the public in respect to our railways. If our railways were to be worth anything they must pay some portion of the interest at least in a few years. It was now claimed, indeed, that the railway to Truro was already paying more than its working expenses. It might be said that he had always been opposed to railways in this province. However, they were now the policy of the country, and it was useless for him to try and stem the current. He might make out a good case, but it fell dead on the ears of gentlemen. Under these circumstances he felt it his duty to call upon the government to take that course which was best adapted to promote the real interests of the country. If a company could build the railway, he was of opinion that the province could also do it. If we could not build the road as cheaply it would be our own fault. The hon. gentleman concluded by dwelling on the necessity of not handing over our main trunk line hastily to any company.

HON. ATTY. GEN. said he must congratulate the house and country upon the change in the views of the hon. member for Yarmouth.—However, the policy he had pursued in the past in respect to railways was such as to induce the Government to be somewhat suspicious of adopting any course he might suggest in respect to such works. It had certainly never been the policy of the hon. member to sanction the construction of railways by Government, whatever that of the house might be. His policy was formerly to subsidize companies, and the very moment the government were about to adopt it, he stepped in and said he had been all wrong. The Pictou railway, referred to by the hon. member, was not a case in point. In 1859 that work was irresistibly

forced upon the attention of the house, and both parties combined as to the necessity of building it in preference to any other road, as soon as the finances of the country warranted it. Last winter it was decided to construct it out of the public revenues. But it was a question of serious import, whether, in case we built all our railways, we might not endanger the credit of the country, and lower the price of our bonds by having too many of them in circulation. We were told, indeed, that the province cannot even afford to pay the liability of £400 a year for the trunk, and £240 for the Annapolis line. Supposing that to be the case, the province could not afford to pay for the whole work out of the public finances. As to the proposition of the hon. member to refer the correspondence to a committee, it could do no good, for a matter of such importance should be fully discussed in the house.—As to New Brunswick, it was not to be assumed that she would build the road to Moncton.—On the contrary we might build the road to the borders, and still find the gap thence to Moncton in the hands of a company. The International Contract Company had had a correspondence on the subject with New Brunswick. It was found that New Brunswick had changed its policy—that it was not continuing to build these railways out of the general revenues, for by the facility bills this very road, the western extension, and other branch lines, had been provided for on the same principle and pretty much on the same terms on which it was proposed to construct the road between Moncton and Truro. He was inclined to think that if the Government had proposed to build the railways in question, some gentlemen would have come to the conclusion that it would be far better to give them to a Company. He thought the Province was sufficiently protected by the fact that it could assume the road at any time on an arbitration.

Mr. TOBIN had noticed that the government in Europe had changed their policy in respect to railway construction. He found that Mr. Gladstone was about to bring the question before the British Parliament whether the government should not own the main lines of railway. He mentioned this fact, he added, that gentlemen might turn it over in their minds.

THE SCHOOL ACT.

HON. PROV. SEC. moved the third reading of the bill to amend and in addition to the School act of last session and to ratify and confirm proceedings thereunder.

Mr. LEVESCOMTE moved that the bill be re-committed for the purpose of striking out the first 13 clauses.

On a division, the motion was lost by 20 to 28.

For:—Heffernan, Ross, Ray, Parker, G. S. Brown, Hill, Chas. J. Campbell, Levesconte, Miller, MacDonnell, Locke, Blackwood, S. Campbell, McLellan, Blanchard, Robertson, Annand, Caldwell, Balcom, Dr. Brown.

Against:—Killam, Churchill, J. Frazer, More, D. Frazer, Hatfield, John Campbell, McKay, Pryor, Lawrence, Longley, Allison, Whitman, Kaulback, Tobin, Hamilton, Jost, Donkin, McFarlane, Prov. Sec., Bourinot, Hill, Cowie, McKinnon, Archibald, Colin Campbell, Fin. Sec., Atty. Gen.

Mr. ARCHIBALD then moved that the bill be committed for the purpose of striking out the 15th clause, which legalizes past proceedings.

Upon this motion the house divided as follows:—*For*:—Ross, Heffernan, G. S. Brown, Parker, Hill, Miller, Blackwood, Locke, McLelan, S. Campbell, Robertson, Annand, Archibald, Balcram, Blanchard, Dr. Brown—16. *Against*:—Tobin, C. J. Campbell, D. Frazer, Churchill, Donkin, Bourinot, LeVesconte, Jas. Frazer, Killam, Hatfield, Ray, John Campbell, Lawrence, McKay, Pryor, Longler, Allison, Whitman, Kaulback, Hamilton, Jost, MacDonnell, Pro. Sec., McFarlane, Hill, Cowie, Colin Campbell, McKinnon, Caldwell, Fin. Sec., Att. Gen.—31.

The bill then passed.

EDUCATION.

Hon. PRO. SEC. then moved that the order of the day, the education bill, be taken up.

Mr. STEWART CAMPBELL wished to know on what authority it had been stated in the debate on the bill that had just passed the house, that there were more children at school under the present system than under the old act.

Hon. PROV. SEC. said if the hon. gentleman would put his question in writing, he would send it to the Superintendent of Education,—and then went on to say that, in moving that the bill now before the house be sent to committee, he would not occupy the time of hon. gentlemen with any remarks, inasmuch as he had fully gone into its merits on the occasion of its introduction.

Mr. ARCHIBALD said he quite agreed with those gentlemen who said that there was no question of greater importance to our country than that which referred to Education, and therefore the present government in endeavouring to establish a system on a basis which they believed to be solid are entitled at all events to the merit of having entered upon an achievement which was worthy of success.—But it was a question of very grave import whether in the system which they had adopted they had not laid down principles which were diametrically opposed to the success of so important a measure. It had been found that the statute which had been in operation for the last five months had not been successful to the extent that those who introduced it last year hoped it would be. On all sides an amount of excitement had been created all over the face of this country that had hardly ever before occurred in reference to any other question. No doubt a large portion of the excitement was due to the very nature of the bill which imposed taxation and rendered it necessary that the people themselves should assemble in various localities for the purpose of discussing a question of public policy. But if the fact were true that out of 1400 sections into which this province was divided, no more than 654 had met for the purpose of organizing under the bill—or, in other words, that more than one-half of the entire sections were without organization and schools, he thought it was a matter deserving of very serious consideration. But he thought that we were hardly entitled to draw the conclusion that in all the 654 sections that had organized schools were in operation. Facts had come to his knowledge that in several sections which had organized, the organization broke down. Though he had not the data to say to what extent this prevailed, yet he was satisfied that if we were to assume that at this moment there were only 500 sections that were conducting schools, he would be probably esti-

mating an extreme amount. He found that under the old law, in 1863, we sustained 1005 schools in winter, and 1183 in summer, or an average of 1100. Therefore, if he was not supposing a larger number of schools were in operation than was the case, it would appear that under the operation of the present school bill there was not at the present moment half of the number of schools in operation. This fact was more to be regarded when it was considered that last year there was given from the treasury some \$20,000, in addition to the ordinary amount, as an additional inducement to the people to encourage education. Even this grant, however, had not led to the results that were expected when it was made. If the state of things then, were such as he had given it, the question arose to what was it due. Was there any thing in the act itself to produce such results? He thought he had good reason to believe that one great mistake that was made in the introduction of the bill was that the government of the country did not avail themselves of the experience of other countries with regard to similar measures. The same experiment had been tried in Canada and in most of the countries by which we are surrounded; but instead of looking to the experience of such, we introduced into the bill of last year one or two principles totally distinct from those that existed elsewhere. In Upper Canada we had an instance of a measure working successfully for 20 years. So successful had it been that it had been referred to as a model in the United States that might be safely followed. One thing appeared to have pressed itself strongly upon the Canadian mind, and that was the necessity of keeping the question of education entirely apart from party struggles and differences. The first thing that had been done was to organize a board entirely distinct from political organization, and under that board the education of the country had gone on flourishing so that now the system in Canada was pointed at as a model worthy of imitation. When the system of free schools was introduced into Lower Canada the same principle was adopted and there the first minds in the country were selected to constitute the board—men who, intellectually and socially, held such a position as placed them above the suspicion of being influenced by party motives. Again, we found that in Ireland the National Board of education was formed on the same principle, and that it had administered the important duties entrusted to it with an ability and energy that was universally recognized. Even in the little island of Prince Edward they had also the sagacity to base the cause of Education on the same judicious principle. The only exception he could find was in the province of New Brunswick; and even there the Lieutenant-Governor, and the Superintendent of Education, who were not partisans, were members of the Board. Then if in the other provinces, where the system of free schools had been adopted, such a principle was observed, why should we establish an entirely distinct one in this country? Was it a fact that in the province of Nova Scotia, which has had a legislature and educational institutions for the last hundred years, no man of position, character and understanding could be found to hold the position of a permanent Board which would obtain the confidence and respect

of the community at large? He believed that there would be no difficulty in selecting from the people of Nova Scotia a board of nine men qualified in every respect to give to a board such a character as would remove it from the possibility of the suspicion of being influenced by partisan motives. The principle which had been adopted of making the government of the country the Council of Public Instruction, necessarily allied the cause of Education with politics. He did not wish to say a single word reflecting upon gentlemen who happened to hold the position of Her Majesty's government, but he would ask, if an independent Board were to be appointed, were they likely to be the men to be selected. He took it for granted that the members of the present government have been engaged in such matters as would prevent them devoting the attention necessary, for the advancement of the cause of education. He did not question their ability to make themselves acquainted in the process of time with the duties of the position but he would ask them if, by training or experience, they were the men to manage a system of education. Were they familiar with the mode of examining, or managing schools? Had they the practice requisite to discharge educational duties? These gentlemen might be called the Council of Public Instruction, but they were a political government, a mere political machine carrying out the objects of a party; and it was to be expected that a Board so constituted would exhibit political preferences. Was it desirable that in the management of the education of the country appointments connected therewith should be governed by the political predilections of the government of the day? The hon. member who introduced the bill last year deprecated any attempt to mix up politics with education—he desired to have it discussed free from party feelings; and as far as gentlemen on the opposition benches were concerned they treated the question in that spirit. And yet what did he find. No sooner had the bill passed into law, no sooner was the Council of Public Instruction established, than the first act was to thrust from his position a gentleman who had discharged the duties of Superintendent of Education for years with ability and success, and place over his head a subordinate. He would ask the house to say whether that was not making the office of superintendent political; if a change of government were to take place to-morrow could any government resist the pressure that would be brought to bear upon them to restore the gentleman who had been superseded? He made these observations without wishing to reflect upon the gentleman who had been appointed superintendent; he had shown an amount of ability in the discharge of his duties which could not fail to be appreciated; but he (Mr. A.) could not help feeling that the appointment, under the circumstances, connected the administration of education with the politics of the country. He did not charge those gentlemen who filled the position of the Council with being worse than any other gentlemen who might be in the same situation, but they would be more than human if they did not yield to party motives and suggestions. The present superintendent of education in Upper Canada had held his office since 1864; during all this time he had occupied the position through successive changes of

ministry, and the result had been eminently satisfactory. When, therefore, you found that the Council of Public Instruction—the superintendent of education—the inspectors, were all under political influences, would it not be at once seen that the cause of Education must be irremediably injured in the opinion of the people of this country? But Boards of Commissioners were appointed over the entire country, and he would ask gentlemen opposite upon what principle were they formed. Did they not represent the minority? If the Council that has to administer the whole system of Education was to have no representation of the minority, why was it that they had thought proper to ignore that principle in the formation of the county Boards? But they had taken care—and as a government they were not blamable for that—that a majority on the Board should reflect their sentiments. Therefore, if in addition to what he had stated, it was found that the county boards were under the influence of party motives and influences, in what position was the Education of the country placed? The Chairman, the Deputy Surveyor, and the Inspector—political officers—had the power of laying off the school sections, and of taxing parties to an enormous extent by the mere fact of making a line here and there. He asked the house if that was not an arbitrary power that no government ought to be desirous of sanctioning. It might be asked if that power had been abused—if any chage could be brought against any one; he need not point to instances, but he could say that persons so immediately under the influence of government would be more than angels if they were able at times to resist the pressure that would be brought to bear upon them. If you wished to engage the sympathies of the whole people in the cause of Education, you must remove from it the least suspicion of being mixed up with party politics. Had the education of the country been entrusted to a class of persons removed from all suspicion of using their position for the advancement of party ends in what an infinitely preferable situation would it have been placed. The bill of last year came into operation in October, and where were the members of the government. The leader of the government and the Attorney General were both absent in the discharge of duties that they could not neglect, and not in a position to devote that attention absolutely requisite for the efficient working of the measure. He was strongly inclined to think that a large amount of the difficulties that had arisen in the administration of the act had originated from the fact that the leading minds of the Council of Public Instruction were unable to dictate the policy that should be pursued. Even if they had not been obliged to absent themselves in the discharge of very important public duties, the ordinary business that devolves upon them would have been alone sufficient to abstract their attention from matters of this kind. He was of opinion that the government, in endeavouring to impose upon themselves the burthen of the duties of Council of Public Instruction had assumed a responsibility of which they ought to be glad to get relieved. If there was any one matter that had the tendency to bring any government into difficulty it would be the exercise of the functions that devolved upon them under the bill. The suspicion that they were

acted upon by political influence must necessarily counteract any desire they might have to act impartially and fairly in respect to the Education of the country. He had hoped with the experience of last year, after having seen that the whole country had got into a ferment, owing, in a large measure, to the fact that a great body of the people imagined that this bill was intended to sustain a party in power, since it enabled them to disburse immense sums of money through their political friends—that the government would have seen that the experiment was an unsound one—that they had made a mistake, and would have been prepared to adopt the experience of other countries in reference to the question of Education. He was convinced that the more the House considered the matter, the more firmly fixed would be the opinion that whatever merits the bill might have, this one feature injured all its chances of usefulness to an incalculable extent. It was his firm belief that as long as the government adhered to so dangerous a principle, it was impossible to carry out the bill to the satisfaction of the country. There were other features in the bill to which he took exception, but he did not hesitate to say that he thought the government had availed themselves of the experience of last year and improved the system; and if they would only go a step further and abandon what was after all a mere fancied addition to their power, they would give to the people of this country the assurance that their object was really to promote the cause of education, and not to strengthen themselves in the position they occupy.

REPLY OF THE HON. PROVINCIAL SECRETARY.

DR. TUPPER said that he must confess he had listened to the remarks that had fallen from the hon. leader of the opposition with a great deal of surprise. He did think that that hon. gentleman in dealing with the second reading of a measure of such great importance would have been able to rise beyond the discussion of what he himself designated as a mere fancied evil—a mere matter of the imagination. Addressing the house with the experience of a year before him he was unable to challenge a single act on the part of the Council of Public Instruction which sustained the attitude that he had assumed that day in relation to the question before the house. Unless he could show that the measure was fraught with consequences of an injurious nature, his observations must go for nothing. It was with surprise mingled with regret that he had listened to the remarks of that hon. gentleman who had taken a foremost position in advocating free schools, and the principle of assessment as the true basis on which they ought to be established. He could not understand how that hon. gentleman could have contented himself with giving half a dozen words to a subject which if there was any sincerity in his past action—and he (Dr. T.) would not venture to question it—deserved very different treatment at his hands on the present occasion. That hon. gentleman, in the commencement of his remarks, declared that the bill was not as successful as we had a right to expect it would have been. He joined issue with that hon. gentleman, and stated that whilst he regretted that a larger number of

school sections had not been put into operation, yet the facts as they existed and as they were patent to the people of this country were in the highest degree, encouraging, as much so as any person, knowing the settled hostility that existed throughout the province to assessment could have a right to expect. The hon. gentleman had himself admitted that whilst a large amount of excitement had arisen under the act, it arose in connection with a principle that must necessarily have originated it. He thought that hon. member in endeavouring to throw discredit upon the measure which he himself assisted in passing, did not do justice to the statistics which were under his hand. When he asserted that only 654 sections were attempted to be organized under the act out of 1400, he must have known that he was not placing the matter in a fair and candid light before the house. He was aware that there were 1400 sections under the law, and he had already explained to him that in 200 of them there were no school-houses, that, in addition to these, there were a large number in other sections without windows or floors, and in fact not habitable, that two counties were not embraced at all in the returns, as they had not been heard from at the time they were made up. So when he told the house that only 654 meetings had taken place in the province he make a statement which the data under his hand did not justify.

No person knew better than the honourable gentleman himself to what all this was due. When he said that it had arisen from the fact that the government was the Council of Public Instruction, he made a statement which could not be entertained for a single instant in this house or country. No man ought to know better than himself that the difficulty arose from the hostility and indisposition of the people to adopt the principle of compulsory assessment for the support of common schools—a principle which always obtained his sanction and support. There was not an intelligent gentleman on the benches who could believe that there was one single school meeting that failed to be called because the Council of Public Instruction was composed of the government; but the objection was that if under that law they met and organized they would not be able to escape compulsory assessment.

The hon. gentleman had said that it would have been well for the government to have availed themselves of the experience of other countries. The party of which the hon. member was a prominent member brought in a bill providing for free schools—for compulsory assessment as the only means by which these schools could be supported; and that bill was now under his hand as laid on the table by the leader of that party. Why did not the hon. gentleman and his friends go to Canada, Ireland, and Prince Edward Island for his principles when he brought down a measure for the establishment of free schools. The hon. gentleman challenged the government of the day with having neglected their duty to the country, because they had not copied the organization in force in Canada, Ireland, and P. E. Island; but when he and his party undertook to deal with this question, what measure did they bring in? You searched in vain for that reference to which the hon. member had taken up his entire speech that day—that it was the first duty that the govern-

ment owed to the country to provide an independent board apart from the administration and disconnected altogether with political parties, to whom would be referred the responsibility of the management of the question of Education. How could the hon. member undertake to challenge the action of the present government when in that measure you searched in vain for any Council of Public Instruction—for any means to carry on the education of the country except through the Executive Council? Therefore the hon. member was not in a position to taunt the present administration with having failed in their duty to the house or country.

He would tell the hon. member that his reading was too superficial if he challenged the present government with having adopted a novel principle, and not having availed themselves of the experience of other countries. The hon. gentleman alluded to Ireland, but let him refer to England and see what was the organization there. He would, doubtless, acknowledge that the example of the British government was fully as high an example as that of Canada, or Prince Edward Island. He (Dr. T.) held in his hand a debate which had taken place within the last few weeks in the House of Commons upon this great question, and the whole of that discussion turned upon what should be the constitution of the Council of Public Instruction. What would gentlemen suppose after listening to the earnest appeal which that hon. gentleman had made to the government of the country to hold no place or influence in connection with education, was the *personnel* of the Council of Public Instruction in that enlightened country. He would state for the information of the house that it was composed of the Lord President, the Lord Privy Seal, the First Lord of the Admiralty, the First Lord of the Treasury, the Foreign Secretary, the President of the Poor Board, the Chancellor of the Exchequer, and the Vice-President. He would tell what that debate turned upon. Upon the question as to whether divided as the responsibility was between different members, it would not be better to have one member of the government directly responsible to the house. It would be seen from the debate that it was the first principle with the people and parliament of England to have the government of the country responsible for every act and circumstance connected with the management of education. You would read that discussion in vain to find a single member in that most enlightened assemblage standing up and saying that the government of the day ought to be relieved from the responsibility, and that the important and solemn functions connected with the education of the country ought to be placed in the hands of an irresponsible body of men who would not be in a position to have every act challenged in the open face of parliament. All that they desired was to increase the responsibility.

(The hon. gentleman here read a few extracts from the debate in the Commons in corroboration of his remarks and then continued.) The hon. leader of the opposition would therefore see that although the government had not exactly followed the example of Canada,—though the government there was connected with the Council since Mr. Galt was one of its members, yet they had taken as their exemplar what

would obtain greater respect in the house. The functions discharged by eight members of the Ministry in England were precisely analogous to those that were performed by the nine members of the Executive in this province.

The hon. gentleman had stated that in New Brunswick the council of Public Instruction differed from ours inasmuch as the Lieutenant-Governor and the Superintendent of Education were members. As he had gone fully into the question on a previous occasion he felt it was superfluous to refer to it again. It must be obvious to everyone that it would not become the representative of Majesty to discharge such duties as Her Majesty could not consistently discharge. It would be in the power of any member to have the Minutes of the Council produced, and the action of the Lieutenant-Governor criticised and called into question. The hon. gentleman had asked whether the members of the present government would be the Board of Education if an independent Council had to be formed. When he asked that question he invited an answer which more than any other ought to refute the position he had taken. He would ask that hon. gentleman who composed the government: Did they not occupy the position they did in virtue of the public sentiment of the country—of the confidence which was reposed in them by a majority of the people and of their representatives? The Council the hon. gentleman would form would be one in which perhaps not a single man would be included who could obtain the confidence either of the house or of the people. This independent board being irresponsible, could not challenge the confidence of the house or country in reference to the important interests of education as did the present Council of Public Instruction. When the government ceased to possess this confidence, and that was made known, their functions as a council ceased, and the house and country would have the assurance that they would have a set of men entitled to their support. Did the hon. member mean to tell the house that he would not consider any man eligible for the position in question unless he had no politics—no views touching the great questions that are vital to a country's progress and prosperity. Were not the most intelligent men in every country those who took a deep interest in the advancement of the country. If he did not exclude this class of men then it was obvious that he would get a board among whom political influences must predominate more or less, and who would be totally free from that responsibility and restraint that would be felt by a council immediately responsible to the Legislature and the country. In order to form a board that would command the confidence of the country it would not do to take men simply belonging to the city; and if men were to give up their whole time and attention to this matter it would be necessary that they should be paid from the treasury. If they were to be paid and kept from day to day in the fulfilment of the duties he would ask the house to contemplate (apart from the fact that they were an irresponsible body) the expenditure that would be incurred. In the present Council of Public Instruction you had, as in the case of the eight members of the British Council, a number of men who were bound to give their time and services without payment

for the additional duties devolved upon them.

What was one of the first acts that the hon. gentleman did when he had to deal with a public institution in reference to which there ought certainly to be no political feeling displayed? It would be acknowledged by everyone that there were no more delicate duties to be discharged than those in connection with the care and management of the helpless insane; and yet that hon. gentleman, the moment he got power, actually violated the law of the land and trampled it under foot in order to strike down a Board of as high minded and independent gentlemen as ever sat in any room in the province of Nova Scotia. He struck down this board in this high handed manner, and transferred the management and control of the institution into the hands of the Executive Government; and in the face of that fact, he now stood up and declared that the Government had no right to discharge duties which, as had been shown already, were perfectly in consonance with the interests of the cause of education.

The hon. gentleman had referred to the County Boards; and in doing so was bound to acknowledge that it was perfectly right that there should be a majority of the supporters of the government on these boards. He doubtless remembered that on more than one occasion he had swept away the school boards and re-organized them with a majority of his political friends. But why was it that whilst he recognized the principle of political ascendancy in local management, he was unwilling that the government should exercise a surveillance over the general subject of education. If the government were not the Council of Public Instruction in their own persons, yet it would be in their power to select a Board of their own political friends who would act without the responsibility that would devolve upon the ministry of the day acting in the same capacity. Whatever that Council might do, the government could stand up and evade all responsibility. But it was almost unnecessary to argue the question inasmuch as the hon. member had only attempted to deal in generalities, and had not been able to put his finger on a single act which proved that the duties which devolved upon the Council of Public Instruction, as at present constituted, had been discharged in a manner that did not entitle them to the confidence of the house and country. We had seen something of these irresponsible Boards—the Board of Governors for Dalhousie College for instance; Down to a very recent period—when himself, Mr. Shannon, and Mr. Ritchie were appointed—one of these most important public institutions of the country—one that was charged with the expenditure of some £900 per annum—was managed by a number of gentlemen representing very similar religious and political opinions; and that was, what we might expect if we put the cause of education under the management of an irresponsible body.

He was told that the appointments must necessarily be political, and allusion had been made to the dismissal of the late Superintendent of Education. He deeply regretted that the hon. leader of the Opposition had referred in the manner he had to a gentleman who had been handsomely treated by the government upon whom he had no claims, and had made the treatment he had received the subject

of animadversion. It was done under the law by the Executive Government. The hon. member laughed. If an independent Board had been the Council of Public Instruction, the same thing would have occurred. Could not the Lieutenant-Governor in Council have done precisely what has been done? The course pursued might be a legitimate charge against the government of the day, and when it was brought up in the proper manner, they would be prepared to give all the explanation that was requisite. He had, however, no hesitation in saying that when the Normal School was founded the Government of the day considered that they were discharging their duty to the country by appointing a clergyman as Superintendent to the dissatisfaction of a large section of the people of Nova Scotia. He presumed that the Government did so, because they believed that that gentleman was better qualified to manage the Normal School in this country than any other person. He would ask, then, could any fault be found with the present government when they left this gentleman in charge of an institution for whose management he was stated to be especially qualified, and left his emoluments untouched, whilst they appointed as superintendent one whom he had himself selected for the highest position under him in connection with the Normal School. If the government was under any obligations to the present Superintendent he was not aware of it, and he thought that the hon. leader of the opposition would find that there were a good many members in the house of opinion that the political views of no party were likely to be subserved by any active exertions on the part of this gentleman. But the hon. member stated that one of the first acts of a new government would be to reinstate Dr. Forrester. He could only say in reply that whilst he believed that gentleman was a zealous and efficient and energetic Superintendent, there was nevertheless throughout this country a feeling of dissatisfaction in connection with his administration of the department which went to the extent that the government would have been unable to carry the measure which was now on the statute book through the Legislature if it had been supposed that that gentleman would continue in the position he then occupied. He regretted to be obliged to make their observations, but they had been called forth by the remarks of the hon. member.

The next charge that had been insinuated—for it had not been made openly—was that the inspectors had been appointed on political grounds. He looked upon all such charges as could not be proved by actual facts but were only insinuated as unworthy of any gentleman in the house. The fact was that the government had in reference to these appointments acted, not with respect to their political opinions, but with a desire to meet the views of the Superintendent and to accept his recommendations with the object of promoting the cause of Education. Suppose the government had been disposed to make these appointments political, and to apportion them to Conservatives and Liberals according to the condition in which parties might stand. If such had been done, the opposition could not have been entitled to 9 out of the 19 appointments. When the people of Nova Scotia at the last general election expressed their

opinions with respect to the two political parties into which the country was divided, they returned only 13 of the present opposition out of a house of 55. If the appointments had been regulated by the manifestation of the views of the people at the polls, the opposition were, therefore, entitled to only a small representation. The fact was, however, that they received far more consideration than they had a right to expect if the feeling of the people had been the criterion, and the enormous majorities of the supporters of the present government was considered. In the county of Yarmouth the inspector was appointed with the approval of gentlemen who were opposed to the government. In Shelburne, the officer had always been hostile to the government. In the county of Halifax, the gentleman appointed was in the same position, and had been selected solely with reference to his peculiar qualifications for the position. In the county of Kings the same thing was the case; and he thought the house had pretty good evidence that that appointment was not suggested to the government by the gentlemen who supported them. In Inverness a gentleman was selected who had the recommendation of an honorable member who took a leading part in opposing the government in the house. In Antigonish an opponent of the Government was selected. In Guysboro both the late and present Inspectors were gentlemen who had the good fortune to secure the written recommendations of the members of the County. In Pictou a person was appointed on the recommendation of both parties as represented at the School Board. Therefore there was no less than 9 counties out of the 18 where the appointment had been made on the recommendation of the opponents of the Government. He would ask the house whether, in view of these facts, the Government did not give the most unequivocal evidence to the house and country that in the discharge of the important functions devolving upon them, they were not actuated by any desire to subserve political designs, but had acted with a single eye to the promotion of the cause of Education. He was not aware that there was a single gentleman in the house who was prepared to challenge the act of any single Inspector, and show that he had endeavored to promote the interests of the party in power, or had neglected the duties entrusted to him in the County where he might be acting. Until such facts were adduced, the people of the country would come to the conclusion that if there was a charge that carried on its very face a refutation, it was the one made by the leader of the Opposition.

The hon. gentleman had also referred to the deputy surveyors, but he forgot that the same persons who held that position when he was in power held it now, with one or two exceptions. The Council of Public Instruction solicited from the School Boards throughout the person the nomination of the deputy surveyors to be employed in laying off the sections, and therefore they were not responsible.

The hon. gentleman had not undertaken to say that the duties of the Council had not been conscientiously discharged by the government, but he gave as a reason why the Government should not occupy such a position, that it covered them with odium. No doubt, if there was a single duty which the Government had to discharge, calculated to bring them into con-

flict with their friends and supporters, and weaken their influence, it was in connection with the functions of the Council of Public Instruction. The reason was obviously because it was impossible to please everybody.—They were obliged, whatever their disposition, and opinion, and interest might be, to do that which would in all probability bring them into conflict with their friends; and, as in some cases, incur no little odium. The Government felt, however, that it was absolutely requisite in view of the efficient management of Education, that there should be a Board that would be immediately responsible to the Legislature and people, and liable to be called to account at any moment for their acts. When the government acted in that capacity they were enabled to tell when the slightest friction or disarrangement occurred in the machinery by which education was worked, and provide a remedy at once. He had no hesitation in saying to the house that if the government had not occupied the position they had, they would not have been prepared to come forward and give so large an amount of information as to the feeling of the country, and the working of the system. If it could be done with a regard to what he believed to be the interests of the people and the cause of education, there was nothing that could be more acceptable to the government than that they should be relieved from the delicate and onerous duties devolved upon them under the bill. But the experience of the past year had shown them that it was for the benefit of education that they should follow the example set them in New Brunswick and in England.

The hon. gentleman concluded by saying that, after all, the question that had been discussed that day did not touch the vital principle of the bill—which was, free schools, and assessment as the foundation of their support. If the house thought that the duties of Council of Public Instruction should be transferred to a body of irresponsible men, the Government would be prepared to bow in acquiescence, with the conviction that they had done their duty in laying their views fully before the Legislature and country.

The debate was then adjourned, and the house rose till 3 o'clock the next day.

FRIDAY, 7th March 24.

The House met at 3 o'clock.

Mr. BOURINOT introduced a bill to incorporate the Boston and Acadia coal mining company.

SUGAR REFINERY.

Hon. FIN. SEC. laid on the table a memorial relative to the contemplated sugar refinery in the city of Halifax. He stated that what the petition asked for would doubtless be favorably considered by the house, for the establishment of such a manufactory would be most advantageous to the city and country at large. The memorial was endorsed by a large number of the merchants of the city of Halifax. The government, he added, would be prepared in due time to submit to the house a bill to carry out the object contemplated in the petition. The statement that was made showed the importance of the enterprise—that was, that 5000

tons of raw sugar would be imported for the purpose of the refinery. This fact, taken in connection with the number of men and vessels that would be employed, showed the house the propriety of affording the undertaking every assistance that could be legitimately given.

Mr. ANNAND said that the petitioners seemed too sanguine as to the amount of refined sugar that would be manufactured. He was not inclined to think that there would be any large export of the article, and recommended that the petition be referred to the committee on trade and manufactures.

Mr. BLANCHARD asked why a manufactory of refining sugar should receive advantages above any other manufactory.

Hon. PRO. SEC. said that the sugar required for the manufactory was of a coarse grade which was not imported at all at present.

Mr. BLANCHARD said that a manufactory of boots and shoes was entitled to equal privileges. Why should not the machinery for our coal mines be exempted from duty?

Mr. LEVESCONTE said that the committee on trade and manufactures had under consideration several petitions from parties claiming exemption from duties on machinery imported into the province, and decided that it was impossible to report upon these isolated cases. At the same time, however, they submitted to the Government their opinion that it would be well for them to consider how far it would be possible for them to place in the list of exemptions all machinery imported for certain purposes.

Hon. FIN. SEC. said that there was particularly one class of machinery that might be in the list of exemptions—that was steam-engines for the use of sea-going vessels. Whether it would be advisable, however, to exempt such machinery as could be made by our own manufacturers, was a question deserving of serious consideration.

Hon. PROV. SEC. said that since he had the honor of a seat in the house he had invariably sustained everything that was calculated to promote the growth of manufactures in this country. He had no doubt that a proposal like the present, the establishment of an important branch of manufactures—that, too, without opening up the very questionable policy of protection at all, as he conceived—would receive the favorable consideration of the house. The very fact that these parties came forward and stated that under proper encouragement they were prepared to commence the establishment of a manufactory which would involve an expenditure of £50,000, gave to the country the guarantee of the stability and permanency of the proposed enterprise. The facts stated that these parties would require about 5000 tons of sugar would employ 60 men at least, and use a very large amount of coal, gave an idea of the importance of the undertaking. He believed the establishment of this manufactory would be the commencement of a new era in the history of manufacturing in this country and concluded by expressing his gratification that the great facilities which the port of Halifax and the Province of Nova Scotia afforded to such enterprises were being appreciated abroad.

Mr. ARCHIBALD was exceedingly glad to hear of the proposed establishment of so important an undertaking, and went on to say

that he would be disposed to admit any kind of machinery introduced for manufacturing purposes duty free. It was the duty of the house to offer every possible encouragement to whatever would tend to develop the resources and promote the trade of the country. He had no doubt at all that the position of Halifax was peculiarly well adapted for a manufactory of the kind proposed.

Mr. BLANCHARD was desirous of encouraging manufactures but he felt the house should pause before they commenced to discriminate between one description of manufacture and another. The Ship building interest employed 6000 men, and yet we were taxing all articles connected with it. We taxed them just as we did other things for purposes of revenue. He concluded by briefly explaining why he thought the enterprise in question could not find a market for any very large quantity of the manufacture.

Mr. ARCHIBALD said that we imposed a certain duty upon leather and a larger one upon manufactured shoes and boots. So it was in reference to raw and manufactured tobacco, ale &c. In fact, we endeavoured, so far as we could, to encourage domestic industry. Therefore we were going in the right direction.

Mr. TOBIN considered that it would be very unwise for any country to impose a heavy duty upon any article introduced into the country for manufacturing purposes. In respect, however, to importing sugar, certain facts should be considered. We now imposed upon all grades of brown sugar 1½ cents a lb. Now it was proposed in accordance with the prayer of the petition that ¼ per cent. should be taken off the raw sugar imported for the refinery. All the sugars that were imported into England were classed, and those inferior grades that were required for manufacturing purposes were admitted at a smaller rate of duty. What he was afraid of in our own case was that a door might be opened to fraud, since we had no proper inspectors to class the sugars. The policy of the country had been not to charge any duty upon articles that entered into the construction and rigging of ships, but the time came when the financial condition of things required that some revenue should be raised from them. He warned any manufacturer against coming into any country to establish a business under the fostering care of the legislature, or of the government. The very political power that built him up to-day might destroy him to-morrow, and in connection with this remark the hon. gentleman referred to the distillers in this province. He had serious doubts whether, as things were now, the anticipations of the manufacturer in question would be realized to the extent he hoped. He was desirous of affording all manufacturers every legitimate encouragement. If, however, we were prepared to admit certain machinery duty free let its description be stated in the table of exemptions, and, following the same principle, let sugar be classified and the lower grades of the article be admitted at a lower rate.

Mr. LEVESCONTE explained that the hon. gentleman did not appear to apprehend very clearly the object of the memorial; and went on to show that all the Province could lose would be perhaps twelve cents upon every hundred weight of the refined sugar. He advocated the encouragement of all such manufactories, and asked the house were they prepa-

red to say that they would shut out such an enterprise as the present, and give the people of England and the States advantages over our own.

Hon. FIN. SEC. said that there was no demand for protection to the manufacture, in the real sense of the term, contained in the petition. As stated by the hon. Prov. Secy., the object was to get the coarser sugars, which would be required for the refinery, at a slightly reduced rate of duty. We now charged \$2 on the hundred weight of refined sugar, and only \$1.50 on the brown sugar for domestic use. The sugar required for refining purposes was of a coarse kind, not imported for domestic use.

MISCELLANEOUS.

Mr. LOCKE introduced a bill to legalize assessment in the township of Shelburne.

Mr. P. SMYTH presented a petition from John McInnes, an aged school teacher, asking for a free grant of land.

Mr. ANNAND presented the petition of Alexander James and other persons in Dartmouth, asking for a change in the law of assessment. What they wish for is that there shall be appointed by law for every county an assessor, whose business it should be to make himself familiar with the property of the county and in that way make a fair and equal assessment. If this law cannot be obtained for the whole province it is asked to be extended to Halifax county.

Mr. TOBIN said that here was a petition coming in to appoint an assessor by the grand jury who would have the power to say who should be on the assessment roll and able to exercise the suffrage. He thought the house should be careful before allowing such power to any one. He understood that in that very district of Dartmouth 600 freeholders who exercised the franchise at the last election had been struck from the roll. These men who had been residing in the country all their lives and were the very persons who, in time of war, would be called upon to fight our battles, were not to have the privilege of voting for their representatives in the Assembly. All over the country the greatest dissatisfaction and excitement existed in consequence of the unjust franchise act which was soon to become law, and he trusted that the government would endeavour, even at this period of the session, to take up the question and deal with it in a statesmanlike manner.

Mr. ARCHIBALD said that he did not think the bill was necessary, inasmuch as there was now power given in the 75th clause of the Assessment law to the sessions on the presentment of the grand jury, to appoint a general assessor to co-operate with local assessors.—There was nothing to prevent the assessor, as the bill proposed, being a permanent officer.—It might be advisable, however, to have such means provided as would make the assessment more equal than it is now. As respects the Franchise Act, he did not think there was as much excitement and indignation about it as gentlemen intimated. If there was any feeling existing, it was in favor of the law—that the time was coming when the suffrage would repose on the property and intelligence of the country.

Mr. LEVESCONTE said that if the hon. gentleman had not made the remarks he had, he would not have arisen to say anything. That hon. gentleman had taken occasion to say

that, when three-fourths of the people were disfranchised, then we would see the glorious spectacle of the suffrage reposing on property and intelligence. He (Mr. Le V.) joined issue with that hon. gentleman and would tell him that this law was most antagonistic to that policy which we were now initiating—of calling out the able-bodied men of this country for its defence. You asked these men to fight on boldly, and yet denied them the privilege they so highly prized, of voting for representatives in the house. These men who were obliged to give up their time and their very heart's blood for their country were struck down. And for what? Not for any fault of their own. No because it suited the interests of a party which had, since the time this unjust measure was first passed, been adjudged unworthy of confidence and support.

Mr. ANNAND said that the present was not the time to discuss the Franchise Act.

Hon. PROV. SEC. said that he would be exceedingly glad if a bill could be introduced to render the assessment through the counties of the province more equitable.

Mr. TOBIN—said that the great difficulty was to separate a question of this kind from party considerations. If that could be done, and the appointments could be made without reference to political purposes perhaps the bill sought for would not be objectionable, but he thought it was intended as an entering wedge for other purposes.

Mr. ARCHIBALD—said that a glance at the names to the petition would show the hon. gentlemen that it had no party complexion. He would find there the name of Mr. James who might be supposed to represent one party but he would also see the name of Mr. Farrell who represented the other side of politics and yet they both agreed upon this subject.

Mr. PARKER—thought that there was a necessity for some change in the present system of assessment and he was in favor of an income tax.

Mr. ALLISON—was of the opinion that there was no necessity for the measure sought for.—Under the present law the Grand Jury had the power to re-commend general assessors. It had been acted upon in the county he represented and no difficulty had been experienced in carrying it out.

Mr. MILLER presented a petition from the Rev. Mr. Croteau and a number of other inhabitants of L'Ardoise, praying for the establishment of a post-office at that place, or that the salary of the way-office keeper be increased.

Mr. RAY introduced a bill to legalize the assessment-rolls for the county of Annapolis.

Mr. J. FRASER presented a petition from Donald McDonald, a mail carrier, praying for an increase of salary.

Mr. MILLER presented a petition from Roderick Morrison and other inhabitants of Richmond, against Confederation.

Mr. ANNAND presented several petitions—from Eastern Passage, Margaret's Bay, Lawrencetown, Cays River, Waverly Gold Diggings, and other portions of the eastern district of Halifax county, against Confederation.

Mr. ROSS presented a petition from Angus Buchannan and 93 others, inhabitants of the North Shore, on the same subject.

Hon. Mr. SHANNON introduced a bill to provide for the appropriation of police fines in the town of Dartmouth.

Mr. BOURINOT presented a petition from Little Glace Bay for additional mail accommodation.

Mr. ARCHIBALD said that a petition had been presented on a previous day from a person who claimed to be the first discoverer of gold in Nova Scotia and he believed it had been referred to the committee on mines and minerals. There was no doubt that whoever the person was who was the means of opening up this important and hitherto hidden source of industry he was entitled to some mark of consideration. He held in his hand the petition of John Pulsifer, who advanced similar claims to those he had alluded to, and he would move to have it referred to the same committee.

Mr. ANNAND said he thought that Mr. Campbell claimed to be the original discoverer. It would be well, however, for a committee to investigate the subject.

MILITIA AFFAIRS.

Mr. PRYOR, from the militia committee reported partially. The report, amongst other things, recommends the sum of \$1600 for the travelling expenses of inspecting field officers and the Adjutant General,—the sum of \$2745 for the training of thirty adjutants at head quarters for 61 days, at \$1.50 each per day,—and the sum of \$14,000 for the part clothing of 2000 artillerymen at \$7 each.

Mr. COLIN CAMPBELL said that as a member of the militia committee he objected to these appropriations, not because he was opposed to the expenditure of any reasonable amount of money that was necessary for the defence of the country, but because he believed that the greater portion of this amount would be frittered away, as had been the case hitherto in red tapeism and matters which were really of no benefit to the service. Take, for instance, the appropriation of \$1600 for the travelling expenses of inspecting field officers—what necessity, he would ask, was there for that? Surely the sum of \$1200 a year was a sufficient salary for these officers, and amply paid them for their services. That amount was fixed in last year's estimates as their salary, and it was distinctly stated that there should be no allowance for travelling expenses, and yet it is now proposed to saddle the province with this additional expense. Take again the sum of \$14,000 for the clothing of artillerymen in Halifax—that seemed to him an enormous and unnecessary expense, and however anxious he might be to place the militia system upon an efficient footing, he could not agree to have the public money expended in such a frivolous way as this. He must not forget either in connection with this branch of the subject to remind the house that the Volunteers of Nova Scotia whose claims did not appear to be much thought of now, had spent large sums of money to clothe themselves, and he had in his possession a memorandum of the expenditure of one company—the Chebucto Grey's of Halifax—showing that they had spent during the first five years of their organization for uniform and other necessary expenses nearly \$5,000. While the Scottish Rifles he believed had expended as much as \$6,000—without receiving any government aid for that purpose.—surely if the Volunteers could do this there was no need for the public money being spent for such a purpose. Then as regards the sum of \$2745 for drilling, Adjutants—he considered that a useless appropriation. It could not be

expected that men from the country would come up to Halifax and spend sixty one days in training. They could not afford to spare the time, and the rate proposed would not recompense them for the suspension of their ordinary avocations.

As he had said before, he had no desire to curtail the legitimate expenses of this most important branch of the public service, but he felt it his duty to protest against the public money being wasted in frivolities such as those he had pointed out. The time might arrive when all the available means at the disposal of the government would be required for the defence of the country. Let them be kept until then, and not squandered in useless purposes, of no benefit to anybody save those concerned in the expenditure. How, he would ask, could he justify to his constituents the voting of this large sum of money, when the roads and bridges of his county were in such a deplorable state? These were the reasons that induced him to object to what he considered a useless expenditure of the public funds—and, although he was alone on the committee in the views he held,—almost every other man being a Colonel of Militia, or a member of the Court of Enquiry recently held on Militia matters—he felt that he would not be doing his duty to his country if he failed to express the objections he had to the report just submitted by the majority of the Committee.

Mr. BLANCHARD said that although a member of the committee he had not the honor of being either a colonel of the militia or one of the militia convention. He would remind the member for Digby that the item he objected to of \$14,000 for artillerymen was not for Halifax alone. It was proposed to clothe 2000 men, 500 of whom were to be in Halifax, and the remainder between Pictou and Sydney. He could hardly imagine that anybody would object to this, as it was well known that in case of necessity there were not half enough men to man the guns at the places named. As regards the item for drill of adjutants he would say that the object was to perfect so many officers from each county in their drill as to do away, to a large extent, with the necessity for drill sergeants, and thus save that expense to the country. He thought that the hon. member for Digby had small grounds to go upon when he objected to these expenses for such an important service.

Mr. LEVESCONTE said that the hon. member for Digby had thought proper to state that almost every member of the committee was either a colonel of militia or a member of the militia court. He (Mr. LeV.) happened to be both; but that did not prevent him from giving expression to the opinions he held, and although he had been invited to take part in the proceedings of the militia convention, and had attended there, he had found it necessary to object to much that had transpired, as was evidenced by his dissenting from the report. He thought the insinuation of the member for Digby might have been spared.

ESTIMATES.

Hon. FIN. SEC. in laying upon the table of the House the estimates of the probable revenue and expenditures for the current year, remarked upon the general prosperity of the country, and the vigor and vitality exhibited in every branch of industry and trade. He had alluded to this on a previous day when he had

the honor of laying on the table of the House the trade returns for the past nine months, and he would now say that from present appearances he had no reason to anticipate any falling off in the prosperity of the country for the next twelve months; on the contrary there were reasons why it was probable that the trade of the country would be increased rather than diminished during the ensuing year. When it was considered what a large amount of money would be circulated over the country for public purposes, it would be understood how trade must necessarily be stimulated by the increased importation of dutiable articles which would be consumed by those engaged in the construction of the public works that were contemplated by the government. In addition to this, the large amount of capital which would be expended in the Island of Cape Breton in developing the coal fields of that locality, would add still further to the prosperity of the Province. He thought, therefore, he was fully justified in assuming that there was no fear of a diminution of the present prosperous condition of the provincial resources during the ensuing year.

The Estimates were based upon that assumption and without detaining the House by any further general observations, he would proceed to give the principal items of expenditure and probable revenue.

The House was aware that the financial year closed on the 30th September, so that the account of expenditures submitted, was only for nine months, while the estimate would embrace the whole twelve months, from the 30th September, 1864, to 30th September, 1865.

From the Receiver General's account it would be seen that the total balance in his hands, on the 30th Sept., '64, was \$225,000; and there was due from the Casual Revenue \$44,760; Collectors of Colonial Revenue \$53,538; Brewers \$2,667; Manufacturers of Tobacco \$1,336; Canada, New Brunswick, and P. E. Island \$7,300; Counties for road advances \$11,969; Hospital for Insane \$30,392; Railway Department \$29,512; Pilotou branch \$11,152; Post Office Department \$3,833; Old Copper Coin \$2,464; making in all \$424,079. Against that there were outstanding liabilities to the extent of \$276,006; leaving the net balance to the credit of the Province of \$148,072.

The estimated revenue for the year 1865 is as follows:—

Customs and Excise duties \$920,000; last year it was \$999,409; Light duty \$35,000; last year it was \$30,000; Casual Revenue \$50,000; last year \$53,000; Crown Lands \$35,000; last year \$45,217; Canada, New Brunswick and P. E. Island \$4,500; Great Britain, for Sable Island, \$2,000; Hospital for Insane \$20,000; last year it was \$20,229; Gold Fields \$20,000; last year \$30,000; Railway Revenue \$170,000; Post Office \$50,000; last year \$43,000; Board of Revenue \$1,427; making a total of \$1,307,927, which added to the balance of last year, gives a total of \$1,456,000 estimated revenue for the year 1865.

The estimated expenditure for the ensuing year is as follows:—

Authorized by Law.....	\$495,140
To be voted by the Legislature.....	900,731

Making a total of.....	\$1,395,871
Leaving a margin of.....	\$66,129.

It would be seen that if he had erred at all in his calculations it was upon the safe side; and he thought it would be found that he had estimated the revenue from the various sources, rather under than over the mark. He would now turn to the abstract of expenses.

The additional amount to be voted for the civil list is \$8055; this includes \$1875 for the salary of the Governor's Private Secretary for a year and a half, from the time of the appointment of His present Excellency.

Criminal prosecutions \$1600; Crown Land Department \$14,000; Coroners' Inquests \$1400. Revenue expenses \$47,840; Judiciary expenses \$1400; Poors' Asylum \$8100; Rations to troops \$100; Distressed seamen \$200.

The vote for steam-boats and ferries is pretty much the same as last year.

The next item he would allude to was the grant for militia purposes. The Committee on that subject had not reported, but as it was necessary to have the estimates before the House in time to prepare the Revenue Bills, it was impossible for him to wait for that. He had therefore placed in the estimates the sum of \$81,000, which would be subject to any reduction the House might choose to make.

The grant to Collegiate Institutions was the same as last year—with the exception of \$1000 to the Yarmouth Academy, and the Common School Grant \$114,400.

The sum of \$16,000 is appropriated for Agricultural purposes; \$120,000 for Railway expenses; \$12,000 for gold fields; relief of Indians \$1200; Board of Statistics \$3000; Legislative expenses calculated up to the 15th April, at which time he hoped the business would be completed—\$38,414; Overseers of the poor \$8621; Navigation Securities \$49,040; St. Peter's Canal \$30,000; Miscellaneous expenses pretty much as last year—\$15,220; roads and bridges \$160,000; special grants \$102,407, in all \$262,000 for roads.

These were the estimates for the year 1865, and in laying upon the table he would move that the usual supplies be granted and that the House resolve itself into a committee for that purpose on Monday next.

Mr. AROTHALD called attention to what he considered was an accidental omission on the part of the Financial Secretary to provide for the road to the Acadian Mines, upon which subject he had spoken to the hon. Prov. Secy.

Hon. FINL. SECY. said that the matter had been brought to his attention, but too late to have it included in the Estimates.

Mr. LONGLEY said that he perceived that no provision was made for an increase of salary of the Light-house keepers at Port Williams and Margaretsville.

Hon. FINL. SECY. thought that subject had been referred to the Committee on Navigation Securities, which had not yet reported.

Mr. LOCKE said—In looking over these estimates, he could not help being struck with the unfairness of the distribution, especially as regarded the county of Shelburne. He had no objection to Queen's county getting all she could, but he thought it rather disproportionate for her to get for special grants to roads and bridges \$4,500, while Shelburne only got \$4,000. Then for Navigation Securities, Queen's gets \$2,915, and Shelburne only \$700. If the system was supposed to be based upon population, this was exceedingly unfair. The Financial Secy. stated that a large amount of money would be expended in certain counties for rail-

way purposes. That would seem to be a good reason why the county of Pictou, at all events, should not receive much additional aid for her roads and bridges—ad yet upon looking at the estimates he found on main road to Antigonish county line \$2100; main post road from West River \$2000; post roads from Colchester county line to Pictou \$2000, and roads East Pictou \$2000, besides other grants, making over \$10,000 extra grants for the county of Pictou,—and yet Shelburne, which derived no direct advantages from the railway, could not get a grant for the road to Annapolis. He had presented a petition early in the session, largely signed, praying that a grant might be given to construct this road, which is so necessary to the people of both counties. Shelburne is, he believed, the only shore county without direct communication with the agricultural counties in the interior, and he thought it would have been a small act of grace on the part of the government to have granted a sum to commence this road if they could not have given enough at once to complete it. They have granted \$30,000 to complete the St. Peter's Canal, a large sum, but one, which he thought would fall very far short of completing it, while one-half that amount expended on the road from Shelburne to Annapolis would have opened up communication between those two counties, and would have been an expenditure, in his opinion, much more useful and profitable than if made on the canal. He hoped the Financial Secretary would reconsider the matter and add to his estimate some fair amount for the services referred to, and thereby show that the government were willing to deal equal justice to every portion of the province without regard to either the support or opposition they may receive from any particular county.

Mr. STEWART CAMPBELL said that the truth of the old adage, that kissing goes by favor, could not be better illustrated than by the estimate that had just been submitted. He had always been under the impression that the grant for the road and bridge service was based on population, but to-day he had been otherwise instructed; and the house had only to observe the glaring disproportion that this estimate exhibited in relation to the counties of Queens' and Guysboro, to be convinced that some other less justifiable basis had been adopted. As contrasted with Guysborough, Queens' was much the smaller county of the two—and this as well in extent of territory as in amount of population—and yet she received \$7,415 for special road and bridge grants, and for Navigation securities; while Guysborough only got \$3350, or less than one half that amount for the same objects. How, he would ask, could this be accounted for. He could perceive but one reason—the members for Queens' supported the government, while those for Guysborough were in opposition, and he thought it not at all unlikely, considering the way in which the constituency he represented had been treated in this matter that it would be a long day before they would be otherwise than in opposition. Take another case—the county of Antigonish received by this precious estimate in special grants for roads and bridges, and navigation securities, no less than \$8,000, while Guysboro, as he had already mentioned, only got \$3,350. Not only had he reason to find fault with this manifest disproportion, but he believed that a large amount

of the money voted to Antigonish for the services referred to, would be actually thrown away. He thought that enough money, as well private as public, had already been sunk in Antigonish Bay, and its vicinity, but the government seemed to think otherwise; and hence the present enormous, not to say scandalous, appropriation of the public money. But not only was the unfairness of the distribution of these funds for special objects most conspicuous, but there was the mode in which these transactions were managed, of which he had good reason to complain. He had presented two petitions, signed by the Magistrates and Grand Jury, and hundreds of other inhabitants of his county, asking for a special grant for the main post road between Guysborough and Cape Canso.

This has been transferred to the Financial Secretary, but the government had not even condescended to confer with him on the subject, and the answer now given by them is that they had not thought proper to make any provision for it in the estimate. When it is considered that this principally emanated from Cape Canso and its neighbourhood—a community which contributed large sums to the general revenues of the province—when it is borne in mind that it expressed the wishes and asserted the just claims of a locality of whose importance he need only offer in proof the simple fact that it ships, on an average, over a thousand dollars value in fish for every day in the year, he could not but say that the present rulers of our country were unfaithful stewards of the public interests, and offered no encouragement to a branch of industry in which a large portion of the people of the province were engaged. There was another petition from Port Mulgrave—backed by the counties of Antigonish and Richmond—asking for a special grant to promote connexion between that flourishing place of business, and the adjacent country. But to this petition the answer the estimate gives is not one penny for an object which the petitioners from the counties of Antigonish, Richmond and Guysborough declare, and declare truly, is an object of commanding importance and general interest. He might be told to provide for these objects out of the grant of \$3000, but that would be adding offence to injustice. The county of Guysborough represents a large tract of country extending along many miles of coast, intersected by numerous rivers, which naturally necessitate the expenditure of a large amount for bridges, while the rocky and peculiar character of much of the surface of the land justified him in expecting a larger share of consideration in these matters; and yet he was to be told to be content with the paltry sum of \$3000 to carry forward the projected improvements to which he had referred; together with other special claims now pressing upon his attention. Again, look at Lunenburg, she got \$10,000 as a special grant in aid of roads and bridges in that county.—Last year one of the members for that county informed the house that he would not have voted for the Pictou Railroad if he had not got the extra grants he wanted; perhaps in order to secure his vote this year upon some question of importance to the government, an additional sop was required, and, of course, it had to be given whether right or wrong. He thought he had good reason to complain of the partial character of this estimate and of the way the

public money goes when the position of the government is to be secured. But the estimate discloses another feature. He found that comparing that document with a similar one for last year that the grant to the controller at the Port of Guysborough has been considerably increased. This was another instance of kissing going by favor. The hon. gentleman contrasted the proposed salary with that of other officers in his own and other counties at smaller salaries, in whose offices business of very much larger amount was transacted, and from which greatly larger revenues were had. How was this to be explained, only upon the principle that kissing goes by favor. But did the government know the locality of the office at the Port of Guysborough. He could inform them of an instance of a gentleman who was engaged in the shipping business, and came to Guysborough from a distance of nearly 50 miles to see the Controller and Registrar. He had travelled this distance on a cold winter's day; but when he reached Guysborough, he had to be told that his journey was not then half over; he had to travel so many miles up the river, and so many miles down again, on the other side, before he could reach the office, or rather the official he was in search of. The hasty review he had made of the mode in which the special grants for roads and bridges had been distributed between the different counties, exhibited such a monstrous disproportion as to induce him to hope that an ordinary sense of justice would yet lead the house, if not the government, to consider the claims which had been overlooked. He could do no more, at present, than to enter his solemn protest against such flagrant injustice as the estimate exhibited, and if no remedy was afforded he must only refer the matter to his constituents, and ask them at the proper time to deal in the proper style with a government, whose duty it was, in the distribution of the people's money, to do equal justice to all, but who had on this occasion, at all events, been guilty of an entire forgetfulness of that imperative obligation.

Mr. KILLAM said that it would be remembered that last year when the government brought in the bill to authorize the construction of the Pictou railroad they held out the inducement that large grants would be made to counties that did not immediately participate in the advantages of the railroad, that the west would be particularly cared for, and they undertook the construction of the Bridge over Bear River a work admitted to be of great importance to the west. He believed the lowest estimate was about £4 or £5000, last year they appropriated \$12,000 and that amount has been expended upon the work, and now when it was well known that it could be completed in the next twelve months, he only found \$5,000 in the estimate, was that the way he would ask for the government to treat this great work? Was it because the late leader of the government had left political life, that the claims of the west were no longer regarded, or was it because Annapolis had returned another member in his place of different politics? The hon. gentleman to whom he had alluded (Mr. Johnston) had made use of strong language when urging the claims of Annapolis and he would read to the house what he had said on that point. (Mr. Killam here read from a speech delivered by Mr Johnston on

the subject.) Now it appeared that things had changed and it was impossible for Annapolis to get \$10,000 to finish this bridge. In the matter of roads, too, her interests had been neglected, only \$3,000 was appropriated for that large county while Kings got \$7,000. The county of Digby also in common with the other Western counties had reason to complain—\$3,900 for a county like that, that had been contributing to the support of the railroads for the last ten years, was a small sum indeed. The hon. Prov. Secy. was very fond of alluding to what was done in England on various subjects, he (Mr. K.) would remind him that the government there never commenced a work and stopped in the middle of it, they voted the other day £250,000 for the defences of Quebec, and £100,000 for Nova Scotia, £30,000 to be spent in 1865. The government here should take pattern by them and when they commence a public work like the Bear River Bridge, go on with it until it was completed.

Mr. COLIN CAMPBELL said that it was the habit for the hon. members to find fault when they thought the interests of their counties had been neglected; but the hon. member for Yarmouth was not content to complain of his own county, but he took others also under his protection. Although when he considered the state of the roads and bridges in his county, (Digby), he must confess that the sum of \$3,900 seemed small; yet, having endeavoured by every means in his power to increase it, he was obliged to be satisfied, and he thought that Yarmouth ought to be satisfied with \$7,000.

Mr. LOCKE must apologize to the Financial Secretary, he found Shelburne got \$600 for the beacon at Wesse's ledge.

Hon. FINL. SECY.—the complaint then is not that you don't get enough, but that somebody else gets more.

Mr. LOCKE—you have placed in the estimates \$30,000 to complete St. Peter's Canal—why not put in so much to complete Bear River bridge, and thus satisfy the people east and west.

Mr. BLACKWOOD said that nothing had been provided for Colchester. He trusted that a small sum would have been provided for a new road recently opened to communicate with the steamer at Point Brule—the people had expended about £600 on it, and that sum would be thrown away unless it was completed. He hoped the government would yet see the necessity for a grant for this object. He was surprised to find that not a dollar of special grant was given to Colchester, while Pictou got a large sum, although it was contemplated to spend an immense sum there for railway purposes. He did not think it was right or just, and he must protest against it.

Mr. MCLELAN presumed that it was an omission on the part of the government and that they would not leave the road referred to in an unfinished state.

Mr. ARCHIBALD said that there were one or two important services in the county of Colchester which he was convinced the government had unintentionally overlooked. There was the bridge at Board Landing, the last bridge on the Bay of Fundy shore—a most important work which will cost about £3000.

There was no doubt that a government to satisfy everybody must be immaculate; the public funds should, as far as possible, be dis-

tributed according to population and with a due regard to the peculiar wants of each county. He had not had an opportunity to examine the estimates thoroughly, but he intended to do so as soon as time would allow.

Mr. BLANCHARD said that he did not agree with the member for Guysborough, that kissing goes by favor; because if it did, Inverness deserved to be highly favored—returning as she did two government members. He would take up one or two of the counties and compare the way in which their wants had been respectively considered, and he did so with the hope that even yet the government would be induced to make some alteration. Take the county of Inverness, with her large extent of territory—a new county, too, to a large extent, without roads—and yet all the special grant given to her was \$5,000; while Cumberland, with the same population, a much older county, and no larger wants, got \$10,000. Then take Lunenburg—yes, “even Lunenburg” got \$10,000. He would ask was it right—was it even common justice that an old county like Lunenburg, with the roads well established, should receive double the amount of a county like Inverness? He asked the government, and he wished to do so without any temper, was this fair or reasonable? Then again take Navigation securities—there were only two sums voted for Inverness, of \$300 each, upon the usual conditions, that is, that two thirds of the amount be raised by subscriptions. Why was that added to these grants, he would ask, while there was a grant to Halifax to remove obstructions from Herring Cove, of \$500, without any conditions at all?

Mr. PRYOR—That work will cost \$1300.

Hon. FINL. SECY.—The petition was accompanied with a subscription list, praying for the grant upon the usual terms.

Mr. BLANCHARD, continued—why was there no provision, he would ask, for the wharf at Port Hood, an important work not for Inverness alone, but for the whole Island of Cape Breton. Then there was the bridge over the Margaree river; \$5000 would build that—nearly \$2000 had been subscribed,—and yet not a penny was voted for it. Mabou harbour, too, was neglected—a work which would be a boon of no ordinary kind. The county of Queens is also amongst the favored ones.

Mr. ALLISON—We have no St. Peters' Canal.

Mr. BLANCHARD said the less said about that the better. St. Peters' Canal would be of as much benefit to Liverpool as to Inverness. Last year Liverpool had a large grant to deepen the harbor, and now this year she gets \$1500 more. If St. Peters' Canal is to be of any advantage to Inverness, it would be equally so to Cape Breton. Why then did she receive a special road vote of \$2,400 more than Inverness?

Mr. BOURINOT—we should have double the amount.

Mr. BLANCHARD said there was only one reason that could be given and that was that Cape Breton always sent faithful supporters of the government, while Inverness had the audacity to send one opponent. He warned the government, however, that if they persisted in this estimate Inverness would not long send them two. Richmond, he found, got \$3000 from the extra grant and she was justly entitled to it, and he only wished she could

have got more. He admitted that the grant of \$5000 to Inverness, in addition to the ordinary grant, was a great boon, but he thought some reason ought to be given for the large difference between the grants in various counties, where the circumstances are the same. He felt tempted to ask where were his colleagues when this estimate was concocted, and why did they not protest against such gross injustice. It had been said that counties that participated in the advantages of the railroads must not expect large grants. How was it then that Pictou got such a large grant? Over \$10,000.

Mr. D. FRASER—the railroad is not going to build our roads and bridges.

Mr. BLANCHARD—In Inverness the bridges are tumbling down, and in many places, there are hundreds of persons without any roads at all. He did hope that if the government did nothing else they would do something to carry out the provisions of the law of 1859, and spend the money arising from Crown Lands—in the numerous places and settlements where the people were compelled to travel miles to their homes over mountains where no roads existed, and across unbridged streams. The hon. member concluded by denouncing the estimate as grossly partial and unjust, and hoped that the government would yet amend it.

Hon. ATTY. GENL. said that it was not in the power of any government to bring in a road scale that would satisfy everybody, and the Fin. Sec. who attempted to do so was simply attempting an impossibility. Gentlemen were disposed to view it simply in relation to the peculiar wants of their own counties, and they little knew the difficulties the government had to contend with, whose duty it was to look to the wants of the whole country, and to make such provision as the condition of the public revenues would allow. He had sat there four years together and never got a single dollar of extra grant for the roads of his country, and yet he did not complain. The member for Guysborough complained that a sum was voted for deepening Tracadie Harbor. He must remember that they did not participate in the extra road grant of last year, and if they did get a little aid towards the subscriptions of the inhabitants it was but carrying out the policy of the government in such matters. He thought that the member for Inverness, with his special grant of \$5000, ought not to complain when he remembered that there were some counties that could scarcely keep up their present postal arrangements. As to the wharf at Port Hood alluded to by that hon. gentleman he would say that the government intended to provide for that work and to commence the erection this autumn; and Inverness would then be directly benefitted by the Pictou Railroad and be brought into communication with it by steam to Port Hood. He would remark that of the \$50,000 voted for special grants for roads and bridges for the last 2 years, his county only \$2000—none last year at all, and if this year it got a small extra grant for navigation securities, he did not think it fair for that hon. gentlemen to object. He would caution the member for Guysborough before he talked about money being thrown away on public works in his county to make himself conversant with the facts. He could tell him that this work had succeeded beyond expectation and was

likely to prove highly beneficial to the fishing and coasting interests of the Eastern part of the province. He was rather amused at the anxiety evinced by the member for Yarmouth about the Bear River Bridge. When he (the Atty. Genl) had advocated that work on the occasion of the presentation of a petition against it on a present day, that hon. gentleman had scarcely a word to say in its favor, he had damned it with the faintest praise; but now he was quite ready to attack the government for not immediately proceeding to its completion.

Mr. TOBIN was not an upholder of the policy pursued in the house in regard to these special grants. He thought if there was a surplus revenue, there was just as much need for care and caution in the distribution of the public monies as when there was not. It was not fair to contrast one county with another, for they might be public works in one county requiring special aid, which did not exist in the other. The proper course would be for the government to have an engineer, whose duty it should be to report upon the desirability of any public work before any money was granted, and then if the circumstances of a county really required special aid, let it be given. But he did not approve of this system of one gentleman after another getting up and complaining that his county did not get enough, just because there happened to be plenty of money in the treasury. If they had more revenue than they wanted, let them unburden trade and cut down the tariff. If ten per cent gave too much revenue let it be reduced to seven and a half. If free trade was to be the policy let it flow as freely as possible. Allusion had been made to the grant of \$500 for deepening the harbor at Herring Cove. That was hardly sufficient to begin the work and the remainder would have to be raised by subscription. That harbor was very much resorted to, but of late years it was gradually being obstructed so far, which would soon render it unmanageable.—It was a work of great importance and he thought that nobody should complain of the small grant.

The hon. gentlemen concluded by again expressing his opinion that there should be a government engineer to report upon all such works.

Mr. PRYOR called attention to the necessity for a further grant for the Poor's Asylum. It was impossible with the grant of last year to support the transient paupers.

It appears that only \$80.00 has been voted while last year 350 transient paupers had to be maintained at a cost of £2,840. The city paid for all its paupers, but it would be impossible for the commissioners to provide for the transient poor with the present grant.

Hon. Mr. McFARLANE said that during four or five years Cumberland only received £300 in all for her roads and bridges. Very few gentlemen had any idea of what it cost to keep up the roads and bridges in Cumberland. Last year the bridges erected, with those being built this year would cost \$40,000. The bridges over the Wallace river and Pugwash harbor were absolutely essential, and without them it would be impossible to pass over the post roads. He thought the government had dealt as liberal as possible with the various counties, and that no one had much cause to complain.

Mr. MILLER enquired in what way the Government intended to complete the St. Peter's Canal.

Hon. PROV. SEC. replied that three propositions had been made to the Government. One was to complete it as a marine railway, at a cost of \$20,000—another, to construct a canal, with a base of 22 feet, at a cost of \$125,000; and the other, with a wider base, for \$170,000. The Government would adopt the second proposal, and would go on with it until completed—probably in two or three years. In the meantime, they had provided in this year's estimate as much as could be expended this year.

Mr. ANNAND said there was one grant in the estimates which met with his entire approval, and that was the militia grant. The time had arrived when we must assume a considerable share of our own defences, and he was glad the Government were in a position to recommend so large a grant.

Mr. STEWART CAMPBELL regretted to find no provision in the estimates for reporting and publishing the decisions of the Supreme Court. If the Government brought in a supplemental estimate, he hoped they would yet provide for it, as it was a service that would meet with the general approval of the house and country.

Mr. S. MACDONNELL endorsed the remarks of the member for Guysborough. The service alluded to would be of great benefit to the country.

The adjourned debate was made the order of the day for Monday. Then the house adjourned until 10 o'clock next day.

SATURDAY, 26th March.

The house met at 3 o'clock.

Mr. HATFIELD presented a petition from the district of Argyle against the present School act.

Mr. COWIE, a petition from Daniel Palfrey, and others, in regard to the payment of laborers, which was referred to the committee on the amendments of laws.

Mr. ROBERTSON, 3 petitions from Barrington against Confederation.

Mr. WHITMAN, a petition from Granville, praying for a daily mail to Annapolis.

Mr. BALCOM introduced an act to incorporate the East River Driving Company of Sheet Harbor.

Hon. ATT. GEN. presented a petition from a number of inhabitants of Antigonish who resort to a fishing place at Port Hood Island, asking the house to take some measures for the purpose of preventing disorder arising out of the setting of nets.

Mr. CALDWELL presented a memorial from the grand jury and justices in session for the county of Cape Breton, asking legislation to prevent transient merchants, vending goods without license; or taxation in support of county purposes. He was permitted to introduce a bill in accordance with the spirit of the memorial.

The house then went into committee and passed the following bills:—To incorporate the Commercial Bank of Windsor; to incorporate the trustees of the Middle River church in connection with the Presbyterian church of the Lower Provinces; to authorize the trustees of the Baptist French Mission at Yarmouth to sell certain lands; to add an electoral district

to the western division of the county of Halifax; to incorporate the central mining company. The committee adjourned and reported progress.

Hon. PROV. SEC., by command, laid on the table the report of the Mount Allison Wesleyan Academy for the year 1864; also, the report of the Pictou Academy, the Horton Academy, and the St. Francis Xavier's College for the same period. Upon motion, they were referred to the Committee on Education.

Mr. ANNAND asked the Government to lay upon the table a return showing the annual income and expenditure of the Crown Land department, with the quantity of land sold from 1860 to 1864—both years inclusive. Also, a return showing the number of the ports of entry and clearance in the Province, and where situated, distinguishing those created since the control of the customs department was transferred to the government and Legislature of the country.

Also the number of persons employed in the revenue department and the cost of the service including salaries and commissions.

Also a return showing the number of Light-Houses in this Province where located, distinguishing those built between 1st January 1840 and 31st January 1864 from those previously erected.

Then the House adjourned until 3 o'clock on Monday.

MONDAY, March 27th.

House met at 3 o'clock.

THIRD READING.

The following bills were read a third time:—

A bill to add a polling place in the county of Halifax; a bill to authorize the trustees of the Baptist church in Yarmouth to sell certain lands for church purposes; a bill to incorporate the trustees of the Presbyterian church of Middle River; a bill to incorporate the Mabou coal mining company.

BILLS REPORTED.

Mr. ARCHIBALD, chairman of the committee upon the amendment of laws, reported the following bills:—A bill relating to the settlement and support of the poor; a bill for the protection of the rights of married women. The committee reported against this bill as originally introduced, as being an invasion of established rights, which they could not recommend. Also reported in favor of a bill recommended by a majority of the sessions of Queen's county, to place that county under the operation of the new statute labor law. Also reported against a bill to amend chapter 79 revised statutes, of pilotage and harbor masters; and in favor of a bill introduced by the member for Cape Breton, to amend the county assessment law, the object of which is to give mutuality in the matter of appeals; also in favor of a bill relating to reserved crown lands in Cape Breton to be appropriated for road purposes; also favorably of a bill introduced by the member for Cumberland, Mr. Donkin. The object of this bill is to obviate the inconvenience felt under the present law of the constant change of grand jurors. Under the present system, just as fast as one set of jurors became acquainted with their duties they were superseded by another set who had to learn the same thing over again. It was proposed by this bill always to have a certain number of the old jury upon the new panel.

As regards a petition referred to them from Liverpool, praying for a law compelling employers to make cash payments for labor, the committee feel that as it commences in such excellent terms, referring to the bounties of Providence, the blessings of peace, and the prosperous state of the finances, it was well worthy the attention of the house; but they regret that they cannot recommend the concluding portion of it, as they consider the existing law quite sufficient to meet the question.

STATUTE LABOR.

Mr. COWIE moved that the bill relating to the statute labor law in Queens county be deferred for three months, as he considered, if it was carried out, it would create great hardship upon the poorer portion of the population.

Mr. ARCHIBALD said that the committee had no means of knowing the opinion of the majority of the inhabitants, they simply went by what was brought before them.

Mr. ALLISON said that a resolution in favor of the bill now recommended by the committee had been passed at the sessions by a vote of 13 to 5. That resolution had been sent to him, and he was bound to take it as expressive of the wishes of the people on the subject.

Mr. COWIE had no objection to the northern part of the county having the benefit of the law.

Mr. LOCKE thought the law should be made general over the whole Province.

Mr. LEVESCONTE thought that if the member for South Queens felt satisfied that the law would not work well in his district, he was entitled to the same courtesy as was extended to other hon. gentlemen last year, who got their counties exempted. He opposed the application of the law to his county last session, because he thought it was unsuited to its wants, and he did not think the law should be crammed down the throats of the people, whether they wanted it or not.

Mr. MILLER said he was one of the committee to whom the bill had been referred, and he had supported it because he thought it was in accordance with the wishes of the representatives of the county. Last session he had voted for the exemption of those counties that wished it, and in order to be consistent, he must support the motion of the member for South Queens, (Mr. Cowie.)

Mr. PARKER referred to the unequal manner in which the burden of the performance of statute labor was distributed. The poorer classes have to perform the larger proportion of the work, while the rich escape with comparatively little.

Mr. S. McDONNELL was also a member of the committee, and had recommended the bill; but he now found that while one of the members for the county was in favor of it, the other two were against it, and he should therefore be compelled to vote for the motion to defer it.

Hon. FIN. SEC., as a member of the committee, should feel obliged to sustain the report of the committee, and he did so from his own conviction that the law was right.

Mr. S. CAMPBELL said that as it appeared to be fashionable for members of the committee to give explanations, he would say that he should continue the action he had taken on the committee, and support the bill. He had always been in favor of the present law. It was said that the effect of the bill was to reduce the

amount of statute labor. He did not think it lay in the mouths of the members for Queens to complain of this, when the large special grants that county had received were taken into consideration—more than 50 per cent. over Guysboro', which had a much larger extent of territory and greater wants.

Mr. MILLER said that last session an attempt was made to force this law upon certain counties, but owing to the activity of the member for Lunenburg, the vote was rescinded on the following day. He did not think it right to force an obnoxious law upon any county that did not want it.

Mr. COWIE said that this law would bear very hard upon a certain class in the town of Liverpool, who would have to perform five days' labor, while now they had only to do two.

Mr. ALLISON could not understand how the poor man could object to this law, which was based upon property. The old law, in his opinion, was much more oppressive upon that class than the present one, and exempted the wealthier classes from the performance of work which they would have to do under this bill.

Mr. ARCHIBALD said that if the majority of the people did not want this bill, it was not right to force it on them; but if the majority of the Sessions required it, they must take their vote as representing the feeling of the county.

Mr. JOHN CAMPBELL was understood not to be opposed to the bill personally, but he thought it would not operate equitably upon the portion of the population who resided along the shore.

Mr. BOUBINOT was inclined to support the views of the member for North Queens.

Hon. ATT'Y GEN. referred to the present anomalous condition of the present statute labor law. The law professed to be general—whereas, in point of fact, ten out of the eighteen counties were exempted from its operation. He had always been in favor of this law, as a great improvement upon the old law, and he trusted that before long those counties which had rejected it would see their mistake.

Mr. LEVESCONTE said that no doubt the hon. gentleman who came from that favored county where the sun shines day and night, could afford to pity the ignorance of those who could not see the benefits of this law; but he, for one, was not disposed to force upon the people a law they did not want.

After some further remarks the question was taken upon the motion to defer the bill for 3 months, when there appeared for the motion 18, against 21. The bill was then committed.

Hon. PRO. SEC. laid on the table a return of light houses asked for by the member for Halifax (Mr. Annand.) He remarked that the information in reference to crown lands could be obtained from the journals.

Mr. ANNAND doubted whether he could obtain it from that source.

Hon. PRO. SEC. said if he could not, he would apply to the crown land commissioner for it.

On motion of Mr. Longley the petitions on the table on the subject of Dalhousie college were referred to the committee on education.

Hon. PRO. SEC. gave notice that the committee would meet on Wednesday next at 11 o'clock—to hear the views of Rev. Dr. Cramp and Rev. Mr. McMurray, and any other person interested in the subject.

Hon. Mr. SHANNON introduced a bill to authorize the appointment of new trustees for the Halifax Grammar school.

Dr. BROWN presented a petition from William Porter, of Lockhartville, for increased salary as a way office keeper.

THE ESTIMATES.

Hon. FIN. SEC. moved that the Estimates be retaken up, and referred to the Committee of Supply.

Mr. KILLAM moved in amendment that the Estimates be referred back to the government, for the purpose of making amendments therein. He did not consider that justice was done to the western counties, and referred to the cases of Digby and Annapolis in particular. Digby was peculiarly situated; it required more roads in proportion to its extent than any other county in the Province. He referred to a line of road connecting Weymouth with the county of Yarmouth,—for the first fifteen miles it was pretty well improved, but after that it was impossible for teams to get along. Money was wanted for that purpose, but the road grant for Digby was so small that none could be spared. Yarmouth itself had not that full share which she required for necessary improvements.—That county, in consequence of its water communication, required a great many roads—many of them had to run parallel to each other because rivers intervened. Annapolis was in the same position, and yet she had but a small grant. Bear River Bridge might be added by some gentlemen to the bridge grant, but this was a provincial rather than a county work.—He had hoped, with the flourishing condition of the treasury, justice would have been done to the western counties which contributed so largely to the revenue.

Mr. COLIN CAMPBELL said that there was no doubt that the money had not been divided with the fairness he had hoped it would have been. He considered that Yarmouth had a very large grant in comparison with what Digby received. He had endeavored to induce the Government to give his county more than was allotted to it, for it had a great many roads to keep up.

Hon. FIN. SEC. said that it must be a matter of congratulation to the Government that they had been able to frame an estimate which was almost unassailable. All that gentlemen could do was to attempt to exaggerate the facts in reference to Digby and Annapolis. He thought the members for those counties should be the last ones to complain, in view of the way they had been treated for the past two years. Reference had been made to Pictou, and to the fact of the large expenditure that was to be incurred in connection with the railway to that county. That fact operated largely on his mind last session; and when other counties got their thousands for their roads and bridges, not a farthing went into the county which he had the honor to represent. He dissented, however, from the idea that because there would probably be a large expenditure in that county, it should not receive a fair share of the road and bridge grant. The house could not but acknowledge that the member for Yarmouth, at all events, had no reason for complaint.

Mr. HATFIELD said—Look at Lunenburg; she has more in proportion than Yarmouth.

Hon. FIN. SEC. went on to say that the hon. member could not with justice complain of his share, and stated that Digby and Annapolis, with a population of 30,000 in all, had received in two years \$36,000, including navigation securities, or \$18,000 each. He did not intend to

say that that grant was too much, but what he deprecated was, that gentlemen should, notwithstanding the anxious desire of the government to meet their views, endeavor to make out that there was an attempt to treat any counties unfairly. The government had distributed the grants in view of the requirements of the several counties, and not with the object of pleasing any particular person. He explained that the grant of \$10,000 for Pictou was divided into \$6000 for the west, and \$4000 for the east district. Four thousand of the former amount went to the construction of roads important for the railway; the other two thousand was for the main post road. In East Pictou, at the present moment, they were indebted to the extent of over \$4000 for expenditures in connection with the main post roads alone, and it would be seen that one dollar would go to any of the cross roads in the county.

Mr. RAY expressed his surprise at the arguments that had been used with reference to Annapolis as well as Bear River bridge. He understood gentlemen the other day to say that that work was a provincial work, of advantage to the western counties generally. Now the argument seemed to be that it was a local work, and that Digby and Annapolis ought to bear the expense of its construction. He conceived that that bridge was a work which a large number of people in his own county, as well as Digby, did not care very much about; it was simply very useful for the travelling public. He felt grateful to the hon. member for Yarmouth for the trouble he had taken in respect to Annapolis. He felt that there were other gentlemen around the benches who must be of the opinion that that county had not received the full justice to which she was entitled. Out of 18 counties there were only 7 that exceeded her in population, and yet she was placed among the lowest on the extra grants this year. He trusted that the government would reconsider the matter and do Annapolis justice in the supplementary estimate which he understood they intended bringing in.

Hon. PROV. SEC. said that he had heard a good many remarks made in the house under extraordinary circumstances; but this was the first time in his recollection that any gentleman came forward to assail the estimate because some county outside of his own did not receive sufficient consideration in his opinion. The hon. member for Yarmouth had been obliged to address some very spirited remarks to the House before he could excite the slightest dissatisfaction on the part of any of the members of those counties whose cause he had so valiantly espoused. He (Dr. T.) was under the impression that the hon. member entirely concurred in the estimate of last year of which the present was a counterpart, that he was a party in arranging it, and that he got everything he asked for. And he therefore felt that the hon. gentleman, finding that he had no cause for complaint in respect to his own county, was obliged to go to those of other gentlemen in order to make out a case against the Government.

It was unnecessary, however, to labor the question, for no case whatever had been made out. The hon. gentleman had destroyed the very case which he had undertaken to put, when he asserted that Bear River Bridge was a provincial undertaking. Would any one say that it was more provincial in its character

than the Pictou railway? Why, then, should the building of that railway deprive Pictou of any share of the road grant? It would not do for gentlemen, in view of the fact that the members for Digby, Annapolis, and Yarmouth had united for years on the floors of the house to demand the construction of the bridge, and finally succeeded, now to turn round and say that they did not care much about it. If the bridge was of no value, let that be clearly understood, and further expense in connection with it prevented at once. No one could, however, deny that that work subserved the interests and views of the people of the counties in which it was situated. He believed that the debate, so far, proved that substantial justice had been done to all sections of the Province, for no one had been able to show that any county had been treated unfairly.

Mr. ANNAND said he took exception to the estimates, on the ground that they did not do justice to a party in the house; that they were framed with a view of subserving political interests. On reference to the road scale introduced by the present Government it would be seen that the county of Halifax was entitled to a fourteenth part, and Lunenburg to one-seventeenth. In the subdivision of the special grants of this and last year, Lunenburg was tenth, and Halifax thirteenth,—therefore were the Government convicted by their own act.—He called upon them to explain why it was counties represented by Conservative members should have large grants, whilst those represented by Liberal gentlemen only received small amounts. The hon. gentleman then went on to refer to the grants to Antigonish, Annapolis, Cape Breton, Digby, Lunenburg, &c.—Hants, to be sure, got a very small sum, but then the railway to Annapolis was to be built, under the resolution on the table, and a large expenditure would be incurred in bridging the Avon. To sum up the whole case, there were 14 counties, which might be called Conservative for the present, represented by 33 members, who got \$104,640, or equivalent to \$7,474 for each county, whilst the other five counties—Halifax being divided into two districts—represented by Liberal members, only received \$16,800, or \$3,360. In other words, for every pound given to Liberal members, there were two pounds five shillings given to a Conservative, and he left out of consideration the grant given to the St. Peter's Canal. This was the first time since he had the honor of a seat in the house he had seen party politics drawn into the road scale to such an enormous extent. In 1863 the Conservative members got pound for pound with those who supported the Government of the day.

Hon. ATTY. GEN. said that it was not to be expected that the government would bring in an estimate that would please everybody. The hon. member for East Halifax had referred to the grants for Halifax and Lunenburg, and instituted comparisons between the two, but he forgot that the money was distributed according to the peculiar circumstances of a county. Last year it was decided to give as large an amount of the extra grants as was possible to those counties that could not directly reap the benefits derived from railways. Halifax was considered to be especially benefited by the railway, and therefore did not get a large amount. Hants had been referred to, and gentlemen would feel that as the railway

ran through it in different directions it could not expect a large grant from the government. Last year Lunenburg was anxious to make connection with the railway at Windsor for the advantage of a large number of the people of that county; therefore there was one reason why she should have been largely considered in the division of the extra grant last year. Three gentlemen supporting the government represented West Halifax and yet that district did not receive more consideration than the Eastern section of the county, therefore it would be seen that as far as that county was concerned there was no party feeling exhibited in the distribution of the grant. The same reason that kept Pictou without a dollar last year applied to Antigonishe. The money was distributed this year as it had been last in reference to the peculiar wants of a county. In some counties for instance, several bridges had gone down, and it required considerable sums to rebuild them. Reference had been made to Guysboro and Queens, but it would be remembered that in a large portion of the latter county it was very difficult to make roads. It would also be borne in mind that for years the county of Guysboro had large advances from the treasury. The province had given a large sum towards a line of road to Guysboro through Musquodobit. The county which he represented had not received out of the special road grant of £50,000 for the last two years more than to the extent of \$2000. It was true that considerable amounts had been given to finish certain works in connection with its harbours, but the people had also come forward and subscribed to the same a large sum.

Hon. FIN. SEC., in reply to the hon. member for East Halifax, denied that the government in making up the estimates had been influenced by political considerations, and went on to show how that honourable gentleman when Financial Secretary had discharged his duty towards those counties which supported or opposed him. Of the small amount (\$10,000) given as a special grant in 1862, \$8,000 was given to counties represented by friends of the government of the day; and here the hon. gentleman read over the various items to corroborate his assertion. Again in 1863, he continued, out of \$14,000 for special grants, the opposition only got \$1600. So the hon. member, it would be seen, ought to be the last person to talk of partiality being exhibited towards any party in the House. The charge brought against the present estimate fell, however, entirely to the ground, if any one would take the trouble to analyse it. The hon. gentleman, in conclusion, referred to several items to bear out his assertion, and stated that he had accidentally omitted in the estimate the road from Plaister Cove to Tracadie, but it would be rectified.

Mr. LONGLEY felt he would be scarcely doing justice to his own feelings if he was silent on the present occasion. He was not without some small measure of gratitude to the hon. member for Yarmouth that he had taken so much pains to vindicate the claims of Annapolis, and regretted that the government had not seen their way clear to an increase of the grant to that county. As it was, however, the grant stood out in most favorable contrast to that which was given in previous years when there was another administration in power, and the members of the county were in opposition.

Then there could be only doled out seventy-five pounds, where five hundred was given last year. Last year, it would be as well to mention, there was given by the government a larger sum than that county had ever received for the past ten years in the shape of public grants. He thought it was exceedingly unfortunate that the people in Digby, Annapolis, and Yarmouth had been so late in finding out that an important public enterprise which would cost at least five thousand pounds by the time it is finished, was of very little value. He regretted that there should be a diversity of opinion in Annapolis in respect to this bridge. He could well make allowance for the sentiments and wishes of the petitioners before the House, but the more their memorial was examined the more obvious was it that the feeling in the county was merely local. Would it be believed by the house that only 68 vessels, or a little over one a week, were annually cleared from the port of Bear River? If there was a sufficient draw placed on the bridge, what foundation for complaint could there be? He could not say a single word in disrespect of any portion of his constituents who had chosen to express their dissatisfaction with the bridge, but he must say that he thought they should have taken energetic measures to stop its construction before any large expenditure had been incurred. It seemed to him, if there was such a strong feeling against this undertaking, those who resided in the immediate locality should have backed their petition with force and energy. It was either an undertaking that possessed merit, or it was one that ought to be condemned. It was now, however, assumed by the government—and rightly so he felt—after the energetic advocacy of the bridge that had been going on for years in the house, that it was of great public importance, and they had given a large sum towards its completion. The county of Annapolis was getting, in the first place, a special grant of \$3000 for the road service, and at least \$2000 for this, as he conceived, very important undertaking. Then we might assume that another thousand dollars would be required to complete the bridge. So, in reality, Annapolis was not getting less than \$6000. He confessed that, in comparison with Kings' County, it might very well have got another thousand; but, in view of the proposed railway, which he considered with much greater interest than mere local works, he thought it had no reason for complaint. He trusted that the government having taken up this matter in earnest, the time was not far distant when the people of Kings' and Annapolis would have railway communication with the metropolis.

Mr. STEWART CAMPBELL said it was amusing to hear the hon. member for Annapolis speak of these local works as of little importance in the opinion of the country with the grand railways which are to be built at no distant day. That hon. gentleman had changed his views respecting railways very considerably of late, for gentlemen would remember the time when he and those who stood beside him opposed these large matters in view of these "merely local concerns." The hon. Provincial Secretary might say "no," but he himself was one of those who upheld that very doctrine. He (Mr. C.) had been surprised to hear the Attorney General, who was well acquainted with Guysboro', declare that that

county had not suffered as much injustice as its representatives considered it had. Allusion had been made to the story of the old Guysboro' road and it was endeavored to make the county chargeable with the expenses of that undertaking, and as a reason why the grant this year should be so limited. The hon. gentleman, however, must have known that that was a line of road of 170 miles, the greater part of which was through the forest, and that therefore it was necessary that large sums should be expended on it. Every year the funds of the county had gone to maintain that road. The hon. gentleman knew that taking a single bridge on the road, nearly £2000 was spent on it. Guysboro' found it necessary, year after year, in addition to its ordinary grants, to borrow large sums of money, to be expended on that same line of road, and in this way its representatives had been cramped in the means at their disposal. If the county was chargeable with that road, was not the honourable member himself equally so for large sums of money that had been sunk for years on Arisaig Pier—which was as useless as the snag at Parrsboro. As respects the fog trumpet at Cranberry Island, it had been asked for by the constituents of the hon. Finl. Sec'y, and it was just as chargeable to Pictou, Queens, or any other county in the province. Supposing it were chargeable, however, then Little Hope Light house should be charged to Queens', and in that case that county trebled Guysboro' in its grant. The grant to Hants was small, but would any one believe that a county with four representatives supporting the government had not the promise of something that did not yet appear. Victoria was one of the favored counties; and a large portion of the grant would go towards a line of road, which, it was said, was intended to benefit the hon. member (Mr. C. J. Campbell) himself. Again there was an advance of \$664 to one John McLellan, for a road to a gold district. A similar claim had come up from Guysboro' for the small sum of £20, incurred by a commissioner, and yet the only satisfaction the members of the county could get was a declaration that they could bring in a bill to assess the people for the amount. In conclusion, Mr. Campbell said he was glad to hear the Financial Secretary state he was going to make provision for a road that had been omitted in the Estimate—it was tantamount to an acknowledgment that justice had not been done to Guysboro'.

Mr. JOST said that he was exceedingly grateful to those hon. gentlemen who had made such special reference to Lunenburg and censured the government for giving that county so much money. He took a very different view of the matter. He believed the government had tried to give Lunenburg what she was entitled to, but nevertheless they had not given her enough, and he could give plenty of reasons for it, if he had time. One thing he might mention for the information of the house, and that was, that the late government out of a special grant of \$12000 gave \$2400 or about one fifth of the whole to Lunenburg. Now, out of the present large grant it only received one tenth.

Mr. C. J. CAMPBELL said that the hon. member for Guysboro' always endeavored to have a shot at Victoria, but that hon. gentleman, with his long experience in the house, should

know better than to come up with his hearsays. He might have found out, if he tried, that the road over Kelly's Mountain was one of the most useful roads to the public, not only in Victoria, but in the whole of Cape Breton. The hon. gentleman should know that it was a monument of the foresight of the member who obtained its construction. The hon. gentleman had also referred to the road to a gold district, but he should be the last person to complain inasmuch as he had had large grants for the same purpose for several years.

Mr. KILLAM said that the Provincial Secretary, in the course of his remarks, had admitted that Bear River Bridge was a great public improvement that ought not to fall on Digby and Annapolis alone. It was too large a work for any one county to be fairly chargeable for. Now that the Pictou Railway was a fixed fact, the hon. Financial Secretary was as anxious as any one for his special grants, and gave his reasons for it. That hon. gentleman had got the railway, and did not now care a farthing about the claims of the West. Not three days ago he had stated that Digby had got enough and should not have more.

Hon. FIN. SEC.—I was talking about Bear River Bridge, and said that I conceived in view of the large grant to that undertaking, and what they would have to get to finish it, they got as much in proportion as any other counties.

Mr. KILLAM believed the hon. member said they got more, but it did not matter much. It had been stated, last session, that he (Mr. K.) as well as the members for Digby were satisfied. Did not the Prov. Sec. know that he was in the caucus, and insisted upon having more for Yarmouth and Digby?

Hon. PROV. SEC.—And you get every dollar of it.

Mr. KILLAM did not, but had gone out of the caucus, and never went again. Subsequently he was told that a thousand dollars in addition had been given, and said it was not enough.

Hon. PROV. SEC.—That was all you asked for.

Mr. KILLAM—The hon. member for Digby had told him that last year he only got out of the grant the small amount of \$350 for the township of Clare; that he was writing a letter to the government on the subject, and that if he did not get more he did not know what he would do. If we had a Financial Secretary belonging to a business that enlarged a man's views—if he were a merchant, then the claims of all parts of the county would not be so likely to be overlooked; but he belonged to a profession that would take a pound of flesh off a man's back if he thought it necessary. In conclusion the hon. gentleman again advocated the claims of Digby and Annapolis to more consideration.

Mr. LEVESONTE said that it had been stated that if the hon. member (Mr. Robicheau) were present, he would express his dissatisfaction with the estimate of last year. Now when that hon. gentleman came up to Halifax this session, he said that he had been treated so handsomely that he was ready to do anything he could for him (Mr. LeVe.)

Mr. HATFIELD said that he had heard the hon. member for Digby, himself say he was not satisfied with the grant he received last year, that he considered it an insult to his county.

EVENING SESSION.

The house resumed at half-past 7 o'clock.

A call of the house was had.

Mr. LOCKE drew attention to the fact that while the whole extra grant was \$154,000, Cape Breton received of it no less than \$66,400, or over one third, while her population did not exceed one-fifth of the rest of the Province.

Hon. FINL. SECY.—That includes the grant for the St. Peter's Canal.

Mr. LEVESCONTE said that the hon. gentleman forgot to calculate the large amount spent in Nova Scotia proper on railroads.

Mr. LOCKE—It was true that he included the grant to St. Peter's Canal, but that was exclusively for Cape Breton.

Mr. LEVESCONTE—Does the hon. gentleman mean to say that it would not be of as much advantage to Nova Scotia vessels as to those of Cape Breton.

Hon. PROV. SECY.—Perhaps the member for Shelburne does not intend his vessels to visit Cape Breton?

Mr. LOCKE said the member for Richmond was mistaken when he said that the benefits of the railroads were confined to Nova Scotia proper. The Pictou line would be of as much advantage to Cape Breton as to Pictou. The hon. gentleman went on to remark upon the unfairness of the distribution of the extra grants, all the counties to the east got a large share, while the west got none with the exception of Queens. He did not say that county did not require what she got, but he did think it exceedingly unfair that Shelburne, which derived no advantages from the Railroad should receive so small a grant. Pictou with so large a grant for railroads, should provide for her own common roads. Amongst the grants in the estimates authorized by law, he observed the salary of the Governor's private Secretary. —He was rather inclined to think that was not authorized by law. He was rather surprised at the government putting that grant as prominently before the country. It swept away the last vestige of the great retrenchment scheme—for this was the only grant that had come under its operation. The government in now placing it upon the statute book proclaimed to the country that the whole scheme from beginning to end was a delusion, and only intended to deceive. This vote too was ex post facto in its relation, for it not only provided for the next year's salary, but for the last half year as well.

Mr. MCKAY was astonished that any one should find fault with the paltry grant to Pictou, when it was well known that she received no special grant last year at all. And up to this time she could not be said to have derived any advantage from railroad expenditure, unless it was from the small sum spent in preliminary surveys. If that great work was looked upon as it should be, as a Provincial work, surely it was no reason, because it was constructed through the county of Pictou, that she should receive no aid for her local wants. The special grant given to Pictou this year was much needed, the roads being in such a condition as to interfere with the passage of the mails.

Mr. LOCKE would remind the hon. member that if it had not been for Shelburne Pictou would never have had her railroad. The time was, when the question of railroad extension

to Truro, was pretty hard run, and the members for Shelburne came to its rescue. He thought it would be a graceful act on the part of the members for Pictou to give up to Shelburne those \$10,000 of extra grant to build the road to Annapolis.

Mr. DONALD FRASER said that he had better ask the members for Colchester to do the same. As regards the obligations alluded to by that hon. gentleman he would only say that he hoped that Pictou would never have to depend upon his vote, for any aid she required.

Mr. LEVESCONTE said that he was sorry the hon. member for Shelburne could not get up to speak upon any subject without casting a slur upon the St. Peter's Canal. He did not wish to be constantly parading the claims of Cape Breton, but he would not sit there and hear that Island abused without at all events endeavouring to give a Roland for an Oliver. It was easy to understand the cause of the hostility evinced upon all occasions not only by the hon. member for Shelburne but also by the leader of the opposition to the Island of Cape Breton and her interests. She unfortunately happened to send to the assembly more members to support the government than was agreeable to the feelings of those hon. gentlemen, and hence it was that they were constantly dragging into every debate the subject of the St. Peter's Canal, and designating that great work as a hole, a ditch, or some opprobrious epithet of that kind. He would advise those hon. gentlemen before they indulged in language like this, to know what they were talking about. He did not think either of them knew the advantages which the completion of that work would confer not only upon Cape Breton but upon the province generally. He would remind those gentlemen that their party was pledged to carry on this work—at the time of the inception of the railroad system they pledged themselves to prosecute this undertaking—and now when they find that another government is meting out to Cape Breton that justice which they denied to her, they endeavor to cast a slur upon the whole thing and to find fault with those who were doing what they should have done long ago. Although not in very good health, he hoped yet to live to see the completion of that great work, and to have the member for Shelburne and the leader of the opposition see for themselves the benefits that will result from it. He would venture to say that having once seen for themselves the necessity for this great work they would come back here and read their recantation of all they had said against it. He hoped that there would be an end of these sectional jealousies and that every one would give his aid to whatever was calculated to promote the interests of the whole province.

Mr. LOCKE denied that he had shewn any hostility to Cape Breton. His object was simply to point out the disproportionate way in which the road grant had been distributed. His opposition to the St. Peter's Canal arose from his conviction that it never could be of any benefit either to the people of Cape Breton or anybody else.

Mr. BLANCHARD said there were two modes of viewing this question of the distribution of the road grant; one was in relation to the peculiar and pressing wants of the different localities, and the other was in an entirely sectional

aspect. This latter view was not the correct way of dealing with this subject. It was not right to say, as the hon. member for Lunenburg said, "we have had this vote before, and we must have it again;" but the proper criterion should be the pressing wants of the different counties, and they should be dealt with irrespective of political considerations. Whenever it was made to appear that a county had large public works which it was impossible to provide for out of the ordinary grant, then special provision should be made for it. They had heard a great deal about the county of Lunenburg and its claims. He should very much like to know what they were. That county had received \$22,000 in two years for special grants. He would like the members for the county to inform the house what great works, were in course of construction there, that required this expenditure. Then again the county of Queens gets \$4500 additional for her roads, what great claims have they and what benefit are they to the adjoining counties. How different from the position of the roads in his county which benefitted the adjoining counties as well, he had been laboring for years to get a road through Inverness to Victoria which would shorten the distance to the capital for the whole population of Victoria, twenty-eight miles, and he could get no aid to it, altho it was a matter in which the people of Victoria were just as much interested as those of Inverness, why was it he would ask that Victoria had \$1000 more this year than last year, and is now equal to Inverness and receiving \$5,000.

Then again upon the subject of navigation securities, Queen's got \$3,000. This may be all required, and he did not say it was not, but why was it, he would ask, that the claims of Inverness, in this particular, were also overlooked. The Attorney General had promised that he would provide for the erection of a wharf at Port Hood next year. It was all very well to talk about next year, and he hoped that the anticipations of the Financial Secretary as to an increased revenue would be realized.

Hon. FINL. SECY. said the hon. gentleman misunderstood him. He said there was every reason to anticipate that there would be no diminution of the revenue *this* year.

Mr. BLANCHARD said that he meant from twelve month to twelve month. He would ask whether there was any reasonable prospect of the revenue for the year 1865 being equal to that of 1864. He thought that, judging from the opinions of the Halifax merchants, there was every reason to anticipate a depression in trade and consequent falling off in the revenue. He did not suppose that there was ever a time in which greater uncertainty was exhibited in mercantile affairs than the present. He was, therefore, inclined to think that if the chance of Port Hood getting her wharf, depended upon the increased revenue of 1865, she had a pretty bad prospect.—(The hon. gentleman here contrasted the grants to various counties with that given to Inverness, and asked why it was that Liverpool should get \$1500 for deepening the harbour, while Port Hood could get nothing—although there was no other harbor along that coast for 150 miles.) The claims of Mabou also had been neglected year by year. There might be special reasons why this preference was shown, but if there were he should

like to hear them. The bridge over Margaree river also did not get a copper. Kings could get her money. Queens, Lunenburg, all could get what they wanted, but Inverness must stand aside for a year and probably for a much longer time. It had been said that the Pictou railroad was going to be of great benefit to Inverness. He admitted that some advantages would be derived from it and last year he had voted for it with that view, but since then the route had been changed, so as to bring it nearer to Antigonish which would be much more benefitted by it than Inverness. Then why was it that Antigonish should receive the large grant she did, and why was Inverness passed over? Look again at the County of Halifax, the eastern district with her miles upon miles of roads, and its numerous bridges, only got the same as western Halifax.

Mr. TOBIN.—East Halifax gets two-thirds of the ordinary road grant.

Mr. BLANCHARD—If she requires two-thirds of the ordinary grant why not receive the same proportion of the special grant? It had been said that Cumberland must have so much to keep up and build her bridges. She was lucky to have any bridges at all. He could show them in Cape Breton river after river with no bridges at all, and travellers had to ford them or go many miles round the mouth, as was the case with the Margaree river.

Hon. PRO. SEC.—How many miles?

Mr. BLANCHARD—Some 17 or 18 miles. He had placed upon the table, in connection with the petition for a grant, a subscription list of upwards of £500, and yet no grant had been given. He did not wish to look at this matter in a sectional point of view, but he thought the government should adopt some mode of making themselves acquainted with the wants of the country, and should distribute the money, not amongst their own supporters, but as far as possible according to population, and where it was most required. He did not think that \$100,000 should be thrown down to be scrambled for. The leader of the opposition had a quiet way of approaching the government and somehow or the other generally got what he wanted. The member for Victoria last session adopted a different style and pitched into the government right and left, and the consequence was another \$1000 was added to Victoria. The member for Kings was also a little restive in harness, and he had to be quieted with \$7000 for roads, and so on. But poor Inverness!—One of her members was in opposition, and the others were decile, and she had to remain as she was. He had felt it his duty to draw the attention of the government and the house to the injustice of the distribution of the public monies, and he did so without any wish to reflect too harshly upon them, and in the hope that even yet Inverness would receive what he considered was her just rights—and if not he would not be surprised if the people of Inverness would no longer consider it their duty to support a government who had so scandalously overlooked their interests.

Mr. KAULBACK said that he was unavoidably absent this afternoon when the estimates came up for discussion; but from the attitude assumed by honorable gentlemen opposite the other day when the estimates were brought down, he had good reason to believe that Lunenburg, as usual, came in for its full share of reproach. He was neither surprised nor

sorry for it, as it perhaps saved him from making a false step, as he would frankly admit that he thought of opposing the estimates, on the grounds that the claims of the County he had the honor to represent were not sufficiently considered or provided for by the Government. The hon. member for Inverness just now intimated that the Government were obliged to retain their position by subsidising certain refractory gentlemen. This certainly could not apply to him (Mr. K.) He thought it the duty of every gentleman to stand up and show their claims to the special grants they are to receive, when the justice of them were questioned. He was ready to support and justify the Government, and to answer the many enquiries made by the Opposition as to the claims of Lunenburg—of which some gentlemen are, or appear to be, so ignorant. The exigencies of the public service demanded, and the members for the County had been obliged, for the accommodation of Counties west as far as Yarmouth, to largely provide for a new mail route; and the late government opened and granted money on a road through part of Lunenburg and Hants to connect with the railway. This road would be of great importance also to Annapolis and other counties. Being such an important public undertaking it could not be expected that the members could provide for it out of the ordinary road grant of the county. The special grant would scarcely perfect these public works and provide for the over-expenditures and advances required on them last year. They were then left to manage as best they could for the local road and bridge service of the county. The honourable member for Guysborough taunted him with being subsidized by extra grants last year to support the Pictou railway, and that an additional sop was required to secure his vote on important questions this year. It was with ill-grace that that gentleman talks about sops—it was well not to harrow up the past. The position he (Mr. K.) took last year he had good reason to believe commended itself to the people who sent him here. What he admitted then was—that the roads and bridges of the country were of more direct service to the people than any railway, and if they were to be deprived of money to open up and improve the roads in order to carry on a railroad, he would vote against it. The hon. gentleman for Shelburne admitted that the Government had given him all he asked for, and yet he is not satisfied, because *ev-n* Lunenburg gets too much. He felt persuaded that the present Government could never satisfy that honorable gentleman. Is it because Lunenburg has always been neglected and despised that her members were to be silent now? No; never so long as he was present here, and could raise his voice in this house. Let us look at what is proposed to be voted for navigation securities, for which Lunenburg never received anything, —\$50,000. Let us look at the large sum also for packets, steamboats, and ferries, over \$11,000. Out of this what does, or what did Lunenburg ever get? Why, only a few dollars for a ferry across LaHave river. Is this fair? is it justice? Now he was in hopes that the government would have considered themselves justified in providing in their estimates a sufficient salary for a steamer to ply along this coast from Liverpool eastward. It was not his or his colleague's fault that this

had not been done. They were asked to support railways and canals; but a few thousand dollars were thought too much for a steamer for the accommodation of half a dozen counties. The Government might have taken the proper course by referring the matter to the committee on trade and manufactures. He sincerely hoped it would not be given the go-by, but that the committee would favor the application and recommend a sufficient sum for the purpose. He would vote for the Estimates, because he believed Lunenburg would fare worse if exposed to the tender mercy of gentlemen opposite.

Mr. S. McDONNELL said that he must admit with his hon. colleague, (Mr. Blanchard) that Inverness had not received that consideration at the hands of the government to which it was entitled, but he would tell that hon. gentleman, and he believed the government would bear him out that it was not owing to a want of application on his part. He had urged the claims of the county upon the government to the best of his ability, but he must say that his colleague and himself had not heard the claims of Inverness so clamorously set forth during the existence of the late government as they had been that night. That hon. gentleman represented that county for four years before he (Mr. McD.) came to the house, and numerous applications were sent to the Legislature to have something done for the public works in which the county is interested, but they did not even receive a respectful answer. He (Mr. McD.) had been only a representative of Inverness for a few months and if he had done nothing more, he had succeeded in getting the government to send an Engineer down to survey and examine the great public works to which the hon. gentlemen had referred, and that was more than the late government had done during four years. He had been disappointed to find that there was no provision made to build the wharf at Port Hood. The house were already aware that that work was looked upon as intimately connected with the railway to Pictou; it was requisite in order to benefit the island that that railway should have some point of communication with it—which point must be either at Port Hood or Mabou. In urging this matter he did not do so solely as a member of the county of Inverness—it was a work in which not only the island of Cape Breton, but the whole Province, had a deep interest. He trusted, however, that the Government would make some provision for its construction, and that it would be carried on ere long. During last summer there were steamers plying up the strait to P. E. Island, but in consequence of the want of a public landing-place they never touched at Port Hood. He had heard the Financial Secretary that evening refer to roads in Pictou to communicate with the railway, and thought that steps should also be taken to have the wharf in question built, so that Cape Breton might participate in the benefits of the great public work now in course of construction.

Mr. BILL said that hon. gentlemen need be under no fears that the county of Kings would find any difficulty in disposing of the grant it had received. The enterprising inhabitants of Oak Point had made up their minds to build a fine wharf, which would cost a large sum, and all they asked for was \$1,000. This was a work of a Provincial character, which would

afford very great facilities for the shipment of goods and produce. If time would permit, he would show the house the number of important services for which money was wanted in the county he had the honor to represent. In this connection the hon. gentleman referred to several roads on which money could be spent to the great advantage of the county, for they shortened the distance very materially, and afforded accommodation to the farmers that they needed very much. He thought, on the whole, Kings had not received all that she wanted.

Mr. COWIE said that the harbour of Liverpool, to which reference had been made, was a bar harbour, and the people wished very much that it should be deepened. Very many valuable vessels—some of them quite new—had been lost in consequence of that bar. The people had laid out several thousand pounds, and asked comparatively little assistance for a work which was of provincial importance.

Mr. TOBIN took exception to the estimates, not upon the ground assumed by the member for Yarmouth, but because the grants were too large. In view of the commercial condition of the country, he thought it would be wise for the Government to husband their means. Last year very extravagant grants had been made to all the Counties. Perhaps they were required at that time to put the road and bridge service in a respectable state; but that large expenditure did not warrant a continuance of the same this year. He was inclined to think that the hon. member for Yarmouth was not actuated by the disinterested motives that generally distinguished his action in the house, for it looked very much as if he was setting a crib to catch the Annapolis and Digby larks. Did not the hon. gentlemen know that for four years the pet lambs were up to their eyes in clover and received more consideration from the house than any other county in the Province? He was inclined to think that any one looking over the face of this country would find that the road and bridge service was not in a very bad state, and did not require such large special grants. These large grants about to be given were actually more than the whole road and bridge service amounted to a few years ago. We were then only able to give £25000 for that purpose, but now we granted \$160,000, and \$102,000 in special grants, or \$262,000 in all.—The hon. gentlemen then expressed his opinion that the money spent on Kelly's Road in Victoria was a wise expenditure, and went on to say that Halifax could easily spend the sum allotted to her. There was a road from Peggy's Cove to Prospect that required to be built for accommodation of the people around the shore. Again there was the deepening of Herring Cove, \$500 would not be at all sufficient, and some of their special grant would have to be taken to help the work along. East Halifax, he believed, had never been unfairly treated; the hon. member who represented it would remember that he had always supported him in getting a special grant, and he (Mr. T.) had actually given him some moneys that belonged to the western district. That hon. gentleman had represented the county for the last ten years and yet had never built a light house at Jeddore but that service was now provided for in the present Estimate.—He was inclined to move a resolution referring the Estimates back to the Govern-

ment for the purpose of striking out all the special grants, with a few exceptions, such as Bear River Bridge. What he wished was, that the Government should employ an engineer to report on the whole subject. In conclusion, Mr. Tobin referred to the strange attitude assumed by the hon. member for Yarmouth, who was a good deal like an individual who once lived in New Amsterdam—the old name of New York—called Ben Schuyler, who appeared to belong to nobody. He did not think that hon. gentleman would make impression upon the western members, for it could not be denied that they had received pretty fair consideration. He doubted, he added, if the revenue for 1865 would be as large as that of 1864, and advised every economy in the public expenditure.

Mr. ANNAND was happy to hear for the first time, that he was under obligations to the hon. member for West Halifax. He must thank him for allowing East Halifax with an area three times as great as West Halifax to be placed upon the same footing with regard to the road scale. As respects the light-house at Jeddore, he was glad to find it in the estimates, but the hon. member knew that he (Mr. A.) was not in a position to influence the Government in the matter. He endorsed, however, the views of the hon. member, in respect to the large grants made this year. At a time like the present, when the whole financial world is in a condition of uneasiness, we should husband our means. The house was asked to pass in a single night the immense sum of £900,000. He asked the Government why it was they had delayed so long in bringing down the estimates; the financial year ended on the last of September, and they had three months wherein to prepare them. He would venture to assert in reply to what had fallen from the Financial Secretary, that during the time he held that office the grants were framed with justice to both political parties. The hon. gentleman here read a statement, shewing that in 1862 the special road and bridge grant was \$12,000, and the navigation securities \$9900, and that out of this whole sum (\$21,900) \$12,000, including a grant of \$2000 to Antigonish, went to Conservative constituencies. This year, however, the very reverse was the case—a Conservative got two pounds for every pound given to a Liberal. Would gentlemen opposite uphold the principle that a Liberal should pay twice as many taxes as a Conservative. The late government had granted \$2400 to Lunenburg in 1863 in order to construct a road to Mill Village—a road of great advantage to the whole western shore.

Hon. Mr. MCFARLANE said that during the ten years he sat in opposition Cumberland only got \$1800 of special grants. In 1861 \$1600 was given for the Pugwash river, but it was only on paper—it was never drawn out of the treasury. The present estimate was framed to meet the exigencies of the country, and would commend itself to the good sense of the country.

Hon. FIN. SEC. said that not a single point had been made out against the estimate that night—they had heard nothing but declamation. No hon. member had ventured to put his finger upon a single item and say he was prepared to test the opinions of the house in reference to it. He did not think it necessary to spend further time in mere declamation.

Mr. BLANCHARD was surprised to hear the hon. gentleman use the language he had in reference to the remarks of any gentleman.—Mere declamation, indeed! He would tell the hon. gentleman that they had a right to speak as much as they pleased. As long as he occupied a seat in the house he would not be dictated to by any one as to the course he should pursue in discussing a public question. He would warn the hon. Financial Secretary, that, if he wished to pass the estimates, he would have to be more temperate in his style of language towards the house.

Hon. FIN. SEC. said that the hon. member got angry for every little reason, for there was no desire whatever to dictate to any one in the house. He had stated, without ground of offence that gentlemen had not succeeded in making a point against the estimates, but that all they could urge was mere declamation.

Mr. STEWART CAMPBELL said that it did not say much for the Government that they should have been six weeks in session and have only brought down their estimates a day or two previously. A matter involving so many important interests should be discussed with due deliberation. The opposition might be in a minority in the house at the present, but then their responsibilities to the people of the country were not less than those that attached to the government.

After some further desultory discussion, Mr. Locke moved that the estimate be deferred back for the purpose of dividing the special grants for roads and bridges on the same principle and in the same proportion as observed in the ordinary road grant.

On a division, the motion was lost by 23 to 10. *Yeas*—Heffernan, Ray, Blackwood, McLelan, Locke, S. Campbell, Annand, Blanchard, Ross, Balcan. *Nays*—C. Campbell, Donkin, Bill, LeVesconte, J. Fraser, D. Fraser, E. L. Brown, Killam, McKay, Hatfield, Allison, G. Brown, Whitman, Kaulback, Tobin, Hamilton, Longley, Jost, Miller, McFarlane, Hill, Caldwell, Prov. Secy., Smith, Cowie, McKinnon, Colin Campbell, King.

Mr. Killam's motion was then put and lost, by a division of 12 to 26. The vote was as follows: *Yeas*—Heffernan, G. Brown, Killam, Ray, Blackwood, McLelan, S. Campbell, Ross, Annand, Balcan, Blanchard, Colin Campbell. *Nays*—Bill, J. Fraser, Locke, E. L. Brown, C. J. Campbell, Hatfield, D. Fraser, LeVesconte, Donkin, Kaulback, Tobin, Hamilton, Jost, Allison, Longley, Miller, Hill, Prov. Secy., Smith, Caldwell, Cowie, King, McFarlane, McKinnon, Whitman, McKay.

The original motion to go into supply was then put and carried. The house then resolved into committee of supply, Mr. Caldwell in the chair.

Several services in the estimates were then put and carried. In reference to the vote of \$100 salary, and \$500 travelling expenses to an Inspector in connection with the Revenue Department,

Mr. S. CAMPBELL asked what necessity there was for that officer.

Hon. Prov. SEC. said that it was considered necessary in the interest of the public to have an officer whose duty it would be to travel through the different sections of the country and endeavor as far as possible to report upon the condition in which the different offices stood, and assimilate the practice of the de-

partment. It was the practice of the Government to send an officer from time to time to ascertain by personal inspection whether the revenue laws were vigilantly enforced, and the house could not but come to the conclusion that the expenditure in the present case was wise.

Mr. BLANCHARD said that the house should have had a report from the officer in question, so that it might be seen what he had been doing. When the late Government was in power, no such officer existed, but there was a person who took the pains to go round and make enquiries—that person was the Financial Secretary. That gentleman ought to be more competent to examine into the way the accounts were made out and arrange the collection of the duties than any subordinate officer.

Hon. PROV. SEC. replied that the officers of the different Governments had been accustomed to visit the country occasionally, but it was quite impossible for any member of the Administration to discharge these duties efficiently. So much so had that been found to be the case, that the late Government had been obliged to send an efficient officer to perform just such duties as were assigned to the person in question.

In answer to a question from Mr. McLelan, the Financial Secretary stated that the enormous increase in the revenue had naturally increased the amount paid for commissions.

Some desultory conversation then took place in reference to the Registrars of Shipping, who are paid in accordance with the wish of the House as expressed last year.

Mr. BLANCHARD said that he noticed that in Cumberland there were two Registrars—one at Parrsboro' and another at Pugwash; it was the only county that was so favored.

Hon. PROV. SEC. replied that Parrsboro' was formerly a part of Kings County, and a Registry of Shipping was established at that port, which was one of the old ports of entry; subsequently Pugwash, which was the principal place of shipbuilding in the county, and which was over one hundred miles from Parrsboro', was made a port of registry; there was a large amount of shipbuilding carried on in this latter place.

Mr. STEWART CAMPBELL laid stress on the necessity of the officer being found at the port of registry in Guysboro'.

Mr. ANNAND said that when he went to Margaree some time ago, he heard a similar complaint in reference to the officer there. He told that person that he must have his office where the business of the port was done; he would not, however, change, and so he was dismissed.

Mr. BLANCHARD said that the present government had re-appointed the same officer, who was doing the very same thing he did before.

Dr. HAMILTON said that he was making enquiries in connection with the shipping of Kings in order to apply for the establishment of a port of registry in that county.

The grants for steamboats, packets, and ferries passed after some explanations. In reference to the grant of \$1600 for a steamer between Pictou and P. E. Island, it was stated that arrangements are made that that amount should be given provided the steamer called at Brule. Mr. D. Fraser also mentioned that the packet between Georgetown, P. E. I., and Pictou, for which a grant of \$200 was given, was a great public convenience.

In reference to the grant of \$400 for repairing a ferry boat at Little Bras d'Or, Mr. ROSS stated that that service was a most important one. The blocks and tanks, and other things required to make the boat thoroughly efficient, would cost a good deal, and he therefore thought the money was well expended. He regretted that the grant for the new steamer on the lake had not been larger. A company had been formed, and a new boat built, which would probably be ready by June next. It would be a great public convenience. The majority of the members for Cape Breton had sent in a memorial on the subject, and they all had hoped the grant would have been larger.

Mr. LONGLEY took exception to the grant of \$1000 to Dalhousie College, but said he would not move against it at that time.

Mr. MILLER alluded to the necessity that existed for reporting the decisions of the Supreme Court. Such reports would not only be of benefit to the legal profession but would save litigation all throughout the country.—If the decisions, for instance, in reference to points of law in connection with cases of ejectment were known, much expense and trouble would be saved to the country.

Mr. S. CAMPBELL followed to the same effect.

Hon. FIN. SEC. stated the question had not been determined.

Hon. Mr. MCFARLANE said, in reference to the agricultural grant of \$16,000, \$5,000 was under the act of last year, and the remainder was intended for the importation of stock.

Mr. MILLER thought much saving might be effected in respect to the travelling expenses and postage of members.

In reference to the grant of \$200 to Amos Black, the Pro. Sec. stated that that person and his wife had been employed in the asylum. Having left his property, and made other arrangements, in order to fulfil his duties, he was suddenly removed by the late Government. He had called upon the late Prov. Sec. who stated that his case was one deserving of consideration: However, the case was never considered until the present.

Mr. BLANCHARD asked if the hon. Provincial Secretary would apply the same principle to other officers who have been dismissed.

Mr. BLACKWOOD thought the salary given to the Emigration Agent was thrown away.—It would be better to spend the money in opening up roads. If the money expended aided immigration into the country, he would be satisfied, but it did not.

Mr. STEWART CAMPBELL expressed surprise that the agent should reside only in Halifax when the Legislature met. The late officer made arrangements to live permanently in Halifax, but he was summarily dismissed.

Mr. D. FRASER said that it was the first duty of the Government to encourage immigration into the country. Our public works were going to suffer for want of laborers. The Railway in Cape Breton would take away the assistance that might otherwise be given by that part of the country.

Mr. McLELAN said that if the money was expended for the advantage of immigration he would be quite satisfied; but, on referring to the accounts, he found that it had been disbursed in little sums of 50 cents and 75 cents to beggars around the street, and for paying the sweeping out of the office.

Hon. PROVINCIAL SECRETARY said that the time for considering the question was when the law was put on the Statute Book. It was quite true that this Province had not hitherto received any amount of immigration; but it was also true that the expenditure in connection with the service was very insignificant in comparison with what had been made by the adjoining Province. If there was a time when it was desirable, and when it might be hoped something would be accomplished in the direction of immigration, it is during the present year. He was not without hope that measures might be taken which would have the effect of obtaining some return for the efforts that have been made by the Legislature. The expense incurred was very small, and no large results could be expected. The salary of the Immigration Agent was £200 a year. There was an efficient officer constantly at his post in Halifax—one who was a perfect enthusiast on the subject of Immigration—whilst the head resided at a place which must become a most important immigration port.

Mr. McLELAN said that he did not mean to say that the office should be abolished; but what he wished was, that the officer should show something for the money expended.

After some little explanation on one or two points, the committee passed through the remaining items, and then rose and reported.

The House adjourned at 11 o'clock.

TUESDAY, March 23.

House met at 2 o'clock.

Mr. ROSS introduced a bill to incorporate the Royal Albert Lodge of Freemasons in North Sydney.

Dr. HAMILTON asked leave to introduce a bill to incorporate the Oak point pier company at Cornwallis.

Some discussion ensued as to whether this bill was of a private nature, requiring the usual fee of five pounds.

Dr. HAMILTON withdrew the bill, for the present.

On motion of Mr. Baleam the bill to incorporate the East River driving company was read a second time.

Mr. BOURNOT presented a petition from Cow Bay, praying that no licenses be granted in that locality. The hon. gentleman stated that this petition had been presented to the sessions, and although signed by the majority of the inhabitants, it had been disregarded.

The petition was read and laid on the table.

ESTIMATES.

Upon the resolutions moved in committee of supply being taken up

Mr. ARCHIBALD said that the motions which had been made on the previous day by the hon. members for Yarmouth and Shelburne, in reference to the estimates, were not such as had commended themselves to his judgment. The first one was to refer the estimates back to the government, so as to have a further provision made for the county of Annapolis. He did not think that the hon. gentleman (Mr. Killam,) who made that motion had shown sufficient grounds to the house to interfere in the matter, and therefore he did not feel justified in voting for it. Then, again, the hon. member for Shelburne had moved that the whole of the special grants be struck out, and that the sum provided for that service be divided between the differ-

ent counties upon the same principle as the ordinary road grant was apportioned. He could not approve of this, because he always felt that there were certain special services in every county, which required special aid, and if they were not provided for specifically, they would never be accomplished. And therefore, while he had no doubt that those hon. gentlemen had sufficient reason to justify them in the course they took, he did not feel that sufficient ground had been shown to induce him to support their views.

He thought that it was high time, however, that some change should be made in the present system. The hon. member for Halifax (Mr. Tobin) had made a very good suggestion—that before any grant was made for special purposes, a report should be made to the house by a competent engineer that the work was deserving of public aid. He objected to the mode in which these special grants were distributed by the estimates now under consideration, as being different in principle from any ever submitted by any previous Government. He would invite the attention of the house for a moment to the different Counties that had received special aid. (The hon. gentleman here read a list of the various counties provided for in the estimates.) Here were no less than fifteen counties receiving large special grants, and no one public service was specified, and no information was given to shew whether the money was required or not. Could any one fail to draw the conclusion that these sums were granted, not because the exigencies of the different counties required the provision, but in order to satisfy the clamors of Government supporters. This was not the proper principle. What he should like to see would be the road grant distributed upon a fair and equitable basis, with a due regard to the special wants of each county. If these special grants could not bear investigation—if they could not be justified as required by the wants of the people—then they were not deserving of the consideration of the house, and should not have been placed in the estimates. The very fact that the larger part of this money was divided amongst government supporters showed that there was something wrong. A discussion had taken place on a previous day, on the subject of the Bear River bridge. He was quite prepared to admit that this was just one of those cases which it was impossible for the members of the county to provide for out of the ordinary grant, and the government feeling that, had made special provision for it; but it would be much more satisfactory to the house and the country that in this and all similar cases where special grants were made that the reason which necessitated the extra grant should be laid before the house so as to satisfy them that the service was really required. The proper system, no doubt, was that suggested by the honorable member for Halifax, that before the house was called upon to vote any money for special objects, there should be a report made by a competent officer showing the advisability of the work and the reasons which rendered a special grant necessary—and then if the house was convinced that the service was outside, and beyond the power of the members to provide for it out of the ordinary grant, it was right and proper that special aid should be given. He thought that the government had the means of furnish-

ing the house with this information for he observed in the estimates the sum of \$1600 to pay for the services of a civil Engineer. He would ask where had this gentleman been engaged, and what public service had he performed. Surely if there was a government Engineer—he could not be better employed than in furnishing the information he had alluded to. He would ask then, was this a proper position for a government to occupy? That in the distribution of \$100,000, they were not able to give a single reason why these grants were made? He did not doubt that many of the counties were justly entitled to the grants they had received, but any one would understand in how much better position they would stand, if this House was informed of the reasons which induced the government to select them in preference to others. If it was made to appear that the services were really essential, then the suspicion of favoritism would be removed and no objection could be offered to suitable provision being made for the pressing wants of any particular county.—It was high time then he thought that the present system should be changed—and they must either abolish the special grants altogether which he would be sorry to see done—or else adopt some more equitable mode of distributing the public money, by which the wants of the various counties would receive proper consideration.

But it was not only in the matter of the road grant that the house was called upon to vote away large sums of money without any cause being shown—in every other branch of the public service the same reckless extravagance had been shown. He had taken the trouble to look back two or three years, and compare the expenditure with what was now proposed, and he thought that the house would be astonished at the rapid strides they had made. Everybody remembered how, three years ago, the country was electrified by the celebrated retrenchment resolutions of the hon. Prov. Secy.—and with what warmth and fervour that hon. gentleman had pressed upon the house the necessity for economising the public resources. He had almost forgotten the state of affairs at the time, but, having refreshed his memory, he found that, in 1862, the entire estimate the house was called upon to vote was only \$957,000, and yet the hon. Pro. Secy. and the gentlemen who sustained him thought some \$30,000 might easily be retrenched without doing any injury to the public service. Would it be believed then, that these gentlemen, who only three years ago denounced as reckless and extravagant a government that voted \$957,000, as necessary for the exigencies of the country,—and who declared that the only salvation for the country was to return to power those who advocated the great principles of retrenchment—that those very men who came into power under that cry, had actually, in that short space of time, increased the public expenses to the sum of \$1,395,871. These gentlemen who were so afraid of increased taxation, and who were so convinced that the country was going to ruin, had, in the short space of time they had been in power, increased the expenditure 60 per cent. over what they considered sufficient in 1862.

(The Legislative Council, by message, informed the house that they had agreed to a bill to amend chap. 115 R. S., "Of the descent of

real and personal property,"—and to a bill to enable the city of Halifax to borrow money to pay off the debt on the market house, with amendments.)

Mr. Archibald continued, he would like the house to consider then if in three years the public expenses had been increased at such a rate, in what position would they be in three years more, if these gentlemen were allowed to conduct the business of the country. In addition to this it must be remembered that they were about to incur enormous liabilities in connection with the public works of the country. They had already authorized the expenditure of the sum of \$2,000,000 for the Picou railroad, which added \$120,000 to the annual burden of the Province—and they were about to be called upon to provide still further for railway extensions east and west. Under Mr. Livesey's proposition the province would be called upon to pay \$120,000 a year as a subvention upon the construction of the Trunk line from Truro to Moncton, besides taking stock to the amount of \$400,000, which would be £240,000 more. Then if the subvention upon the Annapolis road at 4 per cent. is added, together with the cost of bridging the Avon, they would have an additional charge upon the revenues of the province of \$100,000. He would ask was this the way to manage the revenues of the Province. The Financial Secretary had stated that he had no reason to anticipate any decrease in the revenue during the ensuing year. He had only to ask those engaged in trade, and he would be told that their anticipations for the coming year were most gloomy and that there was every prospect of the revenue falling far short of that of last year. For instance, in the matter of cotton and woollen alone, there was every reason to anticipate that the price of these articles would go down—if that was the case an enormous amount would be struck off from the revenues of the province. Then again, he was informed by a gentleman in trade that at no time did greater uncertainty exist in the shipping interest than at present. In view of all these circumstances then he would ask whether there was not cause for alarm, and necessity to check the enormous expenditures the government proposed. He would call attention for a moment to one or two services the expenses of which had largely increased under the present administration. He found that in the revenue department various salaries had been added to the extent of \$2180. The hon. gentleman here read a list of the counties in which addition had been made to the salaries of the collectors, and went on to say that he had prepared a memorandum of various other items of increased expenditure, which he had unfortunately mislaid. But it would be found that the whole sum added to the expenses of this department since this government came into power amounted to \$8000 a year, and it could not be said that this increase was owing to the larger amount of revenue collected, for he had not taken commissions into his calculation at all.

Then again it would be found that the expenses of the civil list had also increased very largely in the last few years, and so, from year to year, the expenses of the country had been silently increasing, until they had arrived at a stage when it was necessary that some check should be put upon it.—He might be told that there was plenty of

surplus revenue, and that it might just as well be spent upon these objects as not. That was not the way to deal with a question of this kind. If it was true, as asserted by the hon. Pro. Sec., in 1862, that the utmost amount of taxation that the country could bear had been reached—and the present tariff produced more than the wants of the country required—let the rate of duties be reduced. But even without reducing the tariff, there were other objects to which any surplus revenue might be well applied.—Instead of incurring a debt for the construction of public works, which would be a burden upon the revenues of the country for all time to come, the entire amount might have been borne by the ordinary income of the Province.

The hon. gentleman concluded by asking the country what they thought of a Government that had denounced their predecessors for ruining the Province by extravagance—that had come into power upon the cry of retrenchment and had assumed office under solemn pledges to economise the public funds, and now came down upon their knees and begged the pardon of the house for the only act of retrenchment they attempted—the abolition of the salary of the Governor's private secretary, and asked them to renew it. He made these observations without any wish unnecessarily to find fault, but because he felt it his duty to call the attention of the House and the Government to the way in which the expenses of the country were being increased year by year.

Hon. PROV. SEC. said that he was sorry that the hon. leader of the opposition had not found it convenient to have been present on the previous evening and delivered the observations he had made that day without interfering with the public business. It was, however, a matter in the discretion of that hon. gentleman what time he should select for making a general attack upon the government of the day. He (Dr. T.) could only say that he was glad to find that that hon. gentleman, in order to make an attack upon the government and express his hostility to their policy, had been obliged to ignore the existence of every fact bearing upon the observations which he had delivered to the house and to present a statement which he knew to be entirely fallacious.

The hon. gentleman had, in the first place, taken exception to the mode in which the appropriations of the special grants for the different counties had been made. Whilst he had recognized the propriety of a large grant being given to the road and bridge service, in order to assist the various counties in meeting their local wants, he had taken exception to the fact that there was no evidence given that these grants were required. In reply to the hon. gentleman, he would say that the government had in their possession at the present moment applications from all those counties requiring large sums of money for important public services—more applications than could be provided for; but a difficulty arose in specifying how these additional grants were to be expended. The house had not yet upon the table the appropriations which the members of the counties in the exercise of the privilege always accorded to them, and until the government had before them an exhibit of the manner in which the members proposed to distribute the ordinary road grant it would be impossible for them to decide as to the best and most legitimate mode to expend the additional grants

that are intended to be given. If they had apportioned the special grant under those circumstances they might have found that the members had left unprovided for important lines of communication and other services within their counties, which would in that case be neglected. By leaving, it, however, in the discretion of the government to divide these special grants, they would be better able to judge what ought to be done. He would ask any gentleman on either side who had the slightest information with reference to the road and bridge service of the province to say whether the government could not with advantage have doubled the appropriation that it is proposed to give in connection with the special grants to these counties.

The hon. gentleman had not considered it necessary to occupy any great length of time in discussing the Estimate before the house,—he contented himself with general animadversions on the amount expended by the province and then fell back to the thrice told tale of retrenchment—to that speech which, as long as he (Dr. T.) had a seat in the house, he must expect to have annually brought up by gentlemen opposite. If there had been any variety in the hon. gentleman's observations—if he had only drawn a little more upon his imagination and varied that story which had been refuted time after time, his speech might have been at least endurable; but he had only ventured to go over statements which would be refuted as long as we had the public records of the country to refer to. He would ask that hon. gentleman whether it was not necessary that he and every other gentleman who ventured to reproach him on the question of retrenchment should, as a necessary preliminary, ignore the very report of the discussion to which they have referred and the statements upon which their attacks are founded. Would they deny that in the columns of the Morning Chronicle, their own organ, in his speech as reported by their own reporter, they found the statement made fully and explicitly, that there was not a single one of these services that he proposed to retrench that it would not afford him the greatest pleasure to sustain if the financial condition warranted it? And, further, did it not stand out on that indelible record that he, in the house, in the face of the country, declared that if, in that hour of the country's necessity, the Legislature would consent to the reduction he would be ready to restore the salaries as soon as the financial condition warranted it. When such statements appeared in the public records, what must be the assurance of the man—what must be his estimate of the sense and intelligence of the Legislature—who undertook to ignore such statements and challenge him with inconsistency because he did not now resort to a scheme of retrenchment which had been advocated at a time when the government of the day had come forward and acknowledged that they had plunged the country into debt to the amount of £38,000; and that they must resort to extraordinary measures of taxation, in order to enable the revenue to meet the expenditure of the country. Was it not an insult to the intelligence of the Legislature and country to say that he should now bring in such a scheme which had been brought forward under such circumstances—in advocating which he had admitted that the

salaries, instead of being too large, were too small, and that he would gladly restore them when the state of the country allowed it? Now these gentlemen, who confessed that the country was in a condition verging towards bankruptcy—who refused to resort to retrenchment, but obliged the people to endure additional burthens of taxation—came forward and called upon him at a time when the treasury was overflowing, when every public service was provided for as never before—to take a position which would be inconsistent with the very language which he had held when he propounded the reductions in question. If he had done as these gentlemen declared he should, he would stand before the house and country open to the charge of having grossly deceived them, and falsified his own statements. In 1862 he had made a specific motion for retrenchment—pointing out in what particular services he thought reduction could be made until such a time as the financial condition of things warranted a return to the former amounts. In advocating the scheme of applying retrenchment to the higher departments, he referred to the facts that the same principle had been applied to the subordinate offices of the railway. But he felt he need hardly amplify the subject,—it was an insult to the intelligence of the house to attempt to refute statements which were known to be devoid of anything like the shadow of foundation.

Let the hon. gentleman contrast the condition of the country now with what it was at the time when he considered it necessary to propose these reductions. That hon. gentleman knew that instead of being obliged to come to the house and admit that without touching any public work—without maintaining except the ordinary services—they had plunged the country into debt to the extent of £38,000—the government now came forward with the statement that we have a revenue of \$1,425,643 39—that instead of having an enormous falling off in the revenue of last year the increase in this country from various public sources was no less than \$213,009. Instead of coming to the house and saying that we are indebted to the Bank of Nova Scotia at the close of the financial year, as these gentlemen were obliged to confess—the government, after having provided for all the important services of the country more munificently than had ever been done before—were enabled to close the year with a balance of \$225,000 in the treasury. And yet these gentlemen taunted him with retrenchment because he would not, in this flourishing condition of things, do that which he pledged himself he would never have proposed except under circumstances of great financial depression.

Last year we had the same lachrymose appeal that had been made that day—we were told by gentlemen, almost with tears in their eyes, of the sad financial condition in which this country would be this year—and that we should hold our hands. How had their predictions been realized? So far from their being realized, the government met the house with a revenue such as the country never saw before. He did not wonder that the hon. gentleman was unable to restrain such exhibitions of spleen at the fact that this country was showing such remarkable evidences of vigour and prosperity—evidences which any country

might well envy—in different hands than his own.

The hon. gentleman had accused him with opposing public works, but he would tell him, that from the very first hour he entered public life, he had accepted public works as a settled policy. In the first speech he had made, he had accepted the policy as determined and the hon. gentleman knew in addition to that, that one of his first acts when he obtained power in 1857 was to extend the construction of the railway from Sluabenacadie to Truro, and complete our existing lines.

But it might be said he had moved a second resolution in 1863. It would be remembered that in 1862 he had made a specific motion, but in 1863 he came forward and asked the house, in view of the disgraceful condition of education—which for years had been standing still—and in order to give larger grants to the roads and bridges of the country—to go into committee to see if there were any matters in which we could economise for the purpose of increasing the amounts for these two important services. The hon. gentleman should know that the government had raised the amount for education to \$100,000—from \$45,000. The road and bridge service had been also raised a hundred per cent. And these were the two services which he wished to increase when he moved his resolution in 1863.

Yet when these important services were dealt with as never before—when the revenue had increased half a million—he was taunted with a scheme of retrenchment which, if he had endeavored to carry out under such circumstances, would have left him open to the charge of having falsified the pledge he had made on the floors of parliament. He felt that if he stood in a position unable to sustain the foundation of a charge against any one in the house, he would keep his mouth closed rather than make it. Any gentleman who made such charges as had been made that day, with as little evidence to sustain them, ought to hide themselves from public gaze.

The hon. gentleman had referred to the expenses attendant upon the collection of the revenue; but would not every one see that the collection would cost somewhat more when the revenue was large as it is now than when it was nothing like it. The hon. gentleman has only to look at the results that had been obtained to get all the information that he required.

The hon. gentleman had also referred to the salary of the Private Secretary, and on that point he was quite prepared to meet him. At the time the opposition proposed, in 1862, to reduce the expenditures connected with the public departments, they included the salary of the Lieutenant-Governor and that of his Private Secretary. Gentlemen opposite, then, took the most extraordinary and unconstitutional course of bringing communications from their officers to prove that not a single shilling could be reduced in any one of the services to which exception was taken. Instead of bringing a document from the Lieutenant-Governor, attempting to say that the department could not be reduced, they laid on the table one of the most extraordinary papers which had ever been presented to a legislative assembly. It was a letter from the leader of the government containing their policy as stated to the Lieutenant Governor. Did it say

that his salary had been assailed and that they were prepared to maintain it in the manner in which they upheld the other services. No, they put upon the table a letter which proved, as far as language could do so, that the salary of the Lieutenant-Governor was too high, apart from that of the Private Secretary, and they pledged the opinion of the majority of the house to the same opinion. They were prepared to diminish the salary and strike out that of the Private Secretary altogether if they could get permission from the Colonial Secretary. (Here the hon. gentleman read Mr. Howe's letter laid on the table in 1862.) Here, then, would be seen the policy of the government as stated by its leader. They said plainly to the people that the proposal that had been made was a sound one or otherwise they were bound to interpose every obstacle against carrying it out. Their only difficulty was that they could not touch the salary of the Lieutenant-Governor without the consent of the Duke of Newcastle. The moment Mr. Howe put his hand to that letter every member of his government was bound to that policy as one that was sound and just. He believed, however, public opinion had gone to the extent that it was not advisable in the existing condition of things that any reduction should be made in that salary. The government felt that the situation of things was very different from that which existed when the scheme of retrenchment was profounded and the leader of the administration of the day admitted that the salary of the Lieutenant-Governor might be reduced and that of the Private Secretary thrown upon it at the same time. When the present government found that the present Colonial Secretary held very strong opinions on the subject that the Imperial authorities attached a great deal of consequence to it, that it was likely to be a matter of irritation between the local and Imperial governments, that this happened at a time when it was for the interests of the people of this province that it should have the most cordial relations with the mother country, when they took all this into consideration, they deemed it advisable to recede from their policy. He would say frankly, having taken the opportunity of informing himself on the subject, and having obtained such information as these gentlemen ought to have brought to the house before—he had come to the conclusion that the salary of the Lieutenant Governor was not such as warranted the amount required for a Private Secretary being charged upon it. He had no hesitation in saying that on this as any other public question, it was the true position for a public man to retrace his steps if he should find out on enquiry and investigation he was incorrect in his opinions, and adopt that position which he believed was right and defensible. At the very time, he would add, that this was a matter of irritation between the colony and the Imperial government, the Commander-in-Chief was negotiating to place in the hands of the government 10,000 stand of Enfield Rifles, £40,000 worth of property to arm our people. Would it, then, have been wise or politic for us to have refused a trifle of \$1250 a year for the Private Secretary of the Governor, under such circumstances as those here mentioned? He was convinced that there was not an intelligent man present who would not confess that it was wise for the govern-

ment to recede from the position they had taken and take that which would be most advantageous to the people of this country.

He would make but one observation in conclusion, and that was in reference to the statement of the hon. gentleman that the government were unfaithful to their trust because in providing so largely for the road and bridge and education services, they had left out the debt which their predecessors placed upon them in connection with the erection of the building at present in course of erection for public purposes. All he could say was that at the very time that liability was created, the hon. member himself felt the necessity of largely increasing the grant for the road and bridge service. Although that service was not provided for, yet if the hon. gentleman would look at the estimates he would see by the grant for the St. Peter's Canal that it was not intended to construct that work by the mode pursued by the hon. member himself, but to provide for it out of revenue. The construction of the extension of the Lunatic Asylum was also provided for out of the ordinary revenue, and therefore the government were not open to any charge such as the hon. gentleman would endeavour to raise. The only liability that would exist was that which the hon. gentleman himself put upon this country.

Mr. ARCHIBALD in replying, said that the government ought to have brought up the estimates before if they wished to give the house sufficient time wherein to consider them. Here was a paper which called upon them to vote away \$900,000, and yet it had only been laid on the table a day or two previously. If the government had not been desirous of weighing the amount of pressure that was pressing upon them from particular counties they should have been able to bring up the estimates weeks ago. It did not become the hon. Provincial Secretary to taunt gentlemen on the opposition benches with delaying public business—it much better became them to charge the government with having failed in their duty. Their salaries were given to them for the purpose of enabling them to lay all the public business on the table expeditiously, so as to allow every member time to consider a public measure as fully as its importance required at his hands.

The hon. leader of the government said that it was reported in the organ of the opposition that he had stated that the moment the revenue had risen, and the financial condition of the country warranted it, he was ready to restore the services which he proposed to reduce in 1862. But he asked that hon. gentleman to show that statement in his speech as it appeared in his own organ, as revised and corrected by himself, and as scattered broadcast over the face of this country as the platform of himself and party. If he made such an observation it was not propounded to the country as an indication of the policy which they intended to pursue. The people were led to believe that that policy was totally irrespective of any such limitation as he now declared. The only assumption on which he based his scheme was that the revenue of 1862 was not sufficient to meet the expenditure. The government of the day said that the reverse in the revenue of the country was not of a permanent or stable character, and that one or two years would bring us back to the

normal condition of things. What then would be thought of a hon. gentleman who would derange the whole of the public departments of the country, at a time when it was patent to any men of sagacity that the financial depression was only temporary. And what happened. The revenue which in 1861 had only reached \$660,000 in a single year, according to their anticipations, reached to over \$909,000. Independently of what was derived from the 2½ per cent additional duty, which did not produce more than \$50,000, the revenue of 1862 was \$140,000 more than paid the entire services which the hon. gentleman attempted to interfere with.

The hon. gentleman had stated that the reason why they have not distributed the road money to some particular services, was because they had not the advantage of seeing the subdivision of the road scale made by the members of the various counties. He considered that such a state of things was entirely at variance with the principle on which these special grants were given. The only ground on which they could be made was the necessity of providing for some special purpose for which the members could not provide out of the ordinary sums at their disposal. The government had not even followed the example they had set in 1864, for then they came down and told the house to what particular services they would appropriate the special grants.

The hon. Pro. Sec. charged the gentlemen who were in power in 1862 with having given an expression of opinion that the salary of the Lieutenant Governor was too high, and quoted a letter from Mr. Howe to Lord Mulgrave. He (Mr. A.) must say that he had listened to that letter with an earnest desire to draw from it the deductions which had been drawn, but in vain. He was far from deriving the inference that it was the opinion of Mr. Howe or his supporters that the salary was too high. The letter stated rather that there was a large expression of opinion in the house that the salary was too high. Could there be any doubt about it when the hon. gentleman had himself spent two or three hours in order to show that this salary might be reduced? The question of the salary to the Private Secretary had been always an open question, but he believed that no single instance could be brought up of the leader of the government of the day or of the leading gentleman who supported him, during the whole time they were in power, opposing it. He had himself recorded his vote in favor of a salary being given to that officer. He considered that as a matter of policy it was but right the Lieutenant Governor should have such an officer—that there should be some one to intervene between him and the public. On the other hand, it was the declared policy of the Provincial Secretary and his friends that the salary should cease. That hon. gentleman had attempted an explanation of his position in the matter, but it was impossible to deduce from his remarks the reasons that had influenced his change of views. In one breath he acknowledged he had committed a mistake in giving up the salary, and then led the house to assume that he had yielded to the dictation of the Imperial government—that in order to carry out certain arrangements it was necessary to remove that bone of contention.

Hon. PROV. SEC. explained that he had stated it would not have been wise to press it under the circumstances that arose.

Mr. ARCHIBALD went on to say that it was difficult for the house to know whether the hon. gentleman was satisfied with what he had done, or whether he had so acted because he wished to carry something else. It was, moreover, rather curious to see a gentleman who had taken so decided a stand in reference to the matter, agreeing not only to give the salary from the present, but actually to pay all arrearages.

The hon. gentleman had referred to the debt in connection with the new building, but he knew that it was one that the late government was not directly responsible for. It was brought in by an independent member, and it was left to a committee composed of gentlemen of both sides, and their report was received—at that time there were not the funds at command that would have enabled the government without difficulty to have met the expense of that building, but immediately afterwards a large amount flowed into the treasury and it was in the power of the gentlemen now in power to pay off this amount without imposing a single burthen upon the people. They could have added fifty per cent to the roads and bridges and education of the country, and, at the same time, out of the revenue have paid the entire amount chargeable upon the funds of the province.

The hon. gentleman had taken great credit to himself for not going into debt for the St. Peter's Canal, but he (Mr. A.) would like to know what it was intended to do with the \$30,000. There was now a report on the table stating that it would cost at least \$125,000 to finish the work, and yet these gentlemen in the estimate say "\$30,000 to complete the St. Peter's Canal."

Hon. PRO. SEC.—Towards its completion is meant.

Mr. ARCHIBALD—Well, then, they put on the estimate a statement that is incorrect. In order to complete the work at the present rate it would require four years at least. But even this amount of \$125,000 was much below that made by a gentleman (Mr. Laurie) in whom the gentlemen opposite certainly must have confidence. He considered the money for the canal as so much thrown away and the work, when finished, would be found perfectly useless and ever remain a monument of reproach to those who carried it through. He would be quite willing to devote any large share of money to which Cape Breton might be entitled to the development of her resources, but not for an object which would not be of any real advantage to the people. He called upon the house to consider well the present condition of things and the signs of the times, before they scattered the public funds recklessly over the face of this country. It was contemplated to extend our railways, and in that case a very large amount of revenue would be required to meet these public works. Gentlemen should take all this into consideration before they agreed to such extravagance as was now exhibited in the Estimates. The hon. Provincial Secretary had exhibited a great deal of energy in the remarks he had made, but the house need hardly be reminded that hon. gentleman was most earnest and emphatic just in proportion to the badness of his case. When his cause was good, he appealed to the reason and sense of the house in a manner to carry their conviction; but when his cause was bad, every one must

expect just such an exhibit as had been made that day.

Hon. ATTY. GENL. said that he had intended to reply to the observations of the hon. leader of the opposition, but as he knew the Fin. Secretary was most anxious to press through the estimates—in fact was necessitated to do so in consequence of the advanced stage of the session—he would not delay the House at that time with any observations on the subject before it.

Mr. LEVESCONTE said that he was most anxious to press forward the business now before the house, but he could not allow the observations that had been made by the leader of the Opposition to pass without some remark. It would be recollected that last session that hon. gentleman had made a speech similar to the one he had made that day, and that he (Mr. Le V.) had got up and joined issue with him as to the probable amount of revenue that might be expected this year. He now found by the Estimates that the balance of assets was \$143,072.30 in hand, instead of the state of bankruptcy which the hon. gentleman imagined. He had reviewed last year the grants given by the Government to the various public services in the different Counties, and challenged the hon. member to point out a single one that he was ready to contest with him before the people of the country. There was no doubt, however bountiful the Government have been in giving special grants for the last two years, there were many valuable public services which might be well provided for if there was money in hand, and that the whole amount might be trebled to the advantage of the country. He, for one, held that the money which was given to open up roads and enable the people to have communication with each other, was well expended, and returned to the public treasury with ten-fold interest. Notwithstanding the prognostications of the hon. gentleman, he was inclined to think that in three years they would be able to exhibit a balance largely increased. The increase in the price of cotton and woolen goods had not increased our revenue, for there had not been one-third part of such goods sold in the country. As respects the expenses attendant upon the collection of the revenue it was only necessary to refer to the results that had been received. As respects the increase of salaries of Registrars it would be remembered that he had stood at the table last winter and asked the opinions of the house on the subject, and the increase met with unanimous approval. Was the hon. gentleman prepared to go to his constituents and say, "we cannot repair your bridge, or open up your roads, or build you a light-house; for we have erected a most superior building in Halifax, and in order to meet the expenses of its construction we have used the surplus revenue." The next question referred to by the hon. leader of the opposition had been the St. Peter's Canal. That question had been brought up for years, and government after government had deluded the people of Cape Breton in respect to it. At last, however, a government had been found to do them justice. When the work was finished and the hon. gentleman saw the beneficial results that accrued from it, he would have to acknowledge that his course throughout in respect to this important undertaking had been all wrong. In the meantime, however, the people of Cape

Breton would not fail to put a proper estimate upon the action of the hon. gentleman. He (Mr. Archibald) had always been supposed to be a gentleman of enlarged views—he was quite prepared to sacrifice the best interests of the Province for the purpose of becoming a citizen of a large empire; and it was difficult to understand why we of such lofty aspirations should oppose the construction of a mere canal.

Hon. PROV. SEC. said that a bill in relation to the canal would be brought up, and then gentlemen would have an opportunity of discussing the whole question.

Mr. MILLER thought it best to defer any discussion on the subject till the bill was brought up.

Mr. ARCHIBALD wished to call the attention of the house for a single moment to the different estimates made in respect to the canal.

Hon. PROV. SEC. thought the hon. gentleman was taking a very unfair course, if he did not intend to move against the grant, when he knew the desire of the government to forward the business now before the house.

Mr. ARCHIBALD referred to Mr. Laurie's report on the subject of the St. Peter's Canal.—That gentleman estimated the cost at over £52,000, and £4,000 as the sum required annually to keep it up. The only argument that he had heard in favor of the work was that it would be of great advantage to the coal trade; but that idea was dissipated by Mr. Laurie and others who had given attention to the subject. Influenced by this belief, he had moved a resolution last winter, calling attention to the uselessness of the expenditure, and proposing to spend the amount for the benefit of the roads of Cape Breton, but not a single member in the island would listen to the proposal.

Mr. MILLER said, in view of the duty which the hon. Financial Secretary had before him, he would only ask a few moments to reply to some observations that had fallen from the leader of the Opposition. Although the Estimates in many respects contained some appropriations that he thought were better left out, still he could not but feel that, in order to forward a work in which his constituents as well as the people of Cape Breton generally felt the deepest interest—and of their own interests no one could deny that they were the best judges—the Government had made a very handsome appropriation. Under these circumstances, he felt that it did not become him to oppose the estimates, and accordingly, on the divisions of the preceding evening, he had recorded his vote in support of the Government. The leader of the Government had just told them that it was their intention to introduce a bill to settle this vexed question, and when that came up, gentlemen interested in the work would have an opportunity of answering the remarks that had fallen from the hon. member for Colchester.—He had always felt that it was most objectionable to have this question continually a matter of dispute, and was therefore exceedingly gratified that the government were about to take such steps as would effectually set the matter at rest for the future.

Hon. FIN. SEC. said he must thank the hon. member for Richmond for having the self-denial to refrain from speaking at length on a subject in which he was naturally deeply interested. He took issue with the hon. leader of the opposition as to the soundness of our financial condition. He did not go as far as his hon.

friend (Mr. LeVesconte) as to calculate the probable character of our finances so far forward as three years hence, but he thought he had under his hand the facts and figures which must even convince the hon. member for Colchester that his doubts as to the revenue for the estimated year were without foundation. That hon. gentleman had endeavored to alarm the house with regard to what he considered the certain decrease in the revenue of this year, but his argument fell to the ground if it was proved beyond all doubt that the estimated sources of revenue were quite sufficient to meet the estimated expenditure. On the first page of the estimate we saw the most important item that could be materially influenced by the chances of deterioration in our business—that is, the Customs and Excise, which he put at \$920,000, or a margin of \$70,000 below the previous year. Now he had the evidence to satisfy the House as to the correctness of his estimate. Six months of the estimated year have already gone by, and the hon. member knew that in the first quarter, ending on the 31st Dec, the actual receipts of revenue now in the treasury and available was \$413,116, or very nearly one-half of the estimated revenue for Excise and Customs for the whole year. The increase in the revenue for the second quarter was also largely in excess of that of last year. When, therefore, the hon. gentleman learned these facts, and in addition looked at the probable importations for the coming Spring, which were already completed, he must see that as far as this year was concerned, the estimates rested upon a secure and trustworthy basis. As respects cotton goods, it would be remembered that they had been driven out of the market to a large extent by the excessive price, but they would be largely purchased in the country when the cost went down. At present, the country did not use the same amount of cotton that they did previously. But the hon. leader of the Opposition, in referring to the estimates, had characterized them as most extravagant, and declared that the Government had increased the public expenses to the amount of \$438,000 over 1862. He would now call upon that hon. gentleman to point to one single service that could be diminished, and show a single dollar that was extravagant. He would tell that hon. gentleman where the extravagance was. It was in giving the important service of agriculture \$10,000 more than ever before—education, so necessary to the future prosperity and progress of this country, \$60,000 more than in 1862,—roads and bridges \$152,000,—navigation securities \$41,000,—St. Peter's Canal \$30,000,—Lunatic Asylum \$30,000, and the defences of the country \$7000. Here then for these five or six services alone are \$400,000 out of the \$438,000 which the honorable gentleman had characterized as extravagant and reckless expenditure. The hon. gentleman, surely, could not deny that these services must be fostered by the government as far as within their power. If he wished to found a charge against the estimates upon a substantial basis, he should point out those items which he considered two large, instead of dealing in mere generalities.

Mr. ANNAND said that he must convict the hon. Financial Secretary of being largely inaccurate in some of his observations. He had said that the Civil List, instead of costing more,

was actually less than in 1861. Now, in 1862, for it did not differ from 1861, the amount was \$59,490—whilst in 1865 it was \$63,105, or an increase of \$3,615.

Hon. FIN. SEC. said that he had referred to 1861, when it would be seen that the civil list was \$83,000.

Mr. ANNAND said that there were charges included in the estimate of 1861, which were differently made up for 1862, that could not be properly charged against the service. He would ask the Financial Secretary if his Government had not created a new office—an Equity Judge, at a salary of \$3,200 a year, and in that way imposed upon the people of this country a large tax. Had not the fourth clerk in the Crown Land Office his allowance increased? The contingencies of the Receiver General's Office were also increased, and for the first time there was provision made for contingencies in the Crown Land Department of \$200. Add these sums together, and it would be found that the charges in the civil list had been increased \$3615, as compared with the estimates in 1862 under the late government. Again, in reference to Legislative expenses, in 1862 they were estimated at \$29,370, which amount was denounced as extravagant by gentlemen opposite who now ask us in 1865 to give \$38,414 for the same service—by the same gentlemen who in 1864 estimated the legislative expenses to be \$40,848, and actually expended \$48,085—\$7,237 more than their estimate. In respect to the revenue department, it would be found that there were six new appointments, besides six salaries increased, all of them in counties represented by gentlemen supporting the government, and including the amount for the trade returns, we had an increased expenditure of \$1412. He did not so much complain of the increase in the country, for there were, perhaps, reasons that justified it; but on looking at the Halifax department he found that in 1862 the expenses were \$25,000, and in 1865 \$30,000 were asked. In 1862 there were six clerks in that department. In 1865 the duties of the department had not materially increased, and yet there were eight clerks employed, or \$1300 more. The tide waiters and boatmen had also been increased in number, at an additional cost of \$1845. Again, there was the expenditure of an inspector at \$1100 a year. So that there was in the Halifax department alone an actual increase of over \$5000. Coming to the Board of Works he found that the Board and department, which in 1862 cost \$3580 in 1865 was set down at \$4400—an increase of \$700 between 1862 and 1865—and no reason was given for it. As respects what had fallen from the Provincial Secretary, he would refer that hon. gentleman to his speech, reported in his own paper, where he had declared "he had put his hand to the plough, and would never look back."—He had referred to negotiations opened with Mr. Howe, and declared that he could not, in justice to himself, associate himself with that gentleman in the government, differing as they did on the all-important subject of retrenchment. These declarations were made in 1863, a year after the retrenchment resolution was moved, when the financial crisis had passed away, and when there was every prospect of the revenue increasing largely. They were made within a month of a general election, and that memorable speech was an exhibit of the platform on which the gentlemen opposite were prepared to stand or fall.

WAYS AND MEANS.

On motion of the Financial Secretary, the house then went into committee on ways and means.

Mr. TOBIN suggested the propriety of doing away with the duty on ale and porter manufactured in this country.

Mr. MILLER took the same view.

Mr. BLANCHARD did not agree with those gentlemen on the subject.

Hon. ATTY. GEN. and FIN. SECY. were not disposed to make any change.

No changes were made in the tariff.

Upon motion of the hon. Financial Secretary, marine steam engines were included in the list of exemptions.

The committee then adjourned, and reported up the resolutions passed in committee.

The revenue bills were then read a second time, and referred to Committee.

PETITIONS.

Mr. ANNAND presented two petitions from Cumberland, and five from East Halifax, against Confederation.

Hon. ATTY. GEN. introduced a bill to provide for the salary of the Governor's private secretary.

Mr. LONGLEY introduced a bill to amend chap. 19, R. S., of the sale of intoxicating liquors.

Mr. MILLER presented a petition from Donald Matheson and others of L'Ardois for additional mail accommodation; also from the postmaster at Arichat for increase of salary.

Hon. ATTY. GEN. introduced a bill to amend the act to provide for the construction of the St. Peter's Canal.

Mr. TOBIN enquired if it was correct as stated in debate that it would cost £4000 a year to maintain that work.

Mr. MILLER said he thought the hon. gentleman misunderstood the remark of the member for Colchester—who said that that sum was the interest of the amount to be expended in its construction.

Mr. KAULBACK presented a petition from the school commissioners of New Dublin in favor of retaining county inspectors.

Then the house adjourned until 3 o'clock the next day.

WEDNESDAY, March 29.

House met at 3 o'clock.

The house went into committee on bills, and took up the revenue bills.

Mr. TOBIN moved that the duty on ale and porter be struck off.

Mr. PRYOR expressed the hope that the duty on home brewed ale or porter would either be repealed or reduced.

The motion was negatived, and the bills passed as introduced.

The Legislative Council, by message, informed the house that they had passed a bill to incorporate the Halifax industrial school, and had agreed to a bill to add a polling place in Halifax county.

Hon. FINL. SECY. moved a resolution touching undrawn road monies; also the subdivision of the road grant.

Mr. BOURINOT said that he could not allow the vote to pass without entering his protest against the inequality of the distribution.

Hon. PROV. SEC. said the system might be open to objection, but the government felt that

as such large provision was made this year in the way of special grants, it was inexpedient to disturb it.

On motion of the hon. FINL. SECY., that day week was fixed on as the last day to receive the road scales.

Hon. PRO. SEC., by command, laid on the table returns for St. Mary's college; also, the calendar of Kings college.

Hon. ATTY. GEN. introduced a bill to amend the act to incorporate the trustees of St. Matthew's church at Halifax.

Mr. STEWART CAMPBELL presented the petition of certain proprietors of gold claims at Goldenville, county of Guysboro—complaining that certain parties who had abandoned pits had taken out the lining of them, and they had become filled with water, which caused injury to adjoining claims. The petition prayed that the government would make some regulations on the subject. The matter was referred to the government.

Mr. JOST, chairman of the committee on public accounts, reported.

Mr. ANNAND introduced an act to amend chap. 45 R. S., third series, of county assessment, in accordance with the prayer of a petition he had presented on a previous day.

THE PILOTAGE LAW.

Mr. ARCHIBALD moved that the report of the Committee on the amendment of the law, that the bill to amend chap. 79 R. S., of Pilotage and Harbour Masters, be deferred, be adopted.

Mr. D. FRAZER hoped that the house would not agree to the report of the committee, but would agree to the bill as an act of justice to the pilots of Pictou. A number of merchants and shipowners of Pictou had petitioned the house to put the pilots of that port in the same position as those of Halifax. He believed that none of the shipmasters in the Province, except those of Arichat, piloted their own vessels, and he thought the present law was a great hardship to a most useful class of men, who had been to a great deal of expense in connection with their boats. Many of them had spent a lifetime in their laborious occupation, and now their emoluments were largely reduced, which he considered a great injustice to them.

Mr. MILLER spoke at some length in opposition to the bill. Previous to last session, the act in reference to pilotage was for years a great source of complaint, and was looked upon as an imposition upon the shipping interests. Last session, however, the law was amended by an overwhelming majority, and despite this fact these petitioners came forward, asking the house to nullify its action—to destroy the amendment which he had moved, and which was adopted by two-thirds of the members present. The house should have more reason given than that set forth in the petition. Although the law had been in operation for a twelvemonth there was not a single petition from any portion of the Province asking for its repeal except from Pictou. The petition only included the names of the pilots and 21 parties interested in vessels; but there were that number of ship-owners in the house alone. All of these gentlemen approved of the law as it now stands; and the hon. member for Yarmouth himself had made several suggestions when it was under consideration last winter. Were not the opinions of these gentlemen, who re-

presented every portion of Nova Scotia, entitled to just as much weight as those of the petitioners of Pictou. If it had been necessary he would have got the signatures of two hundred shipowners in the constituency he represented against the passage of the present bill. Mr. Miller then proceeded to review the statements contained in the petitions on the table from Pictou, and contended that they contained nothing whatever to show the house that the law should be changed. If these pilots could not make a living let the number be decreased. The hon. gentleman went on to show the unfairness of the tax formerly imposed on vessels entering the port of Pictou for pilotage, from facts within his own knowledge. He considered it most unjust to impose such burthens upon men like the shipmasters of Arichat, who were better acquainted with the port of Pictou than these very pilots who now asked the house to nullify a law which had passed last session by such a large majority.

(A message was received from the Legislative Council, stating that they had agreed to a bill to amend chap. 9, R. S., of Excise Duties; to a bill to continue chap. 18 R. S., of Light House Duties; and to the bill to continue chap. 8 R. S., of Custom Duties.)

Hon. FIN. SEC. then spoke in favor of the bill before the house. He expressed his surprise at the argument used by the hon. member for Richmond, that the interests of the shipowners in the house would induce them to oppose the bill. If that were the case, it was useless for any one to attempt to convince those gentlemen; but he felt convinced that there was not one of them who did not feel the full responsibility of the duty he owed to the country, and was not prepared to deal with the question irrespective of any personal considerations. All that the bill asked was to give what was only right to a class of men who were so essential to the second port in this Province. This bill was not only of importance to these men individually, but to the commercial interests of the port itself. When the bill passed last winter, he thought gentlemen were hardly aware of the injurious effects that it would have upon the trade of a port of the importance of Pictou. The effect of the law now on the statute book was to enable vessels to avail themselves of the trade of the port without paying those customary duties to a class of men whose services were most indispensable. No correct analogy could be drawn from the practice in England where the institution of pilots instead of being regulated by a fixed law was managed entirely by a corporation. Mr. McDonald here pointed out the character of the regulations concerning pilotage in England, and then went on to say that pilots here had been for years subject to the caprice of ship owners, and had not been sufficiently protected. No class of persons better understood their interests than the shipowners and masters of this country, and the consequence was that time after time the emoluments and privileges of pilots had been decreased. Everyone was aware of the responsible duties that these men had to perform, and how small was their remuneration comparatively. He did not think it right for the house to ignore the claims of this class of men in favor of those of the shipmasters of Arichat, who for years had been enriching themselves out of the trade of the port of Pictou. These men had gone to a large

expense in fitting out fine boats, and now were to lose a considerable portion of those emoluments which they were entitled to receive. It should be remembered that the Legislature passed a law authorizing the court of sessions to license pilots and giving them certain emoluments. It would, then, be nothing but a breach of faith under the pledge of that law to deprive them so summarily of their emoluments which were legally due them, unless stronger grounds for doing so could be shown than had as yet been the case. The house should recollect that the petition of the pilots came backed by one signed by most influential men on both sides of politics in Pictou and New Glasgow. Every word contained in this petition could be relied upon as true. They were interested in the trade of the port and therefore naturally felt desirous of protecting a class of men who so materially affected its interests. The hon. gentleman, in conclusion, appealed strongly to the house to pass the bill now before it for its decision.

Mr. LEVESCONTE said that after the lengthy discussion which ensued last winter on the subject of pilotage and which resulted in the passage of the law as it now stands by a very large majority, it was unnecessary for him to delay the house with any lengthened observations against a bill which would make that law entirely nugatory. He contended that these pilots were not at all needed by our vessels engaged in the coal trade since in nine cases out of ten the masters were fully competent to enter the port of Pictou. If this class of men were at all wanted it was in going through the Strait of Canso—if they should be stationed anywhere, it should be at Canso or Petite de Gras. He believed that one-half of the pilots who were now petitioning the house could not manage a square-rigged vessel. Was it to be said that the shipmasters of Arichat, who were everywhere recognized as most efficient sailors, were to be instructed in navigating their vessels into a port which they so well understood as Pictou—that, too, by men so far inferior to them in respect to matters connected with their profession. In conclusion Mr. Levesconte gave an instance within his own knowledge of the incapacity of one of the Pictou pilots.

Mr. KILLAM argued that the present law was fair and ought not to be touched.

Mr. MILLER explained that the hon. Financial Secretary had misapprehended the remarks he had made; he had only stated there were 22 gentlemen in the house interested in shipping, coming from different sections of the province, and that it was a very fair indication of the feeling that existed outside of Pictou, when these supported the present law. Mr. M. then went on to argue briefly against the bill before the house.

On a division the bill was deferred by 33 to 12

Yeas—Killam, Parker, McLelan, Locke, Archibald, Stewart Campbell, Annand, P. Smyth, Caldwell, Allison, C. J. Campbell, Jost, Hay, Lawrence, Hill, Hamilton, Miller, Le Vesconte, McDonald, Donkin, Bourinot, Blanchard, Longley, Shannon, McKinnon, Robertson, Ross, Pryor, Bulcan, Blackwood, E. L. Brown, Attorney General, Provincial Secretary.

Against—Hedderman, Bill, McKay, J. Fraser, D. Fraser, Kaulback, Tobin, McFarlane, Coffin Campbell, John Campbell, Cowie, Financial Secretary.

MISCELLANEOUS.

Mr. ARCHIBALD, from the committee on Law Amendments, also reported against the bill to provide for the expenditure of certain duties arising from the sale of licenses in the county of Pictou. The report was received and adopted.

Hon. Mr. MCFARLANE introduced a bill to amend chap. 129 R. S., "Of Stipendiary Magistrates." It allows a special session to be called at the meeting of the supreme court for the purpose of expediting the appointment of such magistrates where required.

Mr. PIRRO, as chairman of committee of city bills, reported against the bill to enable the city of Halifax to buy real estate. The report was adopted.

Hon. PRO. SEC. laid on the table a resolution of commissioners of Poor's Asylum, stating that in consequence of the very largely increased numbers of transient paupers they are unable to provide for them out of the limited Provincial grant of \$8000 per annum.

The house adjourned at 6 o'clock.

EVENING SESSION.

The house resumed at half-past 7 o'clock.

The Hon. PROV. SEC'Y, by command, laid on the table the report of H. Perley, Esq., on the Bear River Bridge.

THE SCHOOL BILL.

The Hon. PROV. SEC'Y moved the second reading of the bill for the better encouragement of Education.

Mr. ARCHIBALD said that he felt some difficulty in addressing the house in reply to the speech of the hon. Prov. Sec'y delivered some few days before, inasmuch as many of the points then alluded to, had, to a great extent, passed away from the recollection of the house, and, like a bottle of champagne, once drawn, the subject had become stale and flat. He would have much preferred to have had five minutes then to have replied to the hon. Prov. Sec'y, but not having had that opportunity, he would be obliged now briefly to recall the attention of the hon. members to some of the positions taken by that hon. gentleman, and in doing so he felt relieved, to a large extent, from going as much into detail as he would have done had he replied on the spur of the moment.

The hon. Prov. Sec. at the commencement of his remarks expressed the hope that a subject of such importance as this should be kept aloof from politics, and seemed to think that he (Mr. A.) had introduced matters into the discussion in order to give it a party complexion. The main objection he (Mr. A.) had to the bill, was that the whole scope and object of it, was to connect the cause of education with party politics, and so far from desiring that result, the whole tendency of his remarks had been to divest the subject of a complexion of that character.

The hon. Prov. Sec. also stated that he (Mr. A.) had not ventured to point out a single act of the government which was open to the charge of a party nature. He had purposely avoided alluding to individual instances, because it was his desire not to drag the question down to the level of a mere party fight, but rather to show that the natural tendency of the bill was to connect the subject with political objects. He had, however, referred to one act, which he should have occasion to allude

to again before he finished, and he had done so principally because it was the first action taken by the government after the passage of the Bill.

The hon. Pro. Sec. complained that he had misrepresented the success of the bill during the last six months. He had figures under his hand which would inform the house as to the practical working of this measure. He found from the report of the superintendent that out of the 1400 school sections into which the province was divided, under this law, 1009 had been heard from; and in these only 654 schools had been attempted to be organized. This left two counties not heard from, and calculating the number of schools for these two, in the same ratio as the sixteen from which returns had been received, the whole number of schools organized under the bill might fairly be put down at 698, and of these a considerable number had failed to carry out the organization. He could point out dozens of instances in which, having held preliminary meetings, no further action was taken. He thought that he was justified in assuming that not more than 550 schools were actually in operation under the law. When it was considered that under the old law there were over 1100 schools in existence he did not think he could be accused of overdrawing the picture when he alluded to the want of success of this bill.

He should have been delighted if a larger number had been called into existence under this bill; but when it was found that of the 1100 persons formerly engaged in school teaching, only 654 had come up to the syllabus established by the council of public instruction, he could not help thinking that they had fixed the standard entirely too high. He had no wish to undervalue the importance of elevating the character and attainments of those who were called upon to instruct the youth of the country; but, if the higher standard could not be reached, it was far better to use the materials they had at hand, than have no schools at all.

The hon. Pro. Sec. had sought to justify the most obnoxious feature of this bill by stating that the government had followed the example of their predecessors in the bill of 1856.—But any one acquainted with that bill knew that there was no attempt made to give it a political complexion. The whole disposal and management of the school grant was placed in the hands of a board of commissioners composed of gentlemen of both sides of politics.

Hon. Pro. Sec.—The inspectors under that law were appointed by the Governor and Council.

Mr. ARCHIBALD—even so,—they had no voice in the distribution of the public monies—and that was the difference between that bill and the present. Under the former law the distribution of the public monies was placed in the hands of a disinterested board, who were free from the suspicion of acting from political motives.

The hon. Prov. Secretary had referred to the system pursued in England as an authority for this Bill, but surely he did not mean to contend that any analogy existed between the two countries as regards this question. They had no national system of education there, and no law such as we had. The common school education of that country, was mainly founded on the benefactions of wealthy

persons in connection with various denominations, and year by year a small sum was voted by parliament in aid of poor schools—but how small a proportion did that bear to the revenue of the country. He found that in 1857, out of a revenue of seventy millions, the entire amount voted in aid of teachers in England was only £62,000—which was about equal to \$1,000 in Nova Scotia, when the difference in the revenue was taken into consideration.

In Scotland, it was true, there was a national system—for the last 250 years a system had prevailed—by which in every parish a school was established by the land owners, and the parish had to provide a certain sum for the support of the schoolmaster. But the Government had no more to do with the disposal of the school monies in that country, than they had with the funds of another country altogether. The whole thing was managed by the municipal authorities generally in connection with the church establishment of the district.

And so it would be found in every country where a national system of Education exists. In Canada, where the law imposes taxation for schools—in Ireland, where large sums are voted for that purpose—in Scotland where each Parish supports its own schools—in every case, care is taken to have Public Instruction free from the excitements and entanglements connected with political life.

The hon. Prov. Secy. had referred to the fact that, in Canada, the hon. Mr. Galt, a minister of the Crown, was also a member of the Educational Board. He (Mr. A.) did not object to one or two gentlemen who were engaged in political life, being connected with the Council of Public Instruction, but he did object to its being altogether composed of that class. He would read to the house the names of the gentlemen who formed the Board in Upper Canada, and it would be seen that, not one of them was actively engaged in the politics of the country. The hon. gentleman here read the names as follows:—

Hon. S. B. Harrison, Q. C., Chairman; Rev. Egerton Byerson, D. D., L. L. D., Chief Superintendent of Education; Right Rev. John J. Lynch, D. D., R. C. Bishop of Toronto; Rev. H. J. Grasett, B. D.; Hon. Mr. Justice Morri-son; J. S. Howard; Rev. J. Jennings, D. D.; Rev. Adam Lillie, D. D.; and Rev. J. Barclay, D. D. Members for the purposes of the Grammar School Act: Rev. J. McCaul, L. L. D., President of University College, and the Presidents of the Colleges affiliated with the University of Toronto; J. G. Hodgins, L. L. B. Recording Clerk.

Here then were to be found gentlemen of every class of politics—men of standing, of character and of education; men whose position entitled them to discharge the high and responsible duties they were called upon to perform; men who were free from the slightest suspicion of being influenced by political motives. The hon. Pro. Sec. had taunted him with not having replied to the objections he had made to His Excellency the Lieut.-Governor occupying a seat at the board of public instruction. He (Mr. A.) had not done so because he failed to appreciate the force of the objections raised. If he understood that honourable gentleman aright he advanced as an argu-

ment against the Lieutenant-Governor being one of the council, that a matter might come up before them upon which the government might be evenly divided, and the Governor would then be placed in an invidious position in being called upon to decide—and the responsibility of the decision would be thrown upon him personally. He could hardly imagine how a case of that kind could occur—with a full meeting of the Executive Council, composed of nine members,—of course it was impossible that they could be evenly decided. But even supposing that all were not present, and that there should be three on one side and three on the other, and the Governor should be called upon to arbitrate between them, were not the chances ten to one that his decision could be right and just? No one knew better than the hon. Prov. Sec. the value of having at the Council Board, the presence of one occupying the high and elevated position of the Lieut. Governor. He well knew, when questions of a debateable character came up, how important it was to have the advice and counsel of one whose position placed him superior to party influences, and whose decision would be given without regard to interested motives. When therefore it was remembered that in New Brunswick the Lieut. Governor was found at the head of the Board of Public Instruction, and here the government had thought proper to dispense with his presence, he thought that he was justified in the observation he had made that the whole tendency of the Bill was to connect the cause of education with party and faction. But the hon. Prov. Sec. said that the Executive government possess the confidence of the people, and therefore they are the proper persons to discharge the duties of the Council of Public Instruction. He forgot that the confidence which the country reposed, bore reference to the issues which were before them. They had confidence that they would keep the promises they made, but they have never expressed and never were asked to express a confidence in them as a Council of Public Instruction.

Why did they, in this instance, adopt a different principle from that which would govern them in the formation of any other Board? If they were going to form a Board of Agriculture would they put themselves upon it—or would they not rather look over the land, and select those who had given the most time and attention to that subject—irrespective of what their political opinions might be. What would be thought of a government that in the constitution of a Board like that, would choose those of only one class or creed,—so in the formation of the Revenue Board, why was it that they selected persons of both sides of politics—but because they felt it necessary in order to impart confidence to the country, that any one who had cases to bring before them should feel that he had a chance of obtaining justice and that his cause was not prejudged before it was heard.

The same policy should have been adopted in the constitution of the Council of Public Instruction. But the Prov. Secy. argued that it would be impossible to obtain a sufficient number of duly qualified gentlemen without including some who were engaged in politics. He (Mr. A.) had never asked that all who had taken part in political life, should be excluded

from a seat at the board, but what he did want was that the Council of Public Instruction, of Nova Scotia, should be composed, as it was in Canada, of gentlemen selected for their learning, position, and attainments, and not solely on account of their political views.

Suppose that a party came before that house with a grievance that he wished to have redressed—and the house granted him the enquiry he sought for, but appointed a committee composed of gentlemen entirely antagonistic to him—would any one suppose that he would receive fair play or justice? and yet the government was doing the same thing to every schoolmaster in Nova Scotia, when they put him at the mercy of a one sided board, steeped to the very eyes in political feelings and prejudices. Surely they could not expect, with this feature stamped upon the bill, that it was going to carry with it the favor and approbation of the people of this country.

But the hon. Prov. Secy. said that it ill became him (Mr. A.) to object to this Board, when the first act of his party was to discharge a Board that were engaged in the performance of highly important public duties without any cost to the public service. The Board he alluded to was that of the Commissioners of the Lunatic Asylum. When he (Mr. A.) came into power in 1861 he found that Board in a state of turmoil and ferment—for nearly eighteen months the matron superintendent and the steward had not been on speaking terms.

(The hon. gentleman here read from the report contained in the Journals to that effect.)

Hon. PRO. SEC.—Who is that signed by?

Mr. ARCHIBALD—By the members of the government.

Hon. PRO. SECRETARY.—Very disinterested authority.

Mr. ARCHIBALD would show that the hon. Pro. Sec. had virtually signed the report by endorsing the action he had complained of.—The government of which he (Mr. A.) was a member, introduced a Bill transferring the control of the Asylum to the Board of Works; and that Bill remained upon the Statute Book of this day, and not only had the hon. Prov. Sec. left the law untouched, but he was going to add to the liabilities imposed under it, by increasing the dimensions of the Asylum. But if the position assumed by the hon. Prov. Sec. that the members of the Executive Government were the proper persons to form the Council of Public Instruction, was correct, why did not he apply the same principle to other matters. In the formation of the Board of Governors of Dalhousie College, for instance, why did he not appoint those gentlemen whom he considers so peculiarly fitted for the position of Public Instruction. Why, but because he knew that in order to commend that institution to the confidence of the country, it was necessary to make it independent of politics, class, or religion. All he called upon the hon. Prov. Sec. then to do was to follow the same principle in regard to the common schools of the country as he had already adopted in reference to the higher educational establishments, and surely he could not deny that what was sound policy in the one case was equally sound in the other. But the Provincial Secretary said the council of public instruction had nothing to do with the dismissal of Dr. Forrester. If any body is

to blame, it was the executive government. It reminded him of a distinction of a similar kind once made by a prince bishop, who held that in his capacity as prince he could do certain things, and in his capacity as bishop could do others. He said, "as prince I fight, as bishop I pray." But, said one of his followers, "suppose the prince should die and be d— d, what would become of the bishop?"—(Laughter.) The distinction he feared would hardly be any better in this case. We cannot condemn the government for the act and let the council of public instruction escape. Whether they are acting as prince or as bishop was a matter of little consequence; they were the same men, doing the same act, and with the same objects.

He (Mr. A.) had felt that, from the first inception this bill had received a political character. The hon. Prov. Sec. had confessed that in order to carry it out successfully it was necessary to make a martyr and to sacrifice a gentleman who whatever might be his political leanings had long been distinguished for the part he had taken in the cause of education. In alluding to that gentleman (Rev. Mr. Forrester) he had done so without his knowledge or sanction probably if he had known it, he would not have consented to have his name mentioned at all. But he had done so because he felt that the Prov. Sec. when he confessed that in order to carry out this measure it was necessary to sacrifice that gentleman, conceded that politics was the beginning, the middle and the end of this bill. He could not allow the occasion to pass without expressing his appreciation of the services that gentleman had rendered to the cause of Education. He had devoted himself for years to that subject with an amount of industry, energy and success, that was exceedingly creditable to him. And there was no doubt that whatever improvements was now to be found in the system of education, was due to a large extent to the indefatigable exertions of the Rev. Dr. Forrester. He had discharged the high duties of his office too without regard to what party was in power; and when, in the course of events some years ago, he became the servant of the government which succeeded the one to which he owed his appointment; he (Mr. A.) knew he never swerved from his duty to the government of the day, but endeavored to advance the best interests of the cause he had at heart—without fear or favor to any one.

The hon. Pro. Sec. must have misunderstood him in supposing that he said that on a new government coming into power that gentleman would be restored to office. From what he knew of his opinion, he (Mr. A.) was convinced that the moment the office was made political he would not accept it under any circumstances—what he did say was that when a person was thrust from office for political reasons, the office thenceforward became political, and a succeeding government would be compelled, whatever might be their wishes, to remove the incumbent and put another in his place—and it was this feature that he particularly objected to as giving a political complexion to the whole Bill.

The hon. gentleman concluded by saying that he was exceedingly glad to have heard an observation of the Prov. Secy. that he did not consider this question of the constitution of the Council of Public Instruction as a vital

principle of the bill, and he did hope that as it was left open for gentlemen on the other side of the house to exercise their independent judgment, that they would unite with him in striking out this most obnoxious feature of the bill.

Hon. ATTY. GENL. said that he had not intended to have addressed the house at that stage of the bill, but the singular course taken by the hon. leader of the opposition, rendered it necessary that he should offer a few observations in reply. If that hon. gentleman had taken the position that no amendment of the law was necessary—that the law at present upon the statute book required no alteration or improvement, he (Mr. H.) could understand the course he had taken, but when he admitted the necessity for the law being modified, and when it was agreed that no principle of the bill would be settled on the second reading, he would ask the house and the country what reasons he had given for opposing this bill going into committee. The only objections he had urged were entirely in reference to matters of detail; and from that hon. gentleman's knowledge of the business of the house, he well knew that the proper time to bring forward matters of that kind was in committee. When, therefore, he contrasted the course taken by the leader of the opposition, last year, in reference to this bill, with his conduct now, he could not help expressing his surprise at his inconsistency, and he was driven to the conclusion that his opposition to this bill going into committee was factious in the extreme. That hon. gentleman had expressed his regret that a larger number of sections had not adopted this law, and he hoped that more would have done so. It was all very well for him to express that opinion now—but he would ask any body whether that hon. gentleman had not acted more as an enemy than a friend of a measure, he had aided in carrying.

The hon. leader of the opposition had not ventured to attack any fundamental principle of the bill—he did not object to the system of county assessment, but the whole object of his remarks appeared to be to endeavour to prove that the bill had failed because the Council of public instruction was formed of the Executive government. That no doubt was very popular with the hon. gentleman's own supporters—but had he brought forward any facts to prove that his position was correct. Had he advanced a single instance to show that the Council of Public Instruction had acted improperly in the discharge of their duties? He had said on a previous night that he did not wish to bring forward any instances of this kind. If he had any why did he not advance them now? Was not the inference inevitable that the hon. gentleman was indulging in general charges, without being able to substantiate them by a single proof? He (Mr. H.) contended that the Council of Public Instruction represented the whole people, and that any council that allowed politics to influence them in the duties of that office would not long remain in that position.

The hon. gentleman had labored hard to shew that the measure had not met with the approval of the people. He (Mr. H.) could understand such language coming from an opponent of the measure, but he could not understand it coming from one who professed to be friendly to the bill, and who had assisted in its being introduced.

He told the house that some five hundred teachers had been struck off the roll, because the Council of Public Instruction had fixed the standard too high—and that such high qualifications were not required for teachers in the backwoods. He (Mr. H.) was not aware that it was necessary to have one standard for the backwoods and another for the clearings. The Council had adopted such a standard as they conceived necessary to elevate the status of those entrusted with the important duty of educating the young of the country.

The hon. gentleman had referred to England, and had shown that the monies voted for Educational purposes in that country were expended without any law on the statute book at all. He would ask did not that place far more power in the Board of Education than our law gave the Council of Public Instruction?—But he said that the sum granted was so all in comparison with ours. That did not make any difference in principle. The hon. gentleman had entirely failed to point out any analogy between the two countries.

And now he would ask what position the subject was in? They had professedly a system of assessment in operation which was in reality no assessment at all—a system which bore most unequally upon the people, and had failed to secure, what should be the desire of every one to see accomplished, a system of free schools from one end of the country to the other. It was now proposed by the Bill before the House to amend the existing law and to remedy the defects that exist, and when it is proposed to send that Bill to Committee, the motion is opposed by the leader of the opposition. He would ask whether that was consistent with the position taken by that hon. gentleman last session as the great advocate of free schools founded upon compulsory assessment. Did he not complain that the bill of last year did not go far enough, and now that this bill carries out the views then expressed, he oppose its being sent to committee.

He could understand the leader of an opposition opposing a bill introduced by a government solely upon party grounds; but the question of the education of the country had always been kept sacred from party influence, and no government had introduced it as a strictly government measure.

He would turn for a moment to one or two observations of the leader of the opposition. Among other things he had said that the small number of schools in operation was owing to the standard being fixed too high. He would like him to take up the syllabus in detail and point out anything that was wrong. Surely where a certain amount of public aid was granted to a teacher, they had a right to expect corresponding qualifications. The standard had been fixed by the superintendents, who had been guided by the experience of other countries, and he thought that the hon. leader of the opposition had failed to show that the success of the bill had been injured by the standard being fixed too high.

The next objection taken by the hon. gentleman was the composition of the Council of Public Instruction. He thought he must have forgotten that the Bill introduced by him when in power contained a provision to form a Board of Education composed of members of the Executive Government, the only difference being that the Lieut. Governor was to be at

the head. Now upon that point he held that the Lieut. Governor, the representative of majesty, ought not to occupy a position to be made responsible for any act of the Council. Under the system of responsible government the head of the government was responsible to Her Majesty who sent him here and his advisers were responsible to the people whose confidence they possessed. He held that it was no position for a governor to occupy, that when a question which might bear a party complexion should come, upon which the Council might be equally divided, that he should be called upon to decide. The hon. leader of the opposition said that he has no doubt that he would decide rightly. He (Mr. H.) did not doubt it, but even so, he would still have to decide against the views of one half the people of Nova Scotia, and then they would have the unseemly spectacle of the representative of Majesty being held up in the public prints as an object of abuse. Surely no one would desire that. The representative of Majesty should be kept as free from party influences, as Her Majesty herself.

It was the duty of every gentleman who supported the main features of the bill of last session not to endeavour to create an unfavorable impression respecting it in the minds of the people, but to show why it failed and make those amendments which the experience of the past year show are required. It had been said that the country was against the bill, but he wanted more evidence of that fact than had so far been adduced. He did not look upon the petitions as expressing the opinion of the majority of the people. What petitions had been presented showed that they were to a large extent the work of one hand who had taken the trouble to get them circulated over the face of the country. A great number of persons could be easily persuaded to sign petitions for almost any purpose whatever; in fact to contradict one day what they had on a previous occasion asserted in a petition. But irrespective of the petitions there was no evidence shown that the bill had failed to the extent gentlemen would persuade the house and country it had. According to the hon. gentleman's (Mr. Archibald's) figures, there were 550 sections established, and there ought to be 1100 schools in existence. Assuming for argument's sake that there was even a less number than that mentioned by the hon. member and supposing that there was but one third of the number in operation, yet there was the evidence to show that there is going to school at the present time as great a number of children as went to the whole 1100 of which the hon. member spoke. That proved if the excitement was allowed to cool down and the bill was better understood—if the people had all the machinery in operation requisite to carry it out there would soon be two hundred per cent. added to the number of children in attendance at school. Were gentlemen then prepared to say that the bill was not a success? He contended that the house had before it the clearest evidence to prove that, notwithstanding the difficulties that surrounded it, and which were to be expected at the commencement, the results had been exceedingly satisfactory. The objection that now existed, and which came in a large measure from the repugnance of the people to anything like assessment—would gradually be removed, and in a few months the suc-

cess of the measure would be proved beyond a doubt by means of the facilities that would be afforded to the parties who commence operations in May next. He believed that the people were now awakening to the necessity of encouraging the operation of a good measure on Education—that all that was now necessary was to take off inequalities that might exist, and enable the law to bear more equally upon all classes, in order to remove the objections that might now exist in the country. The hon. leader of the Opposition had declared that the composition of the Council of Public Instruction was the chief reason for any animosity that might exist against the bill, but he could not prove it. One or two papers had referred to that feature unfavorably, but there was no general expression of public feeling on the subject. No portion of the people had complained of any decision of the Council of Public Instruction, and therefore the objections raised by the hon. gentleman existed entirely in his own imagination.

In many parts of Scotland to which reference had been made by the hon. member, the schools were under the control of persons connected with the churches and who take a deep interest in the question of Education but their system was totally different from that adopted in this country. There they had to a large extent a system founded entirely on taxation, but here we have a mixed system—a sum granted by the legislature and another sum raised by the people. It had been advocated that the whole amount should be contributed by the province, but he held it was a bad policy on the part of any government to assess the people by indirect taxation too largely for the support of schools and take away from them the privilege of keeping up education directly. No doubt the people took a far deeper interest in schools when they had to contribute directly towards their support.

The hon. leader of the Opposition had declared that the question of Education should be kept free from any aspect of party politics, and yet almost in the same breath he brought up the question of retrenchment. He observed that the government had not been returned to act as Council of Public Instruction, but had had the confidence of the country reposed in them because they promised to carry out retrenchment. Was that the way to discuss a question which the hon. gentlemen was so anxious to keep free from all taint of politics? That hon. gentlemen had on several occasions gone out of his way to attack the government on this question, and he (Mr. H.) felt called upon to notice one or two points which had been brought up. The *Morning Chronicle* contained an explanation from the Provincial Secretary that the resolution introduced in 1862 was only intended to meet an exigency that had arisen, and that when it passed away he would be quite ready to retrace the services he proposed to touch to their previous amounts. The hon. member for Colchester complained that the remarks were not published in the organ of the Government, though he admitted they were in the *Chronicle*. That hon. gentleman could not deny that they were made. He, as well as other gentlemen in this house, must remember that they had been uttered. The Government, however, had not been returned on the question of retrenchment, although it had been so asserted by the Opposi-

tion time and again. There were other matters which the house now need hardly be informed had much more to do with the return of the party now in power.

The hon. gentleman would have a Council of Public Instruction composed entirely of men not in politics, but he had not informed the house how he could get a body possessed of all the qualifications that would suit the people of the Province from one end to the other. How many classes and denominations of Christians were to be represented at that board? Unless the Council was so arranged, if it was composed of irresponsible men, would the country be satisfied? A decision given against one particular denomination on some question that they would consider vital, would awaken the antagonism of the whole of that body. The Council, on the other hand, when composed of the Government, were directly responsible to the people, and had their confidence, which was not the case with such a body as the hon. gentleman would have formed. However satisfactory you might represent both political parties, or all denominations, in such a council, he believed that in six months objections would be urged against it on all sides. To which party was the majority to be given? If the government secured a majority on that board, he asked where was the minority? He presumed where the minority in the house was between the years 1859 and 1863. Yet that was the board that the hon. gentleman stated was to be non-political. No analogy could be drawn between an agricultural board and one in connection with education. There was nothing in connection with agriculture that could touch the religious feelings and prejudices of this country. No such important question, for instance, as that of separate schools, could come before a board dealing with the agricultural interests of the country. Reference had been also made to the character of the Board of Revenue; but the hon. gentleman could scarcely have been serious when he declared that that body was composed of two parties. Did not he know that the government had two members on that board—that they controlled the committee? The hon. gentleman had also referred to the Lunatic Asylum, but it would have been wiser if he had left that subject alone. The government in 1861 undertook to dismiss a board of management connected with that institution, composed of influential gentlemen who gave their services gratuitously to the public. These gentlemen were a non-political board, and yet they were dismissed. They were not in the government and had no party objects to subserve. Whom did they put in their place? Why the Board of Works under the government. The government undertook to condemn these gentlemen without a trial, and in the face of the most conclusive evidence that they deserved better treatment. That hon. gentlemen, therefore, had given the best evidence that could be adduced that a responsible board was the one that would give the best satisfaction to the people of this country. If it was tried to form an independent board of gentlemen who had nothing else to do and their names were published in order to test the feelings of the country on the subject, it would be found that four fifths of the people would condemn them. As the Council, however, was now constituted under the improved bill before the house, their power to do harm, if they

wished it, was very limited. It was argued that the Council should not have the power of making these appointments. But the Board appointed according to the plan suggested by the hon. member would not have the appointments of Superintendent, or of the head of the Normal School, or of the Inspectors. They would be reposed in the government who alone would be responsible for them.

The hon. leader of the Opposition had referred to Dalhousie College, and asked if the principle of government control was good with respect to the Council of Public Instruction, why was it not applied to that institution. The hon. gentlemen ought to know that that was provided for by a law that was placed on the statute book before the present government came into power. Why, then, did the hon. gentlemen expect the government to interfere with that laws. But suppose a vacancy took place to-morrow would not the government fill it up.

The Council of Public Instruction had to encounter the greatest difficulties for the last six months—to give the instructions necessary for the elucidation of a new act—to settle irregularities arising from the ignorance of a new law. They had to do all this and assume responsibilities. When the system was once set going on smoothly, he would ask what functions were there belonging to the Council of Public Instruction that were dangerous to the interests of any political party? He could see none whatever. Appointments had to be made occasionally, but the Government would have them under any circumstances. The functions of this body were small. They could not arrange a school district or interfere with its boundaries. The School Commissioners had to carry out the law and divide the money, and on the whole it would be found that the powers and prerogatives of the Council were nothing so great as gentlemen would have the house to believe; and for everything they did they were directly responsible to the Legislature and country. If the hon. leader of the Opposition wished to keep this question free from party politics, he should not have referred to the change that had been made in the office of Superintendent. He said he had done so in opposition to the wishes of the reverend gentleman in question. If he had consulted with that gentleman, reasons would have been given to the hon. member why this subject should not be brought up. As far as he (Mr. H.) was concerned, he had always entertained feelings of the greatest respect for Dr. Forrester; for he had given a great deal of time and attention to his duties; but nevertheless he was a clergyman. When he was appointed as the head of the Normal School, it was because he was supposed to be peculiarly suited for that office, but no doubt if there had been a non-professional gentleman available, a clergyman would not have been selected. No matter how conscientiously a Superintendent might perform his duties, yet the fact that he was a clergyman would awaken prejudices among those denominations to which he did not belong, and impair his usefulness and neutralize his labors to a great extent. But when his removal from the office of Superintendent was urged, as an objection to the composition of the Council of Public Instruction, it should be remembered that, whatever the Council might be, the Government had the appoint-

ment in its own hands, and could deal with it as it thought proper.

The hon. leader of the Opposition had given, as a last reason why the Government should not constitute the Council, the practice of Canada, and referred especially to Dr. Ryerson, who had been the Superintendent for a good many years. But would the hon. gentleman deny that Dr. Ryerson had not been considered for years—whether rightly or wrongfully he could not say—by a large body of the people, as an important political engine himself.

He contended that the system of responsibility was just as applicable to the administration of the law, on the subject of education, as it was in reference to any other law on the statute-book. If then Dr. Ryerson was the political engine that he is represented to be, it would be clearly better for the interests of Canada if he were immediately responsible to the Legislature. It was an improvement upon the Canadian system that the people from one end of the Province to the other should have a right to refer at once to the government of the day and urge any claims, or state any grievance they might have. They would have a body whose policy it would be to do justice to all the parties concerned, and not one which might take any course it might consider most consonant with its own feelings and prejudices, and think itself safe under its irresponsibility. Suppose there was a council such as the hon. leader of the opposition would choose, and the people of some part of Cape Breton had a grievance which they wished redressed. They apply to their representatives to make enquiries into the matter, but when these gentlemen would apply to the irresponsible board, the probability would be that they would get for an answer: "Your enquiries are very troublesome, and give us a great deal of trouble, and we cannot give you any redress." When, however, the government formed the council, was it not obvious that they would feel bound to give some redress to the complainants. The hon. gentleman, in concluding, expressed his surprise at the line of argument pursued by the leader of the opposition, and contended that his objections did not touch the valid principle of the bill, which was free schools for the people of this country.

SEPARATE SCHOOLS.

Mr. LEVESCONTE said that he had looked carefully over the bill before the House, and must confess that the principle of assessment it contained was most unpalatable to the county which he had the honor to represent, as indeed to most of the counties of the Province; but, notwithstanding this, he would be prepared to vote for the second reading of the bill if the Government would agree to introduce into it a clause respecting Separate Schools—one that would protect the rights of minorities which ought to be protected. Now the people were taxed both directly and indirectly for the support of education. First, they were assessed indirectly to raise the large contribution that was given out of the treasury for the schools of the country. Next, they were taxed under this law by an addition made to their county assessment, and if the bill was not altered in Committee they would have to pay a two-thirds taxation, which would be imposed upon them in the various districts. We all knew, that situated as the people of this county are, in those districts where the majority of

the people are Catholics and the minority Protestants, the latter, though largely contributing to the support of education, were not likely to send their children to the schools of the former, where a Catholic teacher is employed. Therefore, although paying a large amount of taxation, they were debarred from participating in any of the benefits they ought to derive from these schools, and obliged to provide a teacher for themselves. The same thing occurred in districts where the majority of the people are Protestants and the minority Catholics, and where the latter, with laudable zeal for education, have established a school where a teacher is employed to indoctrinate their children with doctrines that they themselves subscribe to. It was laudable both on the part of the Catholics and Protestants to wish to send their children where they might learn the principles of their respective faiths. He maintained, as a fundamental principle, that the House, in placing upon the Statute Book, a law that was going to assess the people of the country for the purposes of education, should, at the same time, not ignore the fact that there are minorities who have rights to be protected. In his own district the Roman Catholics were in the majority, and a school of that denomination was there established; but was it to be said that he was a bigot because he, a Protestant, was not prepared to send his children to be educated at that school. Or were the Catholics in a Protestant district to be told that they were bigots because they would not send their children to a school where principles were inculcated, inconsistent with those in which they themselves believed?

Every one knew that such feelings influenced the mind of man, whether Protestant or Catholic, and would prevail as long as these denominations existed. There was no doubt that a man in whom Protestants had confidence would be unworthy of his position if he failed to take every opportunity to teach the children that which he believed himself. Any man who did not do so would be forgetful of the welfare of those children both in the present and future world. And a similar argument could be used with reference to any Catholic teacher. Influenced by these convictions, he asked the government to add the clauses which he would read to the house as an act of justice to the minorities now to be taxed for the support of education in this country.

The hon. gentleman then read the following clauses:

When in any school section or school sections adjoining each other, the teacher shall be a Protestant, and there shall be not less than 20 children, between the age of 5 and 16 years, belonging to Roman Catholic families therein, the heads of which families, being not less than five in number, shall signify their desire in writing to the commissioners to have a separate school section within the limits of such section or adjoining sections, it shall be competent for the Roman Catholic householders therein, not being less than ten in number, to hold a school meeting at the school house, when provided, at the time appointed by law for annual school meetings, or at such other place as may be most convenient within such section or adjoining sections, and thereat to elect trustees for such separate schools,—such meeting to be organized as prescribed in the 25th section of this act, and to have the same

powers and duties as are by this act prescribed for annual school meetings, so far as such Catholic families are concerned.

If any person offering to vote at such separate school meeting shall be challenged as unqualified, the chairman presiding at such meeting shall require the person so offering to make the following declaration:

"I do declare and affirm that I am a Roman Catholic (or Protestant, as the case may be), and that I reside in this separate school district, and that I am legally qualified to vote at this meeting."

And every person making such declaration shall be permitted to vote as prescribed in the fifth section of this act, and shall be subject to the same penalties for making a false declaration as is prescribed in said section, to be recovered by the trustees of said separate school in the manner therein set forth.

The trustees elected at such meeting shall have the same duties and powers, so far as regards the Catholic families in said separate school district, as those of other trustees of common schools in accordance with this act; and the Roman Catholic inhabitants of such section contributing to the support of such separate school shall be exempted from the payment of any special assessment (other than the county assessment) for the support of the other schools within such section or sections; and such separate school, where established and attended by an average of no less than fifteen pupils, shall be entitled to receive from the Superintendent of Education a reasonable and just proportion of the common school fund, according to the class of teachers employed in said separate school, and an order on the county treasurer for the full amount paid by said Catholic families as county assessment for education. And such separate school shall be free to all the children between the ages of five and sixteen years belonging to Roman Catholic families resident within the sections where in such separate schools are established; but such children shall not be entitled to attend the other common schools therein to which such families do not contribute.

When in any school section or school sections adjoining each other the teacher shall be a Roman Catholic, and there shall not be less than 20 children between the ages of five and sixteen years belonging to Protestant families therein, the heads of which families, being not less than five in number, shall signify their desire to the commissioners in writing to have a separate school within the limits of such section or sections adjoining each other, the same proceedings may be had as in the preceding sections of this act, and all the provisions thereof shall apply in every particular to such separate schools where established in pursuance of said section.

No school books shall be used in any such separate school which shall be objected to by the teacher thereof.

The Council of Public Instruction, out of the sums granted for the annual purchase of improved school books, libraries, maps and apparatus, shall provide for such separate Roman Catholic or Protestant schools a reasonable and just proportion of such school books, &c., as may be required by the pupils thereof.

Hon. PRO. SEC. said that he had been exceedingly surprized at the course that had been

pursued by the hon. leader of the opposition. Notwithstanding his strong opinions on the subject of the council of public instruction, yet after all it was but a detail and not a vital principle of the measure, and the hon. gentleman might have quite consistently allowed the bill to go into committee instead of assuming a position of such extreme hostility on its second reading. That was a course that he had not expected from the hon. member, because holding the views he did he was bound to send the bill to committee and there offer his views to the house and endeavor to amend it in that way. However, he had not expected from the hon. member for Richmond, and his late colleague in the government, the same attitude of hostility towards the measure that had been exhibited by the hon. leader of the opposition. If that hon. gentleman held such strong views on the subject of separate schools, it would have been quite proper for him to have moved the clauses he had just read in committee, and in that way endeavor to introduce them into the bill, instead of pursuing a course which he had not expected and which, he regretted exceedingly, that hon. gentleman should have pursued in reference to the measure. The bill could never be sent to committee of the whole house—and the hon. member knew it quite well—if the personal dictation of every gentleman was complied with. It should be remembered that the hon. member for Richmond himself was a party to the essential principle of the bill, and he (Dr. T.) had no right therefore to expect that he would have endeavored to make it a condition that clauses should be introduced which he knew the government could not agree to.

Mr. LEVESCONTE said that he had voted for something like this last year.

Hon. PRO. SEC. would not complain if the hon. member, holding the views he stated he did, had moved any amendment in regard to any section of the bill when he could most legitimately do so; but when he endeavored to dictate to the government certain principles which were destructive to the measure he assumed an attitude of the most determined hostility that it was possible for any man to assume. He had no hesitation in saying that the government could not consent to the introduction of clauses into the bill which, every one must feel, would be destructive to the common school system of this Province. (Hear, hear, from opposition benches.) The bill had infinitely better be thrown into the fire than that the clauses in question should be incorporated into it. He was not going to refer invidiously to the principles of any one denomination in this country and contrast them with those of any other, but he had no hesitation in saying that the principle that demanded that there shall be no schools except of a denominational character was one that struck at the very foundation of common school education by which the people can have their children educated. The very moment you laid down the broad platform that the Episcopalian or the Baptist, or the Methodist, or the Presbyterian could not receive a common school education in common, you did that which would eventually sweep away every respectable and efficient school off the face of the country.—The district in which the hon. member himself lived occupied a peculiar position. In the town of Halifax, it would be possible to introduce

that system without striking down our common schools, but the moment you went into the rural districts of Nova Scotia and say that it must become the duty of every teacher not to give that instruction which in the common schools of the country the children are expected to obtain—not to teach reading, and writing and arithmetic, but, as stated by the hon. member, to endeavour to proselite and pervert to his views the minds of those entrusted to his charge, the moment you allowed this you did that which no gentlemen of any denomination could sustain for a single instant. He did not undervalue the importance of religious education of having the youth of the country instructed by parties in whose religious opinions they might have entire confidence; but to ask that there shall be no school that should not be taught by a man who was not determined to force his own religious opinions upon the minds of those committed to his charge would be to attempt to establish a principle for which the country was not prepared and which would have the effect of leaving our people without any education at all. In the existing condition of things in this country any system of common school education that involved the introduction of separate schools and prevented all denominations of christians into which our community is divided from co-operating with each other—which would not allow all children, irrespective of sect, to sit side by side, and learn those branches of education which are taught in the common and superior schools of this country,—struck at the very foundation of our school system. Under these circumstances the government could not consent for a single instant to the adoption of a principle which would be so destructive to the operation not only of the present bill but of the whole system of Common School Education.

Mr. LEVESCONTE said that he could show the hon. Prov. Sec. who appeared to be rather warm that these clauses were nothing new, but that they were in force in the great country to which the hon. gentlemen was so anxious recently to annex us. Mr. Levesconte here read the law in L. Canada on the subject of Separate Schools.

Hon. PRO. SEC. said that the moment these clauses were introduced into the bill its whole foundation and support crumbled away. All the other denominations would demand just as pertinaciously and withdraw their support from the measure unless the same concession was made to them. Therefore the question did not lie solely between Catholic and Protestant, but between all the denominations into which our people are divided.

Mr. TOBIN said that he was sorry that the Provincial Secretary felt so strongly upon the question before the house. The hon. member for Richmond had introduced the subject with much moderation and calmness. He lived in a district where it appears he was in a minority as respects his religious opinions, and had an opportunity of observing the working of the bill introduced last session, which became law. He felt, as other gentlemen similarly situated must feel, that there was a necessity for such schools so far as the interests of those who were of the same denomination as himself were concerned. As regards himself (Mr. T.) he was always disposed to do what he believed was right, and if the minority in the district to which the hon. member belonged had not a

sufficient guarantee of protection, it was the duty of the house to take that course that was proper on the premises. He had heard the speeches delivered during this discussion, and had been a little astonished at the style of argument pursued. The Provincial Secretary introduced the bill, advanced his propositions, and argued in its favor calmly and deliberately; but, when the leader of the Opposition got up and spoke, he opposed the measure not upon educational grounds—not with reference to the principles on which education should be conducted in this country; but upon political grounds entirely. He would like to call the attention of the house to the history of education in Europe—in that country where civilization first reared its head—and ask if such a bill, as was now on the table, was introduced into any State, England, Ireland, Scotland, or Germany, would it receive any countenance? He thought not; for in those celebrated countries where popular education was first introduced the rights of minorities and majorities were always respected. But not to Germany or any State of Europe, but to the Christian church were we indebted for the introduction of elementary education. If we traced back the history of popular education we found that wherever the Christian church was established, there the common or primary school arose in connection with the Christian church, and that principle had been handed down to us to the present day. We found that in 1618 the civil war broke out in Germany, called the "Thirty years war" when fathers were torn from their families—when the whole country was convulsed to its very centre—but it was only in 1653 and 1655 that two men arose in Germany—Philip J. Spenser and Augustus Herman Frank. These two men were destined to shed a new light upon popular education in Europe through their zeal and devotion. In what system did they believe? Go to Germany, to Bruhl on the left side of the Rhine, three leagues from Bonn, and you find a Normal school established for the education of Catholic teachers. Again, go to Potsdam and you see a Normal school established for the education of Protestant teachers. Go again to Berlin, and what do you find? The council of public instruction tell you that they never establish a mixed school where it is possible to have a separate one. It was necessary at times to have mixed schools, but the system is so established, and the rights of every denomination so well understood, that whenever a minority feel that there is any suspicion they can immediately apply to the government for a separate school, and under the circumstances it is not surprising that the system works harmoniously. Examine Canada, and you saw a country split into two halves. In Lower Canada there is a Catholic majority, and in Upper Canada one of Protestants. In both sections the minorities were protected by the majorities. Look at the clause introduced by the hon. member that evening and you had an idea of the law that was carried out in Lower Canada. In the lower section where the immense body of the people belong to the Catholic church, the rights of the minorities are protected and recognized—that no man could gainsay. No difficulty occurred whatever in that section in connection with education. In many years in Upper Canada some difficulty had occurred between Dr. Ryerson

and the Catholic denomination, until at last, however, a compromise was effected and the rights of minorities established. These were things that the house should thoroughly understand.

He could appreciate the difficulty that arose in this province in connection with Education. With the exception of Halifax, the counties of Inverness, Richmond, and one or two others the Protestants were in a majority; and he could understand how difficult it was in the districts all over the province to protect the rights of the different denominations and especially where there were no very large bodies of Catholics. If the system were so arranged that where it was necessary the Catholic or Protestant minority could establish a separate school, the whole would work more harmoniously in all its parts. But what did you see the other day when the question of Dalhousie College was up before the Committee on Education. You saw Mr. Grant on one side and Dr. Cramp on the other, and the Bishop of Nova Scotia was also present. They spoke of the denominational colleges, and said that they should be put on an equality—that the grant to the one should be the same as that to the other. Did not Mr. Grant say that there were two distinct bodies of Presbyterians—that it was for themselves to consider whether there was any difference in their respective doctrines, and that each had its hall of divinity. Therefore it would be seen that difficulties arose at once in connection with this subject that ought to be carefully considered; but the Legislature should meet them. The first thing that was to be done was to engage, as far as possible, the kindly co-operation of elergymen of all denominations, and, unless you did so, the common school system of this country would never be successful.

At that late hour of the evening he had only attempted to touch the main features of the question before the house; but he could not help referring to a work on the subject of Education, that every statesman should read—that was, Barnard's European Education. That author stated that the principle to which he had previously alluded obtained all through Europe. Reference had been made, in the course of the debate, to education in England. What did Lord John Russell tell you in a speech which he delivered in 1845, when he brought up the whole question of education before the Commons? That eminent statesman traced the whole history of Education, and alluded to the ignorance that prevailed among teachers in England. He told a story of one of the teachers of a school he visited, who, on being asked if he could read, replied, "Yes, I can read summat,"—showing clearly that he was not able to do so very intelligibly. The system of Education that prevailed in England was different altogether from that which existed in America. The Government did not undertake to organize schools but wherever a school was established they did not enquire into its denominational character, but simply what amount of instruction was given, and if the schoolmaster was intelligent and capable. Then it received government aid.

There was another work published in France which was also of great value—"Cousin's Report on Primary Education." In the report that gentleman made to his government you

had one of the most interesting and intelligible views ever given of Primary Instruction; and in that work was laid down the principle that the Minister should be the first in the School—that it should have the co-operation of the clergymen of all denominations. No one could deny, too, that as the schoolmaster so was the school. Success could not be expected to attend any common school system in this country unless we had good teachers. When Dr. Cramp and other gentlemen were before the Committee already referred to, they spoke of the necessity of having training schools for the different denominations. But there was one thing which he would like to know from the leader of the Opposition and that was whether he believed after the experience that had been gained on the subject that it was for the interests of Education that the Normal School should have been established at Truro and put under the charge of a clergyman. He had always been opposed to such an arrangement—he had no personal feeling against Dr. Forrester, he believed him to be a most intelligent and energetic gentleman; but at the same time he dissented from the opinion that the Normal School should have been placed at Truro, on the ground that all the denominations could not avail themselves of the advantages it was intended to afford them. It must be obvious to any one that a School at Truro with a clergyman at its head could not afford the same advantages to the people that it would if it were established in Halifax under the charge of a layman.

Barnard said: “Any description of popular Education in Europe would be incomplete which would not give prominence to the institute of the Christian Brothers, including in that term the earliest professional school in Europe for the training of teachers.” In the 17th century arose one of the most remarkable bodies of men the world had ever seen, devoted exclusively and without pay to the education of the children of the poor, and the introduction of improved methods in the organization, instruction, and government of elementary schools.—The institution was established in 1681, and to Abbe John Baptiste de la Salle belonged the high honor of not only founding it, but of infusing into its early organization his own profound conviction of the Christ-like character of its mission among the poor. This devoted Christian brother was born at Rheims, on the 30th of April, 1651. He was early distinguished for his scholarly attainments and the maturity of his character. From the first he became interested in the children of the poor, and was grieved at the ignorance of the teachers, who, without method or plan, were entirely unfit for their profession. He spent all his patrimony in founding an institute for their instruction,—he lived with them, partook of their humble fare,—and from this humble beginning had sprung the source of the Brothers of the Christian doctrine, which are to be found in every European state. The mind could not well conceive the amount of benefit this Society of men has conferred on the human race. They did not divorce religion from their schools. It was the fundamental principle—this principle had withstood the downfall of monarchies and the persecution of ages, and it was the only foundation on which we in the New World should erect our primary educational institutions.

All history went to show that whenever you

attempted to keep out religion from the school, then immediately the religious element came into contact and defeated it. It was the province of the Christian Minister to see that in all the Primary Schools a certain amount of religious instruction was given to the youth, and it was useless for us to deny the necessity for that course. This principle was deeply incorporated in our nature, and must be acknowledged—it had ever prevailed, and would prevail till the end of time.

As respects the present bill, however, he would observe that, in view of the scattered population of this country, and the difficulties that arose in connection with the subject before the house, he would be prepared to suppress his own opinions and yield to the majority, and go a very great length in order to frame a system that would give satisfaction to all the denominations of people in this country. If the majority declared that the bill upon the table, apart from the clauses just introduced, was the best that could be framed to promote education, he would be prepared to yield with all respect. But nevertheless what clamor there was against the bill of last session was not raised by the Catholic population of this province. He saw, however, that a large portion of the Protestant people was opposed to the system of taxation. Shelburne and Yarmouth had refused altogether to adopt the bill. Their opposition arose entirely, he believed, from the taxation principle embodied in the bill; but he did not sympathize with such, for he felt that if people wished to have their children educated, they must contribute. He did not think that any man could contribute of his wealth to a more laudable object than to the education of the children by whom he may be surrounded. He was quite prepared to submit himself to any taxation that the bill imposed, and it appeared to him that every one should be reasonable, and that no one should press his opinions beyond their legitimate bounds. He could not expect in a country like this where there are so many denominations of Christians that the feelings of every one could be consulted in every respect. At the same time, he thought that every care should be taken to protect the minorities, whether Catholic or Protestant. Why was it that Presbyterians, Methodists, and Baptists did not go to school together in this city. They would not do so. You might say there was after all very little difference between them, yet each denomination had its school-houses. This principle laid at the basis of human nature and you could not ignore it. The difficulty must and should be met. All in the house should combine with the laudable object of framing such a system as will be generally acceptable. As far as he was concerned he was quite ready to do all he could.

Mr. ARCHIBALD said that the remarks which had just fallen from the hon. member for Halifax were most creditable to his heart and judgment, although it must be confessed that it would hardly have been supposed from the promises that hon. gentleman laid down, that he would have arrived at such conclusions as he had. If such a principle as denominational schools was allowed in this country, one denomination after another would ask it to be extended to them, and he therefore heard with great pleasure the remarks that had fallen from the hon. Provincial Secretary on this sub-

ject. The moment you laid down the principle in respect to Catholics and Protestants, the various denominations into which the latter are divided would not rest content unless the same privileges were granted to them. In a country where the combined efforts of all denominations of the people were necessary in order to keep up education, the moment you allowed separate schools you struck at the very root of the educational system. If there was anything that astonished him it was the remarks that had fallen from the hon. member who introduced the clauses under consideration. To say that a schoolmaster should not be satisfied with teaching those branches for which he was employed, but should pervert the minds of the children committed to his charge, was to suppose that he would perform that which no conscientious man would or ought to do. He entirely exonerated either Catholics or Protestants from the supposition that they considered that such a course was at all justifiable on the part of a teacher.

Mr. LEVESCONTE said that the clauses which he had presented to the house were copied almost verbatim from an act which was introduced by the government of which the hon. member for Colchester was a member, and afterwards withdrawn.

Mr. ARCHIBALD said that he had not the honour of being a member of the government in question.

Mr. MILLER said that he believed upon this question he would not be amenable to the charge which had been brought against the hon. member for Halifax by the leader of the opposition, and that there was nothing inconsistent in his previous or present action or any of his declarations in connection with the question before the house. He felt that it was almost imposing upon the house to detain them with any remarks at that late hour, but he could not allow the question to pass by, in view of the position which he had occupied towards it, without giving his assistance to the hon. gentleman who had introduced the clauses now under consideration. The importance of the subject was a sufficient apology for the fact that he now addressed them. He thought he could safely say that from the first time he had the honour of speaking on this question of Education he had stated boldly the opinions he conscientiously entertained. Holding the opinions he did, he felt he would be unjust to himself if he failed to endorse the views of his hon. colleague as expressed that night. This was one of those questions upon which men differed widely, but he felt, however wide the division of sentiment, every man ought to be guided by what he conceived to be the soundest conclusions of his own mind. This being the case he did not think it right that when a gentleman stood up and expressed what he believed he should be taken to task in the manner in which colleague had been that night. He believed that the difficulties now surrounding the Education of this country had been largely aggravated by the resort to principles which were, either not sound in themselves, or being sound in the abstract, were unsound in the manner of their application. His position was that compulsory enactments in regard to education were unjustifiable as infringing on higher rights. But if compulsion be resorted to for raising funds for educational

support from the prosperity of the people, such funds should be expended agreeably to their feelings and principles. He had listened to the hon. Attorney General, and to the hon. leader of the government in reference to the measure now before the house, and was much startled by many assertions that were made. A latitude of expression on the part of either of these gentlemen would not surprise him, but he must confess to no ordinary degree of astonishment when these gentlemen undertook to tell the house that the measure which they had placed on the statute book last year was acceptable to the people, and had proved generally successful. He had never heard a statement made on the floors of the house, which, to his mind, exhibited a greater disregard for public opinion or a greater ignorance of it. There was a time when they were told that the people of Nova Scotia were too apathetic in regard to their public affairs, and that we had no such thing as public opinion, but he had no hesitation in saying, that if ever such a time existed, it had gone by. The people of this country had always exhibited, in connection with their public affairs, an intelligence and soundness of opinion which was creditable alike to their judgment and patriotism. In respect to this measure, he thought it could not be denied that public opinion had pronounced unmistakably against it. Yet despite the admonitions of the popular voice we saw the government in the vital matter of education, prepared to carry out their own tyrannical and crude designs. As they could not deny the existence of public opinion, they recklessly disregarded it. How did these gentlemen attempt to show that this measure had proved acceptable? The leader of the government, the other evening, in support of his position undertook to tell the house that inasmuch there were only a few petitions on the table, it was an indication of the feeling of the people towards the measure. That hon. member could have had very little regard for the common sense of the house when he made a remark of that kind. Did he mean to say that because the table was not loaded with petitions, therefore the measure was acceptable to the people? Were not they (the members of the house) so many living petitions of the feelings of their constituents? He could have had the name of almost every man in his own county in opposition to the act of last session, but his answer had been to his constituents that he knew their sentiments and would better represent them than mere petitions. He believed the same was the case with regard to other counties. Therefore it was that there were not on the table the same number of petitions that otherwise could have been procured. He had been astonished also to hear the Attorney General allude in unmeasured terms to the old act concerning education. That educational act which had been repealed with all its imperfections was infinitely better than the one which replaced it. It did more to foster the cause of education than the one now on the statute book—which, instead of being called an act "for the benefit," should be entitled one for the confusion, of all the educational interests of the country. Notwithstanding the assertion of the superintendent of education, that there were now a larger number of children at school than under the old law—a statement which was not

supported by evidence—he had his own experience to tell him—an experience similar to that of gentlemen all around these benches—that the measure, instead of benefitting, had shut up two-thirds of the common schools of the country. Were we, then, to be told that this measure had proved successful? It was an insult to our common-sense and intelligence to say so. That it had proved unsuccessful arose from the fact that it was founded upon principles, as he had already said, that were either wrong in themselves or in the manner of their application. He held that the old act of Education—properly improved—was in many respects more suited to the wants of our people than any you were likely to put in its place—than any law that might be framed by mere theorists and enthusiasts. They had in connection with this subject a gentleman for whom personally he entertained the highest respect, but who was but little acquainted with the wants and circumstances of the country—who had been trained in an institution where theory was more regarded than practice. You had an act inspired by that gentleman, and was it to be expected it would meet the requirements of the country. Last winter he opposed the present law, in principle and detail, because he believed it would produce just such results as had occurred. Then he told the house “that he was entirely opposed to the principle of compulsory assessment and he could not look upon the clause they were now discussing without feeling that it had one object in view, which was altogether repugnant to his feelings. He was sure such a law would create strife, turmoil, and discord amongst the people of this province, and therefore he gave it his most strenuous opposition.” He did not take credit to himself for being a prophet, or the son of a prophet, but the results he had anticipated had been produced.

But if we are to have compulsory assessment for the support of Common Schools he believed that the only principle upon which such a measure should rest was that involved in the clauses introduced by his hon. colleague. This principle was perhaps too high and too sacred to be introduced into this Legislature, or discussed in an atmosphere of prejudices. They were called upon to interfere with one of the most unalienable rights of the parent—to enunciate the doctrine that to the State belonged a right which under a higher law should be the parent's alone. The parent had certain rights superior to the State—rights never yielded up in the social compact, & the education of his child was one of these rights.

We were told by the advocates of State Schools that by excluding all religious instruction from the school the peculiar views of none are interfered with. He did not think it was possible to separate education and religion so intimately were they connected. But if it were possible, was it safe or judicious? What was the true system of Education? Take a child—he is composed of flesh, of bone, of muscles, and of moral and intellectual faculties. You have the three elements—physical, moral, and intellectual, and any system which did not develop the whole of these was radically bad. Give a child a physical education alone, and you made a brute of him. Cultivate his intellectual faculties alone, and he might be devoid of all moral principle. Then what was necessary?

Why that he should have, in combination with these, moral training, and he boldly asserted there could be no moral training without religion—you could not develop one element alone except at the expense of another. If you wished to educate the child as he ought to be, each faculty should be developed simultaneously. And this you could only do under such a system as the clauses of his colleague would provide. These were no crude notions—but well established principles—he felt their force conscientiously, and would be unfaithful to his trust if he did not plainly express them to the house. Their popularity was a matter of indifference to him.

He was much surprised at the treatment that had been accorded to the clauses introduced by his hon. colleague; they were nothing new, but, as every one must know, the principle they embodied, was actually recognized in the higher institutions of this country. The Legislature had, from time to time, by the support which it had given to these institutions, unequivocally committed itself to the principle of denominational education. It would not do for gentlemen to take advantage of any assertion, that if the system were not as it is now, they would gladly depart from it. We knew that each denomination looked after the welfare of its particular institution with a peculiar care, and strained every nerve in order to support it, and here you had a fair indication of what might be expected in respect to common-school education if you placed it also under denominational control. He did not see how those difficulties that gentleman appeared to anticipate would arise if such a system were efficiently carried out in this country. Compel a man to do a thing, and he would not do it—and the more you affected his conscientious scruples the more futile would be your efforts when you attempted to coerce him.

In this connection he would quote some remarks from a report of the late Superintendent of Education, which would doubtless startle the house not a little. In his report of 1864, that gentleman said:—

“The grand obstruction to the introduction of a national system of education in England is the religious element, in consequence of the great difference subsisting between the forms of worship in the Establishment and the various dissenting bodies. The most distinguished statesmen and ecclesiastics on both sides of politics have often constituted legislative enactments on the hope of amalgamating all denominations in the cause of education, but have been as often foiled and defeated. The longer I consider the whole of this intricate matter, and the more minutely I inspect the situation and circumstances of all countries in reference to it, I am the more completely brought to the conclusion, that the only way of arriving at a practical solution of the difficulty is that which I promulgated years before, my connexion with the educational interests of this country, and which is now substantially acted upon, viz: that the Legislature do not interfere with the subject at all, but devolve the whole responsibility of the religious element upon the local trustees acting in the name and on behalf of the parents of the district. This scheme recognizes the triple alliance of the parent, church and state in a national system of education. The state makes provision for the requisite quantity; and the parent, operated upon by the church, sees that the education given is of the right sort. Though this may not be the optimism of the question it is in our view the only practicable method of solving the difficulty; and as far as we could observe, when in Europe, is the ultimatum to which the opinions of the most enlightened educationists are tending.”

Here you had authority which to some gentlemen would be perfectly irresistible—particularly in the opinion of the hon. leader of the opposition. He need hardly say that he himself quite endorsed the opinions laid down by Dr. Forrester. When this report was presented there was no outburst against the opinions it enunciated; and under the circumstances he did not see why he or his colleague should not express their sentiments as freely as any subordinate officer. It might be said that they were endeavoring to excite religious discord—he deprecated nothing more, and would do much to avoid it; but they were attempting no such thing. He, however, did not wish invidious distinctions. The house saw last year the Baptist body—as a religious body—coming up and making certain claims, but did he, or any one else, attempt to challenge them with trying to stir up religious strife? Nothing of the kind. When any denomination came forward with any just claim he hoped they would receive every consideration. He felt unwilling to draw the conclusion that there was only one denomination in this country that could not express its own peculiar views without having reflections and taunts of this character thrown upon them. He had met with something of that kind last session, but he did not allow it to interfere with his free expression of sentiment. If he stood alone in the advocacy of the principles he held, he would as unflinchingly support them as he did now. But he did feel as this delicate subject had been brought here by a gentleman holding different religious views from himself—and in the interest of another denomination—he could speak more plainly upon it. The house had been referred to the law in existence in Canada, and his colleague had read some of its clauses. What was good for Canada ought to be equally good for Nova Scotia. It was only the majority who resisted the claims of a minority. Those who resisted strenuously separate schools in Upper Canada where they had the majority, contend for such schools in Lower Canada where they were in the minority; and the justice of the majority there accorded to them that privilege. In Upper Canada the principle had been opposed for a while but it had been granted at last. It was a mistake to suppose that the denomination to which he belonged alone sought these schools—he believed the denomination of which his honourable colleague was a member was just as desirous to obtain them. Take either the county of Antigonishe or Richmond. He would protect the minorities in these places as he would desire to protect other minorities elsewhere. Protestants where in the minority were even more clamorous for separate schools than the body to which he belonged. Instead of blaming he justified and would always support their claims, for his views were founded on the just principle—to do to others as he would have others to do him.

There was another authority bearing on this subject to which he wished to allude. Last autumn there was a very important delegation to Canada, and he was happy to see before him gentlemen who were members of it. In that celebrated document, known as the constitution for the union of the British American Provinces, a document signed by these gentlemen—you saw a specific proposition for separate schools in Upper and Lower Canada. If

then these gentlemen thought it was sound to put their hands to a document guaranteeing the rights of a minority, in case of an Intercolonial Union, why, in the name of justice, should they refuse to make a similar concession to the people of this province! After this celebrated document was framed, Mr. Galt addressed a public meeting in connection with it, and made one of the most elaborate speeches that were delivered in Canada on the subject. That gentleman, it should be known, was a Protestant, and represented the claims of the minority in Lower Canada just as he (Mr. M.) was representing those of a different minority in Nova Scotia. Under the caption of "School Laws." Mr. Galt said:—

"He would now endeavor to speak somewhat fully as to one of the most important questions, perhaps the most important that could be confided to the Legislature—the question of education. This was a question in which, in Lower Canada, they must all feel the greatest interest, and in respect of which more apprehension might be supposed to exist in the minds at any rate of the Protestant population, than in regard to any thing else connected with the whole scheme of federation. It must be clear that a measure would not be favorably entertained by the minority of Lower Canada, which would place the education of their children, and the provision for their schools, wholly in the hands of a majority of a different faith. It was clear, in confiding the general subject of education to the local legislatures, it was absolutely necessary it should be accompanied with such restrictions as would prevent injustice in any respect from being done to the minority. (Hear, hear.) Now this applied to Lower Canada, but it also applied, with equal force, to Upper Canada and the other provinces; for in Lower Canada there was a Protestant minority, and in the other provinces a Roman Catholic minority. The same privileges belonged to the one of right here, as belonged to the other of right elsewhere. There could be no greater injustice to a population than to compel them to have their children educated in a manner contrary to their own religious belief."

Such were the opinions entertained by that distinguished Canadian statesman, and it was through his, and Mr. McGee's exertions, doubtless, the clause referred to had been inserted in the Quebec scheme. In conclusion, he would only observe that if any government attempted to force even a good scheme of education upon any one, the effort would be a failure; but when they attempted this in disregard of the feelings of the people, they were trampling upon one of the most sacred rights guaranteed by the Constitution. They might pass the law now before the house, but it might not be long before they would find that having sowed the wind, they would reap the whirlwind.

The House adjourned at half-past 11.

THURSDAY, 30th March, 1865.

House met at 3 o'clock.

Mr. MCKAY presented a petition from the county of Pictou in relation to the union of the Colonies. He showed that petitioners wished for time in order that the subject might be thoroughly discussed; and he was glad to find that the government did not intend to take any immediate action upon the subject.

Mr. CALDWELL presented a petition from North Sydney praying for a division of that part of the county.

Mr. BOURINOT said that if a bill was introduced he should feel it his duty to oppose it.

Mr. CALDWELL said that the petition was numerously signed by influential persons, and, of course, it was his duty to present it.

Mr. DONKIN presented a petition from James Emery and others of Amherst, in reference to the Union of the Colonies; also one from Charles Porter and others against the school bill.

Mr. ROSS presented two petitions from Baddeck on the subject of Confederation.

Mr. HAMILTON introduced a bill to incorporate the Oak Point Pier Company. He said that the object of the bill was simply to give the company power to manage the wharf.

On motion of hon. Mr. Shannon, the house went into committee on bills, and passed the following:—

To incorporate the Cape Breton Coal Mining Company.

Mr. BOURINOT objected to the name, as he was afraid it would lead to confusion—there being so many Cape Breton Coal Mining Companies. He would suggest that it be called the Inverness Coal Mining Co., which would be much more suitable, as the works were situated in that county.

Hon. Mr. SHANNON said that the parties were very anxious to retain the name, as it was established in connection with another company of the same name in Massachusetts.

Mr. MILLER agreed with Mr. Bourinot, that the name ought to be changed.

After a few further remarks, Mr. Bourinot moved that it be called the Cape Breton Coal Mining Company in Inverness, which motion was lost, 19 to 10.

Several clauses passed. Mr. MacDonnell thought the powers conferred were larger than in other bills of a similar nature, and he would move that the words "not contrary to existing laws" be inserted.

Hon. Mr. SHANNON explained that there was a saving clause to that effect, and that the bill was precisely similar to others that had been passed.

After some further discussion Mr. Shannon agreed to the amendment, and the Bill passed.

The Committee adjourned.

Mr. BOURINOT referred to a petition he had presented a few days before from Cow Bay on the subject of licenses for the sale of intoxicating liquors.

Mr. Longley was proceeding to make some remarks upon the subject, but the hon. Prov. Sec. objected to any discussion that would interfere with the order of the day, upon which Mr. Longley said that rather than do that he would postpone his remarks.

Mr. GEORGE BROWN from the committee on land damages reported.

Mr. LOCKE asked the government to lay upon the table a detailed statement of the cost of survey of the railway from Truro to Pictou showing the amount paid to the several engineers, cost of labor and other expenses connected therewith and any information in their possession other than the report of Mr. Flemming respecting the length and probable cost of said road.

SCHOOL BILL.

Hon. PROV. SEC. then moved the second reading of the Education bill and in doing so, suggested to the house the propriety of allowing the bill to go to committee for the purpose of expediting public business at that late period of the session. Even those opposed to the principle of assessment would see that it was perfectly consistent for them to agree to

that course, for when the bill was in committee they could move any clause embodying their views.

Mr. ARCHIBALD said that every gentleman was disposed to perfect the present law on the statute book, and to refuse to go into committee would be to perpetuate that law which was felt so objectionable. Every gentleman could suggest these amendments which he was desirous of having made in committee.

Mr. LOCKE asked if the bill was allowed to go into committee at once without any division, would not every gentleman be committed to the principle of the bill.

Hon. PRO SEC. said that he would be simply committed to the principle that it was desirable to amend the existing law.

Mr. LOCKE said that a gentleman who might not now oppose assessment might be supposed committed to that principle.

Hon. PRO SEC. said that the present bill might be rejected, and yet the principle of assessment was firmly established by the law now on the statute book.

Mr. LOCKE said that he had no objection to allow the bill to go into committee, if it was understood that no gentleman was committed to assessment.

Mr. ARCHIBALD said that the principle of assessment was already the law of the land. Any gentleman could allow the bill to go into committee and then move against the clause arranging assessment.

Mr. MILLER said that he could not understand the position of hon. gentlemen; something had come over them since the last time the bill was before the house. He was opposed to the principle of assessment on any terms they could give it to him. He did not see how he could support the second reading of the bill without committing himself to the principle. Under these circumstances he felt it was his duty to press a division on the question.

Mr. BLANCHARD said there were a good many portions of this bill to which he personally felt opposed, but there were also others which he would be sorry to move against.

Hon. PRO SEC. said that he had no desire to put any gentleman on either side in a false position. It would be distinctly understood that no gentleman, in allowing the bill to go into the committee, would be pledged to the principles thereon contained. What he desired was to take that course which would be most conducive to the advancement of the public business.

Mr. LEVESCONTE said that the hon. leader of the government and the member for Colchester had misrepresented the words which he addressed to the House then moving the clause in reference to Separate Schools,—that he had stated that the teacher, either Catholic or Protestant, ought "to pervert" the children. He had not used such language—no one could say that any clergyman and teacher who wished to inculcate what he considered were the true principles of faith was perverting. He considered that now was the time to test the opinion of the House on the principle of the bill. He would not vote for it, as he had stated on the previous evening, unless the government allowed the clauses he had introduced to be incorporated into its provisions.

Mr. MILLER moved a resolution to this effect:—Resolved, that the principle of assessment for the support of common schools, as

contained in the bill before the house was antagonistic to the circumstances, and opposed to the wishes of the people of the country."

Mr. BLANCHARD said that he could not vote for this resolution at this stage for the question had not yet been discussed.

Hon. PRO. SEC. said that he already explicitly stated that no one would be compromised in respect to his opinion by allowing the bill to go into committee at that stage of the proceedings.

Mr. LOCKE could not vote for this resolution, as he believed it was not the proper time to introduce it. Such a resolution could be taken upon the third reading.

Mr. ROSS said that in allowing the bill to go into committee he wished it to be understood that he was totally opposed to the principle of assessment.

Mr. LEVESCONTE expressed himself opposed to assessment.

Mr. STEWART CAMPBELL said that he considered that the resolution moved by the hon. member for Richmond put the matter in the light in which it ought to be regarded at the present time. He then went on to state that the feeling of the country was entirely opposed to assessment, and under these circumstances he felt bound to support the motion of the hon. gentleman. That resolution raised the substantial issue that was to be tried out in the house, in the face of the country. He made no reference to the clauses introduced on the previous evening by the other hon. member for Richmond (Mr. LeVesconte); that question had not been put before the house in a formal shape, and when it was, he would be prepared to express his opinions. In the meantime, it was for him to express what he believed was the feeling of his constituents and of the country generally on the subject of assessment.

Mr. ARCHIBALD read the following resolution (which he did not move however) as expressing the views of gentlemen in allowing the bill to go into committee:

Whereas, the bill before the house aims at amending the law relative to education, without introducing any new principle, (the principle of assessment being now the foundation of the educational law); and, *whereas*, it is competent to any member to move in committee any clause which will amend the law either as regards assessment or any other way, and so enable the house to give practical effect to its opinions,—

Resolved, therefore, That this house deems that the present moment is not a convenient opportunity of passing on the question contained in the resolution, and will proceed to the consideration of the bill in committee.

Mr. McLELAN said that we had now a law on the statute book embodying the principle of assessment, and that law he was anxious to amend. Under these circumstances he was anxious to go into committee.

Hon. ATTY. GEN. said that it was quite consistent for gentlemen opposed to assessment to allow the present bill to go into committee. The principle of assessment was already on the statute book, and the object now was to frame such a law as would be generally acceptable.

Dr. BROWN was of opinion the right course would be to let the bill go to committee. He did not know what course he might take in regard to the amendment before the house. He would feel quite free to vote either for or against assessment, according as he might be

influenced by the debate, as the bill passed through committee. The great principle and pith of the bill was taxation for common schools, and ought not to be so summarily disposed of. He would therefore vote for going into committee.

After some further conversation on the same points, the house divided, on Mr. Miller's resolution, which was lost by 12 to 37.

For—Messrs. G. Brown, Miller, LeVesconte, Smyth, McDonnell, Bourinot, S. Campbell, Robertson, Caldwell, Robicheau, Balcom, Ray, *Against*—Messrs. Locke, Pryor, Bill, Lawrence, Colin Campbell, Donkin, Hill, Longley, Jas. Fraser, McFarlane, E. L. Brown, Killam, Hefernan, Jno. Campbell, Allison, Hatfield, McKay, D. Fraser, Whitman, Kaulback, Tobin, Parker, Hamilton, Jost, McLelan, Pro. Sec., Annand, Ross, King, Cowie, McKinnon, More, Blackwood, C. J. Campbell, Shannon, Archibald, Fin. Sec., Atty. Gen.

The original motion then passed and the house went into committee.

Mr. BLANCHARD said that the bill now under consideration was in reality one to alter the existing law of this country. It would not be denied that the present law had proved a failure, and it was now proposed to substitute another, which would remove many of the objections that existed against the former. He wished that the Government had gone further and struck out more than they had, and thus rendered the bill more generally acceptable.—It had been said that the Council of Public Instruction should possess the confidence and represent the whole people of this country and therefore the government was the most suitable body to exercise those functions. The hon. Attorney General had said that if an independent board was formed, a man in Cape Breton, who had a grievance, would hardly know whom to address in reference to it. He did not wish that slander to pass without a refutation. His constituents knew just as well to whom they should address a letter on any subject of a public nature as those in Antigonishe. Whom would they address on the subject of agriculture? Would it not be the Secretary to that board? It had been said that the Council of Public Instruction represented all portions of this country—had the confidence of the whole province; and in this connection he would beg to call attention to a few facts which he had hastily gathered last night, while the Attorney General was addressing the house. Take the counties of Colchester, Hants Kings, Annapolis, Digby, Yarmouth, Shelburne, and Queens, and you found eight adjoining counties, lying west, which were not represented in the Council of Public Instruction. Go now to the east, and you saw that all Cape Breton was unrepresented. Guysboro' also had no representation; and thus five adjoining counties east had no member in the Government. Therefore there were thirteen counties that stood in that position. As the Council was constituted, it had three members from Halifax, two from Cumberland, two from Antigonishe, one from Lunenburg, and one from Pictou. There were eighteen counties in the Province, and only five of them were considered to have the ability and intelligence requisite for a Council of Public Instruction and a Government. Was it not possible to get an independent council that would certainly possess the confidence of the whole country

more largely than one composed of members drawn from two or three counties in the centre of the province? These gentlemen might have the confidence of the representatives in the house, but that they fairly represented the feelings of the whole people, or fairly represented the various sections or great interests of the province, he denied. Suppose any man in Cape Breton had a grievance, he would not have in the council a single representative to whom he could apply. And so it was with respect to the other counties to which he had referred as being unrepresented. No one he thought, on mature deliberation, could fail to come to the conclusion that a Council of Public Instruction so constituted would not obtain the confidence of the people to that extent which was indispensable to the successful working of this law.

The hon. Attorney General complained that the measure had not been kept free from party politics. That was the very complaint that the leader of the opposition made in opening this question. That hon. gentleman complained, very justly, that it was the action of the Government itself, in adhering to what he believed was obnoxious to a large portion of the people of this country, that gave a political complexion to this measure. If they had not formed a political Council of Public Instruction, the hon. Atty. General might have made the complaint he had with much better grace. The Opposition had now, as always, dealt with this question entirely irrespective of party feelings and prejudices. Was there anything like vexatious opposition offered to the bill last session? Did they not, on the contrary, do their best to perfect the clauses of the measure and yield many of their own convictions at the request of the Government? On the other hand, had not the Government obstinately refused to yield to the wishes of the Opposition on a clause which they considered then, as now, injurious to the success of any popular measure of education, and which was confessed by gentlemen opposite not to be a vital principle of the bill.

He regretted that the Atty. General should have taken advantage of an incidental observation of the leader of the opposition, to branch off into the vexed question of retrenchment.—He had no wish, individually, to bring up a subject altogether irrelevant to the question under discussion; but after what had been said, he could not help expressing surprise that any one should be found at this time of day declaring that retrenchment was not one of the issues that returned the party now in power.—Had not the people all over the face of this country read the principles laid down in the speech of the Provincial Secretary, as reported in his own organ? Did not that speech contain retrenchment without any such limitation as gentlemen would now have the house and the country believe was intended?

The Atty. General declared that if an independent board was formed, such as the opposition wished, religious prejudices would start up and prevent its success. He could not see how the difficulties would be greater than those that now existed. Any person who was at all acquainted with the politics of this country was aware that gentlemen forming the government were sometimes obliged to yield their convictions. As the Council of Public Instruction was at present constituted, it could

not be expected that they could afford to do right, and at the same time give offence to a large body of Christians, or even to some leading man in the community.

It had been stated that it would not do to have his Excellency as the chairman of the Board—that the Representative of Majesty should be kept apart from anything like party politics. It was futile to say that to gentlemen who knew how the Executive Council is composed. Did not his Excellency now sit at the Council Board? Did he not in that way mix himself up with party politics to a far greater extent than he would be called upon to do at the Council of Public Instruction? Yet even that slight amendment was refused by the Government.

The government did not come down and interfere with the management of Dalhousie College—with its details—with the appointment of its Professors. No, they appointed the Board of Governors of that institution just as the opposition wished the council of public instruction to be. But, surely, said the Atty. General, you would not take from the government the power of appointing the inspectors! Why not? Why was it necessary that the government should appoint them? The commissioners of schools, under the previous act, had the power of appointing their own clerk, and he had yet to learn that that patronage was abused to any extent. It was not wise, he contended, to place the power in the hands of the representatives of the various counties of controlling the appointment of inspectors. They had already too large an amount of patronage. The Provincial Secretary, the other evening, said that nine of the inspectors were appointed from the opposition side of politics.

Hon. PRO. SEC.—Had stated that they were either opposed to the government or had secured the recommendation of their opponents in the house.

Mr. BLANCHARD—At all events, the hon. gentleman was wrong. The gentleman appointed in Antigonish, he undertook to say, had never been opposed to the government. When three gentlemen on the same side of politics ran in that county at the last general election, the present inspector voted for Messrs. McKinnon and Hugh McDonald, and left Mr. Henry, who was not then Attorney General, out. In Pictou, the officer appointed had been selected on the recommendation of only one of the school boards, and he would venture to say without the unanimous recommendation of the members—and everybody knew that he was one of the most old fashioned Tories in the country. So it would be seen that the Provincial Secretary had been inaccurate in what he had stated. The fact was, that fifteen out of the eighteen appointments had been selected from his own political friends. He did not say that these men were not the best, but he believed the appointments would not have been so one-sided if the patronage had not been vested in the council of public instruction. The Executive Council were liable to the suspicion of partiality which would not attach to a separate board. Some observations had been made as to the appointment of a clergyman as head of the Normal school. He would ask in the name of wonder, then, why had the council appointed five or six clergymen as inspectors of schools, if such a person should not be superintendent? When he saw these ap-

pointments he was certainly astonished. He thought it advisable not to appoint clergymen as inspectors when any other person could be selected.

Reference had been made to the memorable story of the Prince and Bishop; but he felt that when it was said that the Council of Public Instruction represented that personage, the allusion was not apropos. They might have a Prince to do all the fighting, but he thought it very doubtful if they were in any respect a Bishop to do the praying. The Attorney Gen. had said the less religion the better. He assumed that it was upon this principle the Executive Council was considered the most suitable body to preside over the interests of education. They at all events were not chargeable with the crime of being "righteous overmuch." If it was advisable that the government should form the council of public instruction, why appoint a separate board for agriculture, or to administer the affairs of any department? The Provincial Secretary had declared that he was in favor of allowing militia affairs to remain as they were, although there was an amount of irresponsibility in connection therewith that he did not altogether approve of. If it was not advisable to give militia affairs anything like a party complexion, why should a political aspect be given to education, in which as well as in militia the people of this country are equally interested? Was it not felt that the people would not as willingly turn out to militia service, irrespective of religion or politics, if the department was managed as the education of the country is? He regretted that some gentlemen should have been placed in a false position a little while ago. He had not voted for the resolution of the hon. member for Richmond, because he for one was not prepared to give any opinion on the subject of assessment until it had been fully discussed. His opinion had been last year strongly in its favor, and he had stated that if the principle of assessment had been introduced boldly, he would have liked the bill better. The principle was kept in the background; it was not brought forward as it should have been; it was surreptitiously introduced; the people were left in the dark.—We and the country were then told—Don't be alarmed; this is only the present law; allowing each section to assess or not, as the people may think proper. He then warned the house that it was not so, but his warning was disregarded. The Provincial Secretary, however, knew that it was the thin edge of the wedge; that it only required a little improvement, and the whole principle of assessment would be revealed. He feared that the effect of the bill of last year had been most prejudicial to that principle; that it had done more to destroy it than all the arguments of its opponents. It had soured the minds of the people on the subject. Two years ago a majority of the people of Inverness, he believed, were favorable to assessment; but he feared he could not say the same now. The division which took place half an hour previously, he thought, showed pretty conclusively that the conviction of his two colleagues was that Inverness was antagonistic to the principle of assessment; though he much doubted if in their hearts they did not believe it was the only true and sound basis for the support of education.

EVENING SESSION.

The house resumed at half-past 7 o'clock.

A call of the house was had.

On motion of the hon. Prov. Sec., the house went into committee on bills, and took up the

SCHOOL BILL.

Mr. Ross addressed the House as follows:—As he did not intend to oppose the bill then before the house clause by clause, it would save time by his stating at once his principal objection to it. He had allowed the bill to go to committee, believing that certain amendments would be made. It was expected by the people from all parts of the Province that some material changes would be made in the act of last session; indeed the very existence of the Government to a large extent depended on their giving the people an improved Act for the support and regulation of our educational system. Everyone who knew anything of the Council of Public Instruction could not but be convinced that they are a political body; and if not political, then the Government must be neutral in politics, for you cannot disconnect the one from the other. During the administration of the late Government, as far as his recollection served him, no person had been dismissed from the School Board in his County, and he believed he was correct in stating that only one gentleman was added to the School Board; but no sooner did the present Government get into power than they dismissed some clergymen and other gentlemen from the Board. Some of those clergymen were always the friends and patrons of education, and had been Commissioners ever since it had been a County; while those appointed to fill their places, were appointed not for their education or position, but from their strong party views. The Provincial Secretary stated that Mr. Blanchard was consulted in the appointment of Inspectors for Inverness. How was it that the same courtesy was not extended to him, acting as he did in opposition to the Government fully as much as his friend, Mr. Blanchard. He was surprised to find it stated in the Report of the present Superintendent, that a difficulty existed in getting proper Inspectors, owing to the small remuneration offered. He would like to know to whom this situation was offered and refused. He could safely say, not to any other in Victoria than the person now holding that situation. It was too well known that it was his political proclivities, and not his position or education, that placed the present incumbent in the position he now occupied as Inspector. When the school districts were to be laid off, a man was gazetted to do that duty who was not, and would not be, employed by the Government for a single day in the county in which he resided. There were two Surveyors in the County,—the one possessing the confidence of the Crown Land Department and the majority of the people of his native County, and the other well fitted and qualified to do the duty the School Act required of him; but to show the political tendency of everything in connection with the Act, it would never do to appoint either of the Surveyors residing in the County. So much for the Act now in operation. He would now offer a few words on the one now in committee. He would not have risen at all were it not that he wished to define his position and explain his conduct to the people of his own county. Whatever

might be his own views on the soundness of the principle of assessment for the support of education, and on this point his mind might be in advance of many in this house, that principle, in fact any thing like an increase of taxation for any purpose would be so opposed to his constituents, that he could not support that clause of the act. He did not believe that the tax will be even to a large extent collected: the people will oppose it, and it will only lead to trouble and confusion. In his county it was impossible now to collect the poll tax, and how could the larger tax be collected?

If the tariff was raised from 10 to 12½ per cent. the revenue would be quite sufficient to establish free schools all over the Province, and the schoolmasters would be fairly and justly paid, and the people would willingly pay an indirect tax, while they would resist direct assessment. He would now give an extract from a speech delivered by the Provincial Secretary last session, while introducing the act now the law of the land:—

“But, after a careful examination of the whole subject, looking at it with a sincere desire to come to such conclusions as would best advance the wide diffusion of education among the people, I have come to the belief that in the present condition of this county, it would not be either wise or politic to carry immediately into effect a system of compulsory assessment.”

Such were the views then espoused and entertained by the Provincial Secretary last year, and he was happy to say that he was only a year behind him in his views. Perhaps if he had taken a trip to Canada, and seen the splendor of that great country, his views would also be considerably changed in the course of one year. Knowing as the house did, and as he himself felt, his inability to make a public speech, he would state again that he only spoke to explain to his constituents his opposition to compulsory assessment, knowing too well how distasteful such a law would be to the majority of the people of his county.

Mr. STEWART CAMPBELL said that as he presumed this debate could not last forever, he would avail himself of the present opportunity of making a few observations upon the very important subject that was before the committee. And in doing so he could not help expressing his regret that the resolution moved by the hon. member for Richmond before the bill went into committee had not received that consideration he thought it was entitled to. Conceiving, as he did, that the principle involved in that resolution touched the main and vital point of the bill, he was of opinion that the house should have passed a deliberate opinion upon that feature of it before the bill was sent to committee. The house, however, had accepted that course, and the bill being now in committee no gentlemen could be debarred from expressing his views on all the details of the measure, and those of course included the particular one to which the resolution referred. The clause that was then under consideration touched the main feature of the organization of the school system—and was the starting point in fact, from which all other details arose. He alluded to the constitution of the council of public instruction. It would be in the recollection of the house that last session he had given his strenuous opposition to that part of the bill, and he still entertained a strong opi-

nion against the introduction of that feature in the present measure. They had been told by the hon. Pro. Sec. that in adopting the system, they were only following the high example set them by the parent State, and the Provincial Secretary argued that because several members of the cabinet in England constitute a council of education he was justified in basing the council of public instruction in this country on the membership of the executive government. Now, if the cabinet of England and the executive government of this country were at all identical, either as regards their origin or their position and tendencies, then there might be some argument drawn from the illustration. But much as the hon. Provincial Secretary was in the habit of taking lofty flights, he did not think he was justified in instituting a comparison between the two bodies. Every one knew the high character of the illustrious individuals who compose the cabinet of England. It was true that their power emanated from the voice of the people as expressed through their representatives, but they were animated by very different feelings toward the country at large from those which actuated the executive government of Nova Scotia. If he could believe for one moment—if his imagination could reach such a point—as to induce him to think that at all times, and on all occasions, the executive council of this province would be influenced by the same high principle that governed the actions of the members of the cabinet of England, then he would not feel called upon to give that opposition to the feature of the bill he was obliged to do. But every one knew that just in proportion as the difference existed between large countries and small ones, just in the same ratio would be found a reduction in those high minded principles which should govern the rulers of any country, be it large or small. He could not accept then the illustration drawn from England as any argument in support of the propriety of the mode in which the council of public instruction was constructed in this country. And while upon this point he would refer to some facts that had come under his own observation to show the objectional character of this feature of the bill. The hon. Pro. Sec. had stated that the inspectors of schools in the various counties had been appointed without reference to their political opinions—and he referred to the county he (Mr. Campbell) had the honor to represent. He would say that as far as the original appointment of the Inspector was concerned, it was made upon the recommendation of the members for the County. But a second Inspector was appointed upon the recommendation of the Commissioners of Schools, without any reference to the members at all, and this brought him to consider the mode in which these Commissioners were appointed. When the Prov. Sec. claimed credit for appointing the Inspectors without reference to party influences, he would tell him that he would stand in a better position if he had pursued the same course in the appointment of the School Boards. He (Mr. C.) did not pretend to know what had occurred in other counties, but in Guysborough two Boards of Commissioners had been appointed without the slightest reference to the representatives of the County. Not only so—and he gave the fact to justify the remark that, it would be improper to entrust the power con-

templated by the Bill in the Executive—in one district a gentleman who held the same political opinions as himself was thrust out of the Board of Commissioners, and another person, a supporter of the Hon. Prov. Sec., was substituted in his place. He was now referring to the Board of the district of St. Mary's, where the Government had thus displaced a gentleman who had the respect of the people, and put another individual in his place, of whom he would say nothing more than that he was a political supporter and partizan of the hon. Prov. Secretary. This was the only reason why the change was made. Was he not justified then, in asserting that it was not proper that the Executive Government should possess the power of a Council of Public Instruction? The hon. Provincial Secretary had, as he (Mr. C.) had remarked, referred to the cabinet of England as the illustrious example from which he derived this principle of the present bill.—But did he pretend to say that the gentlemen who occupied the lofty position of advisers of Her Majesty's Council so far forgot themselves as to descend to the undignified practice of canvassing their own party among the representatives of the people in Parliament, and that upon the subject of education, before they submitted a measure that was to have for its object the exigencies of the whole country, without respect to party; and yet it was well known that the members of the executive government of this province, who should have had the bill prepared to be submitted at an early stage of the session, had been engaged, almost daily, during the first part of the session in close consultation with their supporters in the house, touching the provisions of it, that would command a majority. He would ask if there was nothing political in that course,—whether that alone did not stamp the Council of Public Instruction with a political aspect? If, on such a question, which they sometimes say should be kept above party, they wished to have the benefit of the advice of the people's representatives, why did they not consult gentlemen on both sides of politics, instead of those only who reflected their own political views? But he had been told by the hon. Provincial Secretary that the Executive Government possessed the confidence of the people. That hon. gentleman had no doubt said a great many amusing things during the time they had been together, but he (Mr. C.) thought that this was decidedly the best joke which the Provincial Secretary had perpetrated this session. He need not ask gentlemen on his side of the house whether that bold statement was true or false. He thought even if he went into the ranks of the hon. gentleman's own supporters, he would find some—in fact, several—who would not endorse the assertion. The Provincial Secretary had said that the Executive possessed the confidence of the people because they could command a majority in the house, and because when they appealed to the country they had been returned by an overwhelming majority. But he must remind that hon. gentleman that since then the people had spoken to the contrary in terms plain and unmistakable. He (Mr. C.) alluded to the election for the County of Annapolis, and he would ask what was the state of political feeling there now, as compared with the period when the hon. Prov. Secy. gained the majority of which he boasted. At that time, the gentleman who

led the government during the last session was returned by a majority of over two hundred.—Where was that majority now? It had been entirely reversed, and the gentleman who had succeeded the late leader of the Government had been returned by a majority of between two and three hundred. And this, he it remembered, too, not in one of the so-called ignorant constituencies of the Province, but in one that had always been held up by gentlemen opposite as possessing intelligence and education in the highest degree. In view of that verdict of disapproval, he (Mr. C.) did not think that the hon. Prov. Secy. was justified in the assertion that the Executive Government were the proper persons to be entrusted with the duties of the Council of Public Instruction, because they were in the possession of the confidence of the people of this country.

But, he (Mr. C.) would ask, if a Council of Public Instruction was to be formed, irrespective of political considerations, whether the gentlemen who compose the present Executive would be the men selected as peculiarly fitted to discharge the important functions of that office? The hon. Provincial Secretary might imagine that he possessed all the qualifications necessary for the proper discharge of the duties he had alluded to—and perhaps he did—but he would ask that hon. gentleman himself—he would ask gentlemen on both sides of the house—to take them in the aggregate and say whether the men who formed the government of the day were the men he or they would select as best fitted by education and habits, apart from their political duties, to compose the council of public instruction. In making this remark he had no wish to say anything unnecessarily offensive to any of those honorable gentlemen, but he believed that if the question was left to those gentlemen themselves they would agree with him in the assertion he had made. Why then, he would ask the hon. Pro. Sec., did the government still persist in retaining in the bill a feature so obnoxious as this, and which might well be excluded without endangering any vital principle of the measure. The hon. Atty. Gen. on a previous evening had said that the duties of the council of public instruction were light—that they in point of fact amounted to nothing, and there would be no great harm in entrusting them to the executive government. He the (Atty. Gen.) could hardly have remembered the provisions of the bill, for if he referred to it he would find the duties and powers of the council were very numerous and extensive, and, in fact, occupied a space extending over sixteen clauses of the bill.

The hon. Atty. General, too, in the course of the long speech he delivered on the previous night, had made some other startling assertions, to which he was sorry he could not have replied on the spur of the moment, but which he would now shortly refer to. Before doing so, however, he would allude for a moment to the main feature of the bill—the assessment principle. At the last session of the house, he (Mr. C.) after considerable objection had, under protest as it were, given his consent in a very qualified manner to this feature of the bill, but from what had transpired during the last twelve months, there was nothing inconsistent in his now coming forward and stating, as the result

of the experience of that period, that the principle of assessment, as applied by this bill, is not adapted to the wishes and feelings of the people and the condition of the country. The Attorney General claimed that this bill had been a great success—that it had reduced chaos to order, and was a great improvement upon the law previously in existence. He (Mr. C.) could only say that if to put an almost entire stop to education in the rural districts, and to deprive the people of the means of educating their children, was an evidence of success, then the hon. gentleman was quite right. But he (Mr. C.) thought the petitions upon the table of the house were a sufficient refutation of the statement upon which the Attorney General had ventured; and his own knowledge of the operation of the law in the county he represented, as well as information from other counties, would warrant the assertion that the bill had been a grievous failure instead of a success. Before the passage of the law there were something like fifty schools in operation in his county, now there were not a quarter of that number.

Hon. PRO. SEC.—That is owing to peculiar circumstances.

Mr. S. CAMPBELL—The peculiar circumstances were these—that the hon. Pro. Secretary had initiated a system of assessment which was not acceptable to the people of the country, and which they would not submit to. He thought that the government should have taken warning by the past, and have adopted some means to remove the objectionable features of last year's bill. When he (Mr. C.) found that the effect of that principle of the bill had been in some counties to reduce the number of schools to at least one half—how could he, in the face of such a fact, consent to its re-enactment and perpetuation. But he (Mr. C.) objected to this principle of compulsory assessment, not only because the people were opposed to it as odious in itself, and also because it caused an undue interference in many minds, but because it formed no very small part of the taxation that was about to be imposed upon the country. The Confederation scheme, of itself, would necessarily induce a larger amount of taxation upon them; and before very long, as he understood, as one of the results of that great militia convention, recently held in this city, the people would be taxed, directly taxed—if not in money, in monies worth—for the support of an enlarged militia system. Hon. gentlemen from the country knew—at all events their constituents did—what their local taxation now amounted to. Add to that the taxation this bill involved, and to that again the amount growing out of the matters to which he had referred, and he would ask hon. gentlemen, if they were prepared to ask the people of this country to submit to the enormous aggregate taxation that would then be inflicted? He (Mr. C.) for one was not prepared to allow his constituents to be subjected to such a burden without protesting against it with every energy and faculty at his command. What sort of a return would such an imposition be, to make to those who had reposed such unbounded confidence in them, and whose in-

terests they were sent there to protect? Surely it was no fit return to load them with enormous taxation. He (Mr. C.) did not feel justified in treating his constituents in such a manner, and although he might, perhaps, by his action that night, forfeit the confidence and regard of individuals whom he highly esteemed, he felt that his first duty was to respect the feelings, and reflect the opinions of the great masses of the people who had declared against this measure. There was one remark of the hon. Atty. Genl., which, he thought, came with bad grace from one who occupied the position he did. He (the Atty. Genl.) said that he paid little regard to petitions circulated and signed, as those had been, which were now on the table of the house, against the school bill of last year. Did he not feel that, in making that assertion, he was striking a death blow at one of the dearest constitutional privileges the people possessed—the right of petition? He (Mr. C.) recollected the time when it was convenient for that hon. gentleman to hold very different language. Some four or five years ago he dilated in loud, if not eloquent terms, upon the right of the people, to bring their grievances before the house by petition, and inveighed against those by whom such petitions were said to be disregarded. He thought it would have comported better with that hon. gentleman's present position if he had used the same language upon the present occasion, and that when he considered that there was hardly a county in the Province from which these petitions had not come, and from none more largely than the one the hon. gentleman was said to represent, he should have been very much more guarded in the language he had ventured to use in respect of these petitions, and of those from whom they emanated.

Hon. ATTY. GENL. said that they were not entitled to the same consideration as if they had been got up spontaneously by the people themselves.

Mr. CAMPBELL—Did the hon. gentleman mean to libel the intelligence of the country by asserting that the people did not know what they were signing; or did he mean they were the dupes of a conspiracy, that the whole thing was a fraud and a forgery. He would leave the hon. gentleman to reconcile the tendency of his assertions. By his attempts at explanation he (the Atty. General) had placed himself on the horns of a dilemma, and there he (Mr. C.) would leave him. There were several *morceaux* in the speech of the hon. Atty. General to which he (Mr. C.) would have referred if he had had the benefit of more daylight to read his notes. But he would be obliged, for this reason, to pass many of them over. He (Mr. C.) did not feel it necessary to refer to the removal of the Rev. Dr. Forrester, which had been fully commented upon by the hon. leader of the opposition, any further than to say, (and he did so without intending the slightest disrespect to the present superintendent,) that whatever might be said of the party proclivities of the late incumbent, was equally applicable to the gentleman who succeeded him.

Hon. PRO. SEC. hoped that he did not mean to assert that the Rev. Mr. Forrester had been removed for political reasons.

MR. CAMPBELL—Then, if not so, why was he removed; for what gentleman in the country was there to whom the cause of education was under greater obligations than the late superintendent of education. If he was not dismissed upon political grounds, he should like the hon. Prov. Secretary to inform him what were the reasons? But he need not ask the hon. Prov. Secretary for reasons, for it was well known that in his eyes no grounds at all were necessary. All over the country would be found people of the opposition, and worth, dismissed by scores, and not the slightest intimation given of their proposed dismissal until they saw the deed recorded as consummated in the public prints.

He would not detain the house at any greater length. He had made these remarks in a crude and hurried manner. He felt it his duty to stand in opposition to the constitution of the Council of Public Instruction, and also to the principle of assessment which was the main feature of the bill. He would now leave the subject for the present, not however pledging himself not to take another opportunity of addressing the house in enforcing his views. He did think that the government, in inserting in this bill a principle so obnoxious to the people as that of assessment was declared by the voice of thousands to be, were not discharging their bounden duty; and although in recording his vote against the bill as founded upon it, he might be placing himself in antagonism to individual friends, he might give them cause, he hoped but a transient cause, for displeasure, yet he felt that he was not there to reflect individual opinions, but to see that justice was done to the wishes of the great mass of the people. He should therefore, on these grounds, record his vote against the bill, and although in doing so he had no doubt that he would be charged with inconsistency and factious opposition, he was quite content to leave that matter to his constituency at large to judge of, and to condemn or acquit him as they deemed right. He might be mistaken, but he confidently believed that in assuming the attitude he did towards this bill, he was representing the feelings and wishes of his constituents, and if the day ever came which should find him failing, from private considerations, to give expression to the sentiments which a sense of public duty inspired, he trusted that that day would no longer find him a member of that house, charged with responsibilities which must not be evaded.

MR. TOWN could not see the force of the arguments used by the member for Guysborough. If the people of this country were going to be taxed for a foreign war, or for something that was not for the interest of the whole people, he could understand the application of his remarks. But in a question of this kind, intended to benefit all classes, he was at a loss to understand the opposition of the hon. member.

MR. JOSE said that the gentlemen in opposition, who were opponents of this measure, had

a great advantage over the friends of the government, inasmuch as they accomplished two objects. They not only attacked the bill, but the government at the same time. He had voted at the bill be sent to committee with the understanding that any gentleman could make any motion either as regards principle or detail. He had no objection to the clause under consideration, for whatever might be said as to the executive government possessing the confidence of the people no one could doubt the advantage of having present in the house some responsible parties to answer questions, and to give information on the subject of the education of the country. He was opposed to the system of assessment, not so much because it was wrong in principle as because it was impracticable to carry it out. There were some laws, and he thought this was one, which it was impossible to carry out unless the sympathies of the people were in their favor. The hon. Atty. Genl. asked that this bill should receive a fair consideration—that was all he wanted to do. Last session they passed a bill upon the subject of education and this session they amended it, that, in his opinion, ought to have been sufficient to give it a fair trial, before passing any further law. He thought that in time the people would come into the law if it was not forced upon them; and having amended the existing law, which was all that was promised in the answer to the Governor's speech, he was of opinion that they had gone far enough for the present, and that they should give the law now on the statute book two or three years trial.

This question of compulsory taxation had been before the country for years. It was stated that the leader of the late government said that "he deeply regretted that he had not placed that law upon the statute book, before he left political life." The liberal party always professed to be in its favor, but yet during their long lease of power, they never attempted to put it in force, because they knew there was a strong feeling in the country against it, and they were not so foolish as to risk their popularity by passing it. When the present government came into power, they applied themselves to this question, and a bill was introduced by the hon. Prov. Secy, who expressed himself in favor of compulsory assessment, but at the same time said that he did not think the country was ripe for it. The bill of last year encouraged the adoption of the principle of assessment, but left the question open to the people to decide. During the passage of the bill through the house, however, that clause was unfortunately altered, and a clause was inserted, giving the trustees power to assess the people where the subscriptions failed, and against the vote of the majority. That caused the whole mischief; the people became indignant—refused to appoint trustees in many cases, and preferred to have no schools at all. This bill, to be successful, must receive the co-operation of all parties. How did the gentlemen on the opposition side treat this bill? Instead of helping it along, and endeavouring to give it a fair trial, they took every opportunity of making political capital

out of it. At the time of the Annapolis election it was made use of for political purposes. He would read an extract from the opposition organ of the 7th Jany. last, in support of what he had said. The hon. gentleman here read as follows :

We ought not to speak too confidently on the subject, nor be too hopeful as to the results of this election: but from our inmost heart, we wish that the *Liberals* of Annapolis, by one mighty effort well directed, may now emancipate themselves from the thralldom which an incapable and incompetent Administration has attempted to fasten upon this Province and its inhabitants—and we believe they will.

In the pride of their power, in spite of warning, in spite of remonstrance, they determined to rivet upon the necks of Nova Scotians their new fangled, confounded School Bill, and they would neither listen to reason, remonstrance, nor suggestion. And now they expect the people of Annapolis to ratify the policy, so that when the session opens, they may turn to Rand's Educational Notice No. 3, and the Annapolis Election, and in them find the justification "for re-enacting the objectionable feature of the measure, and fixing it perpetually upon the people of this Province."

We have not heard how nomination day came off, but if Annapolis does not pitch the school Bill and the *inventors* of it, where they ought to be, where good people don't go, then they deserve to be ruled as they have been, henceforth and forever.

The hon. gentleman concluded by again expressing his opinion that if the present law was allowed to remain upon the statute book, the people would gradually come into it, but he feared that if they attempted to press the system of compulsory taxation, it would be found impracticable.

Mr. LEVEZONTE said that he had been not a little astonished at the attitude assumed by some gentlemen in reference to the resolution moved by his hon. colleague. He could attribute the vote just given to the idea that they were desirous of keeping the law on the statute book with the hope that it would be so unpopular as to break down the government eventually. For the last five or six months complaints had been general all over the country in consequence of the objectionable principle of the bill. The people did not find fault with the complexion of the Council of Public Instruction, but with the assessment principle—that men had to pay for the education of other people's children. He had received a letter from an intelligent man in his own county, stating that the assessment which was placed upon a district last year, when the greater part of the inhabitants were absent, had been forcibly resisted. Similar scenes would, in all probability, occur all over the province.

Hon. PRO SEC. said that it was not his intention to follow the hon. and learned member for Guysborough into the discussion of local defences for the country, nor as to whether the government possessed the confidence of the people. These were not the questions before the house, and he had no doubt that a suitable opportunity would offer subsequently for any observations he might wish to make on these topics which had nothing to do with the measure now before the house. Nor did he propose to discuss with the hon. gentleman the right of the people to exercise the expression of their opinions by petitions addressed to the house; that was a subject on which they were all agreed.

He did not intend to go into the general question of dismissals—it might be brought up by the hon. gentleman at a more proper time than when they had before them a bill "for the better encouragement of Education." He had listened with no little curiosity to the remarks of the hon. gentleman for the reasons he had for changing his opinion, but it was all in vain. That hon. member, following the example of the leader of the opposition and other gentlemen in the house had thought fit to bring up again the treatment of the late Superintendent of Education, Rev. Dr. Forrester, by the present government. He had stated when the subject was alluded to by the leader of the opposition, that the same thing would have occurred if the Council of Public Instruction had been an independent body of men, and thought he had explained very frankly the position of the government in relation to the gentleman in question. They had not dismissed that gentleman at all from the position of Superintendent. That his connection with the office had ceased, arose through the action of the Legislature last winter, and the only charge that could be brought against the government was that they had not re-appointed him. A former government had thought proper to place him in the responsible position of principal of the Normal School. When in accordance with his own suggestion, the house passed a bill separating the superintendence of education from the head of that institution, and authorizing the government to make these appointments, his connection with both offices ceased. Wherefore, they reinstated him in the important position of head of the Normal School with all the salaries and emoluments that he enjoyed whilst holding these offices—instead of being chargeable with having sacrificed him, they had treated him with the greatest courtesy and consideration. He had no hesitation in saying that although Dr. Forrester was an able and energetic superintendent—a perfect enthusiast, in facts on the great question of education—it was well known that his administration of that department was exceedingly unpopular in many sections of the country, and it would have been difficult for any government to have obtained the concurrence of a majority in the legislature to a law for the support of schools of the country that continued him in the position he formerly occupied. Those, however, who attacked the present measure threw odium upon the efforts of his past life since the time he was appointed superintendent and principal of the Normal school. Was there any person who did not know that it had been the business of that gentleman for very many years to force upon the legislature and government of this country the great principle of free schools and assessment as the basis of their support. And more than that, he would make a statement that would perhaps astonish gentlemen—he could produce at any time the evidence to show that the proposition in the act which had been characterized as an attempt on the part of the government to strengthen their political influence—namely, that the government should be the Council of

Public Instruction,—had been suggested by Dr. Forrester himself. It was true that he proposed that the Lieutenant Governor and the Superintendent of Education should be associated with the Executive, but that did not in the slightest degree touch the question, whether the government should be the parties to exercise the functions of Council of Public Instruction. As to what Dr. Forrester's party proclivities might be, that had nothing whatever to do with the question. All he could say was, that there was no position that might be used more to the detriment of a government by a gentleman who wished to carry out any political objects and feelings than the superintendence of an institution from which teachers are sent to educate the youth of the country.

The hon. member for Guysboro had stated that the members of the Executive Council would not have been the men who would have been selected to form the Council if an independent one were established by law. That hon. gentleman had no authority for such a statement. Ought he be reminded that three members of the Executive possessed the confidence of the late government in an eminent degree, for when they wished to appoint a Board of Governors for an Institution, that they hoped to raise into a Provincial University they selected the three gentlemen in question.

He had no intention of going into any discussion of the delicate duties connected with caucusing. He presumed from the indignation displayed by the hon. gentleman on that point that he never had anything to do with a consultation of his party on political topics. But he must have read the newspapers, and learned that, from time to time, the statesmen of England invited the gentlemen whose political opinions they shared to meet for consultation relative to the most important measures and duties that they were called upon to discharge. That principle was not confined to a government party alone, but even in this country as well as in England, occasionally, gentlemen in opposition felt it necessary to consult together in reference to public questions.

A year ago the hon. gentleman was in favor of assessment, but now he felt it necessary to recede from that position. He (Dr. T.) must say that so far from the measure of last session having been condemned by the people, he thought it had met with as large a measure of success as could be expected under existing circumstances. He was glad to hear the hon. member for Lunenburg (Mr. Jost) express his regret to part with it, for he did not think it had as yet a fair trial. He was prepared to go with the hon. gentleman to the extent that so far from the bill having been condemned—so far from there being any evidence to show that it was not a good and wise one, he believed, were it to remain on the Statute Book, in a very short time no large body of men of intelligence would be willing to exchange it for the old law. He had already referred to the manner in which Dr. Forrester advocated from time to time the important principle of assessment; but he would ask hon. gentlemen if the leader of the late government (Mr. Howe) had not in the

house plainly expressed the opinions that he entertained on the very subject. That gentleman had said:—

The hon. member referred to education. Mr. Speaker among the few things, which, now that my retirement from the Government approaches, I deeply deplore, is the fact that I have been unable to carry out my own views respecting the education of this country. Twice, sir, in the course of my political life, have I asked the Legislature to assume a bold attitude on the subject,—to exhibit high emulative enterprise to take the responsibility of imposing on the people the burden of educating their children through the medium of free schools, so that there should not grow up within our borders a single boy or girl unable to read the book of life, or carry on the ordinary transactions of business. Twice, sir, have I exerted the full powers of my intellect—the full force of my influence to bring this Legislature up to that elevated platform; to induce its members with genuine magnanimity to risk probable temporary unpopularity—and twice have I failed.

The hon. member knows well that, feeling the difficulties surrounding and encumbering the question of education, I proposed to himself and to the hon. and learned member for Annapolis last winter, that a law should be passed raising by assessment for education an amount equal to one third of the present school grant. Had that proposition been adopted it would have placed us a long way in advance of our present position; it would have been a step in the right path towards universal education,—but, sir, those two hon. gentlemen, after taking ample time to consider, decided that they could not give the proposition their support; and therefore, sir, with a heart heavy from disappointment, heavy with a knowledge that the education of our people was being sacrificed to party, I was obliged to fall back on the old system.

Who was there that heard such language as that—saw such a picture of our educational condition, who did not feel that it was incumbent upon him to rise superior to popular prejudices and sustain those who first attempted to deal with the great subject of common school education. His hon. friend from Lunenburg had said that a large portion of the opposition party in this country were so unpatriotic as to throw their influence into the scale, and instead of attempting to allay, excited popular prejudice against those who wished to give the people free schools. He felt bound to dissent to some extent from that statement. Perhaps there might be an individual here and there who forgot his duty to his country, but he would be recant to his convictions of what was just to a great body of the Liberal party of this country if he did not frankly confess that they ignored the feelings and influences of party, and came forward in hundreds of instances throughout the Province to assist those who were endeavoring to carry out this law as an improvement upon the old, and as a means of elevating the country by educating the children from one end to the other. He now saw before him an hon. gentleman, who, when in the house, had been an unflinching opponent of the party with which he (Dr. T.) was associated, but he was proud to know that that gentleman, instead

of carrying these views into the common school education of this country, in the intelligent section where he resided, called upon the people to bury their political feelings and take hold of a law which he believed was calculated to subserve higher interests than those of party—the interests of the people at large.

Objection had been taken to the principle of assessment, because it taxed the property of one man to teach the children of another. In every civilized country it was the recognized duty of all classes of the people to feed the hungry—to allay the sufferings of those around them when they had the means of doing so. Did not the law force upon us the principle that the property of those who were rich had to contribute to the alleviation of those who were poor? Did not the responsibility fall tenfold upon every man in reference to feeding the mind? Unless we gave that food to the mind, would not men be lost to society, and their ability to benefit their country paralyzed? He felt that the obligation rested upon every man of property to provide for the common-school education of the country in which he lived—or, in the words of Mr. Howe,—to give to every child in the country the privilege of reading the Word of God.

He could not sit down without meeting the charge that the bill of last session had failed—that the attempt to introduce assessment had been unsuccessful—that it had been condemned unmistakably. He was prepared to show by the statistics that were a ready at hand, that the position he took was right. We had seen the foremost advocates of assessment—those who had time and again avowed themselves to be such—returned year after year to discharge the public business in the Legislature; and here you had one evidence of the truth of what he asserted. And more than that, we had statistics placed on the table, which must be eminently satisfactory to the friends of free schools and of assessment, for they proved that the measure had been more successful than the most sanguine man in the country had a right to expect. We had now the returns of the number of children at school from 11 Counties, and what did they show? The melancholy picture drawn by the member for Guysboro'—that only half of the children were enjoying the blessings of education? No; but that, despite the difficulties which naturally arose in the inception of a bill new to the people, we had the evidence that in 8 out of 11 Counties there were more children at school to-day than were under the old law. Even in the County of Richmond, to which allusion had been made, the same satisfactory state of things existed. Almost every school in the County was organized under the law. If such results had been attained in six months, what might we not expect at the end of a year. He believed that under the bill which was now before the other branch of the Legislature, the Common School system of this country will be placed in a condition which will be a matter of congratulation to every patriot. He had already said that there could be no question as to the right of the people to petition, but he had looked in vain for one from the County of Guysboro'. The hon. member said he was a pe-

titioner; but, in all probability, before a year was out, the petitioner would find he had misrepresented the views of his constituents. Nor was it unlikely that before the bill had been in operation for two years, the hon. gentleman, when he came there again—for, somehow or other, through all the vicissitudes and fluctuations of public opinion, he always floated to the surface—would be able to tell them that he had again changed his opinions. In the county of Victoria, he found that there were no less than 62 schools organized, with a larger number of children at school than were under the old law.

He might here observe that Dr. Forraster had differed from the Government as to the sectional mode of assessment; but they had now come to the conclusion that the principle he had urged upon them was sounder—that was, the County assessment. They were persuaded that it would bear more equally upon all classes of the people, and be more generally acceptable. Whilst he held the principle that the property of the country should contribute to the education of the country, he acknowledged the necessity of making that levy as equable as possible. He treated with every respect the petitions that were on the table; but, as everyone knew they represented only a small portion of the people. He found too, that he had done great injustice to Antigonish, for on a close examination of the petitions that came from that county, he saw that, so far from being against the law, or asking for its repeal and return to the old law, they appeared to be entirely satisfied with its general operations, and only required that it should be amended. And what was true in reference to Antigonish, was equally so in the case of the other counties from which petitions had come—He believed that when the Government had provided for the public funds the magnificent sum of over \$100,000 for the common and superior schools of the country and made the assessment fall more equally upon the people—as was the case with the present bill—they did that which would meet the objections throughout the country to the present law.

Mr. Ross asked on what authority the hon. gentleman stated that there were 62 schools in operation in Victoria.

Hon. PRO. SEC. referred the hon. gentleman to the letter laid on the table that day from the Superintendent of Education.

Mr. McLELAN said that there was one thing in which he agreed with the Provincial Secretary,—that the present law should not be continued on the Statute Book; and when he voted to have the bill now before the house sent to committee he did so because he hoped to have a measure matured that would be more acceptable to the people. The hon. member for Lunenburg appeared to suppose that the opposition felt a double pleasure—that in attacking the bill they, at the same time, attacked the government. He, (Mr. McL.) however, was quite sure that it was no pleasure to him to attack the government through this bill, because he viewed the present question as one so important that no party considerations should be allowed to enter into it. The hon. member for Richmond had stated that the clause "now under

consideration was the only one he approved of, because he believed that the present executive council enjoyed the confidence of the country. He would not himself enter into the question whether the government enjoyed the confidence of the country; but he would remind gentlemen that there was a possibility of a party obtaining possession of the administration of the country, and at the same time not enjoying the confidence of the people. Four years ago the Provincial Secretary, himself, asserted that there was a party in power that did not possess the confidence of the country. Taking the hon. gentleman at his own assertion, he must believe it was quite possible for a government to come into power that did not enjoy public confidence. But the hon. member said that it was not so much the composition of the council of public instruction that the people complained of as the assessment principle. The Provincial Secretary complained the other day that the leader of the opposition, in making an attack upon this clause of the bill, had not adduced any instance of injustice. The council, it should be remembered, had not been in existence any length of time—they only exercised their functions from October down to the present time. The hon. member said the assessment principle was so obnoxious that it had raised a riot in his county. This principle which had created so much excitement put, for the time, out of sight any dissatisfaction that the people have with the position of the Council. A smaller grievance might be entirely forgotten in the contemplation of a greater. The Provincial Secretary would tell the house that an individual might have two diseases, and the stronger might be that which would claim the first attention of the physician. But remove the greater disease, and still there would remain the other, which, if left uncared for, would eventually destroy the patient. So, even if you removed the more unpopular principle, or rendered that more acceptable to the people, the political disease that laid at the foundation of the bill would still remain and prove its destruction.

The Provincial Secretary had said that we were throwing discredit upon Dr. Forrester when we attacked the principle of assessment. That reverend gentleman did labor for years to inculminate the people of this country on the question, and to place education on a sounder and better basis, and he had so far convinced the people on the subject that petitions came to the house asking for an assessment law; but it was the hon. Provincial Secretary himself who had cast discredit upon the labors of Dr. Forrester and the principle he advocated. It was the operation of the ill-conceived bill that the Provincial Secretary had succeeded in fastening upon the people that had created the dissatisfaction that existed. He knew of one district in which there are eighty-two householders, and where \$420 had to be raised for school purposes. One individual who was so poor that his children had been enjoying the benefits of schooling without charge was called upon under this bill to pay \$20, though his entire income was only £40 a year, while in the same district there were twenty men who had an income of £200 a year each, and yet they did not pay more than \$2 towards the support of the school.

Hon. PROV. SEC.—That must be the fault of the assessment.

Mr. McLELAN.—It arose from the mode of imposing this principle of assessment, a mode tending to throw discredit upon the principle.—But Dr. Forrester, he believed, did not go the entire length of raising the whole amount necessary to sustain schools by assessment. Whilst he endeavored to inculminate the people in assessment, he believed it was unwise to go too far at once. Therefore he was in favor of one-third for the support of schools being raised by assessment. But the hon. member said that Dr. Forrester suggested that the Government be the Council of Public Instruction. It would be seen, however, that he thought, at the same time, that the Lieutenant Governor and the Superintendent of Education should be members of the Board,—thinking that that addition would take away a good deal of its political aspect and ensure that justice would be done to the country. But perhaps the doctor, being a clergyman, and not understanding the influences that operated at times upon politicians, might not be able to judge of the injury that was likely to result from having such persons to manage the schools of the country. And he might have made that suggestion at a time when the principle of dismissals from office was not so fully established as under the present administration— at a time when men holding office were considered servants of the country and not of the administration. The hon. member had referred to the council of public instruction in England, but if that principle of dismissals from office and of officers being subservient to the party in power, was as strong there as here, he did not believe the people would permit their government to exercise any important position in connection with the administration of education in that country. The hon. member claimed that the position which these gentlemen occupied were analogous to making the executive here the council of instruction. The leader of the opposition had shown that the analogy does not exist. In 1839 a proposal was made for the appointment of a committee for the executive council, that it was thought would control the entire education of the country, and he would refer to the opinions of members of the Commons expressed on that occasion. Sir Robert Peel said:

“I object to this committee of Privy Council, which is to superintend all matters affecting the education of the people, being exclusively composed of members of the Executive Government. It is not a committee of the Privy Council, as my noble friend has called it, it is a committee of the Executive Government of the country,—and that Executive Government had other duties to perform and other interests to consult. That Executive Government may feel it to be its bounden duty to make great concessions for the purpose of retaining their offices. The Board is constituted exclusively of members of the Government; and how do I know that, in order to rescue themselves from the danger of dismissal by this house, they may not, for the sake of so important a public object, make great concessions on the subject of education? They may consider educa-

tion a subordinate object to that of keeping themselves in office, and keeping out opponents.

"The very essence of our duties was jealousy of the Executive, and we have a full right to consider to what abuses the present proposition may lead. * * * I do not know whether

the very same members of the Executive Government who form the Executive Board may not also form a committee to whose efforts may be entrusted the security of a liberal majority, in case of a dissolution of Parliament. Supposing, then, it should be suggested by one of the members of this committee, that a concession made by the Government on the subject of education to a particular part of the country, would be attended with advantageous results in case of an election; is it wise to expose yourselves to that temptation?—And would it not be wise to have some person entrusted with the superintendence of education, whose continuance in office would not depend on a narrow majority of the house?"

(The hon. gentleman also read from the speeches of Lord Derby, strongly disapproving the proposition. And continued) —

If these noble lords had reason to fear that, in the hands of their executive government the cause of education would be made to serve political and party purposes, how much more cause have we, where the men are so much more likely to yield to the stronger influences leading them to make education serve their own interests?

The hon. Provincial Secretary had read to the house some remarks of the leader of the late government upon the question—how much that gentleman deeply regretted that he was not able to place on the statute book a law that would give to every man's child an education. When we saw the results that had occurred from the law of last year, every man must regret that that able and comprehensive mind was not present to aid in giving us a law that would be acceptable to the people of this country. The hon. member told them that he did not propose to go the entire length of the present bill, but that one-third would be raised from the treasury. If such a bill been brought in, he believed the people would have accepted it, and it would have promoted the interests of education to a large extent. But the hon. Provincial Secretary told us that Mr. Howe had invited his assistance in carrying such a measure, but that he declined to aid. With him party purposes could not for a moment be put aside even for so high an object as the endeavor to promote the cause of education. Perhaps he desired to reserve for himself alone the credit of amending the educational act. The house would recollect the aims assumed by the Provincial Secretary when his bill finally passed and towards the close of the session when speaking of the doings of the government, he spread his plumage and boasted excessively of his school bill. "I have placed," said he, "on the statute book a law to which I can point with pride." That law had been in operation about two months, and the results should be sufficient to take the pride pretty well out of that hon. gentleman, but still he continued the same lofty tone declaring the bill a great success, whilst the hon. Attorney General came forward asking this house to pass his "little bill"

—praying the house to legalize all the illegal and irregular proceedings growing out of the Provincial Secretary's measure. Reference had been made in this debate to the person who combined both the character of a Prince and a Bishop. As a Prince he was condemned for his fighting, but as a Bishop, claimed to be saved by his prayers. Here the two characters were in different persons. The Provincial Secretary, as prince, fought through his school bill, whilst the Attorney General followed as Bishop, praying the house to legalize everything that may grow out of them. When the time came, as it soon would, when the prince was condemned for his fighting, the bishop would not be saved by his praying.

Mr. ARCHIBALD said that in looking at the division that had previously taken place on the question of assessment, he found that one-half of the entire number that had voted against that principle were supporters of the hon. Provincial Secretary. Thus it would be seen that the dissatisfaction against the bill was not confined to members of the opposition alone. Mr. Archibald repelled the charge that the opposition had endeavored to make political capital out of the bill, although there was provo action enough on its face to unite party action against it. He again took issue with the Provincial Secretary as to the composition of the council of public instruction, and said that if it had been formed on the same principle as in England, it would not have been so obnoxious. He also stated that there was some 650 teachers scattered over the face of the country, a large number of whom would not have been able to act in that capacity if it had not been for the energetic labors of Dr. Forrester in connection with the Normal School.

The most sanguine advocate of a training school never supposed that there would be more than 20 or 30 attending; yet day after day the number had gone on increasing until it had arrived at three or four times as many persons that it was thought would annually attend. Yet the house was told that Dr. Forrester had been unsuccessful in the administration of the education of the country. He told the hon. member for Halifax that the Normal School was the greatest boon that had ever been conferred upon this country in connection with education. If it were not for the existence of that school, we would not be in a position to carry into operation the system which it was now proposed to adopt.

The house adjourned at 11 o'clock.

FRIDAY, 31st March.

The House met at 2 o'clock.

Mr. ROSS presented the petition of Thomas Brown and 58 inhabitants of Bay St. Lawrence, against the Union of the Provinces.

Hon. FIN. SEC. laid on the table petition of A. McLean and others, on the subject of mining claims.

Mr. BILL presented three petitions from Cornwallis in reference to the Union of the Colonies.

Hon. FIN. SEC. introduced a bill to defray certain expenses of the civil government of the Province.

The house then went into committee, and passed the following bills:—To incorporate the

Boston and Acadia Coal Mining Co.; To amend the Act incorporating the People's Bank; To legalize assessment rolls in the County of Shelburne; To incorporate the Commissioners of the Widows' and Orphans' Fund of the Presbyterian Church of the Lower Provinces.

In relation to the bill to amend chap. 62 R. S. of Statute Labor,

Mr. JOHN CAMPBELL moved that it should only apply to the northern district of Queens.

On a division, the motion was lost by 16 to 20.

The committee then rose and reported. The house, then, on a message from His Excellency the Lieutenant Governor, proceeded to the Legislative Council Chamber, where he was pleased to assent to the revenue and other bills.

On returning, Mr. LEVESCONTE reported from the Committee on Trade and Manufactures. It reported favorably on the petition of Mr. Dugan in reference to the establishment of a sugar refinery in this city.

Mr. TOBIN objected to the report, as establishing protection for manufactures. He considered it strange that a sugar refiner should be allowed to import his machinery free, whilst Mr. Moir could not obtain the same privilege in respect to machinery for a steam bakery.

At the suggestion of Mr. Locke, Mr. Levesconte withdrew the report for the present, to insert Shelburne as a port of call for a steamer along the Southern coast, for which the sum of \$6,000 was recommended.

Hon. Mr. SHANNON introduced an act relative to the New Jail in the County of Halifax.

THE EDUCATION BILL.

The house then went into committee, and took up the bill for the better encouragement of education.

Mr. Archibald moved the following resolution relative to the Council of Public Instruction:—

"The Governor in Council may appoint not more than 9, and not less than 7 persons, of whom the Superintendent of Education shall be one, to be the Council of Public Instruction. Such persons shall hold their offices during pleasure and be subject to all lawful directions as may from time to time be issued by the Governor in Council."

On a division, the motion was lost by 11 to 35.

Some discussion then ensued on the clause giving the Council of Public Instruction power to divide the Province, from time to time, into not more than seven divisions for purposes of school inspection."

Mr. KILLAM was in favor of allowing the Counties, as far as possible, to manage their own affairs,—the less they were tied up the better. He was opposed to the clause.

Mr. KAULBACK would be very sorry to see anything done in Lunenburg to deprive the County of the services of the present efficient Inspector. If the duties of the office were increased as proposed, it would be impossible for him to perform them as efficiently as at present.

Mr. BLANCHARD would rather retain the present system and have an inspector for each County, and let him be clerk to the Board of Commissioners.

Hon. PROV. SEC. said the reason why the number was placed at 7, was because it was

calculated that one inspector could not examine more than 200 schools.

Mr. BLANCHARD: The duties of one, at all events, should be confined to the island of Cape Breton.

Hon. PROV. SEC.: It was contemplated to give two.

Mr. ARCHIBALD said that they were going to give the inspector too much to do, and to make him a mere mechanical drudge. If the duties were confined simply to inspection, four would be enough. That would give Cape Breton one, the Eastern part of the Province another, the Western part one, and the Central districts one. He disapproved of the proposal to trammel the inspector with the duties of Clerk. It would be better, to a certain extent, to go back to the old law, and give each Board of Commissioners a clerk. This was the opinion of gentlemen who had given a great deal of attention to the subject.

Mr. BOURINOT thought it was quite impracticable for seven inspectors to examine 200 schools twice a year throughout the Province. The duty of the inspector should be to have intercourse with the teachers and the people, and to endeavor to infuse that good feeling in behalf of education which was so essential to success. From his knowledge of the Island of Cape Breton, it was quite impossible for any one inspector to do justice to 200 schools twice a year. There should be at least two, and they should not be called upon to perform the duties of clerk. There was much in this bill he did not like—many obnoxious features he would wish removed; but in dealing with this important subject of the education of the country, he was guided by higher motives than mere political considerations, and his object was to assist in placing the common school system upon a proper basis. He had not yet spoken upon this question; but before the bill became law, he intended to express his opinion more fully. He was conscientiously opposed to the construction of the Council of Public Instruction; but he did not oppose it now, because last year he was party to the bill which contained that principle, and in order to be consistent, he must support the present clause relative to the Council of Public Instruction, although he was opposed to the bill as it stood, and he knew it was not acceptable to the County he represented. When a meeting was held in Sydney, over which he presided, to take action under this law—a large and influential meeting, attended by the clergy and a large number of the intelligent portion of the community—they unanimously supported the principle of this bill by voting large sums for educational purposes. And why did they, to a great extent, do this? Because they felt, in common with him, that for a series of years injustice had been done to Cape Breton,—that while she ranked as the third largest County in the Province, she was last but one as regards the amount received for educational purposes. The reason why he supported this bill last session was because the principle was adopted of dividing the school grant according to population, and he was in hopes that Cape Breton would at last receive her rights. He was sorry to say, however, that the measure had not been as successful as was anticipated, and it certainly had not proved acceptable to the people of Cape Breton. He must, however, do the Government the credit of being actuated by

pure and honorable motives, and with a sincere desire to establish an efficient system of education. As regards the clause under consideration, he should be obliged to oppose it, as he did not think seven inspectors sufficient to attend to the wants of 230 schools each.

Mr. MCFARLANE said that the inspectors were relieved under this law from the duty of laying off the school sections, and thus could give their entire attention to the more immediate duties of their office. He had great doubt, whether it would be so easy to find a man in each county, with the peculiar talent which was required for the office, and he thought that the appointment of seven inspectors would be much the best plan.

Mr. JOST did not approve of reducing the number of inspectors.

Dr. HAMILTON had not addressed the house on the general features of the bill, and did not intend to do so then. He thought that there were many features of the bill which might be much simplified, and he hoped that that yet might be done. In his opinion three inspectors were quite enough for the whole province, and their duties should be confined to the inspection of schools, and reporting to the superintendent upon the state of education in their sections. It would be utterly impossible for them to perform the duties of clerks as well. Each board should appoint their own clerk, to attend to local matters; and then three or four persons would be sufficient to act as assistant superintendents.

Mr. ARCHIBALD read a resolution for the appointment of four inspectors.

Hon. ATTY. GEN. said that the government had no very strong opinion as to the number of Inspectors. Their object was simply to establish the most effective mode of Inspection for all the schools in the province. The reason why seven had been suggested was because that would give each Inspector 200 schools, and it was supposed he could examine the whole of these in 200 days. He thought they had better try the larger number for this year, and if the system did not work it would be changed.

Mr. BLANCHARD did not think an Inspector could be found to visit 200 schools in the course of the year. He was amused to hear the member for Cape Breton stating that he was obliged to vote for the Council of public Instruction in order to be consistent. Well, there was no doubt that consistency was a jewel, but where was his consistency last night, when he voted against the principle of assessment? Did he not know that every man who voted against that voted against the whole bill.

Mr. BOURINOT said that the member for Inverness was the last man who should talk about consistency. On the previous day when the resolution against the assessment principle had come up for division, and he (Mr. B.) had had the manliness to vote against the government, the member for Inverness went behind the Speaker's chair, because he was afraid to vote. He thought he had satisfactorily explained the reasons why he voted as he did. Last year he had voted for the assessment principle for the reasons which he then gave, and which he would not again repeat. He had gone further and voted for the legalizing bill in order to be consistent. As he had before remarked there were many objectionable features in the bill which he could not

agree to. In voting as he had done—it was in no spirit of antagonism to the government, but in accordance with the views he held upon the question.

Mr. ARCHIBALD said that it would be necessary for the Inspector to have his office in some central place, where the records of the Board of Commissioners should be kept.

Mr. CHAS. J. CAMPBELL thought that there should be an Inspector for each county, and he would move a resolution to that effect. He understood that during his absence from the house, his colleague had made an attack upon one or two gentlemen in his county; one was the surveyor of the county—an old and respectable inhabitant of the province—who had resided over thirty years in Cape Breton, with great advantage to that island. Since he had been acting as Deputy Surveyor in Victoria, he had never heard any charge of improper conduct against him; and he believed him to be as honest a man as there was in the county. He would not be doing justice to that gentleman if he did not defend him from the imputations of his hon. colleague. He had been employed to lay off a school district, and he (Mr. C.) believed that he was quite competent to perform the duties of that office. He thought his hon. colleague should have more generosity than to attack an old man, who has had his affliction.

Mr. ROSS denied that he had said that he was unfit for the duty. He said that the county the surveyor alluded to lived in, would not employ him, but he made no charge against him.

Hon. PROV. SEC. said that if the hon. gentleman meant anything at all it was to bring a charge of political favoritism against the council of public instruction.

Mr. CAMPBELL continued:—The gentleman referred to had been deputy surveyor for several years; but Mr. Hendry of the Crown Land office, who appeared to be Governor-in-Chief of Nova Scotia, took some umbrage at him, and when the late government came into power he could get nothing to do. The next person attacked by his hon. colleague was the inspector of schools for Victoria, and he was sorry that he had not been present as he could have answered him more to the purpose. This inspector of schools for Victoria was a person whose private character was beyond reproach, whose whole life had been employed in educating himself and others; and he believed he was as competent for the office as any other inspector. He had been assailed in the public prints repeatedly, and now his hon. colleague has made these insinuations.

Mr. ROSS repeat them.

Mr. CAMPBELL had been informed that he said, it was enough to destroy the best bill ever brought forward to appoint such a man.

Mr. ROSS denied it.

Hon. PROV. SEC. understood him to say that.

Mr. ROSS said what he did state was, that the inspector had been appointed more from his political proclivities than from his education or his position in the country.

Mr. CAMPBELL—It would be very difficult to find an inspector in Victoria to meet the politics of both parties. He hoped the next time his colleague attacked his friends he would do it in his presence.

Mr. ROSS denied that in the remarks he made he attacked anybody personally. He

complained that while the hon. Provincial Secretary admitted that he had consulted other members as to the appointment of inspectors he did not consult the members for Victoria. He did not say that Mr. Gesner was unfit for the duty of laying off a school district. He was beginning to lay off some of these sections in February, and some were not laid off yet. All he had said was, that the government would not give him employment in the county he lived in, and he believed he was appointed for political reasons.

Dr. HAMILTON had heard nothing to alter his opinions, and he should move that four inspectors be appointed.

Hon. PRO. SEC. objected strongly to the motions of the members for Colchester and Kings'. The result would be that they would have five inspectors instead of one, and no efficient inspection at all. While the government left it an open question as to the number of inspectors, he did hope that the house would unite in adopting some mode by which a thorough and effective inspection of all the schools in the province could be secured. He hoped that the hon. members for Kings' and Colchester would not press their views, as the effect would be, if they were carried, seriously to impair the efficiency of the bill.

Mr. CALDWELL said the more this clause was discussed the more convinced he became of the necessity of adhering to the law already on the statute book, in reference to county inspection of schools. Your inspectors over the province, to some extent, were educated up to their duty, and they must be familiar with all school sections in the different counties; and it did appear to him that they should be best adapted for carrying out the requirements of the bill, if such should become the law. To his mind, the bill was too complicated, and should be more simplified in all its details, so that the county could understand and comprehend it. He would therefore suggest to the government county inspection, as he was quite sure divisional inspectors would only create new complications and defeat the object in view.

Dr. BROWN said, as there were so many and various opinions expressed by members on this question of inspectors, he might be allowed to have his opinion too. He had been long a member of the board of commissioners for schools in King's county, and the result of his experience was, that the wisest course would be to go back to the old system of clerks appointed by the several boards. He did not approve of the change contemplated in the bill, by which seven inspectors, with large salaries, were to take the place of the county inspectors. These inspectorships were unpopular with the people, who regarded them as so many government officers, more inclined to serve the government than the people. He preferred the county inspectors of the late act to the seven to be substituted by this bill or the four proposed by Mr. Archibald. He would even go further: he would leave the option of appointing them to the commissioners, as also of fixing the amount of remuneration for their services. Some districts might require them, while in others they were not needed. He thought the commissioners were the best judges of the fact, and would make a proper use of their power.

Mr. KILLAM thought the more the matter

was left in the hands of the people the better. Let each board of commissioners appoint a clerk who should also be inspector.

Mr. LOCKE said no doubt the clerks of school boards had more knowledge of the wants of the country. He did not think there was a county in the province where a person could not be found fitted for the office of inspector.

Mr. ARCHIBALD said that under his plan they would secure the services of educated men, who would devote their whole time and energies to the duties of their office. If they were going to have inspectors let it be something worthy of the name. Far better have none at all than an imperfect one. The hon. gentleman then read a resolution—that each board of commissioners should have a clerk and that the higher duties be performed by inspectors. He did not care whether it was by four or five.

Mr. COLIN CAMPBELL was in favor of the system now in existence of county inspection.

Hon. PRO. SEC. defended the present inspectors. As a class they were composed of men of position and attainments, which qualified them for the position they occupied; and they had shown an amount of devotion to the cause of education which entitled them to the respect of the house.

After a few further remarks the motion of Mr. C. J. Campbell that the system remain as contained in the bill of last year, viz., that each county have an inspector, was agreed to. Then the house adjourned.

MONDAY, April 3rd, 1865.

MORNING SESSION.

The house met at 10 o'clock.

Mr. ROBICHEAU presented a petition from a number of inhabitants of Digby, asking for an act to allow the school lands of that county to be sold.

Mr. C. J. CAMPBELL presented the petition from L. McDougall, of Whycoomagh, praying the house to alter the law of 1862, respecting church property.

Mr. J. FRASER presented the petition of a number of the inhabitants of West Pictou on the subject of Confederation.

Mr. LEVESCONTE presented the report of Committee on Trade and Manufactures, on which considerable discussion ensued. Shelburne was included in the ports of call for the steamer on the southern shore.

Mr. TOBIN said that he was not against encouraging manufactures legitimately, but he doubted the propriety of establishing a new principle in connection with the sugar refinery. In this country we had no protective tariff whatever—we imposed duties for purposes of revenue. If there was any way of classifying sugar, he would be glad indeed to sanction the recommendation of the report, but he was opposed to anything like special legislation. He did not see why this particular business should be protected more than any other.

Mr. LEVESCONTE said that there was no new principle attempted to be established, and referred to the article of ale and porter, manufactured in this country. He alluded to the benefit this sugar refinery would probably be to this country.

Hon. ATTY. GEN. said that it was quite possible that persons who are acquainted with the refining process can ascertain how much refined sugar can come out of so many hogs-

heads of the coarse article, but he did not believe we had men in Halifax who could do the same thing. He understood, however, that the article which is to be manufactured is not imported here at all. If the manufacture was solely from that article he did not see any difficulty likely to arise from allowing it to come in a half a cent a pound less. He took it for granted that it was quite possible in the port of Halifax to get some person acquainted with the different sugars who can decide the respective classes. Looking at the question in all its aspects, there was no doubt the sugar ought to be classified. It was advisable to prevent the difficulties that might rise from a system of drawbacks.

Mr. LEVESCONTE said that there were a great number of ports in the province, and it would be difficult to draw the line so as to guard against deception.

Hon. FIN. SEC. said that all the manufacturer wanted was to convert the low priced sugars into the refined article—he could have no object in using the better classes. Although the custom house officer in Yarmouth or Arichat or other ports might know that a man who came in and entered a number of hogsheads for refining sugar was deceiving him, yet how could he prevent it going into consumption. In the present case, the coarse sugar was brought into the port of Halifax to the manufacturer, and he was responsible. All that the manufacturer asked was that he should get the same facilities that are given to him in other countries. When he asked us to amend our tariff, so as to allow the introduction into the country of a quality of sugar not now introduced, it could not be considered in the light of protection. He (Mr. McD.) was not, indeed, prepared to say in view of the establishment of so important a branch of industry, that he would not allow such a fair share of protection as would not tax heavily the people of this country. The introduction of the coarse article would not lower the importation of brown sugars; on the contrary we would get 5,000 tons additional, which was equal to cargoes for fifty vessels.

Mr. TOBIN thought that the hon. Finl. Sec. had laid down principles which were incorrect, and that it would have been well if some gentlemen connected with trade, here, had been invited to a consultation on this subject. He contended that the principle at the basis was protection, and went on to say that he only spoke for the purpose of inducing great caution on the part of the parties who were petitioning the house. In all probability they would find themselves eventually in the same position as the distillers. He did not see any difficulty at all in classifying these sugars. He thought that Mr. Moir had not been treated fairly—he should have received the same consideration as Mr. Dustan.

Hon. PRO. SEC. spoke strongly of the great benefits the city and country would receive by the establishment of a manufactory that would involve the expenditure of so much capital and create a large trade, and he alluded in this connection to our great manufacturing facilities. He informed the hon. member for Halifax that his advice had been followed. Mr. Dustan came before the government with a memorial, and showed them that he was prepared to establish a manufactory in this city at the cost of £50,000, under proper encouragement. All that he required at the hands of

the Legislature was a small amount of encouragement that could not have the term protection applied to it, for the sugar that he required was not imported at all, at present. The government took exactly the course suggested by Mr. Tobin, and asked Mr. Dustan in what light was his project considered by the trade. Subsequently the memorial was brought back, endorsed, by leading merchants of this city—B. Wier & Co., W. Hare, R. Boak, E. C. Twinning, D. Cronan, Creighton & Sons, DeWolfe & Sons, T. S. Tobin, T. C. Kinnear & Co., etc. In fact, the mercantile community of Halifax approved of what would have been infinitely more direct protection than what was proposed by the committee on Trade and Manufacture.

Mr. KILLAM thought if the report was strictly complied with, the manufacturer would not have any great advantage in the long run, and that Nova Scotia would not be such a field as he anticipated. It was a matter, again, for the house to consider whether they could just now afford the difference in revenue that might result.

Mr. ANNAND said that he presumed the government who had this matter in hand would take measures to define the sugar, so that there would be little possibility of deception. Whilst, however, he was in favor of affording every reasonable encouragement to the establishment of manufactures, he thought that the petitioner in the present case was too sanguine. Where was he going to get his market? When he (Mr. A.) was in Montreal, some time ago, he visited a sugar refinery in Montreal where they were obliged to keep 170 men constantly employed, though there was not actually sufficient work for them more than two-thirds of the time. The proprietor said to him if he had only the benefit of the consumption of the Maritime Province, that he could keep the men all the time employed.

After some further desultory debate Mr. Tobin moved that the report be referred back for the purpose of charging one cent a lb. upon sugars on classification; but the motion did not find a seconder.

Mr. S. McDONNELL alluded to the grant of \$6000 for a steamer from Yarmouth to touch at points along the shore and on the Strait of Canso. A line between Pictou and Port Hood he contended, was just as much entitled to assistance. There was a proposal before the government a few days ago to subsidize a new steamer from Sydney up the Bras d'Or to Wycocomagh but it was rejected. The present amount given to a steamer was \$1000, but for \$1500 the parties undertook to put on another boat to go in different directions. He was sorry the proposal had not been favorably considered.

Mr. BOURINOT said that what it was proposed was to give a subsidy of \$1,500 in order to connect the Pictou line of railway with the remotest part of Cape Breton. When he gave his support to that enterprise, he did so with the full understanding that this line would meet with every consideration. As the grant of \$1000 had existed for years, therefore it was not a new subsidy. He hoped the government would recognize the application that had been made to them, and give \$500 additional.

Mr. C. J. CAMPBELL was sorry that the application of the international steamboat company had not been favorably considered, as it

afforded great convenience to the public. Now a large subsidy was to be given to another company which was more limited in the advantages it afforded.

Hon. PRO. SEC. said, with reference to the observations that had fallen from the hon. members for Cape Breton and Inverness, that the house had for many years granted a subsidy in aid of a steamer on the Bras d'Or Lake. No doubt, in connection with the construction of the line of railway to Pictou, it would be of the greatest importance that every facility should be given to the people of Cape Breton. At present, however, he did not think it was necessary to increase the grant. He thought that it was advisable to give all parts of the province every facility for communication with each other.

Hon. ATTY. GEN. expressed his desire to give to the east and west every means of communicating with each other. Such a service, as it was now contemplated to assist, would be of essential benefit to the people in the province. It was the true principle to give the people every facility for travelling.

Mr. MILLER was in favour of giving every means of communication between the east and west. He did not think that the international steamship company was entitled to the same favorable consideration as the more local undertaking in question. The former, since they had been running their boats, had rather consulted their own interests than the convenience of the public. When the Pictou railway was completed, he presumed the government would take immediate measures to bring it into connection with Cape Breton.

Mr. BLANCHARD was afraid the steamer in question would have too much work to do.

Mr. STEWART CAMPBELL urged the claims of Guysboro' as a port of call strongly upon the attention of the house. He did not see why Shelburne, Liverpool and other places should receive advantages over the shiretown of his own county.

Mr. KILLAM said that if the company was to perform all the work required, they should have a much larger grant.

Hon. PRO. SEC. said that he accepted the Report as a *bona fide* one, and the house should take action upon it.

After some further conversational debate, the Report was adopted—Guysboro being substituted for Port Mulgrave, as a port of call for the steamer in question.

Hon. PRO. SEC. laid on the table an answer to the question asked by the hon. member for Richmond (Mr. Le Vesconte) in reference to the Reciprocity Treaty. He said that the government had received as yet no official intimation from the Secretary of State, or from the American government of notice having been given of the determination on the part of the latter to terminate the treaty. He saw, however, from the discussions in the British Parliament that the treaty would be probably abrogated.

Hon. Mr. MCFARLANE introduced a bill to amend the act for the encouragement of agriculture.

Mr. PRYOR, chairman of City bills reported up a bill to incorporate the Union Engine Company, with an addition; and a bill to amend the act incorporating the U. P. Company; and an act concerning the city of Halifax,—with certain amendments.

AFTERNOON SESSION.

House resumed at three o'clock.

Mr. ARCHIBALD asked leave to present a petition that had been forwarded to him from the country of Victoria. He perceived the member for that county in his place, to whom he had submitted the papers connected with this matter in order to afford him an opportunity of making any explanations he might think proper. He might state that his petition was signed by some 130 persons—including a number of Justices of Peace, and other respectable inhabitants of the county. The petitioners complain that although the road grant for that county for 1864 was larger than usual, the people did not derive much benefit from it, in consequence of the large number of commissioners employed to expend it. Also—that one Francis McKenzie, a civil engineer, appointed to expend a large sum of money on the Kelly's Cove road, did not pay the laborers in cash, but entered into an arrangement with C. J. Campbell, Esq., M. P. P., for the county, by which a large amount of the public monies was allowed to be used by that gentleman for his private benefit, and was not paid over by Mr. Campbell for a long time after it was drawn from the treasury, and in many cases the labour was paid in goods out of Mr. Campbell's store, instead of cash, and when the parties refused to take goods was not paid at all—and further, that the said McKenzie and some of the commissioners falsely represented that the monies being for over expenditure could not be drawn until the next summer, when in many cases it had already been drawn. The petition was accompanied by certain affidavits. He need not remind the house that there was nothing the house was more jealous of than that those engaged in the construction of the public works of the country should be paid in cash, and it required pretty strong reasons to justify any departure from this rule. As regards this case there might be reasons which rendered it necessary that the public money should go through a particular channel. He had no means of judging of the truth of the statements contained in the petition, but reference was made to certain returns upon the table which, to a certain extent, corroborated some of the facts alleged. By these it appeared that out of the sum of \$14,572 the amount of road monies for that county in 1864 no less than \$9,677 had passed through the hands of one of the members of that county. This might be capable of explanation, but it was unfortunate that any of the members had any thing to do with the transmission of the public monies, and still more unfortunate that the payments made by him were made in goods and not in cash. In case of over expenditure, which should only be resorted to in extreme cases, care should be taken that the money should be expended to the satisfaction of the people; but in this case, according to the statements of petitioners, some of them were at this moment unpaid. There was another statement contained in these documents which required explanation. It was stated that during the last season the sum of \$120 was appropriated to pay an inspector of highways, and that, although Mr. Morrison was duly appointed to that office, another person had drawn the salary without having been duly appointed, and without any certificate that the work had

been performed. There certainly appeared to be something peculiar about the expenditure of public monies in that county. It appeared that out of the sum of \$957 expended upon a bridge at Cape North, about two-fifths of the entire amount was used up in commissioners' and engineers' pay. Now he did not say that all these things might not be satisfactorily explained; but he felt that for the sake of the hon. member for Victoria himself, as well as for the sake of the character of the House of which he was a member, that this matter should be referred to a select committee, so that the hon. gentleman might have an opportunity of exculpating himself from the charges made.

Mr. CHAS. J. CAMPBELL, before replying, would ask the hon. member for Colchester if he had received these documents direct from the county of Victoria.

Mr. ARCHIBALD replied in the affirmative, and stated that no person had seen them in Halifax until he sent them to the hon. member.

Mr. CAMPBELL wished to ask another question of his hon. colleague (Mr. Ross), and that was, whether he was the author of a communication upon the affairs of Victoria that appeared in an evening paper some time since, under the signature of "Paul Fry?"

Mr. ROSS said the hon. gentleman had better apply to the proprietors of the paper for the information he sought.

Mr. CAMPBELL, in reply to the charges contained in the petition just presented, would remark in the outset as regards these monies having been drawn through him, that anybody residing in the county knew that in the absence of banking institutions, it was exceedingly difficult to draw large sums of money from the Capital. The government were not willing to run the risk of transmitting the public monies by mail, and therefore it was usual for commissioners, when they wanted money, to draw it through some merchant who had business connections with the Capital. All he had to say regarding the bridge at Cape North was, that it had cost \$600 less than what he and his colleague had anticipated, when providing for it last Spring. Now, as regards this petition, it certainly contained grave charges, and he must admit that when he first received it from the member for Colchester he was rather taken aback; but when he came to look into the proof by which it was sought to substantiate those charges, he found that the case was not nearly so bad as it looked. The petition was signed by a large number of magistrates and others, living in settlements extending from Cape North to Middle River, a distance of ninety miles, and considering the care and pains that had been taken in getting up the papers, the only wonder was that it had not been signed by more, as he thought he had more enemies in the county than it appeared he had. He must crave the indulgence of the house to hear him out, whilst he reviewed the charges made in this petition against 85 road commissioners, the civil engineer and himself. In the first place, the petitioners find fault with the policy of the government in appointing so many commissioners, who they allege, have misappropriated the public monies and misled the people by false representations. He believed that the number of commissioners employed, 85, was as small a number as in any

county of the Province, and less than one half the number engaged in some counties. These 85 commissioners, who are accused of dishonest conduct, were entrusted with the management of the bye-roads, while the engineer, Mr. McKenzie, had the charge of the main roads. He would ask the house to listen to the proof by which these grave charges of dereliction of duty on the part of these petitioners were sought to be sustained. (The hon. gentleman here read the affidavit of Archibald Campbell, and commented upon it as follows.) He believed that this man told the truth, and certainly it appeared to be a hard case. He says that he performed a certain amount of work in August under a commissioner named John S. McNeill, and that he was told by him that he could not be paid until the next summer, but he would give him an order if he wished for goods from C. J. Campbell's store; that he took the order, and went to the store and asked for cash, and was refused even a sevenpence halfpenny. That was the only affidavit produced by the leader of the Opposition to substantiate this grave charge, made by no less than 120 people, including 11 Justices of the Peace and a number of *Elders*, whose titles were appended, no doubt, to influence the hon. member for Colchester, who always fought their battles so nobly. Now this, no doubt, was a very serious charge, if true; but if he could satisfy the house that this money he was charged with having appropriated to his own use had not yet been drawn, and that this man Campbell had, in point of fact, been paid 7 months in advance, he thought the case had fallen to the ground. (The hon. gentleman here read a list of over-expenditures for 1864, including the amount due John S. McNeill, by whom Campbell was employed, which had been drawn or appropriated—amounting in all to over £800.) This he thought was a sufficient refutation of that part of the charge. In speaking of these advances made on account of undrawn road monies, he would remind the house that they were often made at considerable risk of being refunded, and he would give an instance in his own knowledge. When he lost his election in 1859 he had authorized an over-expenditure of \$100 on Matheson's bridge—and although he sent an account of the expenditure to his colleague the poor people to whom the money was due never got their money until he was returned again a year ago—when he provided for it as per road scale produced. Having, he thought, sufficiently refuted the charge against the commissioners, he would turn to the next charge in the petition which was against Francis McKenzie, the engineer, for not having paid the money he was entrusted to expend upon the Kelly's Cove road to the people employed, and with having entered into an arrangement with C. J. Campbell to allow him to use the public money for his own private benefits. He would first tell the house who this Mr. McKenzie was. He was a son-in-law of the hon. Mr. McKeen, and was taken to the county of Victoria the first year it was made a county by the two Munroes, since which time he had been employed in expending the road grants until 1860, when his hon. colleague employed his brother who had the whole control of the road and bridge service from 1860 to 1864; when he (Mr. C.) again employed Mr. McKenzie upon the most important services in the county,

while he gave the repairing of the roads to the most intelligent and competent of his constituents in the different localities. Amongst other services that Mr. McKenzie was called upon to perform was to expend the sum of \$2800 on the new line of road from Kelly's Cove to St. Ann's across Kelly's mountain—as to the locality of the road he might mention that it led from where he had an establishment to St. Ann's, where his colleague (Mr. Ross) lived. After considerable progress had been made in the work it was found that there would not be enough money to finish it, and McKenzie consulted him on the subject. Rather than the work should be abandoned, and all that had been done should be lost, he (Mr. C.) advised him to go on with the work and finish it by an over-expenditure, and he was obliged to become personally responsible to McKenzie in writing for the payment of the work, at the same time stating to him that if the laborers wanted supplies he would advance them. (The hon. gentleman here read McKenzie's letter to the Provincial Secretary to substantiate the fact.) And so the work went on. During the summer he received a communication from the Chief Gold Commissioner, stating that the Government wished to open up a road to a new gold field at Wagamatoook, and wished to apply a portion of the monies to the credit of the County for the sale of Crown Lands, under the Act of 1850, to that purpose, if he would consent. Before leaving Halifax last Spring, he had left with the Provincial Secretary a list obtained from the Crown Land Office shewing the sum of \$2,890 to the credit of the county from the source alluded to. He wrote a letter in reply, consenting to allow \$1,200 of the amount to go upon the road in question, and requesting that the balance of \$1,890 should be applied to finish the Kelly's Cove road. To his great astonishment, after he had authorized McKenzie in the one case, and McLellan in the other, to proceed with the works on the faith of the statement he had received from the Crown Land Officer, he received a letter from the hon. Prov. Sec., enclosing a certificate from the Deputy Crown Land Commissioner to the effect that instead of there being any funds to the credit of the county, it was actually in debt for surveys, &c., to the amount of \$800 or \$900, and that Donald Ross and Dugald McNab had swallowed up the whole amount that had been to the credit of the county, and left it that amount in debt. Upon the receipt of this intelligence, he immediately directed Mr. McLellan to stop the work, which was done, and he sent in his return for the amount already expended upon the road to the gold fields, amounting to about \$500 or \$600, which was paid to him, and for that amount he (Mr. C.) had provided out of the special grant for that year.

About the last of December the accounts of this over expenditure at Kelly's Cove were made up and transmitted some time afterwards to Halifax, and he wrote to the hon. Prov. Secretary that if the money would be paid he would guarantee the payment out of the road scale, and the money was accordingly paid in January. McKenzie left the county about the first of January to visit his family in the county of Pictou, and left his books and accounts with his (Mr. C.'s) book-keeper at Kelly's Cove, so that the men could be paid if the Government money arrived

before he returned. The money was sent down in January, and notice was given of the fact as soon as it was received, and the parties were paid as soon as they came for it. A short time before he came up to the House, his colleague (Mr. Ross) wrote to the Provincial Secretary that up to that time, 4th Feb., no portion of the amount of over expenditure had been paid over to the people. Upon this letter being brought to his notice he (Mr. C.) sent to McKenzie for a statement of the facts. Now he would read McKenzie's certificate, showing how much money had been paid at that time.

The hon. gentleman here read a statement taken from McKenzie's books, showing that on the 25th January the balance unpaid was—

\$308 20

Of this there was paid between that date and Feb. 8th,

176 30

\$131 90

And from Feb. 8th to March 8th,

60 80

Leaving a balance uncalled for at that date of

\$ 71 10

How, then, can the House reconcile these two statements of Messrs Ross and McKenzie? Now, his hon. colleague was at home at the time, and he knew that large advances had been made to these men, and he was cognizant of all the facts. It would be seen that the men were paid as fast as they came for it. He did not follow the system pursued by his colleague, who employed his brother to travel about to pay the men, and who not only charged commissions, but so much a day for his time, and that of the men he employed, in paying over the money—and no less than three commissions were charged on the same sum. (The hon. gentleman here produced last year's road scale to prove that the committee allowed it. The hon. gentleman also read a letter from the Halifax Citizen, signed "Paul Pry," making statements similar to those made by petitioners, and stated that he presumed from his silence when challenged that his colleague was the author of the production. He also read a letter from that gentleman to the Prov. Secretary, in which somebody was charged with "dishonest and deceitful transactions." As there were only two persons to whom that reference was made, Mr. McKenzie and himself, he should like to know which one he alluded to, and he would pause for a reply. The hon. gentleman here commented at length upon the several affidavits by which these charges were sought to be sustained, and argued that no distinct charges were made against him, although insinuations were made, and through all the affidavits there was an amount of uncertainty and doubt as regards dates and other material points, which, to say the least of it, was exceedingly suspicious. Not one of the complainants are made to say that they ever brought any of their complaints to his notice, although he was on the spot during the time referred to.)

It was quite evident that these parties had been led by interested persons to believe that this money had been drawn long before it was, or they would never have sent these imputations to the house. The object of the charge was no less

apparent. Ever since the speech of the hon. Pro. Secretary at Truro, where he is reported to have said that he would dissolve the house if Confederation was not carried, an appeal to the people was expected, and the object of his enemies in Victoria, in expectation of that event, was to prejudice the minds of his constituents against him, in the hope that an election would be run before he would have an opportunity of disabusing their minds upon the subject—just as was done in 1859, when he was defeated upon false representations which he had no opportunity to contradict. Now, he thought that if he could trace this very honorable transaction home to a member of that house—if he could convict him, even in the slightest degree, with having had anything to do with the getting up of these documents—he did not think that hon. gentleman would stand in a very enviable position before the house and the country. He thought there was sufficient evidence to bring it home to his colleague, whose letters to the Pro. Secretary he held in his hand. For himself, personally, he did not care much what was said against him, as he felt far above suspicion in so trivial a matter, and was not dependent upon those who signed the petition for his livelihood or character; but with a man in Mr. McKenzie's position, who had to depend upon his good name, and the good opinion of those around him, for employment, the case was different; and those who brought these charges before the house, should have carefully investigated them first, to see upon what foundation they rested. The hon. member for Colchester should have examined the proof accompanying the petition, before he placed himself in a false position in bringing the subject before the house. He should have remembered an old, time-honored saying, that "He who steals my purse steals trash, but he who filches from me my good name robs me of that which enriches him not, but makes me poor indeed."

He had gone thus fully into the matter, because he felt it a duty he owed not only to himself, but to the 86 commissioners and the civil engineer, who were implicated in the charges made, that the house and the country should be put in possession of all the facts; and he was quite willing, after that explanation, to leave the matter in the judgment of the house, to take any course that would be thought advisable in the premises.

Mr. Ross would say at once that he was sorry that a matter of this kind had to be submitted to the house. It was sent there by the people of his county, not at his instigation, but of their own free act. The petition he had not seen or read, and to say that he sent for new affidavits was not correct. How did he know that those sent at first were not sufficient, when he had not seen them? He was fully aware that there was a very general complaint among the people that they could not get paid for the work they done on the road, and those indebted to his colleague could only get paid on the credit of his ledger. Before leaving home, many of the people called upon him desiring him not to oppose the payment of the over-expenditure, and he told them that however much he disapproved of this mode of expending money, yet for their sakes he would not oppose it. Both the people and he himself were surprised that the

money had been drawn and paid to his colleague, while they were informed they could not be paid till spring. Mr. Francis McKenzie had been for several years employed in the county of Victoria, and his services in opening roads and building bridges were well known, and he thought that when left to act for himself he would be disposed to do what was right. In this case certain influences were brought to bear, and he left his affairs in the hands of Mr. Campbell or his clerks, which he considered the same thing. Mr. McKenzie, in his letter to the Provincial Secretary, did not pretend to say that the people got their money, or that they have yet been paid. This, then, was the position he assumed was correct—that a commissioner should be a man entrusted with the expenditure of public money, and he should not know anything of merchants' books, and the man that earned his money had a right to be paid in money. He did not say but that the people had got goods out of Mr. Campbell's store—half the people in the county may have got goods from him—but what he did say, and said still, was that the people did not get their money for their labor. His colleague drew, in round numbers, \$5,200 for the Kelly's Cove road, and with him the people had nothing to do, nor with his accounts or ledgers. He got the money, but it had not been attempted to be proved that the people got paid except in goods. As to the remarks used in his (Mr. R.'s) letter to the Provincial Secretary, he had been asked if he intended them to apply to his colleague or to Mr. McKenzie. They were here over his own signature, and could be applied as that hon. gentleman thought proper. His colleague asked him if he wrote "Paul Pry."

This was a question that should be answered by the editor or proprietor of the paper in which that letter appeared. Persons who had made themselves famous in literature found it often unnecessary to own or disown their productions. The Provincial Secretary had often been charged with writing famous editorials in the *Colonist*, but he never found it his duty to own or disown them in that House. The petition was signed by men from all parts of the county, from Cape North to Middle River. This showed that the complaint was not local, but extending all over the county. When the member for any county drew \$9,677 of the road grant, he thought he was dabbling too much with what was not his business; and the complaint made by these petitioners was what while the road grant for Victoria was larger than ever it had been before, the people never got so little money. He had letters complaining that while commissions that had been drawn were still unpaid, one poor commissioner had to sell his horse the other day to make up money to pay the people. He would ask was this right or just? And the fact alluded to by his colleague that his (Mr. R.'s) brother had employed men to pay the money, was the best proof that the people got their money, and not goods out of any persons shop. His colleague insinuated the other day that he was afraid to meet him here. He had met that gentleman before in the political arena and strife of his own county on more than one occasion. He was not then afraid to meet him and he knew of no reason why he should be afraid

to meet him now. As he had met him in the past, so he should be prepared to meet him in the future.

He would not say a word about the manner in which he had been treated by the government. He should have noticed this sooner, only that his extreme modesty prevented him making a grievance of his case. During the last year his colleague had been allowed to make over expenditures to the amount of \$3144, and all this money was paid him, and this without his knowledge or consent. Is this the way, he would ask, that the people's representative should be treated? If it was, then he had no reason to complain. He would pass over any slight or insult offered to himself personally; but he was there as the representative of the majority of the constituency of Victoria, and to them this discourteous treatment was offered, and therefore it was that he resisted it. He had twice in succession appealed to the people of his native county, and twice had they done him the honor to return him at the head of the poll; and that was the reason that his place in that House and his position in the county was ignored by the government.

He would mention one fact more in connection with Kelly's Cove road. One third of the \$2,800 was drawn early in July, and the people were not informed of it, and they did not then get their money either from McKenzie or anybody else. Certain road returns had been laid on the table, and as the whole case might go into committee he would not enter into particulars about it just then. He would again say that it was a matter of regret to him that such a case should come here, but the petition being so respectably and numerously signed, the people had a right to be heard. He observed among the petitioners at least one who took a very active part against him at the last election. In conclusion, he denied that this case was got up to influence elections. No one in this House or in the county of Victoria expected an election soon. The Provincial Secretary was not insane enough to advise a dissolution just then, knowing as he must, the present state of feeling in the country both on Education and Confederation. He would pass by any remarks made by his colleague about himself personally, and let them go for what they were worth, but he hoped that he would have an opportunity to explain before a committee of the House the great injustice that had been done to the people of his county.

Hon. PROV. SEC thought that after the explanation given it was scarcely worth while to send the matter to a special committee.

It was right for him to state that, before the hon. member for Victoria left town last spring, he left with him a statement from the Crown Land Office, showing that a balance of some \$2800 was to the credit of the county in that office, arising from the sale of crown lands. And he subsequently drew the attention of the Government to it in a letter, in which he asked to be directed as to its expenditure. Shortly after that a new gold district was laid off in that county, and the Chief Gold Commissioner applied to the Government to make a road to it. It appeared to him that

this would be a proper mode to expend this money, and he directed the commissioner to communicate with Mr. Campbell and see whether it met with his approbation. An answer was received from him agreeing that \$1,200 should be appropriated to the road referred to. A subsequent investigation, however, in the Crown Land Office showed, that instead of these being that amount to the credit of the county, it was actually in debt some 8 or \$900. He immediately sent that statement down to Mr. Campbell, and in view of the altered circumstances of the case, the work authorized under the sanction of the government was countermanded. He thought it right to make this statement, to corroborate the remarks of the member for Victoria. As regarded the statement made respecting the pay of the inspectors of high-ways complaining that the one appointed by the sessions had not drawn the salary, he would remind the house that under the law although the sessions might appoint an inspector if they chose, they had no power to authorize him to be paid out of the public funds.

Any one who took the trouble to look over these affidavits would find them exceedingly contradictory in their nature. The petitioners complained that the government adopted a different course in Victoria as regards the expenditures of the public monies from that which prevailed in other counties. Now, if he understood it right, the road monies had previously been dispensed by this Mr. McKenzie, Civil Engineer, and while one part of the complaint now made was that he had not been allowed to expend the whole amount of the money, instead of entrusting it to so many commissioners, another ground alleged that he had acted improperly in the management of that which he had under his charge. It was very plain from the documents upon the table, that before these parties entered upon their work, they were told that they could not receive any money until the next summer, which was usual in cases of over-expenditure, but that they might obtain advances in goods if they wished it; and if they chose to enter upon the work with that understanding, they had no right to complain if they did not receive the money before it was drawn.—He thought that the explanations made were satisfactory to the house, and sufficient to exculpate the parties charged, and he hoped that no further time would be occupied in the matter.

Mr. ARCHIBALD again strongly reprobated the practice of any member of the house having anything to do with the disbursement of the public monies; much more reprehensible was it when, as in this case, the party took advantage of his being engaged in trade, to turn his supplies instead of money. He thought that it was due to the country, to the character and reputation of the house, that this matter should be investigated, and if no other good came of it, if it prevented a repetition of similar transactions, he should be satisfied.

The house then adjourned until 7 o'clock the same evening.

EVENING SESSION.

The House resumed at 7½ o'clock.

Hon. PRO. SEC., by command, laid on the table a memorial from Roderick G. Morrison, of St. Peters, Cape Breton, on the subject of crown lands. Referred to committee on that subject.

Mr. RAY presented two petitions from Lower Granville against Confederation.

The subject of the Victoria petition was then taken up.

Hon. PRO. SEC. expressed the hope that after the full explanation that had been given, it would not be pressed to a committee, although at the same time it was right to state that Mr. Campbell was perfectly willing to have it sent to a committee.

After a few further remarks the petition was sent to a select committee, consisting of Messrs. LeVesconte, Donkin, and Blanchard.

On motion of the hon. Provincial Secretary the house was then resolved into committee on bills, and resumed the consideration of the School bill.

The third clause was altered so as to conform to the decision of the house upon the question of county inspectors.

Mr. ALLIDON moved a clause to have district instead of county inspectors.

Hon. PRO. SEC. opposed it, and said the effect would be to increase the number from 18 to 35, and to impair the efficiency of the system.

Messrs. BLANCHARD and MILLER also opposed it.

Mr. ALLISON said his object was to remove the local prejudices that were created when an inspector went from one district to another.

After some further discussion the question was taken, and Mr. Allison's motion was lost.

Several other clauses passed without debate.

Mr. S. CAMPBELL objected to the provision made in the 10th clause for a journal of education. He thought it was a useless expense, as the information which it was intended it should afford might be conveyed by the inspectors.

Hon. PRO. SEC. said the expense would be trifling, and it was necessary that there should be some such medium of communication between the superintendent and the teachers.

The clause passed.

Several sections passed without amendment.

Mr. KILLAM was of opinion that the way the monies was divided was not the best adapted to promote education. He thought that the grant would allow of there being a school in each school section, and that this grant, and the money arising from the county assessment should be allotted according to the number of children. The number of children between the ages of 5 and 15 in the Province he assumed to be 90,000, the provincial grant would be \$90,000, and the

assessment would realize \$60,000, that would be \$1.66 per head. In a district of 50 children, they would be entitled to \$83. He did not see why the money should be divided in the way the bill proposed; he did not see why one child in Nova Scotia was not entitled to as much as any other. With these views he moved a resolution providing that the money be paid to the county treasurer to be applied for school purposes in each section in proportion to the number of children between the ages of 5 and 15.

Hon. PRO. SEC. said that there were two objects which ought to be kept prominently in view in connection with the distribution of the public money. One was to stimulate the teacher to infuse an emulation among that class of men. Every one knew how powerful was self-interest, and if they took away that stimulus from the school-teachers—which he thought the resolution did—a great deal had been done to prevent the cause of education in the country. The mode in which it was proposed to divide the grant was, the government money should be allotted to the teachers according to classification. Under the mode proposed by the hon. member, it would be quite possible that the first class teacher would receive less than even a third class one. The government proposed in respect to the money raised from the people themselves to appropriate it to a large extent on the principle now suggested. The second object that should be kept in view was to excite as large an amount of interest on the part of the district as was possible in inducing the children to go to school, and maintaining as many pupils as possible. It appeared to him that the resolution which allotted to a number of children in a school section a certain amount of money irrespective of all such considerations was not sufficient.

Hon. ATTY. GEN. said that the great object of the law should be to aid poor and scattered districts, and he thought if you took the money and divided it according to the number of children between certain ages, you would to a large extent frustrate that object. The effect of the resolution would be that as much money would be given to sections where one-half of the children were at school as to one where nearly all were attending. The subject, however, was worthy of reflection.

The subject was not decided.

Between the 11th and 12th clauses a clause was inserted empowering the chairman of the Board of Commissioners to draw orders on the County Treasurer for the payment of teachers.

On motion of hon. Prov. Sec. the power of cancelling or suspending the licenses of teachers for immoral conduct was given to the Commissioners instead of to the examiners as at first proposed.

The committee adjourned, and then the house adjourned until Tuesday at 11 o'clock.

TUESDAY, April 4.

MORNING SESSION.

The house met at 11 o'clock, and went into Committee on Bills, and passed the bill to appropriate police fines in Dartmouth; the bill to incorporate the Union Engine Company, (a clause being added to this bill giving the City Council power to disband the Company when necessary); the bill in amendment of the act to incorporate the Union Protection Company; the bill to incorporate the East River Driving Company, of Sheet Harbor; the bill relative to the sale of intoxicating liquors on the line of Railway; the bill to legalize assessment rolls of the district of Shelburne.

The committee adjourned.

Hon. PRO. SEC. presented a petition to change the name of Ratchford River, also two petitions from Cumberland for alteration of poor districts.

The house again went into Committee on Bills, and passed the bill authorising the usual public expenditures; also the bill to include the county of Queens in the provisions of the statute of highway labor; also the bill to amend the license law. The committee adjourned.

Hon. PRO. SEC. introduced a bill to change the name of Ratchford River to Port Greville.

Hon. J. MCKINNON presented a petition from Angus McEachern, a mail carrier, for an increase of salary.

AFTERNOON SESSION.

The house resumed at 3 o'clock.

His honor the Speaker stated that he had received a communication from the secretary to the governors of Dalhousie College, inviting himself and the members to be present at the closing of the winter term on the following day.

Hon. PROV. SEC., from the committee on Education, reported amongst other things, that the committee recommend the annual grant to the denominational colleges be increased \$400 each.

The house resolved itself into committee on bills, and resumed the consideration of the

SCHOOL BILL.

Mr. KILLAM said that he intended to move against the assessment principle at every stage of the bill. That principle should have been settled before the details were taken up.

Hon. PROV. SEC. gave the hon. gentleman credit for a sincere desire to place the common school system upon a proper basis, and he was prepared to give due weight to any suggestions he might propose. He had already stated the principle upon which the Government proposed to divide the money arising from the two sources provided for

in the bill, and he thought the Government had gone a long way towards meeting the views of the hon. member for Yarmouth. It was proposed that the provincial grant should be distributed in such a way as to stimulate the teacher to improve his qualifications, by regulating the pay by the standard of efficiency he had reached, while the money raised by assessment from the people was to be distributed to each school according to the average attendance of pupils.

Mr. KILLAM said that the object of the proposed taxation was to provide for the poorer districts, and to take the money of the rich for the benefit of the poor; but the effect of this bill would be to accomplish a directly opposite result. The object should be to induce the people to send their children to school, not to offer a bounty to the teachers to qualify themselves. What use would it be to have duly qualified teachers, if there were no schools for them to teach? The demand must first be raised before steps were taken to supply it. They might just as well offer farmers a bounty on beef, when there were no people to eat it. When the services of a teacher were required, they would always find employment and suitable remuneration according to their qualifications.

Mr. LEVESCONTE agreed with the member for Yarmouth, that before going into details they should settle the principle. It would be remembered that on the second reading of the bill he had introduced clauses for separate schools, but as they were then denounced by both the leaders of the government and the opposition, of course there was no chance of carrying them, and he would therefore abandon them and substitute for them the following:

"In any section, when a minority of the rate-payers are dissatisfied with the school established by the trustees duly appointed for that section, it shall be lawful for any number of such rate-payers to establish another school which shall be independent of the trustees of the section, and the teacher employed by the said rate-payers shall be entitled to receive from the superintendent, on the authority of the commissioners of the district, a proportion of the provincial grant, and also of the amount raised by assessment in the county, according to his or her class; and the school so established shall be a public school under this act; but no part of the money raised by assessment upon the section shall be appropriated to any such school; and the supporters of such schools shall not be exempted from the payment of any sums for which they may respectively be assessed by the trustees of the section in which they reside."

Hon. PROV. SEC. said that perhaps the better course would be for the hon. member to move his amendment when they came to the clause providing the method for the support of schools.

He found that the number of children in the county of Yarmouth between 5 and 15, census 1861, was 4044; and in the Province at that time, 82,500; say probable number at present, 99,000.

The Provincial grant is \$90,000,
 equal to \$1 each.
 Proposed county assess-
 ment, \$60,000, equal to 0 66 "

\$1 66

A district with 50 children would then be entitled to \$83.

By superintendent's report there are 1419 school sections in the Province, besides Halifax. Add for sections requiring more than one teacher, say 181—giving the number of teachers required, 1600. Deduct from Provincial grant and county assessment for city of Halifax, say \$11,500, leaves \$138,500, or \$83 for each teacher, providing all are supplied.

Dividing the money according to classification, they would average—Class No. 1 would receive \$144; No. 2 \$86; No. 3, \$37.33. Females No. 1, \$86; No. 2, \$37.33; No. 3, about \$43. These may be altered slightly by the qualifications, but in the main they would be found correct. There was no doubt it would require over 1600 teachers to supply all the sections—some requiring 4 or 5.

He thought it would be seen that he had stated the matter fairly, and that he had not made assertions without foundation.

Hon. ATTY. GEN. said that it would be impossible for the trustees to know at the beginning of the year how many children there were in the district between the ages of 5 and 16. He thought the system proposed by the member for Yarmouth impracticable, and that they had better try the mode provided in the bill for a year, at all events, and see how it worked.

Mr. ARCHIBALD said that he made calculations to see how the scheme proposed by the member for Yarmouth would work in the county of Colchester, and he found that the effect would be to concentrate in the towns and populous districts the money that should go to the poorer districts.

Mr. KILLAM again urged the adoption of the system proposed by him. They had tried the other principle and it had not worked well, and he thought they should give this a fair trial.

Dr. HAMILTON disapproved of the mode suggested by Mr. Killam. He thought the teachers should be paid according to their qualifications. At first sight Mr. Killam's scheme seemed plausible, but upon investigation he did not think it was practicable.

Mr. MILLER had given his attention to the arguments made by the member for Yarmouth in favor of his system, but he failed to see their force, and he feared that the effect would be, if his idea was carried out, to diminish the amount that the poorer sections would receive.

Mr. McLELAN thought that the bill would be more acceptable, if it was possible, in the proportioning of the money, to take into consideration the value of the assessed property of the district.

After some further remarks Mr. Killam's amendment was left over until the third reading of the bill.

The next clause taken up was that relating to the "method of support."

Mr. C. J. CAMPBELL, in relation to the establishment of county academies, called attention to a bye law passed by the Council of Public Instruction, which had the effect of excluding certain counties from the benefit of those institutions. If he understood the matter aright, they were intended for the whole country, and not for any particular district.

Hon. PRO SEC. said that he presumed the hon. gentleman had reference to Port Hood and Baddeck. It would be found upon reference to the superintendent's report that he did not consider these places sufficiently populous to warrant the establishment of academies, and he considered the money would be better spent in the support of the common schools, and in that opinion, he believed, the members for the county concurred.

Mr. CHAS. J. CAMPBELL did not wish to find fault with the superintendent, but with the by-laws of the Council of Public Instruction, by which unless a district had a certain amount of population, it was excluded from participating in the advantages of these academies.

Mr. STEWART CAMPBELL said that there was some force in the observations of the member for Victoria. If it had been thought that the operation of these academies was to be limited to the county towns, the clause in the bill would not have been passed. The result of the passage of this clause had been to induce county towns to incur liabilities, in the erection of expensive school-houses, beyond their means, as was the case in 'Guysboro'. He thought it exceedingly unjust that those who lived in the towns had to put their hands in their pockets to pay for the erection of academies, whilst those who lived outside the town, and who participated just as much in the advantages of the institution, paid nothing at all.

Hon. PRO SEC. said it seemed to him that the members for 'Guysboro' and Victoria misunderstood each other, or else he misunderstood them both. The member for Victoria complained that the county towns were not allowed to have these academies, whilst the member for 'Guysboro's' complaint was that they were compelled to incur the expense.

Mr. McLELAN rather doubted the advantages of these county academies. He was inclined to think they would rather interfere with the success of the higher institutions now in existence.

Mr. DONKIN and Mr. S. McDONNELL also expressed their opinions that it would be better to apply the grant for academies to the support of the common schools.

Hon. PRO SEC. said that perhaps the system was open to objection, although his own opinion was, that so far from interfering with existing institutions, these academies acted as feeders to supply them with pupils.

On the 20th clause, providing for the addition in each county of two-thirds of the sum granted by the legislature for the support of schools, being read.

Mr. LOCKE said he would move against the whole bill when it came up for its third reading. He considered it exceedingly unfair to force the

principle of assessment upon the people against their wishes. He was inclined to think that any county that wished to be exempted from so obnoxious a principle should have the right of doing so.

The committee passed two or three clauses, and then rose and reported.

HON. PRO. SEC laid on the table a report concerning Dalhousie College; also, a despatch from the Colonial Office relative to the Reciprocity Treaty, in which enquiry was made as to the time when the business of the Fishery Commission could be brought to a close.

HON. MR. SHANNON, from the committee on private bills, reported up a bill for the appointment of new trustees for the Halifax Grammar school; also, a bill to incorporate the Royal Albert Lodge of Freemasons, North Sydney.

The house then adjourned.

WEDNESDAY, April 5th.

The House met at 3 p. m., and went into committee for the purpose of taking up the Bill for the better encouragement of Education.

Some discussion took place on the 22d clause.

HON. PROV. SEC. said that one of the great difficulties that had been found in working the law arose from the fact that it provided, in case of subscription failing, that assessment should be resorted to. He would leave it in the hands of the people to supplement the amount they would require in any way they themselves might choose. If they wished a sectional assessment, or if by subscription, they should certainly have the privilege of doing so.

MR. MCKAY thought that whatever balance was required, it should be raised by some other mode than assessment; and moved a resolution stating "that the amount required for the support of schools over and above the sum provided by the county shall be raised by subscription," &c.

HON. ATTR. GEN. was disposed to consider most favorably any suggestions that would make the bill as palatable as possible to the people. He mentioned some of the difficulties that arose in the working of the bill of last year, and concluded by giving it as his opinion that the correct principle would be to allow the trustees who have been in office now for some time, and were therefore in a position to know the requirements of the district, to decide upon the amount that would be required, and leave to the people the right of saying whether it should be raised by assessment or subscription.

MR. BLANCHARD said there was no doubt that the great hostility to the bill arose from resorting to assessment, and not leaving the matter to the option of the people. He was of opinion that the same amount of hostility would be exhibited if the present clause was adhered to. Assessment ran all through the bill.

HON. MR. McFARLANE believed when sectional assessment was brought in, disputes were engendered that must destroy any bill. He was anxious to have the measure so arranged as to prevent any undue hostility. He believed that if we put the bill into practical working order, all the schools in his county would be placed in a position to organize. They would do so much more than if we forced upon them the principle of assessment to too large an extent.

MR. S. CAMPBELL again expressed his opposition to assessment in any shape whatever. He

had already expressed his opinions and voted against it, and would continue to do so at every stage. He said the Government knew the bill was obnoxious to the whole country, and would not dare to go to the people with it in their hands.

MR. LOCKE also expressed his hostility to the principle.

MR. MILLER said that he told gentlemen, when he moved his resolution on the second reading, that that was the proper time for them to test the principle of the bill.

MR. ARCHIBALD moved a resolution to the following effect: "Any amount required for the support of schools in any section over and above sums provided by the province and county, shall be raised by subscription—such schools to be free to all the children in the section."

MR. MCKAY said his resolution was substantially the same as that of the hon. gentleman, and he would therefore withdraw it.

HON. FIN. SEC. was inclined to think that after a year's experience, the clause now proposed would not be found to work satisfactorily. The hon. member for Guysboro, he added, should know that there never was any great radical change proposed, which touched the feelings of the people directly, but it engendered feelings of hostility at first. Any government, however, that hesitated for such a reason in taking a step in advance, would be unworthy of the position they occupied. There was not a man, he was convinced, in the present Administration who would not sacrifice his position in a single hour for the sake of giving the people such a measure as would promote the education of the country, and relieve it from the obloquy under which it had so long labored. Perhaps feelings of hostility might be engendered at the moment, but he believed they would pass away, and the people eventually would appreciate the efforts of those who were sincerely desirous of advancing their best interests.

DR. HAMILTON said that there were some cases where it would be necessary to supplement a very handsome amount. Under the clause proposed, however, some individuals owning a large quantity of property, might not subscribe one cent, and yet they would have just as good a right to send their children to the school.

MR. McLELLAN said he was glad the Government had consented to yield this point in deference to what he believed to be the wishes of the country, and amended it in the mode proposed by the hon. member for South Colchester.

The resolution, as agreed upon, then passed.

MR. S. CAMPBELL moved the reconsideration of the assessment principle as contained in the 20th clause. He wished to show that there was a strong feeling in the House against that principle.

The committee then adjourned.

MR. LOWLER introduced a bill to incorporate the Domestic Government Board of the Baptist Association of Nova Scotia; also a bill to incorporate the Foreign Missionary Baptist Convention of New Brunswick and Prince Edward Island.

EVENING SESSION.

The house resumed at 7½ o'clock.

The house resolved itself into committee on bills, and resumed the consideration of the School Bill.

An amendment to the twenty-third clause re-

lating to the erection of school houses was proposed by the hon. Prov. Sec.

Mr. S. CAMPBELL thought that the principle of assessment ought to be settled first before these matters of detail were taken up.

After some slight discussion the clause passed.

Mr. STEWART CAMPBELL moved the reconsideration of the 20th clause for the purpose of striking out the assessment principle.

Hon. Prov. Sec. said that of course it was understood that if the motion prevailed the bill would be defeated. Upon division the motion was lost—18 to 15.

Mr. LEVESCONTE then moved the clause of which he had given notice—providing for the establishment of schools where the majority is dissatisfied with those established by the trustees. (This clause has been published in Tuesday's proceedings.)

Hon. Prov. Sec. said that the effect of this clause would be to destroy the efficiency of the common school system. It would enable a half a dozen disaffected persons, in any district, to have a separate school to themselves, and take away a portion of the public monies from the other schools.

Mr. ARCHIBALD also strongly opposed it.

Mr. LEVESCONTE said that his object was to protect the rights of minorities. He maintained that when a man was taxed for the purpose of education, he had a right to obtain the same benefit from a system, as if he applied the money directly himself. No doubt there were other constituencies composed as his was, of two classes—Protestants and Catholics. Now he would ask whether it was the right principle that the minority, no matter of which class it was composed, should be taxed for the benefit of the majority, without having the privilege of participating in the advantages of that taxation.

He thought that the method of support provided by the clauses he had just read would enable all parties to avail themselves of the privileges which direct taxation was supposed to give,—and although not particularly wedded to the system, it was in his opinion infinitely preferable to that proposed by the government, which was ten times worse than the course which had been pursued in Ireland of sending the tax gatherer round to compel the people to pay for the support of a church they did not approve of.

It was all very well for hon. gentlemen to say that the system was correct, but they must remember that 330,000 of the people of Nova Scotia had to pass upon it, and, if he mistook not, their opinion would be given before long in unmistakable tones. He would ask the leader of the opposition whether it was right that minorities should be compelled to pay so large an amount for school purposes, without receiving any corresponding advantages; and it was for their interests that he felt it his duty to protest against the principle involved in the bill.

Hon. Prov. Sec. said that as his hon. friend had made his appeal to the leader of the opposition, he had relieved him from the duty of replying.

Mr. LEVESCONTE intended it for him as well.

Hon. Prov. Sec. said he was happy to be able to state that since he had been a member of the Council of Public Instruction, not more than four cases of difficulty had presented themselves in the whole province. The principal one was in the

township of Arichat, where the section could not well be divided without doing injustice to a valuable institution which was deserving of the support of all friends of education. There was another case in Mainadieu, not quite so strong as this. But with these few exceptions the operation of the bill had been most successful, even in places where different religious views were held. He was glad, then, that he was not driven to adopt a remedy, for if he was he would be at a loss where to find it, inasmuch as no disease existed. With the exception of the few isolated cases of inconvenience he had mentioned, it would be found that the law had worked well.

Mr. LEVESCONTE said the hon. Provincial Secretary was obliged to admit that the evil existed, although he refused to devise a remedy. He (Mr. L.) did not slide altogether to the position of affairs in Arichat, although he would ill discharge the duty he owed to his constituents if he did not state their grievances; but there were other places in the same position. In that instance it happened that the Protestants were in a minority, but in other places the Catholics were in the same position. He was not seeking to advocate the rights of one class over another; his only object was to protect the interests of the minority, to whatever creed they belonged. He warned the Government that if they passed this law with the obnoxious features to which he had alluded, they would raise such a storm about their ears as would not easily be allayed.

Mr. LOCKE—So mote it be.

Mr. LEVESCONTE had no doubt the hon. gentleman would be delighted to see it, but he had no such wish. He believed that the object of some gentlemen in the House was to place such a law upon the statute book as would lead to the downfall of the Government. That was not his object. The hon. Provincial Secretary had taunted him, the other day, with having opposed the Government. He would tell him that the Government never had a more faithful supporter than himself. It was because he knew that this bill was obnoxious to the people that he sought to insert in it some redeeming feature; and having now done his duty to his constituents and to the country, he would not press his motion, but would let the responsibility rest upon the heads of those who had refused to accept it.

Mr. C. J. CAMPBELL said that he had endeavored in vain to reconcile this bill to his judgment. He endorsed the views of the member for Richmond—that if this system was to be forced upon the people, the rights of the minority should be respected. He thought that if there were free schools at all, they should be sustained out of the public revenues. He would therefore move the following resolution:

“Whereas it is the policy of this country to introduce a system of free schools for the education of the people; and whereas this House believes the principle of direct taxation inconsistent with the principle of free schools:

“Therefore resolved, That the common schools in this province shall hereafter be entirely supported out of the general revenue; and that the bill be sent back to committee to have this principle inserted in it.”

Mr. MILLER having had ample opportunity of expressing his views upon this subject, would not occupy much of the time of the House. He was gratified to observe the improved tone of the de-

bate, and he thought that the Prov. Secretary had approached the subject that evening in a temper that comported more with his position than that which he had exhibited a few evenings before. He did not agree with him, however, that there was no disease—and he thought before long he would find out that he was in the same position as the physician who endeavoured to cure his patient by persuading him that there was nothing the matter with him. The evil existed under the law of last year to a large extent, and was increased under the present. That law, although ostensibly founded upon assessment, left the question optional with the people, and the rights of the minority were to a certain extent preserved, but the very ground-work of the present bill was compulsory taxation upon all. He thought that it would be a wise policy to adopt some such system as that proposed by his hon. colleague, and in advocating it, he did so without any desire to embarrass the Government, and without any wish to treat the subject in a party or sectional spirit. He believed that the system proposed by his colleague not only commended itself to the approval of the religious body to which he (Mr. M.) belonged, but it also met the views of the denomination of which that hon. gentleman was a member. Nothing was further from his desire than to provoke religious animosity upon this question, but he felt that he would not be doing his duty to his constituents if he did not express his views upon this subject.

Hon. ATTY. GEN. said if the motion was pressed he should have to take an opportunity of expressing his views on the question.

Mr. TOBIN said this was not the first time this question of separate schools had come up before the House. Everybody remembered the celebrated occasion some years ago when the Government of the day introduced clauses somewhat similar to those proposed by the member for Richmond. That bill was passed through committee, and subsequently withdrawn by the leader of the Government without any question being taken upon it. A great deal of agitation was got up outside of the House for the purpose of defeating the Government on that question, and he believed that it had that effect. Whenever there was a minority in a district, be it Protestant or Catholic, they would be suspicious of each other, and would insist upon having their rights protected. In the case of the county of Antigonishe something of the kind was done in the bill of last year. A clause was inserted to protect the rights of the minority.

Hon. ATTY. GENL. explained that all that was done was to exclude it from those counties in which academies were established.

Mr. TOBIN said it was well known that the object was to provide for the rights of the minority. It showed that the question will always come up.

After the consideration of one or two other clauses the House adjourned.

THURSDAY, April 6.

House met at 3 P. M.

A bill to amend the law relating to intoxicating liquors, and a bill to incorporate the Union Engine Company, were read a third time.

Mr. ANNAND presented a petition for an additional polling place in Eastern Halifax; also a bill in accordance therewith; also a petition from Lunenburg against the School Bill.

Mr. MILLER introduced a bill to regulate the payment of moneys expended upon public works. The hon. gentleman explained that the object of the bill was to provide for the payment of those engaged in the construction of public works in cash.

The bill was read a first time.

MINES AND MINERALS.

Hon. Mr. McFARLANE, from the Committee on Mines and Minerals, reported. Amongst other things, the committee reported in favor of certain moneys being paid the Micmac Gold Mining Company, and against a claim made by Messrs. Fenton and Howe in relation to a right of search; but in reference to these two petitions they recommended that the Government should exercise a stricter supervision over the affairs of the gold commissioner's department.

Mr. ARCHIBALD, upon the reading of the report, referred to the case of Messrs. Fenton and Howe, and stated the facts as follows: The petitioners (who are foreigners) stated that they applied for and obtained a license to search for coal in the neighborhood of Port Hood. This right of search extended over an area of five square miles, and lasted for twelve months, during which time they had a right to select an area of one square mile to work upon; they made this selection, but were informed at the gold commissioner's office that the fact of having selected an area of one mile would not forfeit their right of making any other selection over the five miles during the year for which their license was granted. In the meantime an application was made by one of the members for Inverness (Mr. S. McDonnell) for a license upon the same area, which was granted. The petitioners complain of this, and stated that they were misled by an officer of the Government, who told them that they had the exclusive right for the twelve months. The House would perceive that these strangers, who were not supposed to be cognizant of the law relating to mining leases, relied upon the information they received from an officer of the Government, and having been deceived by him, the least the Government should have done would have been to have put them in the same position they would have been in, had they not been misinformed, and allowed them to make any other selection from the area they wished. He felt that even in an ordinary case of a stranger coming into the country, and being misled by a Government official, he course pursued would have been by no means creditable to the province; but when, as in this case, the gentleman who afterwards came in and obtained the lease was a member of the House and a supporter of the Government, the case became much worse, and did not reflect much credit upon those concerned.

Hon. ATTY. GEN. said that the law upon the subject was plain enough. A party had a right to obtain a license to search, lasting for twelve months, and extending over an area of five miles, from which he could select one square mile for working operations. The moment he made this selection he forfeited all right to the remainder of the area. These persons may have been misled by information obtained from a clerk in an office, but the Government were not to blame for that. There was the law, plain and unmistakable, and no person had any right to plead ignorance of it. He did not see that because these applicants were foreigners, they should be put in a better position

than our own people. It was the duty of the Government to regard all as strangers, and to favor none. These petitioners had obtained all the rights that the law gave them; they had got their lease of a square mile selected by themselves, and they had no right to complain if others came in after them, and obtained a lease of the remainder of the area. He was sorry that the case had arisen as between a foreigner and a resident of the county, but the decision of the Government, under the law, would have been the same if all parties had been natives of the province.

Mr. ARCHIBALD read the clause of the law relating to licenses of search, and said that he did not think it was as clear as the Attorney General seemed to assume. The practice pursued in the crown land office, until this case came up, was to allow parties holding a license to make any number of selections during the year. (The hon. gentleman read from the report of the Crown Land Commissioner to support this view.) Therefore, it would be seen that the Attorney General was wrong in stating that the law was so plain that anybody could understand it. Here was the evidence of their own officer to show that the practice pursued was in accordance with the information given to the petitioners by the clerk in the commissioner's office; and surely it was the duty of the Government to have put these applicants in the same position they would have been in if they had not been misinformed, and to have allowed them to abandon the area they had chosen, and to select any other they might wish out of the five miles. He could not help thinking that the grossest injustice had been done to them, and that the course pursued by the Government was anything but calculated to raise the credit of the country abroad.

Hon. PRO. SEC. could quite understand the object of the leader of the opposition in seeking to make this a government matter. He was quite willing that the government should be held responsible for the course they had taken, because he felt that they occupied a much better position than that which was assumed by the hon. gentleman himself in making the charge. He would ask the House to consider for a moment what was the gross injustice that had been perpetrated. It was simply this, that a foreigner had been placed in the same position as one of our own countrymen. The law of the land was so plain, that any one who could read could not fail to appreciate it. It stated in explicit terms, that any body making the required deposit could obtain the right to search over an extent of five square miles, for a period of twelve months, and to select during that time a working area of one mile. The law gave him no more right than that; and the moment he made his selection, which he might do the day after obtaining his license, he relinquished all right over the remaining portion of the area. This had been the practice, and this was the law, and he was astonished that any member of the House, much more than a lawyer occupying the position of the hon. member for Colchester did, should make this a ground for an onslaught upon the government of the day. The law provided that in certain cases, where the interests, not of the individual, but of the public would be advanced, by granting a larger area than one square mile, the government have the discretion, upon proper application being made, to cause a larger area to be laid

off. But that was not the case; no such application had ever been made to the government, and consequently this was just an ordinary case of every day occurrence.

He defied the hon. member to point out a single instance in which favor had been shown by the government in the management of the public domain, to gentlemen on one side of the House more than the other. He should be ashamed of himself if such had been the case; and he thought that he could confidently call upon gentlemen opposite to substantiate the assertion that they had always received the same consideration at his hands in these matters as his own supporters had. He had never been more astonished than when he found that any doubt existed in this department as to the construction of the law; and he did not think any person would be found to maintain the monstrous proposition, that after a party had made his selection of one square mile, he would be allowed to lock up the remainder of the five miles for a whole twelvemonth, and thus put a stop to the development of the resources of the country for that time. This, then, was a grave charge brought against the government. He thought he had clearly shown that so far from the rights of these parties having been violated, they had received precisely the same consideration as if they had been natives of the province, and that they had obtained just these privileges which they were entitled to under the law of the land. The hon. gentleman concluded by saying that he had strong reasons for believing that the confidence of the government in this matter had been abused by a person whom they had retained in office, notwithstanding his known hostility to the party in power.

Mr. ARCHIBALD said that there were some fortunate individuals in the world, who did not appear to require any particular training, but who were heaven-born, as it were, to any position they might desire. The hon. Provincial Secretary had undertaken to deliver a lecture to him upon his ignorance of the law of the land; while at the same time he administered a rap over the knuckles to two of his subordinate officers—the Commissioner of Crown Lands and the Chief Gold Commissioner. He could quite understand how the Provincial Secretary should snub his own law officers. How he could tell Mr. Fairbanks—a gentleman who had grown gray in the public service—that without ever having opened Blackstone he knew more law than that officer had acquired in fifty years; but he must remind him that that hon. gentleman read the law as he did. Then, again, it would be supposed that the Chief Gold Commissioner, also a lawyer, would know something of law; and yet he read the law differently from the hon. Provincial Secretary.

The hon. gentleman here read an extract from a license to search, shewing that exclusive right was given for twelve months.

He denied that he had obtained information from any member of the government. He had held no communication either with the principal or subordinate of any public office on the subject, and he had no interest in the matter further than to see that the affairs of the public departments were properly administered.

Mr. CHARLES J. CAMPBELL was amused at the indignation assumed by the leader of the opposition. One would be led to think that he was always doing what was right and just himself.

He had some knowledge of this subject of the mines and minerals, and he had investigated this particular case; and he had arrived at the conclusion that the government had acted perfectly right in the matter. He could not see what ground of complaint the petitioners had. They had been dealt with according to the practice and the law of the land.

Mr. MILLER said that as a member of the committee he felt bound to sustain the action of the Government; but he felt it his duty, at the same time, to state that he could not approve of the course pursued by the department, which was open to a great deal of blame, not only in this case but in several others. The hon. gentleman then commented upon the facts of this case, and said it was very evident that collusion had taken place between the department and one of these petitioners, as it was proved to the committee that a transfer of the license had been made from Howe to Fenton, and that transfer had been allowed to be taken out of the office, and had not since been found. This fact had only been discovered accidentally, as there was no evidence of it in the office. But not only was the conduct of the officer in charge of that department so reprehensible, in this particular case, as to oblige the committee in their report to call attention to the necessity for a stricter supervision of the manner in which the duties of his office were discharged, but there was another case in which his conduct was still more culpable, and in which he had acted with an utter disregard of law. He alluded to the case of the Micmac Gold Mining Company. It might be supposed that from the number of cases that had arisen in reference to gold mining leases since the passage of the act in 1860, that the law upon the subject would be pretty well understood; but it appeared from the action of the Chief Gold Commissioner in this case that it was not. Whatever doubts may have existed, under the law of 1862, as to the mode of forfeiting leases, they were entirely removed by the act of 1863, which declared that where leases were liable to forfeiture in consequence of the conditions not having been fulfilled, they should not be declared forfeited, or a new lease granted, until notice had been given and proper judicial proceedings had. This certainly seemed so plain that any schoolboy could understand it; and yet in the face of this, the Gold Commissioner undertook to forfeit the lease, and to re-let the claim, without the proper notice having been given, and without any of the forms prescribed by the act having been observed; and the consequence was, that the committee were obliged to recommend the payment of \$140 to the company to recompense them for the illegal acts of the Gold Commissioner. Under these circumstances, the committee felt called upon to record their opinion that a stricter supervision was necessary in the affairs of this department.

The report was adopted.

DALHOUSIE COLLEGE.

Hon. PROV. SEC. moved that the report of the committee on education be adopted.

In reference to that portion of the report which recommends that \$400 a year, additional, be granted to the different denominational colleges, as a settlement of the Dalhousie College question,

Mr. BLANCHARD enquired whether this was intended to put an end to this vexed question.

Hon. PROV. SEC. said that it was so expressly stated in the report. The committee had listened

to the gentlemen representing the different denominations concerned, who had suggested various modes of settlement, and they had adopted this, which he believed met with the approval of those who considered themselves aggrieved by the present position of Dalhousie.

Mr. BLANCHARD said that from the way in which this grant was recommended, the inference might be drawn that Dalhousie College was exclusively Presbyterian in its character. This he denied; and he could not agree to this grant being given, to counterbalance, as it were, the denominational claims of Dalhousie.

Hon. PROV. SEC. said that the committee had a two-fold object in view—to increase the efficiency of the higher institutions of learning in the Province, and to settle this vexed question which had so long agitated the public mind.

Mr. LOCKE said that it ought to be distinctly understood that Dalhousie College was not denominational in its character, but was open to all. It was most time this question was settled, and he should be glad if this would have that effect.

Mr. BROWN stated that as one of the committee he dissented from that part of the report which recommended the additional grant.

Mr. ARCHIBALD said that whatever might be the opinion as to the constitution of Dalhousie, the fact could not be denied that the Presbyterian bodies received at present more immediate advantage from it, and as the other denominational colleges looked upon this as a grievance, whether rightfully or not, he should be glad if this was received as a settlement of all differences that had existed on the subject.

Mr. CHARLES J. CAMPBELL did not see that there was any necessity for a compromise at all. If Dalhousie College had been enjoying a grant that it had no right to receive under the law, then it should be compelled to refund it. He did not approve of this additional grant, upon the assumption that Dalhousie had been receiving what she was not entitled to.

Hon. FIN. SEC. said that the fact could not be winked out of sight, that although under the charter Dalhousie was to be open to all, the other denominations, having institutions of their own, would not take advantage of it. He had always desired that this institution should be a provincial institution, and he should be happy if the settlement of existing difficulties would lead to that result.

Hon. Mr. SHANNON said it was exceedingly desirable that some such settlement as that proposed in the report should be made, of this question which had for so long a time agitated the public mind. Independent of this altogether, he thought that it was right that the provincial grant to the higher institutions of learning should be increased. At the time the grants now enjoyed by them were made, the revenue was small, and the sum voted for the common schools of the country bore no comparison to the present grant. It was but right, therefore, in view of the increased expenditure for educational purposes, that these institutions should receive additional aid.

Mr. DONKIN, although he acknowledged the importance of increasing the efficiency of these institutions, would have much preferred not to have given this extra grant at all, rather than it should be given by way of compromise.

Mr. DONALD FRASER said that if they had any guarantee that this grant was going to settle the question, he might be induced to vote for it; but he could not see that the committee had any grounds to assume that such would be the result.

Hon. ATTY. GEN. wished it to be distinctly understood that if he voted for this increased grant recommended by the committee, he did so entirely apart from any consideration in reference to Dalhousie College. A mistaken idea existed amongst a certain class with regard to that institution. It was supposed by some that it was exclusively for the benefit of the Presbyterians, whereas that body was almost the only one that did not receive any public aid for their theological institutions. Whilst the other colleges which received the public grant had their chairs of theology for the training of candidates for the ministry, Dalhousie had none; and he believed that many persons who had signed the petitions against that institution had done so under an erroneous impression. As he had before stated, he should vote for the increased grant because he believed it would be money well expended, and he did so entirely irrespective of anything connected with Dalhousie.

The House adjourned until half-past 7 o'clock the same evening.

EVENING SESSION.

Mr. HILL introduced a bill to provide for improving certain roads and bridges in the county of Hants.

Mr. LONGLEY introduced a bill to incorporate the Nova Scotia Baptist Home Missionary Society.

Hon. Prov. Sec. moved the adoption of the report of the committee on education, and in doing so said that he was surprised at the reception it had met with. He could only say that it was before the House as embracing the views of all the gentlemen on the committee. The loan of £5000 to Dalhousie College was undoubtedly a legal claim, but in the present financial condition of the country it would be most unwise to withdraw that sum, and he thought it could not be done but with a desire to cripple a useful institution. He thought that the activity and enterprise of the various denominations on the subject of education deserved additional consideration, and that the appropriation recommended by the committee should be made. If the friends of Dalhousie were inclined to oppose this, he was not prepared to join them; and if the friends of denominational colleges rejected the report and declined to accept the large additional grant, from their opposition to Dalhousie—from a desire to leave this vexed question still open—he had, of course, not a word to say; but he did not think it advisable for them to reject a proposition which increased the grant to each to £350 a year.

Mr. BLANCHARD explained that in making the remarks he had at the beginning of the debate, his only wish had been to prevent a wrong inference being drawn from the report.

Mr. ARCHBOLD advocated the adoption of the report, as being likely to give a satisfactory solution to the difficulty which had existed.

Mr. LEVESON said that he would withdraw his opposition if the Government would pledge themselves to bring in an act making the additional grant permanent; but he was not willing to yield the rights of the denominational colleges for \$400 for the present year.

Hon. Prov. Sec. said that the grant would be permanent; the moment it was withdrawn the condition of the settlement would fall

Mr. MILLER said that he had voted in favor of sustaining Dalhousie College because he considered that the Legislature would have been guilty of a breach of faith in taking any other course. He was of the same opinion still. He thought the additional grant had been recommended by the committee, from a feeling that denominational colleges were deserving of additional aid. He would warn the friends of Dalhousie against opposing the grant, as such a course would raise a storm against the institution that could not be easily met.

Mr. MCKAY said that instead of giving £100 to each of the denominational institutions of this Province, amounting to £500, as proposed in the report of the committee, he was in favor that the same sum be appropriated for the purpose of establishing two additional chairs in Dalhousie College, to be placed at the disposal of any denomination, which will endow two chairs on the same terms and conditions as those existing at present.

Dr. HAMILTON said that Dalhousie College was a Presbyterian College to all intents and purposes, and would continue to be so regarded by the bulk of the population in the Province. He was quite willing that the Presbyterians should have an efficient institution, but not at the expense of other institutions. He wished the matter to be dealt with in a way that would prevent the question again rising and giving trouble. Suppose the revenue was not in a satisfactory state, would not the Province, in all probability, withdraw the grant. Such a course would necessarily interfere seriously with the institutions.

Mr. S. CAMPBELL stated that the compromise which the committee suggested had been made with the express assent of the agents of the denominations which had petitioned. He therefore felt that the opposition to the report was unwise.

Mr. McDONNELL was of opinion that the proposed additional grant should be considered permanent. He said he would be sorry to see an institution so likely to advance the educational interests of the country as Dalhousie obstructed, but he wished the rights of other denominations preserved.

Mr. PAVOR thought the report was entitled to the favorable consideration of the House. When the Province was in a position to give a large grant for the common schools, it would be very unwise to neglect making provision for the superior schools in which teachers were being trained. As a Churchman he would be sorry to see Dalhousie interfered with, and he was glad to see that the old denominational institutions, which had borne the burthen and heat of the day, were to be provided for.

Mr. LONGLEY was not surprised at the report of the committee, as he had had the perusal of it before its presentation. He would have felt disposed to allow it to pass had it not been for circumstances which had arisen. Two of the denominations having agreed to the compromise, some who had in the House taken a prominent part in the discussion last winter might feel themselves relieved from further responsibility, but his sense of justice would not allow him to silently assent to a report which would give up £500 to one institution in consideration of \$400 to the others. He would have been rejoiced to see Dalhousie made a Provincial institution, but unless he much mistook the feeling in the western part

of the country, there was no hope of that. Dalhousie, he said, was at present possessed of an endowment of £20,000, receiving from various securities \$3,982, and from the Province \$1,000 per annum, that being the interest on such an endowment,—and yet the other denominational colleges were asked to accept £100 in settlement of the question.

Mr. TOBIN said that he had been a member of the committee to whom the question had been referred. If the gentlemen who opposed the report were of opinion that a better arrangement might be made, let them explain it to the House. Last year the ground taken was that the denominational colleges were not on fair terms with Dalhousie, but that difficulty would be to a great extent settled, and he supported the report for the sake of settling the question which had been so deeply agitated for a long time. The committee were able to see no solution of the difficulty but the one suggested, and it had been recommended from a recognition of the right of other denominations in view of the superior position of the Presbyterian body.

Hon. FIN. SECY. expressed his regret that the hon. member for Annapolis had felt it necessary to review the report as he had. He did not wish the Presbyterian body to be considered as an applicant for a compromise; he, however, felt inclined to vote for the report, although it proposed to appropriate the interest of £10,000 to settle difficulties which appeared to be inclined to increase, but it was a serious question for the House to consider whether it was wise to vote so large a sum when it was stated that the compromise would not be satisfactory. He went into calculations to shew that Dalhousie, even if it were a Presbyterian institution, was not in so advantageous a position in comparison with the other colleges as had been represented. He added that he would never say a word against the denominational institutions, but he thought the sooner the people of this country were educated up to the necessity of having one sound Provincial University, the better it would be for their educational interests.

Mr. S. McDONNELL suggested that it was not improbable that the Legislature might next year, without touching the present report, increase the revenue of Dalhousie College by \$400. In view of that he would suggest that the grants to the other colleges be settled to bear the proportion which they would bear on the adoption of the report.

Mr. LONGLEY said that it would be more judicious for those who got the lion's share to discuss the question temperately. He again reiterated his statement that Dalhousie College was in the position at this moment of receiving an annual income from the province of £920 10s., or an endowment of £20,000. That institution had now been in operation for two years, and no indication was given of any body outside of the Presbyterians being desirous of co-operating with it. He was of opinion that those who were connected with denominational colleges for the sake of obtaining a temporary advantage had made a great sacrifice. No one could doubt that the dissatisfaction that existed in reference to this question had not been confined to one or two denominations, but was felt by the Episcopalians and Roman Catholics, although, for some

reason or other, they had not expressed their feelings as plainly.

Hon. ATTY. GEN. took issue with the hon. member for Annapolis, in respect to some observations he had made. He contended that none of the denominational colleges had any right to the money loaned by the province, if it were called in to-morrow. It was a debt owed to Nova Scotia, and therefore the whole of the hon. gentleman's argument fell to the ground. He looked upon the grant to the denominational colleges as apart from the question of Dalhousie College altogether; it was simply so much money given to promote the cause of education in this country. The legislature had control over the debt, but not over the revenue and income of Dalhousie; it would be a breach of faith to devote the money intended for such an institution to any other purpose. It could not be denied that the two bodies of Presbyterians would, if separate, be entitled to a grant of \$1000 each, while they at present received only \$1000. As to the money loaned by the province, if it were returned to-morrow it might be devoted to any purpose the legislature might direct, the denominational colleges had no claim over it.

On a division the report of the committee was adopted by a vote of 7 to 27.

For—Kaulback, Blanchard, Locke, Whitman, Parker, Ray, Pryor, Allison, Financial Secretary, J. Campbell, Tobin, Blackwood, Stewart Campbell, Archibald, LeVesconte, McKay, McLelan, D. Fraser, Hefernan, Hatfield, Miller, McDonnell, Attorney General, Provincial Secretary, J. Fraser, Bourinot, Robertson, McFarlane, McKinnon, Caldwell, Smyth.

Against—C. J. Campbell, Dorkin, More, E. L. Brown, Cowie, Killam, Hamilton.

The house then adjourned.

FRIDAY, April 7.

The House met at 3 o'clock

EXPENDITURE OF ROAD MONEYS.

Mr. LEVESCONTE from the committee appointed to enquire into the complaint of inhabitants of Victoria respecting road moneys in that county reported:

No evidence of any fraud or improper conduct on the part of Mr. Campbell has been given to the committee. Yet the committee feel it to be their duty to remark that as a general principle, no member of the Assembly should interfere with the payment of road moneys either in making advances from his store or otherwise.

The committee also report that the return of expenditure of \$987 on Cape North bridge, proves a state of facts most discreditable to at least one of the commissioners, as well as to the Magistrate subscribing, Mr. Ingraham Carey. It has been proved to the satisfaction of the committee that one of the commissioners, Rodk. McKenzie, did not sign the affidavit or order at all, and that the oath was not administered to him, or the money drawn by his order. The commissioner lied at Cape North, while the return and affidavit seem to have been made at Kelly's Cove, nearly one hundred miles from Cape North, and the names of Roderick McKenzie and Alexander McDonald are evidently in the same handwriting. The return discloses also the following facts— that out of a total cost of \$987, the sum of \$361

is charged for the commissioners and engineers

viz:		
Roderick McKenzie,	20 days, at 90c.	\$18
Alex. McDonald,	83 days, at 80c.	74.80
Alex. McDonald,	5 days, at 80c.	4

Commission,	108	47
John D. McKenzie,	55 days, at \$3.	105
John D. McKenzie,	59 days, at 90c.	53.10
		<hr/> \$361.80

The committee beg respectfully to call the attention of the government to these facts, and to suggest that the Magistrate and Commissioners be called upon to explain. All of which is respectfully submitted.

Mr. BLANCHARD stated that the sum of \$120 had been paid to a supervisor of highways for the county of Victoria, who had been appointed by the government, instead of being appointed by the Sessions, and that the payment was made without due evidence of the services having been performed.

Mr. ROSS said—I don't rise with the intention of finding fault with the report submitted—the fact of some statements made in that report concerning the conduct of certain persons goes far to prove that there was cause and reason for complaint in my county. One singular fact in connection with return from Cape North, I don't wish to pass unnoticed. I produced before the committee positive proof that Mr. McKenzie, one of the Commissioners for Cape North, was in the habit of making out returns for other parties, and in the case in which he is Commissioner he is not able to make a return for himself. In fact his handwriting does not appear on the return. One or two insinuations made by my colleague, the other day, I may now notice. Anything said about myself I can afford to pass over unnoticed, but next to a person's own character that of his friend's is dearest to him. It was stated that all the money paid into the Crown Land Office was swallowed up by my brother, who was surveyor in our county. This is not the case—there is a balance of over \$1200 in favor of Victoria since 1859, and I am prepared to prove that the accounts sent in by my brother were as moderate and just as those sent in by any surveyor in the whole Province. It was also said he was in the habit of charging commissions in expending the road moneys; the returns for 1860, 1861 and 1862 are in the office below, and there it will be found that my brother was paid one specific sum, but not one penny for commissions for expending the road moneys of the county. In 1863 he was compelled to charge commissions, because my colleague refused to pay him on the terms on which he was employed in former years. I would not say this much only that it is due to one who is not now in the province to prevent false impressions about his character being entertained. The investigation of the whole subject will do good, and may prevent such cause of complaint in future.

Mr. PRYOR reported from the committee on city bills, two bills, one to revert the title to certain lands in the city of Halifax, the other to vest the title to certain lands in the Board of Works and the Commissioners of the Poor; the latter the committee recommended to be deferred for three months. Passed.

The bill to include the county of Queen's in the provisions of the Statute Labor Law was, on the 3rd reading, on motion of Mr. Cowie, deferred for three months.

THE SCHOOL BILL.

The bill for the better encouragement of education was then taken up in committee, and on the 42nd clause, relative to the salaries of teachers, Mr. Archibald, Mr. Locke and Mr. Blanchard, took exception to the distinction made between the salaries of male and female teachers. Mr. McDonnell, hon. Pro. Sec., and Mr. Shannon replied. The clause passed without amendment.

The 44th clause was so amended as to exempt the clergy entirely from taxation for school support.

Some slight discussion took place on the clauses relative to the city of Halifax. Mr. Blanchard asked why it was that the trustees in the city were appointed by the commissioners, instead of elected by the people as in other parts of the province.

Hon. PRO. SEC. replied that it was thought that such a course would be attended with less inconvenience than any other. He understood that the present board of commissioners enjoyed the confidence of the citizens, and it would be seen that in so populous a locality the difficulty of electing trustees would be necessarily greater than in other parts of the province.

Mr. BLANCHARD said he could not see any difficulty in school trustees being elected at the annual election of other civic officers. He also enquired why the number of trustees had been made 12 instead of 6. He said he observed further that power was given to the trustees to combine with the trustees of schools now in existence, and to manage such schools jointly,—the effect of this would be, he said, that such schools as St. Luke's in one ward, and St. Mary's in the next, would be maintained as denominational schools. If the government wished to give denominational schools to Halifax let it be so expressed. He also took exception to the provision that the erection of school houses be made a charge upon the whole city, he said that this might cost as large a sum as £10,000.

Hon. Mr. SHANNON said that the introduction of the law to the city was an experiment, and a delicate one, and he thought it would be well to commence in the way mentioned in the bill. He did not see any reason why the present buildings could not be made use of, and he thought the pressure of public opinion would be too strong to allow such an expenditure for school houses as had been mentioned.

Mr. BLANCHARD replied that public opinion was already found ineffectual to prevent a large increase of civic taxation. He repeated his opinion that the tendency of the bill was to make the schools denominational.

Hon. ATTY. GEN. said that Mr. Blanchard seemed to fear an increase of taxation from the trustees being appointed by the commissioners, while he at the same time complained of the large increase under those officers who were at present elected by the people. He expressed the belief that the arrangement would be found to work harmoniously.

Mr. BLANCHARD said that while complaining of the present civic taxation, he had reason to fear that the citizens would be doubly burthened by irresponsible trustees who might themselves be exempt. There might, he said,

be a denomination in the city too small to maintain a school of their own, and they would be obliged to pay for the religious instruction of other denominations. Any one could see that the present school buildings were not suited for the graded schools contemplated by the bill.

The clauses were then passed and the bill was passed.

The house adjourned until the next day at 11 o'clock.

SATURDAY, April 8.

The house met at 11 o'clock, and resolved itself into committee on bills. A number of private bills were passed through committee; after which the committee adjourned.

Mr. ANNAND presented petitions from Shad Bay, Lunenburg, and Guysborough, against Confederation.

Mr. CHARLES J. CAMPBELL presented a petition from Little Narrows, county of Victoria. The hon. gentleman explained that petitioners prayed for the repeal of an act passed in 1862, which they complain has deprived them of certain glebe lands and other church property.

Hon. PROV. SEC., by command, laid on the table, the report of Henry Perley, Esq., civil engineer, upon the proposed bridge across the Margaree River.

Mr. LEVESCONTE from the committee on trade and manufactures, reported verbally against the claim of H. G. Hill for a drawback of duties.

Mr. ROSS presented a petition from ninety-five inhabitants of St. Ann's, against the proposed road from Kelly's Cove to Englishtown. The petitioners thought that it would be an injustice to other parts of the county to expend the money upon that road, and he (Mr. R.) could point out twenty other places where the money could be put to a much better purpose.

Mr. C. J. CAMPBELL said that the petition for this road was very numerously signed.

Mr. MILLER enquired whether any steps had been taken to carry out that portion of the report of the committee on Education, which recommended that the claim of the late clerk of the school Commissioners for the county of Richmond should be reconsidered by that Board. He would remind the hon. Provincial Secretary that the next meeting took place in May.

Hon. PROV. SEC'y said that the Council of public instruction intended to bring the matter to the notice of the Commissioners before their next meeting.

Mr. STEWART CAMPBELL said that a petition had been sent to him, which he begged leave to present, from William Craig—who had been connected with the post office in this province longer than any other official in the British Empire—praying that the pension now allowed to him should be paid in currency instead of sterling. The hon. gentleman strongly urged the claims of petitioner for his past services, and stated that so strong was the force of habit, that even now, although receiving no pay for it, petitioner was in the habit of attending the office and assisting in the discharge of its duties.

Mr. MILLER also advocated the right of petitioner to receive additional remuneration.

Hon. PROV. SEC'y, by command laid on the

table the report of the Chief Engineer of Railways upon the progress of the Pictou extension—and in reply to a question of Mr. Annand stated that the report of that officer upon the Intercolonial survey was in the hands of the printer, and would soon be laid before the House.

The House adjourned until Monday at three o'clock.

MONDAY, April 10.

House met at 3 o'clock.

Mr. LEVESCONTE enquired what decision the government had arrived at as regards petitions for aid towards the improvement of Grand River and Barrasois Harbor.

Hon. FIN. SEC. replied that the government had not sufficient information in their possession to justify them in taking any action. During the ensuing season they would have a survey made of the work, and then they would be prepared to take the matter into their consideration.

Mr. MILLER enquired whether the government intended to do anything in reference to the petition for the improvement of the harbor of Arichat. The harbor was resorted to by a large number of vessels, but in consequence of the beach having given way it would soon become useless unless something was done to improve it.

Mr. LEVESCONTE corroborated the remarks of his colleague. Unless something was done pretty soon the harbor would be destroyed.

Hon. FIN. SEC. said that although the government were desirous to give aid to such works as these, they did not see their way clear to make any provision this session for this work. During the year it was probable that the engineer would be instructed to make a survey of the locality, and the government might next year be in a position to deal with it.

Mr. LOCKE introduced a bill to naturalize Seth C. Howes and Whitman B. Long.

The following bills were read a third time.

A bill to amend the county assessment law, to incorporate the Royal Lodge of Freemasons, to amend the law relating to Agriculture—for the appointment of new Trustees for the Halifax Grammar School, and an act sent down from the Legislative Council to remove doubts concerning the solemnization of certain marriages.

Some discussion took place upon a clause of this latter act exempting causes now pending in the court of marriage and divorce from its operation.

The hon. PROV. SEC. doubted the propriety of the clause.

Mr. BLANCHARD and the hon. Attorney explained the necessity for the exempting clause, greater strictness was required as regards the proof of marriages in criminal cases than in civil. The effect of leaving out this clause might be to make parties guilty of a crime, which they were not now legally amenable for.

Mr. BLANCHARD introduced a bill to amend the new revised statutes. He explained that some errors had crept in, not so much from the fault of the revisors, as from hasty legislation, the effect of one law upon another, not having been properly considered. The hon. gentlemen explained the amendments in detail.

The house resolved itself into committee on bills and passed the following: To amend the

act of incorporation of St. Matthew's Church; to provide for the salary of the governor's private secretary; to change the name of Ratchford river; to incorporate the Baptist Foreign Missionary Board; to amend the law relating to juries; to incorporate the oak point pier company; relating to certain road monies in the county of Hants; further to amend the license law.

After some slight discussion Mr. MacDonnell agreed to strike out the third clause of the latter act.

Then the committee adjourned.

Mr. PRYOR, chairman of the militia committee, reported.

The report amongst other things recommends that effective volunteer companies which shall return 60 effectives at the end of the year, shall receive \$4 a year per man, and that Sergeant Major Brecken's pay should be increased to \$600 a year.

The report was laid on the table for future consideration.

Then the house adjourned until half-past 7 o'clock the same evening.

UNION OF THE COLONIES.

Speech of the Hon. Prov. Secretary

Dr. TUPPER then rose and addressed the house as follows; Mr Speaker I beg leave to move the following resolution:—

"Whereas under existing circumstances an immediate Union of the British American Colonies has become impracticable, and whereas a legislative Union of the Maritime Provinces is desirable whether the larger Union be accomplished or not:

"Therefore Resolved, That in the opinion of this House the negotiations for the Union of Nova Scotia, New Brunswick, and P. E. Island should be renewed in accordance with the resolution passed at the last Session of the Legislature."

EXPLANATORY.

In moving the resolution it will be respectful to this house and to the people of this province, that I should explain the proceedings which were taken upon the resolution which was passed at the last session of this Legislature, and the various circumstances connected with the events that occurred in the consideration of that resolution. This house passed a resolution authorizing the appointment of five delegates to confer with others to be appointed by the provinces of New Brunswick and P. E. Island, for the purpose of devising a scheme of Union for these three Maritime provinces. The government in the discharge of the duty devolving upon them by that resolution, appointed five delegates who attended a conference which was arranged at Charlottetown between the different provinces for the purpose of dealing with that question. Previous, however, to that conference being assembled the Governor General applied to the Lieutenant Governors of the three Maritime provinces for permission for a deputation of the members of the Canadian government to attend the proposed Conference for the purpose of explaining to them the views and opinions of the government of Canada, and the attitude which that Province held at that time in connection with the ques-

tion of Colonial Union. I presume that there is no member in this House who would be disposed to question the entire propriety of these gentlemen being received at that Conference of the Maritime Provinces. I presume that when called upon to engage in the consideration of a question so great as a change in the constitution of our country, that no intelligent man can be found within or without those walls who would not consider that a Conference of these Maritime Provinces would have been wanting in their duty to the country, if they hesitated for a single moment on such an occasion to avail themselves of every source of information in their power touching the question of Colonial Union in British America. When I had the honor of moving the resolution which received the unanimous concurrence of this House at its last session, I did not disguise for a single moment that whilst I looked upon a Union of the Maritime Provinces as desirable, that the government introduced that scheme to the Legislature in the absence of any grounds of hope that the larger and more important Union of British North America was at that time practicable or could be effected. I did not conceal from the house for a single instant the opinions which I conscientiously entertained, that the interests of British America would be largely promoted by a union of Canada with the Maritime Provinces; but I drew the attention of gentlemen on that occasion to the grounds I had for believing that at that time such a union was impracticable. I drew the attention of the house to the difficulties that existed, as I believed, on the part of both Upper and Lower Canada in relation to a union with the Maritime Provinces. I also referred to some of the objections which existed on the part of the Maritime Provinces in relation to a union with Canada, and proposed the resolution already referred to. Whilst advocating, as zealously as I was able, the advantages that would accrue from the larger union I proposed that of the Maritime Provinces as the only step that was available to us at that time and a step which, so far from conflicting in the slightest degree with a Union of all British North America, was actually one in that very direction. It will be also recollected that gentlemen on both sides of this house, whilst giving their concurrence and support to the resolution, did not hesitate to express the preference which they had for a union of all British North America, and even went at length into arguments to show that the advantages which were likely to come from a union of the Maritime provinces were comparatively insignificant with those which would result from the larger scheme. In these sentiments I entirely and heartily concurred, as will be in the recollection of gentlemen who refer to the speech which I made on that occasion.

THE QUEBEC CONFERENCE.

When the conference which, as I have already stated, met at Charlottetown, they received a deputation of members of the Canadian government for the purpose of giving them an opportunity of placing before us the views

and opinions of the government of Canada in relation to this subject. Several meetings took place at which these gentlemen at length explained the position of Canada, and the attitude which she then held on the question of Colonial Union. I need scarcely remind the House that the only two objections which existed on the part of the Maritime Provinces—the only two points in which I intimated that any hostility might be found in the Maritime Provinces to the union with Canada, were the large debt which Canada had and the financial condition of that country—that whilst her debt was very much larger than that of the Maritime Provinces, and the government had been obliged to meet the Parliament annually with a large deficit, we were able to exhibit a large surplus revenue. When we ascertained that a government had been formed in Canada with the avowed and ostensible object of effecting a union of the Maritime Provinces with that country—that both of the great parties which existed in that Province had united upon a common platform with a view of uniting all British America—that the debt of Canada and that of the Maritime Provinces could be arranged in such a manner as to enable all to enter the Confederation upon terms of perfect equality, and that Canada was prepared to offer to the Maritime Provinces that for every dollar of less debt than any one of them had relatively to Canada according to population they were prepared to pay to such province interest annually—when we found in addition to that that the financial condition of the country had so improved that instead of closing the financial year with a deficit she was able to show a surplus—when we saw that the prominent objections—those which had been raised here as the only objections that lay in the way of a Union of the Maritime Provinces with Canada—had been removed—we felt we might then fairly arrive at the conclusion that we would be consulting not only the interests but the wishes of the respective Legislatures and people we represented, if we entered upon the larger and more important question of a Union of all British North America. That action has been so strongly challenged upon the part of the Press and of a number of public men in these various provinces, that I think it right I should detain the house for a few moments whilst I offer to them some of the reasons which the government of this province had for believing that in adjourning the question of a Union of these Provinces, and in taking up the larger question of a confederation of all British North America, they were acting in accordance with the views of the Legislatures and with the sentiments of the people of this country.

PAST ASPECT OF THE QUESTION OF UNION.

I need not go back ten years to remind the House of the position which this question occupied in 1854 when Mr. Johnston, the leader of the Conservative party in this province, moved a resolution proposing a union of the British North America or a union of Canada, with the Maritime Provinces; that sentiment, instead of exciting hostility—of meeting with

antagonism, received the favorable consideration of the House, and, as far as could be judged, of the people of this province. At that time I need hardly remind the House that Mr. Young, a prominent member of this Legislature, gave in his adherence to the advantages that would be derived from a union of these provinces, and further expressed a strong opinion in favor of a federal union of British America. On that occasion Mr. Howe, also one of the most prominent members of the Legislature, instead of opposing union, placed upon record his opinion during the discussion of the question, that if he were unable to obtain what he considered better, namely representation in the Imperial Parliament, he would be prepared to support a federal union of all B. N. A. But I shall come down to a later period when I had the honour of delivering a lecture at the opening of the Mechanics Institute at St. John, New Brunswick, in 1860, and I took that opportunity, as a public man, of drawing the attention of these provinces to the great importance of a union of all British North America, and to the great advantages that would flow from a consolidation of these provinces with Canada. That lecture was repeated in various parts of this province, and I can only say that, testing as I did the public opinion of this country, neither in the press nor by any expression of the public sentiment in any shape whatever, was I led to believe that the views which I had propounded as a public man did not meet with the entire approval and concurrence of the people of these provinces. A year afterwards, in 1861, hon. Mr. Howe, then leader of the government in this Province, proposed formally in this Legislature a series of resolutions in which he declared that many and great advantages would result from the union of all the Provinces, and in which he asked the concurrence of this House to just such a conference as was recently held at Quebec for the purpose of examining the question, and ascertaining whether it would be practicable to unite these Provinces under one government. The House is well aware that although this resolution was proposed at a time when party antagonism was as rife as at any time in our history—when parties were closely balanced in this house—when a fierce struggle was going on in this Legislature for the government of the country—yet in the presence of that proposal all party hostility gave way, and it met not only with warm support from the opposition benches, but with the entire approval and concurrence of this Legislature. Certainly there were no grounds for supposing that the public sentiment of this country was not in the highest degree favorable to a union with Canada. But coming down to a later period, Mr. McGee visited these Provinces, and I cannot mention that hon. gentleman's name without paying at the same time a just tribute to the great claims he has upon the people of British North America. If there is a statesman in British North America of whom our country many be justly proud it is that hon. gentleman, and if he has one claim to the

gratitude of the people of these provinces greater than another it is owing to the fact that through his public Provincial career his great intellect, his great powers have been directed towards consolidating all British North America. His great powers have been brought into play earnestly and effectually in removing class, party, and religious antagonism—in fact, every antagonism that could divide the people that inhabit British North America and to direct their mind and attention to the great value of the institutions they possess, and to the best means of consolidating and perpetuating those institutions. That hon. gentleman, in response to a request made to him, delivered a lecture on the consolidation of British North America, and instead of being met by any demonstration on the part of the people or the press of this country that would lead any public man to suppose that a Union of British North America was not in the highest degree acceptable, he delivered that brilliant oration amid the plaudits of a large, influential and intellectual audience in this city, and at the conclusion a vote of thanks was moved by hon. Mr. Johnston, and seconded by Mr. Howe. (I had engaged as the government have been with having failed in their duty to the people of this country when they permitted the discussion of the question of Union with Canada, it is but right that I should turn to the sentiments not only delivered by leading statesmen of two parties in this country, but delivered in the presence of an influential body of citizens and received and accepted by the intelligent press of the country, as deserving, in the highest degree, of the approval of the people. Hon. Mr. Johnston said, in moving a vote of thanks to Mr. McGee:—

“To himself it had been the occasion or peculiar interests, inasmuch as the subject of it was one on which his own mind had been for a long time occupied. He had long been desirous that we would rise above our isolation and littleness, and occupy a position far superior to any we have done.”

“He knew that we have some public men that have become eloquent on the greatness and resources of Nova Scotia; but notwithstanding all that had been said, and it might be natural to say a great deal, he could not avoid coming to the conclusion that we were very small in deed. Why the entire of the inhabitants of this Province would not be more than sufficient to fill a first class city. We have got the elements of greatness and self-government, but on a very small scale. The same may be said of New Brunswick. The latter Province is a noble country; and Canada we know is replete with inexhaustible stores of wealth and greatness. And looking far back we ask what shall comprise her bounds, broad and unlimited in their expanse? It is, then, our duty not only to the present, but also the succeeding generations, to effect a union of the whole, Canada, New Brunswick, Nova Scotia and Newfoundland, having one interest and one cause. It has been said by some that we can do little in moulding our future condition; but I say that we can do much, and it is our duty to look into the future and provide for it. We may also waken up to the necessity of giving the question its due importance when, perhaps, it may be somewhat too late.”

Mr. Howe, in seconding that resolution, said:

“Mr. Howe went on to remark that it would be in justice to the lecturer to say more, further than he was with him in all he said. He was for a Union of all the British North American Provinces, but he was for an Intercolonial Railroad first. Then the road

would bring about the Union. It would enable the Canadians to see our faces, to become familiar with us, and to see the number of 1000 ton-ships which we are building, which with our other wealth and resources, we are willing to throw into the one great stock. He thought a Union should not be delayed till we had drifted into difficulties. How short sighted were the English statesmen of old who lost them the thirteen States, when the difficulty could have been arraigned in a month, the horrors of the Revolutionary war prevented, and all our race living at peace and harmony at present without bickering and animosity which prevails in their midst. Talk of the fall of Quebec being a source of sorrow to the inhabitants of this Province. It would be more. If the St. Lawrence were in the hand of our enemies we should be compelled to beg permission to tear down the British flag. What he wished for N. Scotia was that she may be the frontage of a mighty Colony; upon which it may be truly said the sun never set. No man can look upon Halifax and its environs, its harbor, its citadel, and say it was made for this Province alone.”

“The United States has drifted into a civil war; and we may drift into a tight place from which it will be difficult to extricate ours lives. The States might assail us; but if we had a railway by which troops could be sent from Quebec or other military stations to the threatened point we would be saved. Mr. Howe said that he hoped when Mr. McGee returned to Canada he would be able to say “I have been down among those people who live on fish and lobsters, and there I seen keen politicians bickering upon small topics, but when the great subject of national union was brought before them then all milder difference was disregarded and I found them uniting and pushing and cheering me on in this labor of love.”

These sentiments were delivered at the lecture of Mr. McGee amid the plaudits of one of the most intelligent audiences in the city, and quoted by the press from one end of the province to the other, and met the hearty approval of this country. I do not make these quotations for the purpose of bringing into question the attitude of any public man in this country. I am now asking this house to consider whether the course the government pursued in appointing delegates to confer upon the question of a Union of British North America was not one that they had a right to suppose would receive the hearty concurrence of this house, and meet with the enthusiastic approval of the people of this country.

It is well known that after the resolutions which passed the legislatures of the respective Provinces had been placed upon the journals, the Government of Canada was reorganized by the combination of both parties upon the avowed platform of endeavoring to form a Union of all British North America. When this fact was made known, what did it evoke? A sentiment of hostility on the part of these Provinces? No! Did we who had been suing at the hands of Canada as late as 1861 by the act of this Legislature, and asking, as Mr. Howe did ask, for a conference such as that recently held at Quebec—did the people of these provinces when they learned that the government of Canada had been reformed and reconstructed upon the basis of endeavoring to bring about a Union of British North America, view that proposition with disfavour? In the Province of New Brunswick, in the chief city, the citizens came together—the Board of Trade at the head of the movement—and one of the first acts which followed that declaration to the world that the government of Canada was reconstructed upon such a basis

as I have stated, was an invitation from St. John to the government and the united Legislatures of that country to come down and receive an ovation at their hands. Nor was the city of Halifax slow in following the example, for at a meeting convened by the Mayor upon a public requisition in this city, an invitation was extended by the citizens of Halifax to the Legislature of Canada, to come here and receive an ovation also at their hands—indicating, as far as it was possible, that the events which had taken place in Canada entitled the Government and Legislature of that country to courtesies such as had never been extended to them before. Although the Legislature of Canada was not able formally to accept that invitation, a number of gentlemen connected with various public positions in the country came down to St. John and Halifax. I need hardly tell this House how they were received. So far from having been met with any spirit of hostility, they were received with open arms, and the hospitalities of these two cities in the two provinces extended to them in a manner that was worthy of both. As late as a year ago, in August 1864, at the public entertainment which was given in this city, and before the Conference had met at Charlottetown—when these gentlemen were received here,—a member of the Canadian government, standing at the table, advocated in the most eloquent terms a Union of all British North America. That advocacy was received, as had always been the case in the city of Halifax, by every demonstration of enthusiasm and approval that it was in the power of an intelligent people to give; but more than that, on that occasion, I took the opportunity of observing that when I had moved a resolution for a Union of the Maritime Provinces, I did it with the conviction that an immediate consolidation of all British North America was impracticable—and that I hailed with the utmost satisfaction the evidence that had been since given that the smaller Union which we contemplated was likely to be merged into a far greater and more comprehensive scheme. On that occasion, I need not state to gentlemen who are resident in this city. Mr. Howe again responded in the terms which he had always been accustomed to use on this question. He said, although the hour was late it was of little consequence, for his voice had been heard in every chief city not only Nova Scotia, and New Brunswick, but of Canada, advocating the consolidation of all British North America; and there he committed himself, in the most unqualified manner, in favour of such a union—declaring that it was the dream of his life, and that he would look forward to its realization with the highest satisfaction. I do not refer to this as attaching any great importance to what may fall from Mr. Howe or myself, but I call attention to these facts to show that when public men on various occasions gave in their hearty adhesion to a proposal to unite Canada with the Maritime Provinces, so far from the sentiments they propounded sinking them in public estimation—so far from the press and people of this country ex-

pressing their dissent from the course that was pursued—that in the light of the fact that a Conference was to be held at Charlottetown, and that a deputation of the Canadian Government were to attend this Conference with a view of endeavouring to accomplish the larger Union of British North America, as far as the public men of this or the other Provinces are concerned, there was every reason to believe that what was proposed met with the entire approval and the concurrence of the people. As I have already stated the Canadian deputation received—and after much consultation and deliberation, the most prominent public men in all these Provinces came to the conclusion that there was a fair and legitimate prospect to believe that at another conference they would be able to devise such measures for a Union as would secure the confidence, co-operation, and assent of all these Provinces. Under these circumstances the Canadian delegates returned home, and the Governor General, acting upon their advice, and under the sanction of the Crown, given in the most emphatic terms, invited the appointment of delegates from the maritime provinces for the purpose of taking into consideration the question of the wider Union. That action has been challenged as an unconstitutional proceeding. I will not, in an assembly like this, attempt any vindication of the strict constitutionality of such a course. Suffice it to say, there stood upon the journals of the legislature not only the approval of such a course as that, but the declaration of the Colonial Secretary that the British government would be ready to pay the utmost deference to any proposal—that might emanate from any scheme that might be agreed upon by the governments of the different provinces, and authorizing a conference to be held. The resolution which passed the house at its last session provided that whatever agreement was come to should receive the sanction of the different legislatures. No action, therefore, was proposed to be taken by the conference at Quebec which did not involve the same legitimate course to be taken. All that the legislature had demanded—all that the several legislatures and the imperial government as well had demanded—as the necessary constitutional course preliminary to change the constitution, was observed by the Quebec conference, and that was a proposal to arrange the scheme of union for these provinces which should first be submitted to the imperial government, then to the different legislatures of these provinces, previous to an application being made to the imperial authorities to give effect to the scheme by an act passed by the British parliament. I need not tell the house that a body of public men assembled at Quebec—similar to no other body that ever met together in this or any other country—who not only represented the governments but both leading political parties. The result of their labors was beyond that which the most sanguine person had a right to expect—that in the position which we considered British America to occupy the different public men representing the different parties and sections into which all

British America is divided, were able to devise a common scheme of Union. After the question was fully dealt with, a scheme was presented which, as whole, was accepted by the conference.

THE ADVANTAGES OF LEGISLATIVE UNION.

The result of that Conference, it will be now my duty to refer to, for let that scheme occupy what position it may at this hour, no one can hesitate to admit that the interests involved in it are of the most vital consequence. It becomes me as a member of the government of my country,—as a public man responsible to the House and the people for the views I entertain upon a question of this kind—that I should have an opportunity of explaining and vindicating as I can, the grounds which led me to concur as I did most heartily in the scheme proposed for the Union of British North America. I need not tell the House that a great deal of discussion has taken place in times past as to whether a legislative or federal union would be the best mode by which these Provinces could be united, and I believe that I will be able to show this House that whilst a Legislative Union was really not practically before us—for there were difficulties lying in its path such as to render its adoption impossible—yet the Union which was devised by the Quebec Conference, possessed all the advantages of both without the disadvantages that attended each separately. No person, who is acquainted with the character of Legislative Union, but knows, when it is proposed for a country with the area and extent of territory that British America possesses, its realization is attended with great difficulties if not with insuperable obstacles. No person, who is acquainted with what has taken place in the Imperial Parliament, but knows that great as that country has become under a Legislative Union, yet the difficulties connected with the Union are such as at this moment to be occupying the attention of the foremost statesmen of Great Britain. The difficulties in the way of a Legislative Union are that the Legislature has not only to be occupied with the discussion of the great and leading questions which touch the vital interests of every section of the country, but to give its attention largely to matters of merely local concern. At present, the Parliament is obliged to take up and consider from five to six hundred local bills. When we consider that this body of 600 men, — the most influential and important assemblage of statesmen in the world, are called upon to give their attention upon some five hundred bills, which are not of general but of purely local concern, you can imagine the difficulty of carrying on the legislation of such a country. It is not strange that under such circumstances the Parliament is obliged to sit eight out of twelve months in order to accomplish the legislation required at their hands. If a Legislative Union were devised for British North America the people occupying the different sections would not have the guarantee that they have under the scheme devised, that matters of a local character would occupy the attention of the local legisla-

tures, whilst those of a general nature would be entrusted to the General Legislature. Therefore the scheme that was devised gave the centralization and consolidation and unity that it was absolutely indispensable should be given. On the other hand, instead of having copied the defects of the federal constitution—instead of having the inherent weakness that must always attend a system where the local legislatures only impart certain powers to the government of the country—quite a different course was pursued, and it was decided to define the questions that should be reserved for the local legislatures, and those great subjects that should be entrusted to the general parliament. Therefore, whilst the unity and consolidation connected with Legislative Union was obtained on the one hand, due care and attention to the local matters interesting to each Province were provided for by the preservation of local parliaments, and these powers were so arranged as to prevent any conflict or struggle which might lead to any difficulty between the several sections.

OUR CONNECTION WITH GREAT BRITAIN STRENGTHENED.

Instead of looking to the Union of British North America as tending to weaken the bond of connection that binds us to the parent state, no one who reads the resolutions of the conference but must see that there was placed in the forefront the principle that that bond should be strengthened, and that we should be connected with the parent state by a more indissoluble tie than ever before existed. I need not tell the house that these results have been submitted to the attention of the Imperial Government, and the statesmen of England have looked upon them not as likely to separate these dependencies, but as the best means of uniting them more indissolubly to the crown. I need not state that the same bond which exists between Canada and England—between Nova Scotia, New Brunswick and England, was conceived, and that when the scheme contemplated that the Queen should place a Viceroy or Governor-General over these dependencies thus united, the surest guarantee was given that the great object was to preserve the bonds that connect us with the parent state. And that view has been accepted not only by the government but by the people and press of England, and by statesmen in every quarter of the globe.

LOCAL GOVERNORS.

A great deal of stress has been laid on the fact that whilst the Governor General should be appointed by the Crown, the connection between these Provinces and the British Government would be weakened, because it was proposed that the local governors should not be appointed as at present. Those who examine the subject will find very little on which to base that argument. Every person must see that it was important that the local governments in each province should be so united with the general government under the Governor-General as to ensure harmony and co-operation, and that it therefore became necessary that an altera-

tion should be made as to the appointment of the Lieutenant-Governors. But I would invite the attention of the house to the character of that alteration. What was proposed? That the people of each province should elect their governor? No. Whatever favor that view might have met from some parties, it was not the principle laid down by the conference at Quebec. It will be found that the same means by which the governor is appointed to day would exist under the scheme of the conference. Who appoints the Governor-General and the Lieutenant-Governors at this day? If there is a portion of imperial patronage which is more than another placed within the personal control of the individual who exercises it, it is the appointment of Colonial Governors. In case of a vacancy in any one of these dependencies, the man who fills it up is the Right Hon. Mr. Cardwell sitting in the Colonial office. I would ask, whether under this scheme, when it has been plainly stated by the British government that it would become necessary that they should supply from the ablest British statesmen a Governor or Viceroy, whether the Crown and the people would not have the same guarantee for that influence and control over the appointment of local governors that is exercised now. The difference would be this: Instead of a Colonial Secretary appointing the Lieutenant Governor the Queen's representative sitting at the head of the government of United British America, himself as responsible as a minister of the Crown, would be called upon to discharge that duty, and, at the same time, harmony would be maintained between the local and general government, and the influence of the crown would be as effective as it exists at the present moment. The people of British North America would be in a position to exercise an amount of influence in the selection of the local governors which they, of course, cannot do under existing circumstances.

POWERS OF GENERAL GOVERNMENT.

It was proposed, as I stated before, that all the questions of leading general importance should be entrusted to the general government. There are some thirty-seven in number, but I will only at present draw the attention of the house to some of the more important points:

"The regulation of trade and commerce; the Imposition and Regulation of Excise Duties; the Postal Service; Militia, Military, and Naval Service; Currency and Coinage; Criminal Law; appointment of Judges of the Supreme Courts.

POWERS OF LOCAL GOVERNMENTS.

To the local governments were reserved powers of an important character, though of a local interest, which could be exercised without any interference whatever with the unity and strength of the central government. The construction of the local governments was to be left to the local legislatures themselves.

The establishment and tenure of Local Offices, and appointment and payment of Local Officers; Education; Sale and Management of Public Lands; Local Works; The Administration of Justice, Property and Civil Rights.

I have only referred to some of the more im-

portant powers that would be given to the local and general governments respectively. The local governments would not interfere with the powers of the general government, or weaken its strength and unity of action, but would be able to deal with such questions as touch the local interests of the country—the construction of roads and bridges, public works, civil jurisdiction, &c.

THE DEBT.

As I stated before the debt of each province was settled upon a principle that I think will commend itself to the approval of every man in British North America, and that is that each province should enter the confederation with precisely the same debt, and if any section was in the position that the construction of local public works did not necessitate the raising of the debt to the same proportionate extent as that of Canada, she should receive from the public revenue the difference. I need not detain the House upon that branch of the subject, for, in the first case it gave to New Brunswick, and Nova Scotia a margin to raise their debt to that point which was required to complete their public works, and at the same time left them in the position that if the money was not expended it should be credited to them.

THE QUESTION OF THE SUBSIDY.

There is another question that has occupied a great deal of attention, and that is the subsidy. It has been stated that the subsidy was insufficient, and that a great mistake was made by the delegates who placed the amount at 80 cents a head, and based it on the census of 1861, instead of making it a larger sum in the first instance, and allowing it to increase according as the population increased. If the delegates from the maritime provinces did not secure sufficiently good terms, I may say frankly, if we came back not having obtained that fair consideration and justice to the provinces which we had a right to demand at the hands of the conference, the fault was our own. The business of that conference was carried on by vote by provinces, and the maritime colonies, instead of standing in a position to allow Canada to dictate her own terms, and being compelled to accept them, they held a position which gave them a great advantage. The vote upon every question, as I have said, was taken by provinces. Every member of that Conference had it in his power to advocate his individual opinions to the best of his ability; but when it came to a vote, the majority of the delegates from each province decided what its vote should be; and therefore, when it is seen that Canada had only two votes, and that the Maritime Provinces had four, it is evident that if the latter—whose interests were identical—did not receive a fair amount of consideration it was not because they did not stand in a position to obtain it. I have no hesitation, however, in going further and saying, if there is any fault to be found with the subsidy to carry on the local governments—the amount necessary to supplement the local funds that

each province would have at its disposal to carry on the local governments—the blame must rest, in a large degree, upon the delegates from the provinces, for that subsidy was fixed to a large extent upon the requirements or what we believed to be the necessities of Nova Scotia, and arranged upon a basis that we felt was necessary in order to meet local exigencies in this Province. We felt it was to the advantage of this Province as well as of British North America that the subsidy should be placed at as low a figure as possible, for the simple reason that 80 cents a head was a tax that would rest upon the people of British North America and upon Nova Scotia in common. To have increased that subsidy to 90 cents would have made a very insignificant difference to be received by the people of this Province, but when applied to the millions of Canada it would have amounted to a large aggregate to be drawn annually for ever from the general revenue of the whole country in which we would have a common interest. Therefore it was of the highest importance to the people of this small province with a small population to fix the subsidy at the smallest amount in order to lessen the burthens which the people of British North America, and especially of the lower provinces, would be called upon to sustain. We felt that the same principle dictated to us as a matter of common prudence that we should fix the subsidy upon the census of 1861. We felt, too, that the population of Upper Canada might be expected to increase in a greater ratio than any other part of British North America, and the result would be that an enormous drain would thus be made upon the general revenue if the subsidy were not stationary. As the population increased it would be but 70 then 60, then 50 cents, instead of fixing forever 80 cents upon the people. We believed, after making a careful calculation, which it will not be necessary to go into at this time that in fixing the amount at 80 cents we sufficiently consulted the local interests of the country, and the different services for which it was necessary to provide.

REPRESENTATION BY POPULATION.

I must glance now at one or two points that were arranged at that Conference for the government of British North America. The principle of representation by population was adopted, and there have been found people in this Province to question its soundness and judiciousness. It has been said that it is a false principle, and that therefore it should have been repudiated and rejected—that it was not one which Conservatives ought to support. It will not be necessary to go into any elaborate defence of representation by population, as applied to British America. That principle was approved twenty-five years ago, by a statesman as distinguished as Lord Durham. It was stated by him, in a report which will make his name ever famous in the annals of British America, and if they say Great Britain, that it was the only true and safe principle which the Legislatures and Governments could be constructed in British America. That eminent statesman predicted, 25 years ago, in reference to Canada, that, if they undertook to ignore the principle of representation by po-

putation, the day would come when the country would be rent in twain. Who does not know the difficulties that arose from the false principle that was applied at the time of the union of the Canadas, in order to give the ascendancy to Upper Canada, whose population at the time was less than that of Lower Canada?—Who does not know that the prediction of Earl Durham has been verified? and the time has come when that country has been convulsed in order to rid themselves of a principle so unsound as that a certain number of people in a certain locality shall have an amount of representation arranged not according to their numbers, but exhibiting a disparity with some other section. But were we to put ourselves in the position of saying that the intelligence of our people was such—that the want of intellect and ability amongst us was so marked, that, in order to have sufficient influence in a legislative assembly in British North America, we should demand that the principle of representation by population should be ignored?—When it is said that the principle should be discontinued by Conservatives, I call the attention of the house to the fact that the Quebec scheme has been submitted to the most severe ordeal that any scheme of constitutional government could be subjected to, and to a tribunal perhaps as competent to pass upon it as any in the world—I mean the Government and people of England, as represented by a press which for standing, character, and intelligence is not equalled in any part of the civilized world. I ask any public man to show me, although the scheme has been rigidly examined, a single statement in the press of England, or of any other country, calling into question the soundness of the principle of representation by population, as applied to British North America. I have examined all the criticisms I could have access to, and I have yet to find a single press that has objected to the application of that principle. It has been said that, assuming the principle to be right, it would nevertheless place these provinces in a position that would jeopardise the interests of the people in connection with this scheme of government. I would ask this house to consider that, in the first place, under that principle Nova Scotia would be entitled to 19 representatives in all in a parliament of 194 members. I would ask this house, when any man ventures to question whether the 19 members or the 47, would not have a fair share of influence in the united parliament, to look at the only criterion by which it is possible to come to any conclusion on the subject. Look across the Atlantic at the parliament of England—at the House of Commons of 600 members—where the parties into which the country are divided, the Liberals and Conservatives, are separated by lines less strong than those which divide Upper and Lower Canada, and must divide them for a century to come. There you will see a dozen independent men controlling parties and influencing the destinies of the country. Is not this evidence that in a British American parliament of 194 members the representatives of the Maritime Provinces would render it impossible for their interests to be ignored or set aside. It may be said they would not be united—personal antagonism would arise to keep them divided. I grant it. But the moment that parliament would attempt to touch the interests of any part of these Maritime Provinces, would you

not see them forced into such a combination as would enable them to dictate to any party that would attempt to override them. Go to Canada and take your illustration there. Not 19, but three or four members only, for years, have dictated which party should control the government of the country.

Therefore I feel that this principle is not only just in itself but is one that gave to the Maritime Provinces all the control and influence to which they were entitled. Look again at the Parliament of England and you would see, although Ireland has an insignificant number of members—insignificant in a numerical point of view in comparison to what Nova Scotia would send into a British American Parliament—yet for years they have occupied that position that they can dictate to the Parliament which party shall govern the country. But I need not go to Canada, or Ireland, or England, for illustrations to bear out my statement. I have only to look at our own legislature to see the comparatively small island of Cape Breton dictating its terms and policy to the government of the country—all that is necessary is for her small number of representatives to combine upon any question of public policy, and she obtains what she requires.

Mr. BOUTINOT—Cape Breton was not represented at the Conference, and at the present moment she has not a single representative at the Council Board.

Dr. TUPPER—The hon. member knows right well that all that is necessary at any time for the members of Cape Breton is to express their wishes on any question and they will receive every consideration. Any government that refused to meet them on their own terms would receive a fatal blow. I confess I would have been ashamed to say in the conference that Nova Scotia's position was such that in order to have influence and control in a parliament of 194 members she would require to send more than 19 men. Mr. Howe told the people of this country ten years ago that all that he required would be two men in the British Parliament in order to have the mining monopoly broken down in a single night's discussion. Ten years after he made the statement, I would feel that I was occupying a position that my countrymen would never forgive if I said that the intellect of this Province was at so low an ebb that she could not send 19 members that in point of weight and energy and ability would not protect our interests in the general parliament of united British America.

THE REPRESENTATION IN THE LEGISLATIVE COUNCIL.

But was our representation in the Commons the only guarantee that our rights would not be trampled upon. It is ample security; but I am ready to show the house that the most extravagant demand that could enter into the mind of any man was conceded in the scheme of government for these Provinces. I need not tell this house of the potent influence that is exercised in legislation by the Legislative Council. We have seen several striking examples of questions on which three-fourths of this body concurred, and yet this house did not succeed in attaining its object because it did not meet with the concurrence of the Upper Branch. It requires two to make a bargain and pass a law. I ask you, then, if you wish for a guarantee that the security of the people of the Maritime Provinces will never be ig-

nored, could you have a stronger one than that 600,000 people in these Maritime Provinces should have obtained, under such a constitution, the same representation in the Upper Branch as was given to Upper Canada with 1,400,000, and to Lower Canada with 1,100,000. This we have for all time to come, although Upper Canada may increase to millions of people. Then I would ask the intelligent people of this country if the parties who devised the constitution did not give us all the security that our rights and interests could demand.

THE NECESSITY FOR UNION—A PLEA FOR NATIONALITY.

I have glanced at the more leading features connected with the constitution, and it will be perhaps desirable that I should show what necessity there existed, and what ground there was for having this union. I have already called the attention of the house to the singular fact that rife as party feeling has been in this country—that strong as has been the divisions and lines of demarcation between existing parties—from the time the great question of union was first submitted to the notice of the legislature and people of this country, there has been an amount of unanimity of sentiment among all classes of public men of all parties, such as has never been exhibited on any other question. It is not singular that such should be the case when we look at our present position. Who is there that does not feel that the first principles of manhood imprinted in the breast of man is that the country with which he is connected should occupy a position of influence of which he need not be ashamed? Who is there with a spark of manliness in his bosom that does not feel that he has a right to be proud of his country in proportion to the position it occupies in the scale of nations? I need not tell the house that surrounded as we are by many blessings—owing fealty as we do to the first empire in the world—enjoying the protection of one of the greatest powers on the globe—having free institutions in all their entirety—possessing as we do peace and plenty,—that we enjoy advantages for which we ought to be profoundly grateful; but I can discover no other cause why there has been so great a co-operation among all classes of intelligent people of our country in respect to a union of these colonies than the desire that possessing these advantages we should at the same time advance to a more national position and render our institutions more secure. Who does not feel mortified when he takes up the report of the discussion that recently took place in the Commons, and finds that although the subject under debate was the security of British America, yet the only one of the provinces that appeared to be known to British statesmen—that was deemed worthy of their notice—was Canada.

We have had evidence of the most tangible and positive character, both in Nova Scotia and New Brunswick, how insignificant is our position in the estimation of the parent state. What was the complaint when the Reciprocity Treaty was submitted to the house, that came from both sides? That the Imperial Parliament, in negotiating that treaty, had not thought it necessary to ask the opinion of Nova Scotian statesmen, although the great fisheries that surrounded this country were to be surrendered. Mr. Johnston was invited by the

Lieutenant Governor, although in opposition at that time, to go in conjunction with Mr. Young to attend the meeting of delegates, for the purpose of considering the question. He found, however, that he was required to give his assent to what had been done already.—Therefore, in the arrangement of a treaty so intimately affecting our interests, the views of not a single public man in Nova Scotia were considered worthy of attention, and I presume it was the same with New Brunswick.

Where was New Brunswick when a large slice was cut off from her territory—when the whole of British North America was disfigured by the Ashburton Treaty? The opinion of a single statesman in New Brunswick was not asked.

The fact is, if we are known at all across the Atlantic, notwithstanding the immense resources of these Maritime Provinces, it is because we happen to be contiguous to Canada. Everything connected with our interests tells us of the insignificance of our position. Therefore it is not a matter of surprise, in view of these facts, and of the position we occupy, that the intelligent men of these Provinces have long since come to the conclusion that, if these comparatively small countries are to have any future whatever in connection with the crown of England, it must be found in a consolidation of all British North America. I regret that this harmony does not exist down to the present moment, but I am dealing with the position the question occupied at the time these negotiations were going on.

OUR TRADE WILL BE INCREASED BY UNION.

Who does not know that if these Provinces are ever to occupy a position that will increase the wealth of the country, it must be through the expansion of our trade?

What trade, worthy of the name, can a country, so limited in extent and sparsely settled, as our own ever have? When we look across the border and see the great imperus that was given to the trade of the United States when they ceased to become separate provinces and swept away the hostile tariffs that previously confined them, who can doubt that if we adopted a similar policy (but retaining at the same time our connection with the parent state) and became one country, the same great results would accrue. Then, indeed, might we expect to advance the material prosperity and position of all British North America! The only means by which we can expect an expansion of trade is by striking down these hostile tariffs, and having a common commerce for these provinces. Again you have the difficulties of trade increased in consequence of each province having a currency of its own. If there is anything that would increase the commerce and improve the credit of all British North America, it would be such a union as would bring about such a consolidation of the interests of the country as would lead the world to suppose that our institutions were based upon a stable and firm foundation.

OUR CREDIT WILL BE IMPROVED,

There is nothing that lowers the credit of a country more than the insecurity that attends such isolation as these provinces exhibit at the present moment. Who is there that will invest money in a country where he believes, owing to its weakness and isolation, its political condition may become changed in an hour, and

that all the security that he would have for investment might at any moment become entirely worthless. This is not a mere question of theory—we have evidence to guide us. There is the established fact that the moment it was made known on the other side of the Atlantic that the interests of British North America were to be consolidated, and a firm nationality created, the credit of the country immediately improved. We have now all the disadvantages of connection with Canada. Who does not know that you cannot have a vote against a Militia measure, or a raid across the border of that country, but it acts upon Nova Scotia, and our funds are affected at once in the market of the world. Yet we may not exercise the slightest influence over that vote, or any other matter which acts so immediately against our own interests. Is it not desirable, then, that these Maritime Provinces should be in a position to exercise some control over acts which so largely affect us, and in reference to which we are now powerless?

OUR GEOGRAPHICAL POSITION.

Who is there that looks at the geographical position of Nova Scotia and New Brunswick that does not feel that for us especially Intercolonial Union is a question of the most vital importance! Who is there that looks at this Province, extending into the broad Atlantic some 500 miles nearer to the parent state than any other part of British North America, but must see that it is quite impossible we can ever obtain that position Nature intended we should occupy, except through a Union of British North America, that will make Nova Scotia the great highway between two Continents. Who is there that looks at the magnificent harbors with which the Province is honey-combed, but must feel that they were not intended for a commerce we can now supply, but for the trade of a mighty nationality, of which Nova Scotia should be to a large extent the *entrepot*. Therefore, it is not strange that the public men of B. N. A., in view of facts bearing upon the trade of the country—of the effect that would be produced upon us in virtue of our geographical position—should have combined to bring about a union which must develop the common interests of the country.

OUR GEOLOGICAL ATTRIBUTES.

Look again at the geological position of this Province, and you find that if Nature has intended anything in the construction of this country, it has been that we should become a great manufacturing people. You find here every mineral and resource in the bowels of the earth that is necessary to place us in that position. You see us, therefore, occupying the same situation that Great Britain occupies on the Continent of Europe. Therefore, looking at our geological position, no public man would fail to see that under proper arrangements this Province might become a great hive of industry—the great manufactory for all British North America, if not for a much larger country. It is facts like these that brought the public men of Nova Scotia to the conclusion that they would be wanting in their duty to their country if they did not advance by every means in their power so desirable a project.

THE INTERCOLONIAL RAILWAY.

Then there is the question of the Intercolonial Railway. If this legislature has ever shown a great desire to accomplish any public

work, it has been on the Intercolonial Railway. For twenty years all parties have been willing to admit that the construction of this work was a matter of the most vital concern to the people of this country. I will not detain the house by going into any elaborate quotations by which the leading men of these provinces have, from time to time, shown that they believed that the question of Intercolonial Railway was fraught with the most important consequences to the advancement of the Province of Nova Scotia, and when I state to the house that after every effort has been tried and failed, this scheme of union accomplished that work on terms such as no man had ever ventured to ask for this people, I feel that it is not only in the constitution of the House of Assembly and the Legislative Council, but also it respect to this great work, that the delegates from the Maritime Provinces brought back the indisputable evidence of the earnest disposition of Canada to unite their fortunes with our own in a common union which should be beneficial to all.

It is true it was a matter of great importance for Canada to obtain this union—that it opened a door for the removal of the great difficulties that have distracted that country, and whatever may be the extent and resources of Canada—and they are inexhaustible, and I might almost say, illimitable,—it can never occupy the position it should except it has a free outlet to the ocean. Therefore, it is not strange that the delegates from the Maritime Provinces came back not only with the evidence that they would have in the upper and lower branch all the guarantees they would require for the advancement of the country, but actually obtained a pledge that New Brunswick and Nova Scotia should secure the construction of the Intercolonial Railway by paying only two-twelfths of the cost instead of seven-twelfths as agreed to by the Legislatures of the two lower provinces.

IMMIGRATION WOULD BE PROMOTED.

Can there be a doubt that the Union of British North America, whilst it would promote trade and elevate our credit, would also give an impulse to immigration that we cannot now expect. We are now a field of emigration, instead of one for immigration. Nova Scotia, without trade, and commerce, and manufactures, does not afford a field to our young men. The consequence is, day after day we see our best men going into other countries, where they will occupy a better position, and find an opening for their talents and energies that is denied to them in their native Province. Consolidate British North America, and you will stay, and earn back that tide. You will then restore tens of thousands of her expatriated sons, who have gone to other lands to seek their fortunes, and swell the ranks of our rivals, if not foes.

OUR SECURITY WILL BE PROMOTED BY UNION.

I will now glance at the most important point of all in connection with this question, namely, the security of the country. It is necessary that our institutions should be placed on a stable basis, if we are to have that security for life and property, and personal liberty, which is so desirable in every country. It is quite impossible to place any country upon a stable and respectable footing where security has not the guarantee of permanency—a guarantee that will

inspire confidence in the world. I do not intend on an occasion like this to make any invidious allusions to the great neighboring power near us, but I see events transpiring around us that would make it criminal for any public man to ignore facts which are of the most vital importance to British North America.

THE LESSON OF THE PRESENT.

Yesterday, British America bordered upon a country great in its trade and peaceful pursuits—having a commerce second to none on the globe; but you have seen all that changed as it were in a day. Now you see alongside of us one of the most gigantic military and naval powers that the world has ever seen. Therefore it behoves us to consider whether any public man, in view of the changed attitude of that country, would not be wanting in his duty to the Province if he attempted for a single moment to ignore these circumstances. I drew the attention of the house at its last session to the fact that British North America had owed a great deal of its security to the existence of slavery in the neighboring republic. Is it not necessary, in the light of events that have come to our knowledge to-day, we should consider how close may be at hand the termination of the great struggle which has convulsed that great republic with civil war for four years past; but I think we may safely predict that, let the issue of that struggle end in any manner we can possibly conceive, one thing is certain, and that is, that slavery is doomed. The great slave power, which so long exercised control over the destinies of the States, I have ever looked upon as the best safeguard for British North America, since it was antagonistic to the acquisition of any anti-slavery territory, and consequent increase of influence by the North. Therefore, when we see this gigantic republic relieved from that difficulty, and becoming one of the greatest military powers in the world, it is a matter deserving of our most serious deliberation. I regret to have to say—nor would it be right for me to ignore the fact—that whilst I feel it would be for the interests of British North America to preserve the most amicable relations with the United States, it is impossible for me to shut my eyes to the evidence before me that the tone of that power is decidedly hostile to this country. I deeply deplore that such should be the case; but, at the same time, I would be recreant to my duty as a public man if I did not tell this house and explain the amount of influence that these considerations have had upon my own mind. It is known that until recently the most kindly relations existed between the people of British North America and the United States. Trade was fostered in every way that was possible—every thing that would promote harmony and free commercial intercourse was done. But how do we stand to-day? Whether you regard the public sentiment of that country through the declarations of its Press, its Parliament, or its Government, you can arrive at but one conclusion.

(The hon. gentleman then referred, in support of his statements, to the establishment of the passport system between these Provinces and the States—which was a great source of embarrassment to trade and intercourse between the two countries. He then alluded to the fact that the American Congress had made

an appropriation for the construction of the Niagara ship canal by which vessels of large size may be sent through from American waters into the Canadian lakes and for fortifications on the frontier. Again, the treaty under which only a small armament was allowed on the lakes was to be immediately abrogated on the motion of the American Government. Then, again, there was the question that so vitally affected the people of British North America—the Reciprocity Treaty. (He then continued in reference to the latter subject.)

THE RECIPROCIITY TREATY.

Under that treaty, whilst the trade of British North America has been increased and improved, it has been infinitely much more beneficial to the commerce of the United States.—Under the fostering influence of that treaty, the trade between British America and the States suddenly sprung in four years from fifteen to sixty million of dollars. Whilst it has been in the highest degree useful and advantageous to the commerce and advancement of these British North American Provinces, yet the balance of trade has been largely in favor of the States. And who is there that does not know the great importance that keen and sagacious people attach to anything that will extend their commerce and improve their trade? But despite all that—although the Boards of Trade at New York, Detroit, and elsewhere, have made the most energetic appeals against the abolition of the treaty, the Board of Trade at Detroit actually demonstrating to their government that since the commencement of the treaty the balance of trade has been \$162,000,000 in their favor—notwithstanding all that, under the influence of that spirit which I deeply regret to see exhibited, notice for the abolition of the treaty has been given. Not only so, but it is conclusively shown that it is not the intention of the American Government to enter into any negotiations for the continuance of the treaty. A few days ago I laid on the table of this house a remarkable document. The treaty provides that there shall be a joint commission under it—yet while the treaty must remain in force for another year, Mr. Seward has demanded that the commission be immediately closed. It is impossible, in the view of such facts, to shut our eyes to the reality that while that great Republic has assumed such gigantic proportions, and at the same time has taken such an attitude in reference to these Provinces, we have a right to come to the conclusion that their determination is to close all communication, instead of fostering those peaceful and commercial relations with us, which in the past have been so remarkably beneficial.

THE DUTY THAT LIES BEFORE US.

It has been said that it is impossible for us to put ourselves in an attitude that will improve our position in this respect. I am not wrong in assuming that the desire of every British American is to remain in connection with the people of Great Britain. If there is any sentiment that was ever strong in the breast of our people, it is a disinclination to be separated in any way whatever from the British empire, or to be connected in any manner with the United States of America. But what is our present position? Isolated and separated as we are now, I ask the House whether all the protection we have is not that which the

crawling worm enjoys—and that is, its insignificance is such as to prevent the foot being placed upon it? Does it comport with the position and dignity of freemen, that we should have our only guarantee of security and protection in our insignificance? I feel in our present isolated position, standing in the presence of a power so gigantic and unfriendly that we must take speedy and prompt measures for security. I may be told that four millions of people would still stand in the presence of thirty millions, and that we would be unable to make any resistance that would ensure our safety; but I would ask the house to consider the fact that we have every reason to know—for no one can doubt the declaration of the ministry of England—that the resolve on the part of Great Britain is to stand in all her integrity by British America, provided these provinces assume such an attitude as would make the power of the parent state to be put forth with a reasonable prospect of success. Although our numbers may be comparatively small, still while we have the good fortune to be a part of the British empire, and know that all that is necessary is for us, by union and consolidation, to take such a position as would give England the guarantee that we are prepared to do our duty, and her power would not be put forth in vain, we need not fear the future. Every man who wishes to keep the liberties and rights he now possesses as subject to the Crown of England—who values the institutions he now enjoys, must see the necessity of our taking such a course as would guarantee us security in the case of conflict with any power in the world, and what would be even better, the avoidance of conflict which our attitude would accomplish.

SHALL OUR BURDENS BE GREATER?

I may be told, that great as are the advantages of Union, they will be purchased at too great a cost—that there will be an increase in the tariff—that the burdens that will be thrown upon the people will be greater than otherwise they would have been. I do not intend to weary the house with any elaborate statements on this point, except to say that I believe we have every reason to suppose, from the position we occupy in connection with the parent state—from the expansion that would accrue to the trade and commerce of the country—from the development that would be given to manufactures, and the extension of our public works—that our burdens would not be greater than if we remain in our present position. Are we not desirous at the present moment to extend our public works, and may we not fairly assume that if we were to remain out of Union that the burdens we have to bear would be increased. The time has passed when these Provinces would not have to contribute largely to the defence of the country. Either the fishing grounds so valuable to us, must be given up without a struggle to the parties who have been accustomed in the neighboring States to use them for years, or the cost of defending them must be largely thrown upon these Provinces.

Therefore I would ask whether, in relation to the protection of our fisheries, which will directly have to engage our attention, it is not desirable to have these Provinces united and consolidated. I may be asked whether Union

would increase the number of men or the amount of money. I believe it would. I believe that Union will rapidly increase our population. I believe that the moral force that would be given to the whole of British North America by a common union of her interests, would be such as I have stated before—to ensure not only the safety, but the peace of the country.

Assuming that you are to reject a union on the ground that we are defenceless, what is our position? You are likely to be overwhelmed without a struggle, or, in the language of Mr. Howe,—without an Intercolonial Railway, or the means of communication with Quebec, the inhabitants of Nova Scotia would have to beg permission to haul down their own flag. Humiliating as is such a statement every man knows that it is true, and how useless it would be for Nova Scotia to undertake any resistance. At the present, those who assail Nova Scotia in its isolated position, would only attack 350,000, but, with British America united, whoever put a hostile foot upon our 1,000 miles of sea coast would assail nearly four millions of freemen, sustained by the mightiest power in the world.

THE POSITION OF THE OPPONENTS OF UNION ON THE DEFENCE QUESTION.

I will now turn the attention of the house for a single moment to the fact that, on this question of defence the opponents of Union have felt that it was so important that questions of tariff and expenditure sank into insignificance, and that it was absolutely necessary that some means should be given to a free and intelligent people, by which their rights and liberties should be secured. I regret to state that a leading journal in this country changed its opinion, and for the first time in the history of the Province, this question of Intercolonial Union was endeavored to be made one of party, and that party influences and prejudices were awakened in order to excite hostility against the Government, and prevent the people of this Province accepting the proposed Union.—They felt, however, that it was necessary, on a question so important as that of defence, that we should do something, and accordingly they propounded to the people of this country their scheme, by which they would protect British North America. In the *Morning Chronicle* of Jan. 18, 1865, you read:—

"We would provide for the defence of the Empire by a general tax, equally levied by an Imperial statute all over the Empire. This might be either a tax on property, on polls, or on imports, to take precedence, of all other taxes, and to be paid into the Imperial treasury. About £28,000,000 are annually required for naval and military expenditure. Taking the population of the Empire, including the Eastern Provinces and dependencies, at 300,000,000, 2s. per head sterling would provide the whole sum required. A property tax, if that were preferred, would raise the whole amount. But if it was thought better to collect the £28,000,000 upon imports, the commerce of the Empire would yield the whole without any portion of it feeling the burthen."

When I am told that our scheme of union would involve increasing the burthens upon the people of this country—that a yard of cotton might cost one cent more than it does now,—and that it was a reason why we should not

have union with all its advantages—an Intercolonial Railway, expanded commerce, the development of manufactures, and intercommunication between 4,000,000 of British North Americans. When I am told this I think I have a right to ask the people of this country to examine this scheme that is propounded on the great question of national defence by the opponents of Confederation and compare it with that offered for your acceptance by the Quebec Conference. Then, I think, you will say that any charge of increased taxation that has been insinuated—the most extravagant estimate made of the cost, the scheme of the Quebec Conference is entirely thrown into the shade. I need not call attention to the disgraceful proposal that is made to a free people in the article I have just read. If I had not the evidence here it would have almost seemed incredible that such a proposition could have been made in this century to a free and intelligent people, that any body of loyal men could propound the repetition of a policy that lost England her finest Colonies nearly a century ago. I believe I would be doing a gross injustice to the free spirit of this country if I were to suppose that even connection with the crown of England would be sufficient to induce the people of this country to allow an Imperial Statute to lay an Imperial tax upon us to go into the Imperial treasury. Deeply as the people value their institutions—and greatly attached as they are to the mother country,—yet the free spirit of this country would revolt at such a proposition as led to the independence of the old colonies nearly a hundred years ago. Let me suppose that the independent spirit of the people should be so trampled-down as to induce them to submit to taxation by an Imperial statute—what then? This article says:—

"A property tax, if that were preferred, would raise the whole amount. But if it was thought better to collect the £28,000,000 upon imports, the commerce of the Empire would yield the whole without any portion of it feeling the burthen. Is there a Novascotian that would not pay his portion of this tax cheerfully, and turn out, with arms in his hands, to defend the Empire besides? Is there one who will not cheerfully pay pound for pound with the Canadians, or with his fellow subjects in any other part of the Queen's dominions? Here is a scheme of National Defense, of which a statesman need not be ashamed, and our public men could not be much better employed than in pressing it on the notice of Her Majesty's Government."

Here you have the doctrine laid down that we should provide twenty-eight million pounds sterling for the maintenance of the Army and Navy of Great Britain. To tax a man in Halifax or Cape Breton the same that a man in London and Manchester is taxed for the support of an Army and Navy, over whose acts we have no control, and in the imposition of which taxation we have no voice.

But the glaring mistake into which this Mentor of the people of Nova Scotia has fallen, as to the population who would bear this taxation, shows how unfit he is to guide public opinion. It would be difficult to find a Nova Scotian that would consent to so humiliating a proposition as that. The public man who would press it upon the attention of the Imperial Government would soon find himself driven from public life, and bring upon himself the execration of every free man in this coun-

try. It would be soliciting the British Government to place us in a position which we should never be placed in; it would be asking the Parliament of England to consent to that which would be only worthy of a century that is past. The person who has ventured to trample down the scheme of the Quebec Conference, and bring forward the plan of the Anti-Unionists, should have better informed himself of the facts as they exist. Did he not know that 180 millions of people in British India could not have a farthing of that tax levied upon them, as they provide now for the defence of the British Empire in the East at an enormous annual cost.

This £36,000,000 currency would, therefore, under this plan require to be levied upon about 36,000,000 millions instead of 300,000,000. I will not presume that it was an attempt to mislead, but it is charitable to suppose that the parties who have attempted to instruct the people of this country in opposition to the great scheme of Union, did not know that this £ 8,000,000 sterling for the Army and Navy was altogether irrespective of the Army and Navy of British India.

Yet is by documents such as these that the people of these Maritime Provinces have been excited to hostility against a scheme which would have made the British American Provinces a great nationality, of which their people might be justly proud; which would have extended our commerce and promoted our wealth and prosperity to an extent that is incalculable, and at the same time connect us more closely with the Parent State, drawing around us that aid and co-operation which would have secured to us and our children after us, to the most remote posterity, that guarantee of peace and safety which every man amongst us feels it ought to be his privilege to enjoy.

COMMERCE AND SHIPPING.

I need not allude to the commerce and shipping that British America would enjoy under Union. These statistics were known to all. But when I am asked the question, as to whether British America is in a position to enter into the Union? I reply: Let us compare the position that these provinces now occupy with that which the American colonies had at the time of their independence. We find we have a larger population, and occupy a position in many respects superior to that which they then did. Look at their trade, and you find that they had only one third of what we have now. Their population and revenue were much smaller. In respect, therefore, to trade, population and revenue, upon which the greatness of a country rests, you find the position of British America is one of evident influence. The American colonies, by sweeping away hostile tariffs, and emerging from that position of isolation which they occupied, have attained their present wealth and prosperity. Look at our shipping, and see at this moment the tonnage of British America, amounting to over 900,000 tons occupying a place next to France—the fourth commercial marine in the world. But I need not go into any labored arguments to show that the time has come when we should assume a position of nationality under the aegis of old England.

THE POSITION OF THE LOCAL GOVERNMENTS.

It has been said that whilst the General Government would possess large powers, with an

influential legislature, the local governments and legislatures would sink into contempt. Those who make such a statement must ignore our past history. I would ask gentleman to look at the history of the past, and see whether there is evidence to sustain the proposition that the governments of these provinces would occupy so contemptible a position that no man of character and influence would be inclined to have anything to do with them. In the first place, the subsidy that this province would receive in connection with the revenue from the mines and minerals would be double the revenue that it had at the time when the men who have made the legislature famous occupied seats within those walls. Not only would we have double the amount of revenue, but we would have larger powers, and possess more commanding influence in relation to the public affairs of the province than the government and parliament of this province had at the time when Chief Justice Haliburton, the Lord Bishop of Nova Scotia, Judge Bliss, the Masters of the Rolls (Archibald and Stewart) occupied seats in this house. Can we say then, when we shall have double the revenue, and a far more influential position, that we will not have men of ability and intellect to enter our legislative halls.

THE PRESENT ASPECT OF THE QUESTION OF UNION.

We do not come to the discussion of this question in the position and attitude that I expected and hoped we should at the time this legislature assembled. We did not come to the discussion with a view to an immediate practical decision upon the question of Confederation, but I would do injustice to what I believe to be the intelligence and patriotism of Nova Scotia if I did not say in my place in parliament, that I am confident that the scheme of intercolonial union which has been devised at Quebec has taken, and will take such a hold on the public mind of all these provinces as to ensure its adoption at an early day in all its entirety. I would be doing injustice to the question and the evidence that exists on every side if I entertained a doubt that when the facts came to be examined and sifted by the intelligence of this province, they will with great unanimity unite in promoting and consummating a scheme which is fraught with such incalculable advantages to the best interests of British North America.

Owing to circumstances over which we have no control, the government of Nova Scotia is placed in a position which renders it useless to bring this scheme down for the decision of the Legislature. Every person who knows the geographical position of the country, with New Brunswick lying between us and Canada, must see that any Union of British America is impracticable unless the latter province is a party to it. I regret to say that public men in that province have been unpatronizing enough to forget their duty to their country, and to enter into combinations which I regret to say were too successful with those hostile to British North American Union, for the purpose of overthrowing the government, and under these circumstances the question of union of British North America has received a heavy blow and great discouragement; but we would be underrating the paucity of that province would reverse its de-

triotism of New Brunswick, (as we would that of Nova Scotia,) if we doubted that at an decision. I trust we will at an early day see reaction on the part of the public men of that province that will place this question in an entirely different aspect. I believe that this hostile action on the part of New Brunswick is most deeply to be deplored in the interests of all B. N. A. I regret, however, to say that a large amount of hostility has also been excited in various sections of Nova Scotia in respect to this question, and the petitions which are now on the table would render it exceedingly difficult for any government to ask an immediate decision, but whilst there has been a vast amount of energy, exhibited—whilst thousands of people have been induced to petition this Legislature on this question of Confederation, a comparatively small number of these petitions have pronounced against Confederation. There are not 3000 persons in the entire Province who say they are opposed to the proposed Confederation, notwithstanding the scheme has been misrepresented, and arguments of the most fallacious character used against it—and that party influences have been thrown largely into the scale—although the attempt has been made to induce people to oppose it by petitions largely circulated, the majority of the petitioners who are here state that they are not prepared to say whether it would be for good or for evil, that we should have Confederation and ask the House to pause before irrevocably committing itself to what would be, I believe, for the advantage of the country. I believe that at an early day, these parties having been fully informed on the subject, will be prepared to come hence by tens of thousands, and ask the Legislature to consummate this scheme of Union. I tremble, sir, when I think of the results that the action of these Provinces may have upon the public mind in England—that the steps which are in progress for the security and defence of British North America may be interfered with and the efforts for our protection may be paralyzed by the fact that in presence of a great danger, these Provinces have permitted that isolation to continue which can only lead to connection with the American Republic, and opposed that consolidation which in co-operation with the power which England was prepared to put forth, would give us security and avert the peril that is now so imminent.

The scheme devised at Quebec has passed through the most trying of ordeals triumphantly—after being submitted to the closest examination by the press of England, it has come out with encomiums such as no scheme ever devised by any body of public men has ever received before. It has secured the approbation of the most intelligent and influential section of the press of British America. It has been adopted in Canada by both branches of the Legislature with an unanimity such as reflects the highest honor on the patriotism and the intelligence of that country. In New Brunswick, P. E. Island, and Nova Scotia, it has enlisted the support of almost the entire religious press of the country, as also that of the most intelligent and independent of the secular press. Having obtained the support and co-operation of the leading and most influential public men in the different provinces—of the great bulk of the intelligence, wealth, and in-

fluence of the country, it is placed in a position which gives to this house and country, and to all British North America the best guarantee that in a little time, when it has been fully examined and discussed, all classes will vie with each other in bringing about the adoption of a constitutional change so necessary and advantageous to all.

UNION OF THE MARITIME PROVINCES.

I have stated in the outset that a Legislative Union of the Maritime Provinces is desirable in case we are Confederated, and and still more indispensable in case we are not to be at once united with Canada. Under these circumstances have I moved the resolution which I now hold in my hand. I can only say that if gentlemen will examine the remarks I made in this house last winter they will find that I considered the Union of the Maritime Provinces was one of the most important means to secure a union of all British North America, and most desirable in such a contingency. There are gentlemen present both inside and outside of these benches—who were connected with the delegation to Quebec—who will bear me out in the assertion that I always advocated the lesser union in that light. And at the very moment when I was prepared to concur with the rest of the delegates from the Maritime Provinces in adjourning the question of the smaller union until the larger question had been considered, I advocated the former as almost as essential and important if we remained out. The whole objection that is raised against the diminished importance and expensiveness of the local governments and legislatures would under Confederation be swept away by a union of the Maritime provinces. Therefore, instead of bringing forward this question as a counter-proposition to the Confederation of British North America, I regard it to-night as I did a year ago, as an important and great step towards securing that greater union—as a means of placing these Maritime provinces in a united and influential position under Confederation than we would have if we entered it separately. How this proposal may be received by New Brunswick and P. E. Island, it is not for me to say. I may admit there was no prospect of getting Prince Edward Island into the proposed Legislative union, even if the Canadian delegation had not attended the conference at Charlottetown. Granted as I would have been to see P. E. Island form a portion of the great Confederation, I did not regard their action either in respect to the smaller or greater union as a matter of vital concern at all. All that is necessary is that Nova Scotia and New Brunswick, united as they are by every tie of common interests should be in a position to have that union. Even if the larger union were impracticable and could never take place, still it is desirable that New Brunswick and Nova Scotia should be united. It would expand on trade, advance our influence, and accomplish many of the same results and bring about advantages that would be received from the larger scheme of union, only in a smaller degree.

Having trespassed so long upon the patience of the House I will not occupy the attention of gentlemen longer than to express the hope that this resolution will meet with the concurrence of this Legislature and of the Govern-

ment of New Brunswick, though on this latter point I am not prepared to express any opinion.

But suppose the government of New Brunswick is not prepared to concur in Union of the Maritime Provinces, it was desirable that that point should be definitely known, and the public mind be no longer distracted with the consideration of that question.

By this resolution the government will be authorized to open negotiations, and see what prospect there is of obtaining a legislative union with that province. The opponents of Confederation here have professed to be in favour of the Union of the Maritime Provinces, and as far as I have an opportunity of knowing that has been the view of some of the opponents of Confederation in New Brunswick. Whatever view, therefore, this house may take of the larger question of a Union of British North America, I trust they will sustain the resolution now submitted to their consideration.

TUESDAY, April 11.

House met at 3 o'clock.

THE SCHOOL BILL.

Hon. PROV. SEC. moved the third reading of the bill "For the better encouragement of education."

Hon. Mr. LOCKE opposed the principle of assessment as most obnoxious to the people, and moved a resolution to this effect:—

Whereas, the system of direct taxation for the support of schools has been condemned by and is obnoxious to the wishes of the people of this Province, and instead of promoting has retarded the progress of education;

Therefore Resolved, That this bill be referred back to committee for the purpose of striking out so much thereof as establishes that principle, and that there should be substituted therefor clauses providing for subscriptions or contributions by fees to supplement the proposed grant for the support of schools.

Hon. PROV. SEC. said that the resolution asked the house to stultify itself and to resort to an old system which had been tried and found inadequate. He hoped a majority would not be found, for party purposes, willing to adopt such a course.

Mr. LOCKE disavowed all party feeling in the matter, and expressed the opinion that the present law had retarded education and closed one half the schools. He thought the Legislature had no right to meddle with the pockets of the people as the bill proposed.

Hon. ATTY. GEN. said he had yet to learn that the people were willing to go back to the old system which had been abandoned last year by a vote of nine-tenths of the Legislature. For years past all parties had acknowledged its inadequacy to meet the requirements of the country, and the necessity of an improved system of education. Notwithstanding all the difficulties that naturally arose in putting into operation a bill new to the people, the results on the whole had been satisfactory and encouraging. Under all the circumstances, it was absurd for the hon. gentleman to ask the house to go back to a system which had been condemned by nine-tenths of the members last year.

Mr. ARCHIBALD made a few remarks in support of the principle of assessment, which had been advocated by leading minds in the House

and country for many years. He would not support a resolution which went to establish a principle which he felt was unsuited to the public requirements, and was condemned by a large majority last winter. The bill of last year was objectionable in many respects, but the object of the present measure was to remove many of the injurious features of the former, and place education on a more satisfactory basis.—Some details he strongly objected to still, but of its vital principle he approved.

Mr. STEWART CAMPBELL said that the question as to whether the rejection of the assessment principle would destroy the bill, and embarrass the Government, was not the point to be considered at all. What they were called upon to ascertain was, whether that principle was in accordance with the feelings and wishes of the country. If it was, then let it be accepted; but if not, then it was the duty of the House to reject it, irrespective of any party considerations whatever. He differed entirely from the hon. Provincial Secretary, when he said that they would stultify themselves by rejecting the assessment clause; on the contrary, he thought that it would be the Government that stultified themselves when they called upon the house to pass a measure which for the last twelve months had received universal condemnation throughout the country. The hon. Provincial Secretary stated that the house had already acted upon this principle. That vote was taken in a thin house, when fifteen gentlemen recorded their votes against it, and eighteen for it; and he believed that if they were not influenced by pressure since brought to bear, the majority would be the other way. He denied that the bill of last year had been a success in the country. Even admitting that in some populous districts it had met with support, that was no answer to the fact that the large majority of districts lying outside of these were deprived of the means of education altogether. He disclaimed all idea in opposing this bill, of wishing to embarrass the government. If it had that effect, they had brought it on their own heads. He opposed it because he knew it to be obnoxious to his constituents. If it was a good bill, he called upon the government to appeal to the people and allow them to pass their judgment upon it; but he did not think that ever they believed that it was in accordance with the wishes of the people. He called upon gentlemen opposite to record their opinions upon this question, according to their own convictions and what they knew was the feeling of the country. He did not think that it was the duty of any gentlemen, however much they might desire to sustain the government, to perpetuate a system so obnoxious to the people.

The assertion of the hon. Atty. Gen., that education was in a better position now than under the old law, had been so often refuted that he would not take up time by alluding to it now. The petitions upon the table shewed the contrary; and it would have been better for the government to have paid some regard to them, rather than pass them by unnoticed.

The hon'ble gentleman concluded by calling upon gentlemen opposite to act independently and fearlessly upon this question—their duty to their constituents should be their consideration—that to the Government was only secondary. He would rather always remain in opposition than be a slave to any Government.

Was this a time, he would ask, to force an obnoxious measure upon the people of this country—a time, if we could believe the opinions of gentlemen opposite—when danger is threatened—and it was therefore of more than ordinary importance that the affection and confidence of the people should be reposed in the Government of the day. Let us then encourage these feelings—let us have willing hearts as well as hands to defend us, and although our numbers may be few—and the danger great—he believed that there was sufficient courage, energy and spirit in the people of this country to sustain them in the hour of need.

Mr. BLANCHARD did not intend to have addressed the House, but the question having assumed such proportions, he felt it his duty to offer a few observations. This question of assessment for the support of schools was by no means a new one. Upon looking back to the Journals of 1836, he found that the subject was debated in the House and the following resolutions were then moved:—

“Whereas the principle of assessment is the only permanent foundation for the common school education of the country, and as this principle is the leading feature of the measure now under consideration and the details may be modified and improved,—

“Resolved, therefore, that the bill entitled an act for the better encouragement of education be referred to a select committee with instructions to consider the same, and report thereon at a future day.

“For the motion thirty-seven against it nine.”

The men whose names he found recorded in favor of that resolution he had been accustomed from his boyhood to look up to with respect and esteem; and when that resolution was carried it met with his hearty approval. From his earliest recollections, he had been educated in the belief that the principle of assessment was the only correct one; and in supporting it now he certainly could not be suspected of being a slave to the Government. He was sorry that he was compelled to differ from those for whose opinions he had always entertained the highest respect; but he felt that he would be recreant to the duty he owed to the country, and to the opinions he always entertained, if he voted for the resolution of the hon. member for Shelburne. He was not disposed now to enter into an argument to prove that assessment was the true principle. This had been proved so often that it was unnecessary. When this principle was introduced into the bill of last year, he told the hon. Prov. Sec. that if it was founded upon the proper basis, he would give his assistance in carrying it out. He thought that the time had come when the principle should be fairly tried, and he now felt that if he voted for the resolution before the house, he would be taking a step in a backward direction. At the same time, he must not be understood as giving his entire approval to the whole bill,—there were many objectionable features in it, which he had done his best to remove. For instance, the construction of the Council of Public Instruction was particularly obnoxious to him; but this feature he could not object to. He did not support it with a view of assisting the Government, but because he felt it was the only sound basis upon which the common school system of the country should rest.

Mr. BLACKWOOD said that there were many

clauses of this bill exceedingly objectionable to him, and none more so than the mode in which the Council of Public Instruction was constituted. He should have been very glad if that had been re-considered, or at all events remodelled, so as to remove some of its objectionable features. But, as regards the feature of the bill now under consideration, he felt called upon to sustain it, for he was convinced that, when properly carried out, it was the only proper basis upon which the common school system of the country should rest. He was sorry that he was obliged to differ with his friend the member for Shelburne; but he could not consistently vote for his motion without acting contrary to the opinions he had always entertained. He did not support the measure with the view of assisting the Government—for he would scorn to bolster up any Government by supporting them in carrying out what he did not believe was for the interests of the whole country. He wished, then, in giving his vote for the measure, to put himself right before the house and his constituents—and to let them understand that, in the course he was taking, he was not sustaining a Government—but a principle, which he believed was calculated to benefit the cause of education.

Mr. JOSE had already stated that he was opposed to the principle of compulsory taxation. He wished the matter to be left in the hands of the people.

Mr. BILL said that the house was aware that he had presented petitions signed by many hundreds of persons against assessment for the support of schools. It was a system that looked very well upon paper, but it was not so easy to carry it out. When he made up his mind to vote for assessment, he was at the same time determined to vote for separate schools, for he did not think it just to have the one without the other. He regretted very much that he felt it his duty to support the resolution.

Mr. KILLAM said that it was evident that the system of county assessment proposed by the bill would not give the amount required for the support of the schools—and they would have to raise the balance by subscriptions from the people. He objected in committee to the principle upon which the bill distributes the public money, and he should vote for the resolution before the house.

A call of the house was had.

Mr. C. J. CAMPELL said that it was clearly understood when this bill was sent to committee that no one was committed to the principle. He was glad it was not going to be made a party question, as it left it open to the supporters of the Government to take an independent course. He agreed with the member for Kings, that, if they had direct taxation, they must have separate schools. He thought, if they were going to have free schools, the better plan would be to appropriate the surplus revenue in the Provincial chest for their support, and if that was not enough, he did not think the people would object to an increase of the ad valorem duties.

Mr. ROSS, in reference to a statement made on a previous evening by the Provincial Secretary, that there were 62 schools in operation in Victoria county, said that he was not in a position to contradict him then, but he had telegraphed down to the county, and had received an answer that there were only 27.

Hon. PRO. SECY. said that his information

was derived from the report of the Superintendent of Education. He did not say that 62 schools were in operation, but that 62 school sections had organized under the law. He had listened with some surprise to the style of argument used by the member for Guysborough. He had listened to rather extraordinary appeals in that house, and had seen great liberties taken with hon. gentlemen, but he had never heard of such a liberty as that which had just been taken by the member for Guysborough with the gentlemen who supported the Government. He (Mr. C.) could not say that the principle of assessment was bad, for he had affirmed it over and over again, but he called upon hon. gentlemen to vote against the bill from the small, paltry consideration of losing a few votes among their constituents.

He did not consider the present position of the cause of education in this country, nor what was due to the people he represented; but he called upon hon. gentlemen to consider only what was due to themselves, and from personal motives to defeat a measure designed to improve the common school system of the country.

He (the Pro. Sec.) would ask whether this was a dignified or honorable position to occupy—to call upon gentlemen on that side of the house to abandon a government that had had the courage to grapple with a great question, which they knew was fraught with great danger, but which they felt the best interests of the country demanded should be dealt with at their hands? He did not envy that hon. gentleman the position he occupied, and he should look with interest at the division, to see how many would be guided by his advice.

Mr. STEWART CAMPBELL said that the hon. Provincial Secretary had expressed surprise at his moving a call of the house. His reason was plain; three or four gentlemen who had expressed themselves opposed to the bill had been about the house all day; but where were they now? His object was to bring every man here to record his vote, as it was his duty to do. The hon. Pro. Sec. had taken exception to the appeal he had made to the house. He thought that when the house remembered the appeal that hon. gentleman once made to the house and the country on the subject of retrenchment—an appeal which it is true achieved its purpose and gave him power,—a power he did not envy him, when gained by such unworthy means—they would agree with him that he was the last man to criticise the motives of any hon. gentleman in that house.

The question was then taken upon Mr. Chas. Campbell's amendment, which was lost by a large majority.

Mr. Locke's motion was then put, and lost by a vote of 30 to 16.

For—Messrs. Heffernan, Ross, Hatfield, Killam, Ray, Bill, Miller, C. J. Campbell, Robertson, Locke, Bourinot, Stewart Campbell, Caldwell, Robichau, Coffin, Balcan—16.

Against—D. Fraser, Shannon, Tobin, Donkin, Hill, Longley, McFarlane, McKay, King, Lawrence, Allison, Pryor, Parker, Whitman, Kaulback, Moore, Hamilton, Pro. Sec., J. Fraser, J. Campbell, McLelan, Blackwood, Atty. Gen., Blanchard, Annand, Cowie, McKinnon, C. J. Campbell, Fin. Sec., Archibald—30.

Mr. ARCHIBALD moved that the bill be re-committed for the purpose of striking out the

clause relating to the Council of Public Instruction and substituting the following:

"The Governor may appoint not more than nine and not less than seven persons, of whom the Superintendent of Education shall be one, to be a Council of Public Instruction, and such persons shall hold their office during pleasure, and shall be subject to all lawful orders and directions, in the exercise of their duties which may from time to time be issued by the Governor in Council."

On the question being taken, there appeared for it 16 against 29.

For—Ross, Parker, Heffernan, Ray, Bill, Blanchard, Locke, McLelan, Blackwood, Robertson, S. Campbell, Annand, Archibald, Coffin, Balcan, Robichau—16.

Against—C. J. Campbell, Hill, Bourinot, Longley, Tobin, Killam, McFarlane, McKay, Hatfield, Lawrence, Hatfield, D. Fraser, Whitman, Kaulback, Moore, Hamilton, Miller, J. Campbell, Donkin, Prov. Secretary, Caldwell, King, Cowie, Colin Campbell, McKinnon, Fin. Secretary, Shannon, Atty. General—29.

Mr. BILL moved the following amendment: "Resolved—That this bill be re-committed for the purpose of amending the second section thereof, so as to include the Lieut. Governor for the time being, in the Council of Public Instruction, and that he be the head thereof."

Hon. PROV. SEC. felt it his duty to say that he had good reason for believing that the Lieut. Governor entertained the strongest objection to occupy the position contemplated by this amendment.

Mr. BILL was rather surprised at this, for he was under the impression that his Excellency wished to identify himself with the education of the country. In a speech which he delivered at a banquet last summer to the Canadian Delegates, he expressed himself to that effect, and said that he considered it not only his duty but his privilege to take an interest in the educational system of the country. The sentiments he then expressed met with the cordial approval of thousands of the intelligent people of this country; and with the permission of the house he would read an extract from it. The hon. gentleman then read as follows:—

"It would afford me great satisfaction were I to realize in the future course of my administration one-half of what the Provincial Sec. has ventured to anticipate. Whatever I might wish to effect or whatever any individual might hope to accomplish is nothing in comparison to that which a free and intelligent people have it in their own power to accomplish for themselves. I have had some experience, gentlemen, in public affairs, and have at all events been able to learn this during my term of office, that there is no greater mistake in governing than governing too much. In a country like this a Governor must rely on his Ministry and on the people, whose representatives they are, if he hopes to effect any real public benefit; yet whilst he looks to the Ministry and to the people for assistance it is his duty to aid, by every means in his power, the development of the intellect and education of the country."

He felt that this was rather a delicate subject to treat upon, and he was under the impression that he had only to mention it, when it would be at once agreed to. He was at a loss to understand what objections his Excellency could have to be connected with the

Council of Public Instruction, and he regretted it exceedingly as he thought his presence there, and the benefit of his experience would be of great value to the deliberations of that body. He would not press the matter any further, as the Prov. Sec. had stated that it would be distasteful to the feelings of his Excellency, and he would therefore withdraw his motion.

Hon. Prov. Sec. trusted that the hon. gentleman would withdraw his motion, and not put the Government in the unpleasant position of having to vote against it.

Mr. ARCHIBALD expressed his regret to hear the statement made by the Prov. Sec., that his Excellency had expressed his unwillingness to be connected with the Council of Public Instruction. He looked upon his presence there as a matter of great importance, but after what the Prov. Sec. had stated, the member for Kings had done right in withdrawing his motion.

Mr. BLANCHARD moved that the bill be re-committed for the purpose of striking out certain clauses relating to the City of Halifax, a resolution had been placed in his hands which had been passed by the City Council by a vote of 10 to 5, and altho he did not agree with it in all its points, he thought the house ought to pay proper respect to the voice of the City as heard through its representatives.

The hon. gentleman read the resolution from the City Council as follows:—

Resolved, That that portion of the school bill which specially relates to the City of Halifax is arbitrary in the principle of compulsory assessment, and is inapplicable to the circumstances of the City of Halifax,—and the City Council representing the various wards of the City protest against its passage through the Legislature."

When it was considered that the City Council, elected by the citizens and representing their interests were refused power by the house to tax the people for the purchase of what they considered valuable property, it was no wonder that they complained that the power of taxation for the erection of school houses, should be taken away from them, and vested in irresponsible commissioners. He would ask the house whether they were prepared to place in the hands of those men uncontrolled powers to tax the people for the erection of school houses in each ward of the city. Not only was this objectionable feature in the bill, but the necessary consequence of the passage of these clauses would be the establishment of separate schools in the City of Halifax. There were two denominations prepared to come in and take advantage of these clauses in the bill, the Episcopalians and the Roman Catholics—and there were no other denominations in a position to do so. He did not wish to make any invidious remarks in reference to these two denominations. It was greatly to their credit that they had erected handsome school houses, but that was no reason why they should come in and monopolize the public moneys to the exclusion of all other bodies. He did not see why the city should be placed upon a different footing from the rest of the province, and why it should be allowed to elect its own Trustees, with uncontrolled powers of taxation. As he before remarked the taxation of the city was increasing to an alarming extent, and he was surprised at the

silence of the representatives for the city, who were more immediately interested in the subject.

Hon. Mr. SHANNON said that the hon. member for Inverness seemed anxious that his own constituents and the people far away should be taxed, and he himself escape. Now, as regards the position of the city of Halifax, they had had a law on the statute book for years which had never been carried out; and his object was to get a law that could be carried out. This bill had been for sometime before the house and the country, and where were the petitions from the city against it? Not one. It was true that the City Council were now moving in the matter, but they did not object to any particular clause of the bill, their resolution is against the whole bill. If they had said they objected to the mode of appointment of trustees, he could have understood them, but they went against the whole principle of assessment. He could not understand the force of the remarks of the member for Inverness as to separate schools. The congregation of St. Luke's had an admirable school house. If an arrangement could be made with them—not to hand over the school monies to the Dean and Chapter, but to get them to hand over the school house to the Council of Public Instruction for a free school, he did not see what objection there could be; and so with the Roman Catholics, who were about erecting a handsome school house, and so with the National school, and others in the different wards; if they could be obtained no great necessity would exist for taxation for the erection of school houses. He was not at all afraid of this bugbear of separate schools—raised by the member for Inverness.

Mr. BLANCHARD denied that he made any such statement as that his constituents might be taxed, while the citizens of Halifax should go free. He said that taxation was heavy enough already, in Halifax, and he was not willing to give uncontrolled powers to persons responsible to nobody. He was not afraid to give his constituents power to tax themselves, but the member for Halifax appeared to be so. The hon. gentleman says this idea of separate schools is only a bug-bear; and he talks about St. Luke's, and the Roman Catholics handing their school houses over to the Council of Public Instruction. Does anybody believe that the Dean and Chapter of St. Luke's would hand over their handsome school houses, without retaining the power to control the school? or that the Roman Catholics would hand over theirs without retaining the appointment of the teachers? He thought not. If they were going to have separate schools, let them say so at once; but don't let it be done in such an underhand way.

Mr. MILLER should vote against Mr. Blanchard's motion for the very reasons he had given in its favor.

Mr. TOBIN hoped that the hon. member would not press his motion. This subject should be approached with delicacy and moderation; and unless each one was prepared to give way, to a certain extent, to the other, it would be impossible to carry out the system.

Mr. PRYOR said he gave his cordial support to the clauses in the bill relating to the city of Halifax, and he was prepared to take the responsibility of the course he had pursued.

He wished to give the system a fair trial, and if it did not succeed, it could be altered.

Mr. BLANCHARD under the circumstances withdrew his motion.

Mr. LE VESCONTE moved the clause which he had read on a previous day as to the rights of minorities—which was lost—31 to 8.

For.—Miller, Bill, LeVesconte, McDonnell, Tobin, McKinnon, Robichau, Caldwell—8.

Against.—John Campbell, Pryor, Moore, D. Fraser, McFarlane, C. J. Campbell, Blackwood, Hamilton, Allison, Laurence, Ray, Parker, McKay, Chipman, Kaulback, Hill, Longley, Donkin, Prov. Secy., Blanchard, S. Campbell, Annand, Balcom, Ross, Robertson, Shannon, Locke, Finl. Secy., Cowie, Archibald.

Mr. STEWART CAMPBELL moved that the bill be deferred to that day three months.

Mr. LEVESCONTE, although opposed to the bill, should vote against this motion, as it would be ten times worse to go back to the bill now on the statute book.

Mr. MILLER wished to remove a misapprehension upon that subject. It did not at all follow, that if they rejected this bill they must fall back upon the old law. A measure might be framed in consonance with the wishes and feelings of the people. The hon. gentleman commented upon the bill of last session at some length, and argued that by amendments it had been stripped of a great many of its obnoxious features, and was not at all the bill as originally introduced. Therefore it was not right for the hon. gentleman to say, that the house had only the option of accepting this bill, or being driven back to the obnoxious bill of last session. The hon. gentleman recapitulated the reasons why he should be compelled to vote against this bill upon its third reading.

Hon. ATTY. GENL. contended that the clauses relating to the city of Halifax, were totally inapplicable to thinly settled districts. The principle might be carried out in the more populous districts, where the different denominations had school houses of their own. The hon. gentleman referred to the fact that, in Nova Scotia, no distinction was made between any sect or creed, and he hoped that none would ever seek for any preference.

After some further slight discussion, the question was taken upon Mr. Stewart Campbell's motion—to defer the Bill for 3 months—which was lost, 20 to 8.

For.—Killam, Heffernan, Parker, Ray, Hatfield, Miller, S. Campbell, Balcom—8.

Against.—D. Fraser, Shannon, Atty. Genl., Donkin, Le Vesconte, Finl. Sec. Collin Campbell, Lawrence, J. Campbell, McKay, Allison, Moore, Whitman, Kaulback, Longley, Prov. Secy., Hill, McKinnon, Tobin, Cowie—20.

Mr. STEWART CAMPBELL gave notice to rescind.

Hon. PROV. SEC. expressed his astonishment that after having had a call of the house, he should persist in a notice to rescind.

Mr. STEWART CAMPBELL replied that he did so because not half of the house was present.

Hon. PROV. SEC. moved that the bill be read a third time and finally pass.

Some discussion then ensued upon a question of order, as to whether that motion could be put—pending the notice to rescind.

The Speaker took time to consider.

The House adjourned until the next day at o'clock.

WEDNESDAY, April 12.

The house met at 3 o'clock.

Mr. LEVESCONTE, chairman of the committee on fisheries, reported.

Mr. TOBIN would like to know whether the committee had considered a subject which had been brought to their notice by petitions from Margaret's Bay, relative to the practice of setting seines; and whether they had suggested any remedy for the grievance complained of.

Mr. LEVESCONTE said the committee had carefully considered the subject, but could not arrive at any definite conclusion. They found it impossible to devise a law applicable to the whole Province.

Mr. SHANNON enquired if any action had been taken as regards the trawl fishery.

Mr. LEVESCONTE said that there was not sufficient information before the committee to warrant them to interfere.

Mr. TOBIN alluded to the want of attention this important branch of industry received from the house. He saw a number of gentlemen around the benches who should take an interest in the subject; and yet here was a report brought in by a committee after two months deliberation, and scarcely a remark was elicited from them. The hon. gentleman alluded to the abolition of the office of Fish Inspector, which he thought had rather depreciated the character of our fish in foreign markets. He thought that something might be done to improve the breed of fish. In France they imported spawn for this purpose, and he did not see why caplin could not be made to breed upon our shores, so as to improve the character of fish used for bait.

Mr. S. CAMPBELL thought that the hon. member for Halifax instead of lecturing the committee ought to have addressed his remarks to another quarter. He should like to know why the government ignored their duties in connection with the preservation of the fisheries any more than in relation to agriculture or any other branch of industry. He thought that there was a particular reason why the remarks of Mr. Tobin upon the improvement of bait should have been made to the government, for if there was a body of gentlemen who understood the use of bait, it was the Executive of Nova Scotia. (Laughter.) And as they had taken charge of all the schools of the province, perhaps it would be just as well if they also assumed the protection of schools of fish. This subject of the trawl fishery should engage the earnest attention of the government, as if something was not done very soon, the valuable cod fishery of our coast would be completely destroyed.

Hon. PRO. SEC. said that no doubt this subject was a most important one, and deserving the serious attention of the house and the government, but he thought that if hon. gentlemen who represented fishing interests instead of making it a subject of attack upon the government of the day would devote a little attention to the subject themselves, it would look more like a desire to benefit that branch of provincial industry. He had sat there eight years, and although the member for Guysborough represented a constituency largely engaged in the fishing business, he never heard him open his mouth to give advice upon the subject.

He thought that if the constituencies of those fishing counties, instead of selecting gentlemen of the legal profession as their representatives,

would send those who took a more real interest in their welfare, it would be better for them, and he could assure them, that they would find no indisposition on the part of the government to meet their views.

Mr. S. CAMPBELL had no doubt that the Prov. Sec. was not pleased with his style of opposition—he would probably prefer having more loose fish about the house.

Mr. ARCHIBALD would suggest to the Chairman of the Fishery Committee that instead of taking \$150,000 to cut a hole at this end of the Bras d'Or Lake, he should take the money, and stop up the other end and thus make it a valuable reservoir for the preservation of fish.

Mr. COBIN said perhaps the trouble with the member for Guysborough was that he was not sufficiently supplied with bait, and he had been fishing with bare hooks.

Mr. LOCKE said the subject had been so often discussed that it was not worth while to take up any more time. At the same time, it was not right to treat it in a *scaly* way. He always felt that, while the subject of agriculture received a great deal of attention from the house, the fisheries, which were of as much importance, scarcely received any attention at all. As regards the trawl fisheries, the evil complained of existed more in reference to the deep sea than the shore fisheries, and it had been established that we had no control over them.

Mr. PRYOR thought that if the government would give a grant for the improvement of the fisheries, no money could be better expended.

Hon. ATTY. GEN. asked whether the question of payment of supervisors of river fisheries had been considered by the committee.

Hon. PROV. SEC. said that a bill had been passed to carry out that idea, and supervisors had been appointed, but he believed their duties commenced and ended with drawing their salaries.

Mr. PRYOR said the sessions of Halifax county had taken the matter up very warmly, and had voted £50 to pay the river wardens.

After some further remarks, the report was received and adopted.

The adjourned debate on the Union of the Colonies was then resumed.

UNION OF THE COLONIES.

Speech of Mr. Archibald.

Mr. ARCHIBALD, in rising to second the resolutions upon the table of the house, said:—I feel that after the great length at which the hon. Pro. Sec'y has adverted to the scheme of Union propounded at the Quebec Conference, it will be out of place for me to go very largely into detail, and I shall therefore content myself with calling the attention of the house to some matters to which he did not refer at great length. That hon. gentleman, in order to convince the house that he and those who acted with him in the advocacy of this question of the Union of the Colonies, had ample authority for the course they pursued, had referred to the public meetings held from time to time, in this city, and to the recorded opinions of the public men of this country delivered at different times in favor of the project. He might have gone farther and stated that, at no meeting of a public kind—at no public gathering—and upon no occasion, when a public man ad-

ressed an audience in favor of Union, had there ever been found a dissenting voice against it. If then this could be taken as any evidence of the state of the public mind, I think that the advocates of this measure had a right to assume that the feeling of the country was largely in favor of Union.

But while the hon. Provincial Secretary has alluded to the public opinion of this country, I will remind the house that there is another public opinion on this subject, which cannot be ignored. A public opinion which must, and has a right to exercise a powerful effect upon the decision of the question—I allude to the public opinion of the statesmen and people of England. This opinion, too, has undergone a great change. It must not be forgotten that till the occurrence of recent events the circumstances of the past have not been such as to induce British statesmen to look with much favor upon any large or general Union of her colonies. The last union that took place, and to which the attention of British statesmen has naturally turned had the effect of wresting from her power thirteen of her most valuable colonies, which formed the brightest gem in the diadem of the British crown.

We can easily understand then how they would be inclined at first to regard with doubt and disfavor any projected combination of all the British North American Colonies. It was not to be wondered at then, that when this subject has from time to time been brought to the notice of the Imperial authorities by colonial statesmen it received little encouragement. So late indeed as 1857 when delegates for this province pressed the subject upon the attention of Mr. Labouchere, the then colonial minister, it was quite clear that the smaller union of the Maritime Colonies would have been preferred by the Imperial authorities to a union of the whole. And it is very probable that had the position of affairs on this continent remained the same as then, the feeling of antagonism on the part of the mother country to a general union of the British North American Colonies, would have been continued to the present time. But let me contrast for a moment the changed aspect of affairs, and it will be readily seen why it is that such a revulsion of feeling has taken place in the public mind—across the water—upon this question. Four year ago, when British statesmen looked to America, they saw thirty millions of people engaged in the arts of peace—the cultivation of the soil, the construction of railroads and canals—the building of cities—the creation of manufactories, and development of every branch of art and industry. In fact the reign of materialism appeared to be firmly established, and the rule of the “almighty dollar” supreme. British statesmen then, in view of these circumstances, had a right to assume that in the absence of any great and unexpected convulsion among these people, they had no reason to anticipate difficulties or complications with them. But now, how changed was the scene—that great nation once devoted to the arts of peace, had suddenly been turned from a nation of farmers, artisans, and merchants into a nation of soldiers. That nation now had in the field the largest armies the world ever saw, and had increased their naval strength more rapidly than any other nation in the world. And instead of the spirit of peace—the *Jwar* spirit pervaded the whole country.

In view of this changed aspect of affairs, then, was it much to be wondered that British statesmen should regard these colonies with very different feelings from those which animated them at the period I referred to. There is another reason, too, why Great Britain should regard the British North American Colonies in a different light than when she lost the thirteen colonies in 1783. At that time they formed almost the whole of her colonial possessions. It was not until 5 years after the peace of 1783 that the first colonist set his foot in Australia. Now we find in that country no less than six distinct governments, with the dimensions of European kingdoms, and with the revenues of principalities. New Zealand, was then untrodden by the foot of the white man. It is now a confederacy of colonies. The British possessions in South Africa have swollen from a port and a town to an enormous colony. The 150 millions of British India (formerly governed by native princes, or a commercial company,) are now under the direct rule of the Queen of England. At that time Canada West was a wilderness, a few trappers and fur traders being her sole white population. Now we find scattered over the globe, over thirty colonies of the British Empire, all, more or less, involving the Parent Country in responsibilities; all draining, more or less, the national Exchequer. Is it to be wondered at then, that in view of the altered circumstances of the times, Englishmen should begin to think that the time had arrived when it was the duty of the colonies to assume some responsibility and to relieve the mother country of, at all events, some portion of the burden of their defence. This feeling would be found to pervade every debate that had taken place on the subject in the British parliament. As long ago as 1858, when Mr. Gladstone was examined before a committee of the House of Commons, on the subject of the colonial defences, he declared that the time had come when the colonies, with the privileges of freemen which were accorded to them, must be prepared to bear a large share of the burdens and responsibilities of freemen. That declaration had been repeated over and over again in his public speeches in and out of parliament, and not only by Mr. Gladstone, but by public men of all shades of politics, and by the press without distinction. Not only had this opinion been expressed, but it had to a large extent been acted upon, and at this moment the entire military expenditure of India has been thrown upon her own resources, while the same policy was about being applied to New Zealand. Not only is this the case, but for several years despatch after despatch has been sent from the colonial office to Canada, informing her that the time had arrived for the colonies to wake up to the necessity of relieving the mother country from at least a part of the burden of their defence. That while exercising the rights and privileges of freemen, they must also assume the responsibilities and duties which that position involved. I think, therefore, that no one can question the fact that the time has arrived when a change is about to take place in the attitude of England, towards her colonies; and that, whatever we may think of the matter, her statesmen had arrived at the conclusion, that it was necessary we should share, to some extent, the military expenditure which our connexion with her entails.

I shall refer, for a moment, to the observations made in a recent debate in the British parliament by a statesman of the highest character, and who occupies a position entirely independent of the government of the day. Lord Derby, in alluding to the present position occupied by the colonies, said:

I will ask hon. members to recall to themselves the state of North America when we met in this house four years ago. That portion of the world was then divided among what we may call three great Powers—first, the United States of America; secondly, Canada, and the settlements and dependencies belonging to our own Sovereign; and, thirdly, Mexico, a country which certainly did not possess much political power, but which in extent, resources, fertility of soil, and mineral wealth was almost unequalled in the world. In every one of these three divisions there have been immense changes. In the United States a civil war has raged for four years, and even if that war should terminate, as the hon. member for Bradford suggests, I cannot believe that we shall see the same society and form of Government established, or even, if the form be the same, certainly the spirit will be altered, as existed before the civil war commenced. (Hear.)

It is quite clear, then, it is impossible to know what relations may exist between the United States, this country, and Her Majesty's dependencies on the other side of the Atlantic. Taking these large views, then, we ought to consider that—not to-morrow or next year, but that we are on the eve of events of very great importance.

In the opinion that we are on the eve of great changes on this continent Lord Derby agrees with the general sentiment of England. The very fact of large armies existing upon our borders, which to all appearances will soon be thrown idle upon the hands of the nation, is in itself sufficient grounds to warrant apprehension for the future. For however peaceably disposed the majority of the right thinking portion of the American people might be, everybody knew how difficult it was, in a country where the democratic element ruled, to control the impulses of the masses. While, therefore, I trust that the day is far distant when the present friendly relations between the two countries is disturbed, it is impossible to ignore the fact that there are strong reasons for fearing that if the present contest should be suddenly terminated, there would be danger of an interruption of the peaceful relations which now happily subsist.

There are some indications at the present moment of the state of feeling which existed in the United States towards Great Britain which are pretty significant in their character; and I shall read to the house an article from the *New York World* in which they are summarized. The writer, after commenting upon the anxious desire of Canada to preserve neutrality, says:

But this just and amicable disposition is met, on our side, by an intemperate and undignified exhibition of touchiness and spleen. The acts by which this waspish irascibility is manifested form a long catalogue:—

1. The annoying and expensive passport system, ordered by Mr. Seward, which has nearly destroyed the business of the Canadian railways.
2. The notice given by our Government for the termination of the convention mutually limiting the naval force on the great lakes.
3. The passage by Congress of a joint resolution for abrogating the Reciprocity Treaty.
4. The reporting to the House of Representatives, by the committee of Ways and Means (Jan. 18), of a bill for putting the frontier defences in the most efficient condition. Among other appropriations this bill makes the following:—For Fort Wayne, at Detroit, \$125,000; Fort Ontario, at Oswego, \$100,000; for Fort

Montgomery, at the outlet on Lake Champlain, \$100,000; for the forts at Portland and other places in Maine, \$700,000.

5. The resolution offered by the chairman of foreign relations of the Senate, looking to the abrogation of the stipulation in the Webster-Ashburton Treaty for the mutual surrender of fugitives from justice.

6. The bill introduced in the House of Representatives by Mr. Littlejohn (January 19), for the construction of a ship canal around the Niagara Falls "of sufficient dimensions for the passage of gunboats and vessels of war."

The house will perceive that every one of these acts has taken place since the commencement of the year. It is impossible, then, for anybody to avoid seeing that, however unjust and unfounded it may be, a feeling of hostility and irritation has grown up in the minds of the American people, and a desire exists, whenever the fitting opportunity comes, to revenge what they considered the humiliation of the Trent affair, to retaliate for the offences of the St. Alban raiders, and the depredations committed upon northern commerce by ships fitted out in English ports.

This it was that induced British statesmen to look with an anxious eye upon events that were transpiring around us, and which called forth this language from Lord Derby:

"Of these two measures (referring to the repeal of the lake armaments and the reciprocity treaties) it is impossible not to say that they are adopted in a spirit of hostility to this country. [Hear, hear.] One of them throws open questions of the most delicate and difficult character. The American people have derived, as they do not deny, great commercial advantages from the reciprocity treaty, and its termination is advocated only on the avowed ground that Canada derives still greater advantages. One effect of the termination of that treaty would be, if I am not mistaken, that the whole of the complicated question of the fisheries, from the settlement of which the United States have derived incalculable advantage, would at once be thrown open. [Hear, hear.] I am old enough to remember what serious complications and difficult questions connected with the fisheries occasioned, and how near to the point of war they led this country and the United States; and now all these questions are gratuitously, and apparently without the slightest reason, thrown open at the risk and danger of war—that which, nothing could be more deplorable—between this country and the United States. [Hear, hear.] It is not a little significant, too, that at the same time, when the abrogation of this commercial treaty lays open all these points of danger and difficulty, there is another step taken to abrogate another treaty. For a long period the lakes have served as the means of peaceful and profitable commerce between the two countries lying alongside each other; but I can recollect a period in the late American war when there was a race of ship-building on the two sides of the lakes, and when the party obtaining the supremacy in that matter gained the control of the lakes. [Hear, hear.]"

When Lord Derby used these expressions in reference to two of these measures he did not allude to the resolution which is the fifth in the catalogue read, and which, in my opinion, exhibits a more determined feeling of hostility than any of the others. I allude to the notice to abolish the extradition treaty. Could anything be more significant of the extent to which these feelings had grown than the fact that a statesman like Sumner should, in his place in Congress, coolly contend that this treaty, the principle of which is regarded by all countries with any pretensions to civilization as a necessary safeguard for the punishment of crime, and which is founded upon the principles of common justice and humanity, should be terminated. This declares, in effect,

that a man who committed murder in Canada and fled to the United States, or who committed any similar crime there and fled here, should enjoy immunity from punishment of his crime. Surely no stronger evidence than this was needed to show how far the feeling he had alluded to had gone in the United States.

If then the fears to which I have alluded should unhappily be realized, in what position I would ask would we be in? On this point I shall call the attention of the house to the opinion of Mr. Cardwell, than whom no man is in a better position to judge, than whom no man has greater responsibilities, or would be more likely to weigh well the meaning of his words before he uttered them.

He uses the following language:

"I cannot express the feelings of regret with which I should view any controversy between the United States and the subjects of the Queen. I should look upon it as a calamity unequalled by anything the world has ever seen."

This then is the opinion of a responsible minister of the crown, as to what is likely to be the nature of that war if we should be led into it.

Truly then if those whose position and opportunities entitle them to be the best judges of the character of the war when it comes, entertain these views, it behoves us to make some preparation for so frightful a contingency whence it shall arise.

What provision, I would ask, do Englishmen consider ought to be made?

Hear the opinion of Mr. Foster who introduced the subject to the notice of the Parliament. He says:—

"The principle was becoming every day more established that the relations between this country and the colonies of British North America were very much on the basis of an offensive and defensive alliance between two self-governing communities united together by allegiance to one legitimate Sovereign."

What attitude then ought we to assume in reference to the new duties devolving on us.

Is it not natural for British statesmen to look upon the Union of the Colonies, as a means of defence? Do they not feel, have they not a right to feel, that the effect of Union would be largely to improve the possibility of defence?

It is a favorite argument against it to say that by Union, we will obtain no more money, no more men, and how is it possible then for Union to improve our position? It is true we have no more means, no more men, but what we have is concentrated, there would be one heart, one soul, one purpose, one controlling power, extending over the whole Confederation, from Sarnia to Sydney.

Suppose this argument had been used at the time of the American rebellion, that instead of concentrating their forces, and their means, each State had acted upon its own responsibility, does not everybody know, that instead of being able to maintain a war for seven years, against the greatest Naval and Military power in the world and then to establish their independence, the result would have been very different.

I hold in my hand the observations of a distin-

guished writer in the United States, which are exceedingly apposite to the subject under discussion, and which, with the permission of the House, I will read.

The writer is speaking of the necessity of a concentrated power, where offence or defence is concerned and says :

“ A Government authorized to declare war, but relying on independent States for the means of prosecuting it—capable of contracting debt and of pledging the public faith for the payment, but depending on thirteen distinct Sovereignties for the preservation of that faith, could only be rescued from ignominy and contempt by finding those Sovereignties administered by men exempt from the passions incident to human nature.”

I think that these observations made by the writer in the serenity of the closet, not under the influence of the excitement of a partizan, are entitled to great consideration and weight.

There is another point to which I wish to draw the attention of the House, and from which some valuable hints may be had from the same source. Many persons have been frightened into the idea that a union would be injurious to the best interests of the Province. They will perceive that the same style of argument was used against the adoption of clauses in the Constitution of the United States.

I read from the same author :

“ This feature of the Constitution gave rise to most animated discussion, in which reason was employed to demonstrate the mischiefs of the system, and imagination to pourtray them in all the exaggerations which fear and prophecy could invent. Looking back, indeed, to that period with the calmness with which we naturally review events and occurrences, which are now felt only as matters of history, one is surprised at the puerility of some of the objections, the absurdity of others, and the overwrought coloring of almost all which were urged on this head against the Constitution. That some of them had a just foundation need not be denied or concealed, for the system was human, and the result of compromise and conciliation in which something of the correctness of theory was yielded to the interests or prejudices of particular States, and something of inequality of benefit borne for the common good.”

I would ask if that is not the same ordeal that we are passing through now, and precisely the same as any country, that attempts any organic change in its constitution must experience.

The objections to it were not more exaggerated, than that these which are urged against the scheme, now before the people of this country.

If he had wished to describe what had taken place in New Brunswick, and was now going on in this province, it would have been difficult to have done so, in more graphic terms than that used by the writer he had just quoted.

Now sir, I have said that British statesmen look upon Union, as the best mode of providing for the defence of these Colonies, in time of danger, and from the remarks of Lord Derby, it would be seen that he never contemplated the possibility of its being rejected by the Colonies,

but rather looked upon it as a thing already passed. But what says the press of England, that exponent of public opinion, what says the *London Times*, which every Englishman reads, and which however much it may be sneered at by some, largely moulds the opinions, not only of the British nation, but of the civilized world. What do we find in its columns on the subject ?

“ But for war, and the forays, raids, and other outrages that lead to it there is no reason why every province should not be politically independent of its neighbor. We unite for security, and the greater the danger, or the more powerful the possible aggressor, the larger the union necessary for self-defence. To England it is a matter of very little importance whether she sends one Governor or half-a-dozen to her American Colonies and the relations of those communities, one with another are only a matter of local convenience. But we are approaching a very different state of things. The Government at Washington sees, as it believes the beginning of the end, and now announces, with more confidence than ever, that this is the last campaign and that this very summer will see Federal unity not only restored but ready for Federal action. They make no secret of their intentions to present an enormous list of demands, which they are quite aware we shall not acknowledge, and which, indeed, they do not wish us to acknowledge.”

“ In the event of a war with the states it is clear that all our Provinces must be placed under one military command. Do what we will, no unity of administration that we can establish will be equal to that of the invader. If this disadvantage be urged as an argument against the very attempt, it is our duty to reply that the Provinces farthest outlaying from the colonial centre, and most obnoxious to the attack of the foe, are just those which would most depend upon our aid. That gives us a special voice in their case. If the Maritime Provinces seriously intend to adhere to the British Crown, it is impossible to say what fleets, what garrisons, what ironclads, what ordnance we shall have to pour into Halifax and the other ports, all at our cost. Having, then, an additional right to speak in this case, we venture to say that if Nova Scotia and New Brunswick seriously intend to be loyal they ought to act accordingly, and declare for Confederation.”

M. Foster in his address uses this language. “ Therefore we had a right to call upon the North American colonies by organization and union to assist in their own defence, and to prove their patriotism by a willing contribution of money and of men.”

Now I would ask are we in the face of all this prepared to tell the people of England that we dispise their advice and reject their counsel. That although it is the opinion of British statesmen and the British press, and the British people, that union is our only safety, we think differently. We will be loyal only in our own way. We will accept the protection of the British forces and fleets, but this must be given on our terms, not on theirs. Is this the course we should adopt ?

It is clear that the moment the colonies manifest a disposition to separate from the parent state, that moment will the connection be severed. There will be no disposition on the part of England to force us to remain, while on the other hand, the greatest statesmen of the parent country have affirmed in unmistakable terms that if the Colonies wish to be loyal, the power of old England will be used to protect them from aggression, all they ask is to put ourselves in a position to make our defence more easy.

I have heard it stated over and over again that England may forsake Canada and retain Nova Scotia. This I consider a perfect fallacy, and I defy anybody to produce proof in corroboration of such an idea, either from documents emanating from any English statesman, or from any speech delivered by any public man in Parliament. But even supposing it were true, what position, I would ask, would Nova Scotia be placed in? It would not be the first time that she has been the battle ground of two great nations. When Canada and Cape Breton were French, and the rest of North America English, Nova Scotia was the arena upon which the struggles of these great powers in this contest took place—struggles which were continued till the extinction of French power in these Colonies. Surely, no one would desire to see that state of things re-enacted; and yet, if the idea of the abandonment of Canada were realized, we would be in even a worse position than we were in during the contest I have alluded to. But such an idea is absurd. The moment that the bond of connection between Canada and the Mother Country is severed, that moment we also cease to be a possession of the British Crown. Whether united with Canada by Confederation or not, we are bound together by a common fate and a common interest, and we must stand or fall together. There is one point that I intend to advert to for a moment, and that is to shew the reason why Great Britain has a right to dictate to us the method of our defence. No other such frontier as that which divides Canada from the United States exists between two great countries. In its length it is unlike any other,—and there is another peculiarity about it, that whilst the frontier of most other countries is defended by those who live behind it—in the case of Canada alone part of the forces which defend it has to be brought from some three or four thousand miles away—while the great centres of population of the assailing force are at our doors.—Therefore, I think, if Great Britain is obliged to defend a frontier so extensive as this, she has a right to give some advice, and we have a right to listen to her advice as to the course we ought to take, and the attitude we ought to adopt on the question of defence.

It has been asserted by some that the temptation to the United States to take possession of Canada is greater than against Nova Scotia.—I am rather inclined to think that the temptation is the other way. Let us look for a moment at the character of the two countries. There is no doubt that Canada in her agricultural resources, is a great country—that her extent and value are enormous; but the Western States are largely of the same character. The prairies of Ohio, Minnesota, Wisconsin, and Michigan, afford ample room for the settlement of the

surplus population of the United States for a long time to come, and Canada could give her nothing in this respect that she does not already possess.

But, when we turn to Nova Scotia, we find she possesses a source of inexhaustible wealth not to be found along the whole seaboard of the United States. We find clustered along the coast large centres of population, engaged in arts and manufactures, for whom warmth and light have to be provided, while the material for warming and lighting them has to be sought for abroad. We find this material supplied in in exhaustible quantities by a country just at their doors, separated from them only by a political line. We find their comfort and their commerce dependent largely upon this little colony, and if their public men look at it as their private men look at it, (who have already come down and peaceably acquired a large interest in our coal fields, with a shrewd eye to the future,) I think that so far as temptations for conquest are concerned, the coal fields of Cape Breton are as likely to be coveted, as the fields and the plains of Canada.

There is another matter too, which should exercise some influence upon the public men of the United States—we happen to possess a population of some 20,000 men, engaged in the fisheries and navigation. To a country desirous of extending her naval power what greater inducement could be held out than the prospect of adding 20,000 sailors to her navy? While, therefore, the possession of that number of men in time of peace when engaged in the prosecution of this valuable branch of industry, is most important to any country. Any one who knows how Northern commerce has been swept off the sea by a few Southern vessels can understand how we should suffer if the dogs of war were let loose upon the 8000 vessels which constitute our marine, and upon whose safety and earnings depends so much of the benefit and prosperity of our people. When the calamity of war does come we need not flatter ourselves either that it will not fall upon us, or that if it does fall on us, that we shall be less sufferers than our neighbors. The hon. Pro. Sec. had referred to another subject which had always largely entered into the consideration of the question—the construction of the Intercolonial Railroad. I appeal to those who have always attached great importance to the completion of that work whether there ever was a time when its most sanguine advocates could have anticipated that it would be accomplished upon terms so advantageous to the Province, as those now within our reach. Surely if there should be any weakness in the other arguments in favor of Union, the prospect of the immediate realization of this great enterprise is one which ought to have great weight. The advantages that Nova Scotia would derive from the completion of this work have been so often dilated upon that I do not consider it necessary to refer to them at the present moment further than to say that with Nova Scotia, the great forefront of the continent, behind us, with Halifax, the great entrepot of the markets of the far West—with steamers running—not fortnightly—but daily to Europe—with the mail communication not only of our own colonies but of the United States passing over our soil—with all the commercial and material

prosperity that such a state of things would produce, who can estimate the position we would occupy in a few years time should this Union be accomplished?

Let us look now at the United States before the commencement of this war, and see if the condition of affairs there does not present a powerful argument for Union. A population of three millions in 1773 grew into thirty millions by 1860. They presented a spectacle of progress in wealth, in arts, in civilization, in commercial prosperity, which amazed the people of Europe. Now it may be asked what produced the rapid and unprecedented advancement of this country? What produced such effects within the compass of a single life? It was, no doubt, owing to various causes. Fertility of soil, variety of climate, the education of the masses of the people, each and every one of these causes had its effect. But they had had the same soil, the same climate, and the same means of education for some 80 years before 1780, and yet the population had only reached three millions. What, then, was the main cause of all this? It was, that before 1780 they were divided, just as these Colonies are now. They had separate governments, separate tariffs, with hostile armies of Customs officers on their borders,—they had separate currencies, and were divided by sectional differences just as much as we are now. But the moment they were united under one government—the moment that the armies of officials which hampered and restricted trade in every State were struck off—the moment that the system was adopted by which an article entering the Union at one port could pass free to any other—from that moment a stimulus was given to trade and commerce and manufactures which has had no parallel in the world's history. Contrast this state of things with the system pursued by the States of Europe. There fifty different States have at least five and twenty separate tariffs, and are obliged to maintain armies of Customs officials—embarrassing trade, and injuring the commerce of the country.

I am not prepared to say—it would be absurd to suppose—that by a union with Canada we will arrive at the same commercial prosperity as the United States have attained, but I do say that just as the union of those States has contributed to that result, so will our union produce corresponding advantages on a smaller scale. In connection with the opposition that this scheme has received, I would like to call attention to the fact that not only was the same style of argument used by the opponents of the union of the American States, but the objections came from the same class. At the close of the American war, when the pressure which had kept them together had nearly ceased to operate, the question of Union by a more indissoluble and by a closer bond, was brought before the American people for adoption or rejection, just as has been done in these Provinces—and it is rather singular that in that case as in this, the strongest objections were made by the smallest province. We find that while the more populous States acquiesced in the propriety of Union, little Rhode Island, with a population of 60,000, took three years before she would accept it,—just as Prince Edward Island is now the strongest in opposition to the present scheme. While upon this subject, let me say, in reference to the relative size

of these Provinces as compared with that of the American Provinces, before they went into Union, that there was not one of the thirteen States as populous as Lower Canada now is,—that no two of them had a population equal to that of Upper Canada now—that two of them had a smaller population than Prince Edward Island, the smallest of the British Provinces, has now.

Well, the union ultimately took place, and what was the result? A degree of prosperity which has astonished the whole civilized world. And well do the people of the United States appreciate it. What is it that now stirs the heart of that great nation to its inmost depths? Is it not their attachment to union?—their consciousness that upon union depends, to a large extent, their character, their prestige in the world, their national position? Is it not this which has plunged them into the most sanguinary war which history records? Is it, then, all a chimera they are fighting for? I do not suppose—I am not desirous of conveying the absurd idea, that all that union has done for them it will do for us; but what I do contend is, that it will largely improve our trade, our industry, our manufactures; that on a small scale, to be sure, but, to a large extent, it will develop every resource we have, and improve our prosperity.

But it may be contended that the union I am arguing for is not the one which is contemplated by the resolution before the house. That is true; and yet it is not the less true that every argument in favor of the larger union is an argument in favor of the lesser. The advantages may not be so great, but they are in the same line; and there is nobody who argues for the larger union that does not feel that if that is impracticable, the lesser union is a step in the right direction.

They might shrink from undertaking both at the same time—many might suppose that it would be too great a shock to our social frame work, if at the same moment we were to construct the Union of the Lower Provinces by an amalgamation of our Legislature, and erect a central machinery at the headquarters of the Federation. There is, therefore, much to be said in favor of the smaller Union, when the action of New Brunswick has rendered the discussion of the other question not a practical discussion. In the Lower Provinces at all events there are no distinctions of race, of creed, of commercial or territorial interest to separate us—united, we should have a broader field, a larger revenue, a less proportionate burden in the maintenance of civil government. If the time should come when we enter into Confederation, the Maritime Colonies, united, will form a more solid phalanx in the United Legislature—would be governed by a more united sentiment—would wield a powerful influence. Therefore, whether this Union should end with the Lower Colonies or should expand to Confederation, it will be alike useful to us—and I have great pleasure, therefore, in seconding the resolution introduced by the Provincial Secretary.

Reply of Mr. ANNAND.

Mr. ANNAND then rose and addressed the house as follows:

Mr. Speaker—It is now about a year since a resolution was laid on the table of this house requesting his Excellency to appoint delegates

to consider with others from New Brunswick and Prince Edward Island the subject of a Union of the Maritime Provinces. That delegation was appointed, and a conference took place at Charlottetown, and somehow or other the gentlemen who went thither were spirited away to Canada. Now, I hold that these gentlemen had no authority from this house to proceed to Canada to deliberate upon any other scheme than that contained in the resolution laid upon the table last session by the Provincial Secretary. We may be told they were invited by the Governor-General, and that permission was accorded them by the home authorities. But what did they do in P. E. Island? Any one taking up the papers laid upon the table of the house, will see that the question of the Union of the Maritime Provinces was scarcely taken into consideration at all. And I have it upon the best authority—from one of the delegates themselves—from a speech delivered at Toronto by Mr. McCully—that the question of Union was not even approached in a spirit to assure success. That gentleman said:

"I suppose you will hardly believe me when I tell you that the representatives of the maritime provinces, who had been convened for the purpose of securing a particular constitution for themselves, having heard your delegates, actually adjourned with their work unfinished, if I perhaps may coin a word, *unbegun*.—(Cheers.)"

That is the way in which these gentlemen discharged their duty to this house and the country.

PLEDGE TO SUBMIT THE SCHEME.

Let me turn your attention, for a few moments, to another view of this question. Those gentlemen have come here with a resolution, re-affirming the desirability of a Union of the Maritime Provinces. They held a Conference at Quebec—entered into certain arrangements there—adopted the larger scheme. I admit at once they were at liberty to confer on the subject, but I deny their right on behalf of the people to adopt any scheme compromising this country. What had we at the commencement of the session? We are all familiar with the agitation that took place immediately after these gentlemen returned from Canada—with the public meetings that came off in Halifax, and in several of the rural districts. We all know the language that was put in the mouth of His Excellency the Lieutenant Governor, when he opened the present session. Was not one-third of his speech devoted to the particular topic of Union? The gentlemen who now surround him put into his mouth a pledge that the matter would be brought to the notice of the house at the present session. Why is it not here? Did not these gentlemen promise to bring this question of a Confederation of the whole of the Provinces before us. It is unnecessary that I should read from the speech of the Lieutenant Governor, because we are all familiar with it. But let me give an extract from a speech of the Attorney General of Upper Canada (Hon. J. A. McDonald,) who made use of these words in introducing this subject of Confederation to the notice of the people of Canada.

"Every one of these governments (the governments represented at this conference) was pledged to submit the scheme of Confederation, as prepared by the Conference, to the Legislatures of their respective Provinces."

Could there be language more explicit than that? Why, then, is not that scheme here? Hon. E. Tache, President of the Legislative Council and Premier of Canada, also said after the result of the elections in New Brunswick was known:

"Notwithstanding the expression of opinion given at the hustings in one of the provinces concerned, the government of Canada had determined to go on with the project by all the means they had in their power, (hear, hear), and although it might be painful to them to see their fellow delegates and friends of the measure defeated; it did not follow that the new men entering Parliament in New Brunswick or in any of the other Colonies would be adverse to the scheme, which the Executives of those Provinces were bound to submit to their respective Legislatures."

Here again we have it from the lips of the venerable Premier of Canada that these gentlemen were pledged to submit the question to this house—that even in New Brunswick the Executive, formed since the elections, were bound to submit it to the people of that country. And have we not from the mouth of the Provincial Secretary himself a distinct pledge that the measure would have been submitted here. Let me here draw your attention to a report of his speech delivered at Truro, in which he pledged himself to submit this matter to the people if the house, and if they did not agree to it, that he would not remain a single hour a minister of the crown, without an appeal to the people. Let me read from the *Colonist*:

"Upon the subject of dissolution the Provincial Secretary declared that the duty of the government was too plain to admit of any doubt or dispute. They had deferred calling Parliament for a full month later than they intended, on purpose to give time, till the latest possible period, for agitating and discussing the subject in every possible way and manner. *The dispatch of the Secretary of State for the Colonies commanded them to submit the measure immediately to Parliament*, and he could say frankly that if those who could deal with it, after hearing all that could be heard or said on both sides, *reject it*, as at present advised, he should not remain Minister of the Crown a single hour without dissolving the House, and referring the subject to the country."

In the face of these declarations, I ask how it is that these gentlemen dared to come down and present any other scheme than that which, through the Lieutenant Governor, by the leaders in both branches of the Legislature in Canada, and the solemn pledge of the Provincial Secretary himself, they promised to submit to this house and this people. How does the matter stand? In virtue of the pledge made by the respective governments,—even after the result of the elections in New Brunswick was made known—the government of Canada brought the question up, and passed it in their Legislature by large majorities. In the little province of P. E. Island, where confederation has but few friends, the government, with a manliness that did them credit, brought down the scheme and were defeated upon it. What more? In New Brunswick, the gallant Premier, leading the government, went to the hustings and fell under the force of public opinion. And it is only in Nova Scotia that the administration, ignoring their functions as a government, shrank from the responsibilities of the position, and violated their solemn pledges and recorded engagements.

GENERAL REMARKS.

Passing now away from this matter,

let me say a few words to my honorable friend, the learned member for Colchester—generally termed the leader of the opposition. Certainly not the leader of the opposition on this question. And sometimes we put the query to ourselves, whether he should be recognized as the leader of the opposition at all? I do not say this offensively, but I feel that that hon. gentleman, on a question of such large importance as this, has ill discharged his duty to the gentlemen with whom he has long been associated, when he ignored the functions of the party that introduced responsible government into this country, and ventured to agree in Canada to adopt a scheme without reference to the people—contrary, as I believe, to the principles under which our government is formed. That hon. gentleman stated no opinion had been expressed against Union. But it must not be supposed in this case that silence gives consent. If the question of immediate union with Canada had been submitted to the house last winter, I believe it would not have been entertained at all. The sentiment of this country has not come up to union with Canada. It is true we have had delegates from time to time, and eminent leading men have proceeded to Canada and England authorized to discuss the question in connexion with other matters, but you never had any measure submitted. You never had the question of federal union. Union in any form never was brought up in a practical shape. But, says the learned gentleman, the public opinion of England, previous to 1857, was opposed to a union of these colonies. So it was. There was a party in England at that time who thought if these colonies were united they would become powerful and antagonistic to the mother country. I admit a different feeling has come over the British people in that respect. But let us look at the motive. England is governed largely by the mercantile interests; and the men of the Manchester school, looking at the enormous taxes imposed by Canada upon British manufactures, and that in 1862 a proposition to grant a considerable sum of money towards the maintenance of the militia was thrown out, naturally look favorably upon a confederation or any scheme which, in their opinion, would not only have the effect of reducing the duties upon manufactures, but of throwing the burthen of the defence of the provinces upon themselves. Such is the belief of the British people. Will they believe it now when the views of all parties are better known? When they perceive that the duties cannot be reduced under confederation? When they hear that the conference only proposed to give \$1,000,000 for defences? Will they believe it when they learn that, even in Canada, there is a large party—including, it is said, even some of the members of the government themselves—who are not much disposed to keep up the connection with the imperial government unless they guarantee a war loan. We have been told about allegiance and loyalty, but what do we find in the *Toronto Globe*, the organ of the hon. George Brown, a personal friend of my own. In his correspondence from Quebec, we are told that there is a large party in Canada in favor of annexation—a sentiment which has been repeated in the editorial columns of the same journal. And the apprehension was wide spread, that unless the imperial government bled freely, they will look for more intimate

relations with the neighboring States. That is said to be the feeling of a large party in Canada.

WHAT THEY SAY IN ENGLAND.

We have been referred to opinions expressed in England. Lord Derby, we are told, expressed a strong opinion on the Reciprocity Treaty, and alarm in consequence of the notice that was given of its repeal; but when we have a government in England, we do not look to the opposition for the sentiments of the people of that country. We look to the government as the gentlemen representing public opinion.—Lord Derby's observations, I may say, however, with regard to these colonies, were of the most friendly character—he was ready to defend these provinces at all hazards, and he blamed the government for their want of foresight; but I do not take his opinions as those of the people of England. Let me refer you to an authority equally as eminent as Mr. Foster, Right Hon. Mr. Fitzgerald, a distinguished member of the House of Commons who said:

"I differ widely from the hon. member for Radnorshire (Sir J. Walsh), who seemed to consider that the course lately taken by the American government in order to effect the termination of the convention relating to the limitation of the naval force of the two countries on the lakes was conceived, by the American government in a spirit of hostility to England, and that the termination of the reciprocity treaty marked a clear spirit of hostility to this country. I have never held such language, nor do I think it is justified. As to the limitation of the naval force on the lakes, the American government are perfectly justified in proposing it. What are the circumstances under which notice to terminate the convention is good? By a party of sympathizers making a descent from Canada, an American vessel was seized on one of the great lakes, it was only by accident that a second vessel was not seized; and the object might have been carried out for the liberation of a large number of Confederate prisoners on Johnson's island. Under such circumstances, seeing that there was nearly 2000 prisoners there—that an attack had been made on American property in American waters, I think the American government were justified in having recourse to this measure."

There is the justification, and I consider it ample. Suppose the position of affairs were reversed, and that we were American citizens, and vessels were to be fitted out from the ports of our enemy—would we not resent it, and if there was a treaty in existence which prevented us arming boats on the lakes, would we not give notice immediately of our intention to bring it to a termination. I shall now produce a much higher authority—no one else than Mr. Cardwell himself, the Secretary of State for the Colonies. The Provincial Secretary, on a previous evening, spoke in the tone of the alarmist, as did also this afternoon, my hon. friend from Colchester—held out the bug bear of the notices given for the termination of the Reciprocity Treaty—for the abrogation of the treaty in reference to gunboats on the lakes, and for bringing the labours of the Fishery Commissioner to an end. All these facts were mentioned with the usual great emphasis of that hon. gentleman as illustrations of the spirit of hostility that influences the United States in respect to these provinces. Now I do not think that gentleman, as a Minister of the Crown in this country, was warranted in indulging in that strain. My hon. friend from Colchester who does not bear the responsibilities of government, might say this, but it did not become the Provincial Secre-

tary to use the language he did in respect to a country with which we are at peace, and with which we should ever remain so. What does Mr. Cardwell say in reference to the relations between the U States and the mother country?

"The hon. member for Bradford in the course of his eloquent speech wished me to answer two questions—viz. Whether we can truly state that our relations with the United States continue to be, as they have hitherto been, perfectly friendly. I can without reserve give him such an assurance (hear, hear.) The hon. member also asks whether in that correspondence which has not been given to the house there are not some documents bearing on the question of the Alabama. With equal confidence and with equal pleasure I can assure the house that I can give the hon. member the answer he desires. There are no papers in that correspondence such as he describes as bearing on the question as it stands between the two countries."

Now with an assurance of that kind from so distinguished an authority as the Colonial Secretary why should we be startled with their alarm cries that we are to be overrun by the hordes of the States. But what does Lord Palmerston say?

"I am persuaded that the tone of moderation which has prevailed in this debate will be useful in Canada and the United States. * * * I can only confirm the statement of my right hon. friend that the relations of the two governments at the present moment are perfectly friendly and satisfactory (hear, hear.) We have no complaint to make against the government of the United States. They have acted in a fair and honorable manner towards us in all matters which have arisen between us."

With these opinions expressed by the leader of the government in the house of Commons, why should our attention be directed to the *London Times* which is given here as an authority upon a matter of public opinion in England. I hold, sir, that the house of commons is the place to look for illustrations of public opinion in England, and for accurate information respecting the relations between Great Britain and the United States. We all know the character of the *London Times*. On the 7th March, a fire-eating article was issued in the columns of that paper replete with abuse of the British North America Colonies, a few days before this debate from which I have quoted took place. On the 17th the debate on the Defences came off, and on the following day the *Times* changed its tone, and was perfectly lamb-like.

DEFENCE.

My hon. friend from Colchester referred to the question of defence. He said, "See the advantage that we will in that respect derive from Union. You will have a concentration of men and money." I contend that Confederation will give you no more money, no more men, and as to concentration you have now just as much as you would have then. We are told in the language of the *Times* that under Confederation we would be all under one military command. Let me ask, Who commands the forces in British America now? Is it not Gen. Williams at Montreal or Quebec? It is true that the Militia may not be marched out of the Province in the event of war, and I admit that it is our duty in the case of hostilities to assist our brethren in Canada and New Brunswick, but under the existing state of our law you can-

not move a single regiment of militia across the frontier. But does it require Confederation to do that? Cannot you, by a simple act of the Legislature, give the Governor the power to march out as many militiamen as you choose? So, really isolated as we are said to be, the Commander-in-chief, at any moment, by agreement made between the several Provinces, can have the militia marched to the assistance of our fellow countrymen, and they in turn can be brought to us in the time of peril. Then we are told that British statesmen look forward to Confederation as a means of defence. Had they been told, as we were three months ago, that this Confederation was only going to give a million of dollars, what would the people of England have said? What did they say in the debate to which I have referred? The report of Col. Jervois was read, and it was suggested that Canada would contribute, not for defence alone, but for fortifications, the enormous sum of \$6,000,000. A million has been granted by Canada during the late session towards fortifications, not to be expended until the delegation learn whether they can obtain from England the guarantee for the war loan they wish. During the late session a million and a half—the half million for frontier defences—was given by Canada alone—or half a million more than we were told the entire Confederation would give. The gentlemen who went to Canada, among other startling things, agreed to do this—to bind, as far as they could, these several provinces to contribute their share towards any sum of money that Canada might raise or borrow towards the defences of the country. That was denied by the delegates at one of the public meetings, but I hold in my hand an extract from a speech delivered since that time by Hon. J. A. Macdonald, and what does he say?

"With respect to the defences they were now the subject negotiations with the Imperial Government, and the fullest information would be given to the house on that subject. He might mention that the Maritime Provinces, recognizing the peculiar position of Canada geographically, and its danger in case of hostilities, had most cordially agreed that any sum this Parliament might vote for the defence of Canada they would undertake their share of."

Mark! That Nova Scotia would undertake to pay a share of "any sum" the Canadian Parliament might vote for the defence of Canada. Then our loyalty has been questioned by the *Times*, by that well informed organ of public opinion that changes tone from day to day, whose correspondent was down here, and whose knowledge of geography was so extensive that he found himself in Toronto when he came to this province to meet the Prince of Wales. That individual characterized our women as "splay footed" and spoke of our country generally in the most contemptuous manner—who could see nothing in Nova Scotia worthy of notice, though he visited the fine towns of Windsor, Pictou and Truro. It has been long remarked that the sympathies of that journal are entirely with the Australian Colonies, and that its desire has been to shake us off. But we are not to be browbeaten and bullied into Confederation by telling us that our allegiance, which was never

questioned before, is to be tested by the fact whether we unite or refuse to unite with Canada.

WILL THE B. N. A. COLONIES BE GIVEN UP.

Then we are told if Canada was given up, could we be retained—that when Canada falls, we share the same fate. I ask this plain question, Would Confederation save us? Would any union of the people of these Provinces—would any union of our means, unaided by the British Government, save us in the event of the Americans being determined to invade our country and possess it? I say no; but what is the idea implied but not expressed by these gentlemen? The idea implied is this: the Home Government will not assist you unless you confederate. Now I challenge both of these hon. gentlemen to shew me a single passage from a despatch or a speech from a Minister of the Crown that will warrant them in using such language on behalf of the Home Government. I contend that if Canada was given up to-morrow or fell by force of arms, this Province would still be retained. I believe that England feels, and has felt for a long time, that Canada is the weak point on this side of the Atlantic, and that it is the opinion of many British statesmen that if Canada were separated from England to-morrow it would be a great gain to the mother country, and imperil her far less. But there are interests peculiar to Nova Scotia—and in some respects to New Brunswick also, which must influence England to keep them in her possession. When these provinces are gone, what hope can England have of retaining her possessions in the West Indies? Does any gentleman suppose that England, whose greatness is made up to a large extent by colonies scattered in different parts of the globe, is going to part with these sources of her power and prestige? With our inexhaustible coal fields and unrivalled harbors in the possession of an enemy, it must be only a question of time when the West India Islands would suffer the same fate. But I have no belief that the Americans have any design either upon Canada or the maritime colonies. I think that at a time not very far back, when this harbor was the resort of blockaders—when raids were made from Canada across the frontier—when there was much excitement in consequence of the fact that Canada was filled with Southern sympathisers, and the impression was rife that that Province had not done justice in respect to the raiders,—that then a feeling of hostility existed which is fast passing away. The Canadian Government have made ample reparation, and by their recent conduct have succeeded in establishing a better feeling on both sides of the border. There will be no disposition, I think, when this war is brought to a close, to invade these provinces. In the first place, the American government have already accumulated a debt of £500,000,000 sterling, charged with an extravagant rate of interest, that involves an enormous taxation. Their resources have been taxed to the utmost, and the time has come when they require peace. After all, what would they gain by these provinces. Suppose they became possessed of Canada

to-morrow, what would they have? a disaffected people on their hands, who at any time should renew of hostilities with the South arise, would combine with them and cause them to lose their recently acquired possessions.

FREE TRADE AND CURRENCY.

Then the hon. gentleman has referred to Canada as being our true back country. I have never thought so. What is Canada to us? Examine the Trade Returns. We are told that under Confederation trade would grow up to an enormous extent. I doubt it. But first let me say that our proper back country is New Brunswick, especially that part of it through which Mr. Flemming has been exploring for the Inter-colonial Railway. Although I know that her debt per head is larger than ours, and her tariff is higher, still, looking at the future, a connection with New Brunswick would probably be attended with advantageous results. The hon. member has turned attention to the United States, and shown how much they have gained in late years. How much has Canada grown since Responsible Government was granted? Is it not a common remark, even with Americans, that Canada has increased more rapidly than any State of the Union? And see how we have grown ourselves, under self-government. We are told that American prosperity is the result of free trade. I admit at once that free intercourse amongst the different States has been immensely conducive to the advancement of that remarkable people; but there are other causes that have tended to make her a great country. First of all, there is a great diversity of climate and production. In the South they produce cotton, tobacco, rice and sugar, and in the North they have manufactures, wheat and commerce; and, in addition to all this, there is free trade between thirty millions of people. Suppose you had a Union with Canada to-morrow, have you all these elements of wealth? This question of free trade with Canada can be settled without a political Union; it is a delusion to say otherwise. You might have had free trade years ago; it was offered to the people of Nova Scotia, as it was to those of New Brunswick. It has been refused by both Provinces, for very obvious reasons. In view of the building of the Inter-colonial Railway, it was thought it would largely affect their revenues. Manufactures are much more developed in Canada than either in New Brunswick or Nova Scotia; and under these circumstances, it was thought that a large amount of manufactures would flow into these Provinces, and thereby largely affect our revenue. Therefore it was wisely concluded that, until the Inter-colonial Railway was obtained, we would postpone the consideration of the question of free trade. To those gentlemen who are urging a political Union, for defence and free trade, for the purpose of assimilating our currency and our postal arrangements, I say that all these things can be obtained without Confederation. They know that Canadian statesmen to-morrow would be only too happy to meet you on that platform, and give you a free exchange of manufactures. The question of currency might be adjusted by the Financial Secretaries of the several Provinces in an after-

noon; and, in reference to defence, the Legislatures of the several Provinces could pass laws similar to each other's, under which the militia of each might be called out at any time, without a political Union. We are told of one heart, and one soul, and one mind, in respect to the defence of the Provinces. Now I hold that the British Government, as long as this Province remains a dependency, is the party to be charged with our defences; and I would draw out of our treasury a sum of money to be given by each Province every year, under an Imperial act, if you please, with the consent of our own Legislature, notwithstanding the strong language which the hon. Provincial Secretary made use of in respect to this matter on a previous evening. I would hand over this question of defence to the Imperial Government who possess the material of war, combined with the skill and science required in naval and military operations. Now you grant considerable sums for the militia, but how are they expended? Do they do a large amount of good? Would not any money you would give be expended much more satisfactorily by officers under the control of the Imperial authorities? Let each Province contribute liberally, according to its ability—and, so far, I have yet to learn that there has been any complaint made in regard to the sum of money contributed by this Province towards its militia and defences.

REPLY TO PROVINCIAL SECRETARY.

The hon. Provincial Secretary defended his action in reference to the Union question on the ground of the opinions held in this House, and elaborated from time to time by Mr. Howe, Mr. Young and Mr. Johnston, and also by a lecture delivered at Temperance Hall by Mr. McGee, which was most enthusiastically received, and on the conclusion of which a vote of thanks was moved by two of the gentlemen I have just named, to the lecturer. I would remind the Provincial Secretary that no action was ever taken practically upon this question. We have been told that a resolution was passed in the session of 1861. I was one of the delegates in 1862, and although the question of Union was supposed to be before us, the subjects that were really considered were Free Trade and the Inter-colonial Railway. I may state frankly that there was no formal discussion at that convention on the question of Union. It was looked upon as a matter in the distance, to be consummated after an Inter-colonial Railway and Free Trade had been enjoyed for years by the separate Provinces. Then, I say, the hon. gentleman had no right to assume from anything that occurred there, that the people of this country, were in favour of Union, particularly such an one, as has been propounded for our acceptance. The city of Halifax is not the Province of Nova Scotia, and the expression of opinion that we hear there—which will be heard to-morrow night—is not that of the people. It can only be gathered by the votes of the several counties, and whenever the opportunity is given for the people to speak out on the question, they will do so, in a manner that will not be agreeable to the feelings of those

gentlemen, who have attempted to strike down our liberties, and change our constitution. Then we have been told Mr. Cardwell, the Colonial Secretary, is in favour of this scheme. Of course he is—as well as the people of England. The Colonies have been a heavy burden upon them, and any scheme that holds out a prospect of relief from taxation, is naturally acceptable to them. Now there are five British North American colonies, with which the Colonial Secretary must keep up a correspondence; and a Union of these would doubtless largely decrease the labors of the office.

But we are told that the 33 gentlemen, who went to Quebec, were unanimously in favour of the scheme. They may have been very unanimous there, but, somehow or other, some of them changed their minds very quickly, when they returned to their respective homes, and were brought face to face with their constituents. We are told too that the Press of England are in favour of the scheme. I respect much more the public opinion of our own country. We are the parties who are to be affected for weal or for woe by any change in our condition. How has New Brunswick acted? How is it that three-fourths of the recently elected representatives of the people in that Province have been returned to oppose the Union with Canada?

REPRESENTATION.

The Hon. Provincial Secretary has alluded to Representation by population, and defended it as a sound principle, and quoted Lord Durham as a high authority on the subject. If this system is right as applied to a colony, why is it not equally so, in respect to the mother country? Is it in operation in Nova Scotia at the present moment, or in any of the colonies, I ask the hon. member for Cape Breton opposite how it is, if this principle is right, that he sits here with only one colleague, when the small county of Queen's, small in extent, as well as population, has three representatives. Is it right?

MR. BOURINOT—No.

MR. ANNAND—Cape Breton has a right to additional representation by other considerations than those of population; look at her coal fields, and the vast amount of capital that is now developing the resources of that fine county. It is a round principle that property and classes, should be represented as well as numbers. That principle was recognized as long ago as the time of the Union of England with Scotland. Some of the most convincing arguments that I ever read was delivered by Mr. Seton, one of the Commissioners for arranging that Union, on the very point that property and classes should be represented as well as numbers, and that the smaller number of representatives was given to Scotland in proportion to her numbers, was justified on the ground that England was a wealthier and more heavily taxed country, whilst the former had to bear smaller burthens of taxation. Lord Durham, it should be remembered, highly respectable an authority as he may be, was considered a radical reformer, as the radical nobleman, and holding opinions opposed both to the Whigs and Conservatives of England. Is Earl Russell, the author of the Reform Bill, in

favor of the principle. On the contrary, he has over and over again declared against it, as inconsistent with the rights and privileges of large classes and interests in contradistinction to mere numbers. But Representation by population, says the Provincial Secretary, is a sound principle as applied to the Confederation of the British American Provinces. He has said—and he argued the question at considerable length—that 19 members were as many as Nova Scotia, and 47 as many as all the Maritime Provinces were entitled to, in a House of 194. It must be recollected, however, that under Confederation you have separate interests if you retain separate Provinces, and whilst this is the case, you must expect difficulties to arise.

CONFLICTS APPREHENDED.

A difficulty applicable to this Confederation that might arise, was suggested not very long ago in one of the most celebrated organs of opinion in England. It was supposed to arise between the local Governor, appointed by the central Government at Ottawa, and his House of Assembly in Newfoundland. The matter is referred up to Ottawa, and as it is supposed to be a question that all the Maritime Provinces are interested in their representatives combine and sustain Newfoundland. Parties are close in the Central Parliament, and the result is, that with the aid of the 47 representatives of the Lower Provinces, the local, and supposed to be subordinate Legislature, triumphs over the central Parliament.

The matter is then finally referred to the Colonial Secretary, who if he interferes is sure to offend one or other party, a conflict of authority follows, the issue of which it is not improbable would be the destruction of the entire Confederacy. If the Confederation was formed to-morrow, I don't believe it would last 10 years. It has not the elements of strength. At one extremity you have Vancouver's Island and British Columbia, and at the other, Nova Scotia and New Brunswick—inhabited by people of the Anglo-Saxon race with their indomitable spirit. Then between these, in the very heart of the Confederacy, we find the French population, cherishing opinions adverse to those of the Anglo-Saxon, and it is out of such discordant materials as these that you propose to found a powerful and united Confederation.

WHO WOULD RULE.

The Provincial Secretary stated that these 47 Representatives would hold the balance of power in the General Parliament just as the Irish members do in the British House of Commons. It is true, they might, if they would agree, and pulled together; but, as experience shows, only once, in the time of Dan. O'Connell, did they successfully unite in making a demand of justice for their country. They have since been divided, as we have been here, and as our Representatives would be at Ottawa. Do you suppose parties would cease under Confederation? Would you not have gentlemen supporting the Opposition, and others, the Government; and then what becomes of the argument of the 47 Representatives from the Maritime Provinces, holding the

balance of power? Those who happen to have the ear of the Government will rule Nova Scotia. Who will make the appointments in each Province? and the dismissals too? Why, parties who support the Government at Ottawa. You will not be able to appoint a single officer in the Revenue Department, in the Post Office, or to a Light House. At present the member for the County, who has the ear of the Government, can get his friend appointed; but transfer the power to Ottawa, and the appointment will be made by the men who sit there.

THE LEGISLATIVE COUNCIL.

Now, a few words with respect to the Legislative Council, which, we are told, is to be composed of three divisions. Upper Canada has 24, Lower Canada 24, and the Maritime Provinces 24, or 72 in all. It has been said that it was a great concession to give us 24. What the Maritime Provinces require in the central Parliament is protection, and how are they going to get it, when they have but 24 Representatives to 48 Canadians in the Legislative Council. Suppose the Reciprocity Treaty were repealed, although I don't believe it will be actually repealed, but that it will be continued with some modification; but supposing it is, might not the Confederate Parliament impose a duty upon American flour, would it not be for the interests of both sections of Canada to impose that duty, and is it not probable it would be done? Then, I ask, who will have to pay that duty. Every person knows that nine-tenths of the flour consumed here, comes from the United States. In such an event, as I have stated, it would come from Canada under this boasted system of free trade. Then every consumer of flour in the Maritime Provinces would be called upon to pay an extra price upon that indispensable article of food. With a Canadian majority of 147 in the Lower House, and a majority of 48 to 24 in the Upper Branch, what could we do but submit or rebel?

If we are to have protection in the Legislative Council, the only way we can get it, is to imitate the example of the United States. Under their system, the smallest State has the same number of Representatives in the Senate as the largest. Little Rhode Island has as many voices as the Empire State of New York. But suppose in the event of Union, Canada had 12, and each of the Maritime Provinces the same number of members—Prince Edward Island as many as Canada, then, if any injustice was attempted to be done to these Provinces in the Lower House, their Representatives in the Legislative Council, by combining together, could prevent it.

TRADE AND MANUFACTURES.

The Provincial Secretary says, if our trade is ever expanded, it must be with British America. I would be much obliged to the hon. gentleman if he would show how that is to arrive under Confederation. We have now free trade with all British America in everything except manufactures. Have we not a right to exchange every article we produce—the products of the soil, the forest, the mine, the sea—free of duty. Would Confederation make one more customer than you

have now without it. I admit, that with a population of four millions, there would be much greater temptation to embark in manufactures than there is; but I challenge hon. gentlemen to show me how we could compete with Canada. Can you show the place where the coal, iron, and limestone are found together in the position to be manufactured on the seaboard.

HON. FIN. SEC.—Pictou.

Mr. ANNAND—I know that in the Financial Secretary's county the manufacture of iron was attempted by his friend, Mr. Davis, and it failed. He found he could import the pig iron from Scotland more cheaply than he could manufacture the inferior iron ore in the neighborhood of the Albion Mines. Although they have no coal in Canada, yet at the present day coal can be obtained at a cheaper rate in Montreal than in Halifax. Perhaps at some future time iron works may be established at Sydney, where there are large deposits of coal; but I fear, the period is yet far off. But if you think you can compete with the manufactures of Canada, who have so much the start of us, you can make arrangements for free trade now just as well as under Confederation. All that the Government has to do, is to introduce a resolution for a Conference at Quebec, and I will guarantee that the Canadians will be only too happy to second your wishes.

We have had free trade to a large extent with the States and Canada, and what have been the results. In 1864 our total imports were 12,600,000. Of this large amount Canada sent us but \$403,000, about the three hundredth part of the whole, and we exported to that country but \$830,000 worth. We took from the United States four millions worth, or 100 times our imports from Canada. We sent to them \$2,445,770, or 80 times our exports to Canada. Yet these gentlemen tell you that we are to have a great expansion of trade with Canada in the event of Confederation. I maintain, then, that it is the true policy of Nova Scotia, as of all of the Provinces to cultivate friendly relations with the United States. They are our near neighbors and natural customers.

OUR DEBENTURES.

Then the Provincial Secretary referred to our Debentures and said they went up at once, when the results of the Quebec Conference were known in England. But look at the facts of the case as they really exist. They did rise suddenly, not, however, in consequence of the news of Confederation, but because the bank of England reduced its rate of interest. Did not the securities of all the colonies, in every part of the world, go up at the same time? Our debentures were quoted at 94 @ 97 on the 13th October, and on the 7th November, when money was plenty, confidence was inspired, and they went up to 100 @ 102. On the 5th January following they fell to 97½, at which price business was done; the difference in price in these two quotations, arising entirely from the fact that the half year's interest was included in the quotations in November, which were payable on the first day of January. And if it is true that, in view of Confederation, our securities went up, what brought them down again; why were they as low as 88 @ 92 on the 16th March, when Confederation was

treated as an accomplished fact in England. What, but the civil war in America, which, it was assumed, might lead to conflict in these colonies?

INTERCOLONIAL RAILWAY.

The hon. Prov. Secretary has referred to the Intercolonial Railway, and I must admit that has always been the strong card in the hands of the Confederate party. Every person is desirous of getting that railroad, although I am not one of those who believe that the Intercolonial Railroad, as a commercial speculation, is a very desirable undertaking. I think, however, looking upon it in the light of a great highway—as a connecting link between the Provinces, and for purposes of defence, that its construction is really necessary. Such is the view of hon. George Brown, and I refer you on this point to his speech delivered in the House of Assembly at Quebec. But, says the Provincial Secretary, we have secured its construction at only one-tenth of its cost, instead of the 3½-12ths, which we would have to pay under the former arrangement. One reason why I have a strong feeling against this Union with Canada is, because I have no faith in Canadian statesmen. I remember the way we were treated with respect to the Intercolonial Railway—how the Canadian government agreed to the scheme, and put it in the form of a treaty engagement—how they went to England and violated the promises they made to the delegates from the Maritime Provinces—how they attempted to persuade the British government to look upon their share in the cost of the Intercolonial Railway as a contribution towards local defences. Mr. Gladstone made every effort he could to meet their views in reference to the sinking fund—promising to invest the amount, if they wished it, in their own securities; but even then they refused to ratify the solemn agreement which had been made between the Provinces in 1862. We are told that this Railroad is to be procured only under Confederation. But let it be remembered that that work is far more necessary to Canada than to ourselves. We have lived and prospered without it, and we can continue to do so; but its construction is to Canada a necessity. Some of their most eminent men have said, they must have the Intercolonial Railway at any cost—they must either have a Federal Union or annexation to the States. Are they obliged to have annexation with the United States? Cannot they now enter into commercial relations with us? Cannot all of the advantages they desire be obtained without the political union into which it is attempted to drag us. What was said by some of the most eminent statesmen of Canada on this subject in the debate on Confederation.

Hon. Mr. Cartier, Attorney General, East, said:—He had stated before audiences in the Lower Provinces that, as far as territory, population, and wealth are concerned *Canada was stronger than any other Province, but at the same time was wanting in one element necessary to national greatness—the Maritime one*; and that, owing to the large trade and commerce of Canada, extensive communication with Great Britain at all seasons was absolutely necessary. Twenty years ago our commerce for the year could be managed by communication with Great Britain in the summer months only. At present, however, this system was insufficient, and for winter communication with the sea-board we were left to the caprice of our American neighbors; through whose territory we must pass.

Col. Haultain, a prominent supporter of the Canadian government, expressed himself in

the clearest terms on this point, Canada must have it, "political union or no":

"Recounting the recent unfriendly act of the United States, he said it must be manifest that we needed a new outlet to the ocean—new channels for trade when the old one was taken away. It seemed astonishing to him that any one desirous of seeing an independent Power here, separate from the United States, could oppose this scheme. With reference to the *Intercolonial Railway* he thought it was brought unnecessarily into prominence in this scheme. We must have that, and pay for it whether we have political union or no. It was needed for commercial, social, and defensive purposes."

Then we have the testimony of Mr. Rose, who sits for Montreal, and was formerly a member of the government:

"We were now almost commercially dependent on the United States, and were dependent for access to the ocean on them. If they do away with the bonding system or increase the difficulties of the passport system we would be practically shut out. Give us a railroad to St John's and Halifax and we would become commercially independent and free. If they know we have those avenues they will not shut us out. * * * We were told to remain as we are. We could not. How could we remain for ever commercially dependent upon the United States and their fiscal legislation, so that the Upper Canada farmer could not send a bushel of grain or a barrel of flour to Europe except by the permission or at the whims of the States. They were piling up vexations on the transit trade by consular certifications, passports, &c. The Senate was recently considering the bonding system. If abolished before the *International railway* is built the merchants of Canada would be ruined. They would have to import six months supply of goods, and farmers must keep their grain and lose their winter markets. The railway would cost a good deal of money but it was one of the unfortunate incidents of our position and a necessity for us."

And last, but not least, the veneral Premier, Hon. E. P. Tache, said that Canada could not hope to maintain "a separate national existence" without the intercolonial railway. Hear him:

"There never was a great nation without any maritime element, and Canada shut out for five months, by icy barriers, from the sea, could not develop so long as she had not ports accessible in winter, nor hope to maintain a separate national existence, but must be at the mercy of other powers. Canada was now like the man with excellent farms, but without access of his own to the highway, depending on the good humour of a neighbour for it. If the neighbor grew angry he might shut up the road and the gate. They had threatened the repeal of the Reciprocity Treaty, and had established the passport system, which almost amounted to non-intercourse. The gate being almost shut we must secure another way to reach the highway."

So I maintain now, as I have always maintained—as I did in Canada three years ago—that the *Intercolonial Railway* is more a necessity to her than to us. And I am glad to perceive that during the past year the Government of Canada, awaking at last to the importance of the work, at their own expense appointed Mr. Fleming to make a survey of the route for the *Intercolonial line*, and I have no doubt, Confederation or no, we will get the road ere long completed,—unless indeed the British Government require Canada to contribute too much for fortifications. It is quite clear that Canada cannot maintain a separate existence, unless she has access to the sea through friendly territory.

LOCAL GOVERNMENTS.

The hon. Provincial Secretary has referred to the local governments, and declared that

they will not be insignificant in character—that the Houses will still be a place where men of as great ability will aspire as those who sat here in former times. At that time there was only one place of political preferment that those gentlemen could aspire to, that was this House. Now there will be two—one at Ottawa, where the salaries will be large, and the government liberal to a degree unknown in this country. I would like to hear the Provincial Secretary tell us what kind of local government we are to have—is there to be one House or two?—and if only one Chamber how many members are to sit there? Are we to have responsible government as now with Heads of Departments? These are matters of great importance to the people of this country in connection with this subject—they are interesting to those gentlemen who do not expect to go to Ottawa, but aspire to come here again. They wish to learn whether this body is to be only a little more important than a Court of Sessions or a City Council. I pause for a reply from the Provincial Secretary, but I know in vain.

TAXATION UNDER CONFEDERATION.

The hon. Provincial Secretary referred to the large majority by which this scheme has been adopted in Canada. That country understands her own interests too well not to receive the scheme favorably. She knows that we have a surplus revenue, that we are a largely consuming people, and would be a valuable acquisition as contributors to the central treasury. I am not going into the financial argument, I will leave that in the hands of a friend perhaps more familiar with the subject than myself, but I cannot refrain from quoting one or two authorities on the subject of taxation. Mr. Galt, in that celebrated speech of his, which has so often been referred to, says:

"In the case of the Lower Provinces, the average tariff was about 12½ per cent, and where now collect 2½ millions dollars, under a higher tariff like that of Canada at least three millions dollars would there be raised."

Now, mark you, our taxation is to be increased from two and a half millions to three. Our *advalorem* duties are ten per cent. New Brunswick has an average tariff of fifteen and a half per cent.:

It is proposed by Mr. Galt to reduce the *advalorem* duties from 20 to 15, but my firm belief is that they will have to be advanced to 25, or resort had to direct taxation in order to enable them to meet the increased expenditure that confederation will bring. He says the maritime provinces, under confederation will have to contribute half a million more than now. New Brunswick is nearly as heavily taxed already as Canada, and Prince Edward Island being a small colony, we would have to bear the larger proportion of the half million. On this subject the *Toronto Globe*, government organ, not very long ago said:

"There can be no doubt that (under Confederation) the Lower Provinces would be heavy tax-payers."

And the *Leader*, then supporting Confederation, remarked:

"The tariff of Canada is higher than that of any of the other Provinces. There can be no doubt that Confederation will involve an increase of expenditure, and perhaps a very large increase."

I will now turn your attention for a short time to another branch of the subject, having

no reference to the hon. gentleman's speech—to the position we occupy as a free people. We all remember the struggle that took place in this country to obtain departmental and responsible government; it was the work of years. The complaint then was, that our affairs were managed in Downing Street—that you could not make a single appointment or control your revenues without reference to that quarter.

SELF GOVERNMENT.

I contend that you are going to establish a second Downing Street at Ottawa under the scheme of Confederation—that you will hand over the control of the most valuable institutions that we now possess. There is your

REVENUE DEPARTMENT,

from which you derive the greater portion of the money which you expend for the improvement of your roads, your schools, your breakwaters, and other local services. That great source of power it is proposed to hand over to a body of gentlemen sitting at Ottawa, where you will have 19 out of 194 members. You have at this moment 75 ports of entry and clearance. If I remember aright, they have but 84 in all Canada. It has been the policy of this country, since it has had the control of this department, to afford every possible convenience to the people of the country; so that whenever an application is made for a Custom House, it is granted as almost a matter of course. And so rapid has been the extension of the system, that while 20 years ago there were but 15 ports of entry and clearance in the Province, there are now five times that number. Suppose, now, that you were confederated, and the attention of the Finance Minister at Ottawa was drawn to the fact that this little Province had 75 ports of entry, and some of them collecting no revenue at all; and suppose that an application was made by the people of some one of the counties that another be added to the number, what would be the answer? They would be told, "Your Province has already more than she is entitled to;—although we have eight times your population, yet we hardly have a greater number than you have; and we believe your number ought to be reduced." And how could you help yourselves? Again, suppose a vacancy took place here to-morrow, who would fill it up? Some one at Ottawa who had the ear of the Government—a Nova Scotian, perhaps, if any of them were supporting the Administration, and if not, some Canadian, who knows nothing of your country or its people. And so with dismissals. Now you can arraign the Government here, create a public agitation on the subject, and so affect public opinion as to disturb their tenure of office.

The same state of things would exist in respect to your

POST OFFICE AND LIGHT HOUSES.

There is no country in the world that possesses more postal accommodation than Nova Scotia. We had on the 30th Sept., 1863, 493 Post and Way Offices, 4568 miles of mail route, 971,688 miles of annual travel. Canada at the same period had 1,974 post and way offices, 15,327 miles mail route, and 6,110,000 annual travel. So it will be perceived that while the population of Canada is *eight* times as great as ours, our post offices have been multiplied

until they are one-fourth as numerous as those of Canada, and the miles of mail route nearly one-sixth. It is clear, then, that the advantage is largely in our favor—so large that if, under Confederation, an attempt was made to increase the number of offices and rides in this Province, the applicants would probably be met with a sharp rebuff—told that they had more than their share already, some of which might very well be dispensed with. I took the liberty of asking the Postmaster General, the other day, how many newspapers passed through the post office prior to the contro: of that department being transferred to this country; and, largely as I knew the increase in the circulation of letters, under cheap postage, and free newspapers, had grown, I was startled at the figures. In 1849, when the change took place, the number of letters passed through the post office was..... 201,000 and in 1864 the number had grown to.....1,534,000

Increase.....	1,333,000
The number of newspapers passed through the post office in 1849 was.....	258,000
In 1864 there were.....	3,941,000

Increase.....	3,683,000
Pretty satisfactory evidence, I think, of the value of the power to regulate and manage our local affairs.	

We have in this country, I may add, the privilege of having our papers pass through the post office free, but in case of Confederation they would be taxed just as they are in Canada now.

And what I have said in respect to the Post Office and Customs departments, applies equally to the Light Houses. Now you have 48 Light Houses—27 west, and 21 east, and you are building three more this year. Suppose you were to be confederated to-morrow, how many would you be allowed to build in addition to that number. They would tell you, you must wait, if you wanted more, until the canals were enlarged, and the north-west territory was opened up.

FINANCIAL POSITION UNDER CONFEDERATION.

I will now call attention to another view of this subject, and not the least important. Let us glance for one moment at what our financial condition would be under Confederation. Under the arrangements made by the Delegates, we are to have 80 cents a head upon the population exhibited by the census of 1861—that subsidy is not to be changed, but continued for all time to come—that we are to have \$264,000 a year. It is assumed, I presume, that the wants of this country are to remain stationary—that our education, roads and bridges, and our public works are all completed—that our country, in fact, is finished—and that in the future all the additional revenues collected in this country will flow into the treasury at Ottawa. Now we get a subsidy of \$264,000 a year. The Provincial Secretary in his estimate for 1865 puts down the

Casual Revenue at.....	\$50,000
Crown Lands.....	35,000
Gold Fields.....	20,000
Hospital for Insane.....	20,000
Board Revenue.....	1,427
Total.....	\$126,427

which under Confederation would be termed Local Revenue. Add the subsidy and local revenue together and you have \$390,427 as the total revenue of Nova Scotia if we were to be Confederated. Let us now look at the appropriations. The gross sum proposed to be expended this year is \$1,395,871. I deduct from that amount all those departments and services that would be chargeable upon the general government in the event of Confederation,—the civil list, revenue department, post office, light house, public debt, defence, railway, and a few other matters, amounting in all to \$731,565. Deduct this from the gross amount of appropriations, and you have left \$664,306. The subsidy and local revenue amount to \$390,427. Deduct the two sums which you would have this year under Confederation from the amount you have appropriated for strictly local purposes, and you would hand over to Canada \$273,879. Then there is to be a supplemental estimate,—a grant for Colchester has been omitted, additional grants to the colleges have to be provided for, and other sums, I hear, are to be expended. In addition to these the *Advances* made during the recess must be taken into account, about \$15,000. Altogether *three hundred thousand dollars* less the first year under Confederation—handed over to the Ottawa Parliament—taken away from the local improvements of our country, to be spent in meeting the “necessities of Canada.”

LOCAL GOVERNMENT.

You have been told that the subsidy from the Central Government, with the local revenue which you are allowed to retain, will be sufficient to meet the annual requirements of the country. To accurately determine this point, we should be in possession of the views of the Delegates as to the composition of the local Government, the number of members who are to sit in the Legislature, and the cost; the number, functions, and salaries of the chief officers of the Government,—because without this information it is impossible to know the amount applicable to the local improvements of the country. And as we cannot get the required information from the Government, who here, as in Canada, are singularly reticent on the subject, I have ventured to sketch a programme, for the benefit of gentlemen opposite, which I hold in my hand, and will place in the hands of the Reporter for publication:

	Estimated cost 1865.	Future cost.
Provincial Secretary's Office.....	\$5600	\$4050
Receiver General's Office.....	4600	3100
Attorney General.....	2000	1600
Crown Land Office.....	19,480	19,480
Pensions.....	6000	6000
	<u>\$37,680</u>	<u>\$34,230</u>
Legislative Expenses.....	38,414	20,000
Board of Works, including Hospital Insane, Province Building and Penitentiary.....	73,050	41,200
Navigation Securities.....	49,040	19,040
Steamboats, Packets, & Ferries.....	11,451	4,451
Education.....	127,915	127,915
Roads and Bridges.....	262,400	262,400
Gold Fields.....	12,000	12,000
Agriculture.....	16,000	6,000
Statistics.....	3,000	3,000
Relief and Poor Asylum.....	16,721	16,721
Printing.....	8,000	6,000

Immigration.....	2,000	2,000
Clerk of Crown.....	400	400
Inquests.....	1,400	1,400
Criminal Prosecutions.....	1,600	1,600
Distressed Seamen.....	200	200
Rations Troops.....	100	100
Miscellaneous.....	15,520	8,000
Indians.....	1,373	1,373
Road Damages.....	800	800

\$689,064 \$568,830

I have assumed that under the local Government which it is proposed to give us, the office of Financial Secretary will not be required, and that the Provincial Secretary, with the aid of an additional clerk, may discharge the duties of both offices, at a cost of \$4050, instead of \$5600, which we pay now. The Receiver General's office to be reduced from \$4600 to \$3100. I presume that we are to have an Attorney General, and as he will not be of such large proportions as the gentleman who fills the office at present, I may venture to cut him down from \$2000 to \$1600; the Solicitor General I would dispense with altogether. The Crown Land Office, to be efficient, must cost as much under Confederation as now. The charge for Staff of the Board of Works, I reduce from \$4400 to \$3000, and I have deducted \$30,000 this year for construction at the Lunatic Asylum. Navigation Securities I have cut down from \$49,040 to \$19,040, omitting the grant of \$30,000 to St. Peter's Canal. Packets and ferries from \$11,451 to \$4,451, deducting the sea-going steamers. The grants for our roads and bridges I leave as at present; for although the sums given last year and this year were large and have led the people to believe that they will be continued, yet I think that the necessities of some of the counties, my own for instance, require even more than has hitherto been given them. Would the members for Lunenburg, or Pictou, or Queens, be content to give up their special grants in view of the benefits of Confederation? I think they would not, although the Provincial Secretary might, because it would probably bring larger advantages to him of another kind than to almost any one else. And if our public works are to be extended, as I should like to see them carried on, I think it is quite clear that we cannot expect to be able to appropriate so large a sum for the road and bridge service in future. I have put down the Legislative expenses at \$20,000, instead of \$48,000, which they cost last year, and the sum total of the calculation, after reducing our expenditure to the lowest possible figure consistent with the public service, shows that you will require at least \$568,830 Deduct subsidy and local revenue 390,427

Deficit under Confederation..... \$178,403

Now, I put it to gentlemen opposite—can you reduce any of these expenditures? Will they not all be required? And, as the country continues to grow, will not the wants of the country grow with it? And if to this amount you add increased taxation under a Canadian tariff, say 50 per cent., which will also be absorbed by the Central Government, you will have some idea of the sacrifices we are called upon to make.

I may be told that the grants for roads and bridges are extravagant, but who made them so? You have raised the amount now to the enormous sum of \$262,000. If the system is

wrong the government who have educated the people up to it—who have taught them that, in order to carry certain objects, they will receive such large sums, are alone to blame. I consider, however, all the money is required for the roads and bridges. You will see by the figures I have given that the sum required for the roads and bridges would nearly swallow up the subsidy. Can you reduce the grants for education, to the hospital for the insane, for relief, the penitentiary, and other services? You know you cannot without emperilling the public service. Therefore the inevitable result is, as Mr. Galt has told you, in his speech, if the local revenues are not sufficient, you *must resort to direct taxation*. There is no doubt whatever that this must be the case if this scheme is carried out. When I feel that the institutions of our country are to be swept away, and that the control of our resources is to be handed over to a people with whom we have no sympathy, am I not right in asking this House to pause? What chance would there be, in such an event, of our being able to push forward those public improvements that are now being carried on? All our *surplus* revenue, as I have said, will go to Ottawa; and I ask gentlemen who look forward to the time when railway communication will extend from Pictou to Antigonishe, to Guysboro, aye, even through the Island of Cape Breton, and again westward to Annapolis and Digby and Yarmouth, what chance will there be of having their anticipations realized? Only those who are to be elevated from this country to Ottawa can be satisfied with a state of things so disastrous to the Province of Nova Scotia.

THURSDAY, April 13.

House met at 3 o'clock.

Mr. PRYOR introduced a bill relating to traffic on the streets of Halifax.

The following bills were read a third time:—To provide for the salary of the Governor's Private Secretary;—to incorporate the Home Missionary Board of the Baptist Church;—to change the name of Ratchford River;—to incorporate the Oak Point Pier Company;—to provide for certain Bridges in the County of Hants;—to incorporate the Trustees of St. Matthew's Church;—to amend the law relating to licenses.

CONFEDERATION.

Mr. MILLER said that he wished to call the attention of the house to a subject of considerable importance at the present moment; and he regretted that in doing so he had not the advantage of the presence of the members of government, who ought to be in their places attending to the business of the country. He need not remind the house that one of the most momentous questions that ever agitated the public mind was then under discussion—the question of the union of the British North American Colonies. He thought that in view of the aspect that question had lately assumed—in view of the unmistakable evidences of public opinion which had recently been given—there was but little room to doubt that nineteen-tenths of the people of Nova Scotia were opposed to the scheme propounded by the Canadian delegates. He believed that it must be admitted on all sides that almost the only spot in Nova Scotia where the subject received any

favor, was the city of Halifax; and he was sorry to be obliged to say that some of the citizens of Halifax had acted in a manner insolent and overbearing to the rest of the inhabitants of the province. (Laughter from the members for Halifax.) The hon. gentlemen laugh, but he (Mr. M.) would tell them that this was too grave a matter to be laughed at. He would tell them in the face of the house and the country that the people of Nova Scotia were not to be laughed at either by the citizens of Halifax or their representatives in that house. He trusted that before this discussion was finished they would be given to understand that there were other people in the province, whose views were entitled to respect, besides those who resided within the limits of the metropolis.—That morning, upon taking up the organ of the government he found a notice of a public demonstration that was to take place that evening in honor of the Canadian delegates, who were expected to arrive in the steamer, on their way to England to advocate the scheme of the Quebec conference. Notwithstanding, as he had said, that it was well known to those acquainted with public sentiment in this province that nineteen-twentieths of the whole population were opposed to the scheme, he could not help looking on this demonstration as an attempt to misrepresent the state of feeling that existed in the minds of a great majority of our people—to mislead the delegates and the people of England touching our views of this great question, and to exasperate and insult the intelligence of this country. Perhaps, however, he would not have felt it his duty to have called the attention of the house to the subject but for a circumstance connected with the demonstration, which was deserving of public notice. He perceived a place assigned in the programme to the Volunteer Artillery, and the other volunteer companies. Now, he would ask, was it right or proper that the Volunteer force of this province, which had ever been kept aloof from party or political influences, should be asked to take part in a demonstration which was not only political in its character, but hostile to the feelings of a vast majority of the people of this country. He had no objections to the citizens of Halifax as citizens indulging in any demonstration they pleased, provided it would not misrepresent the whole province, but he thought that gentlemen on both sides would agree with him that this attempt to draw the Volunteer organization into the matter, was, to say the least of it, unwise and injudicious in the extreme. It was well known that these gentlemen who were going across the water were going with no feelings of approval of the conduct of the people of the Maritime Provinces. For aught that was known they were going charged with the duty of forcing upon this people a union hostile to their feelings and their interests. It was understood that in England and elsewhere Halifax would be considered to represent the public sentiment of Nova Scotia, and when the delegates go home they will be able to point to their reception in this city as a proof of our desire for confederation. He believed this was the object of the procession that would take place that night.

Was it not then the duty of every one who was opposed to the scheme publicly to denounce a demonstration got up in the capital for the purpose of influencing the public sentiment of the mother country, and of producing

the impression that the popular voice of the Province was in favor of a measure which had been almost universally condemned. Let these delegates go home, encouraged by all the cheers and plaudits they would receive through the streets of Halifax, but let the mind of these gentlemen and the public mind of England be disabused of the idea that this demonstration was in accordance with the feelings of the great majority of the people of Nova Scotia.—The hon. gentleman concluded by calling upon gentlemen opposed to the scheme to join with him in denouncing the attempt to misrepresent the opinion of the country upon the question.

Mr. LE VESCONTE thought his colleague was perfectly right in bringing this matter to the notice of the house. As it was well known that nine-tenths of the people of the Province were opposed to the question of Union, he thought that this demonstration exhibited very bad taste,—independent altogether of the impropriety of bringing in the Volunteer force, which was organised for the defence of the country, and not to take part in political demonstrations of this kind.

He would conclude by a motion, so as to be in order. The hon. gentleman then read the following:—"Resolved that this House disapproves of the Volunteer organization (as such organization) taking part in any party demonstration."

Mr. TOBIN said he believed this was a free country, where everybody could enjoy his own opinions, and he thought that the citizens of Halifax had a perfect right to get up any demonstration they pleased upon any subject, provided they did not infringe the law. As regards the feelings of the citizens of Halifax, they differed upon this question of Confederation, as the people did everywhere else—there were some warm supporters of it, and some equally warm opponents.

He was happy to be able to say, that the conduct of the citizens of Halifax on all public occasions was temperate and orderly—they insulted nobody; and he did not see how this demonstration could be construed as an insult to this House, or the people of this Province. Sometimes they would show a little ebullition of feeling, when any thing distasteful to their feelings was said, as the hon. gentleman for Richmond had himself experienced on one occasion, and perhaps that was the cause of the temper which he exhibited in introducing this subject.

As regards the question of Confederation, he did not hesitate to say that he was a most enthusiastic supporter of it. He considered it one of the grandest schemes ever offered to a free people; and, to his mind, it was matter of wonder that any one could wish that Nova Scotia should remain in her present position. What was there in this country, he would ask, to satisfy the ambition of her young men,—or what scope did our limited means afford for the exercise of their talents? If honorable gentlemen were satisfied with this state of things, he, for one, was not; and he believed that when the people of this country came properly to understand it, instead of nine-tenths being against it, more than that number would declare in its favor. He did not intend to make a speech on Confederation; but while upon the subject, he would read a letter he had recently received from one of Nova Scotia's ablest sons—one whose career

had reflected honor upon himself and his native country, and whose portrait, he was happy to say, adorned the walls of the Council Chamber of that building. What does he say upon this great subject? The hon. gentleman here read an extract from a letter of General Williams, as follows:

MONTREAL, March 3rd, 1866.

My life has been spent in the service of the Empire, and I have had neither time nor opportunity to mix myself up in your politics; and while I respect every man's opinions in relation to them, I do most sincerely hope that every Nova Scotian will cast away party ties and political aspirations, and embrace the present golden opportunity which passing events, both in Europe and America, now offer for the knitting together of these magnificent colonies into one great and loyal Confederation. We shall then have combined strength, instead of divided counsels and all its consequent evils. The position I hold under the Crown precludes the possibility of my taking an active part in your discussions; but if I were once more in private life, I would zealously preach intercolonial, prompt intercolonial action, throughout the length and breadth of Nova Scotia.

This, he thought, was strong testimony from one who was uninfluenced by the feelings which might affect the judgment of others placed in different circumstances, and therefore was entitled to greater consideration. He hoped that hon. gentlemen would approach the discussion of this question in an enlightened spirit, and would not be influenced by party or local prejudices.

Mr. LOCKE said that the member for Richmond deserved the thanks of the House for bringing this subject forward, and he agreed with him that this demonstration was exasperating and insulting in the extreme to the people of this country. What was the purpose of this meeting to-night? Evidently to mislead the people of England as to the feeling of this country on the subject of Confederation. The steamer that takes these delegates home will also carry the account of this demonstration, and the impression which would naturally be conveyed would be that it reflected the feelings of the whole Province. This he denied most emphatically; and he thought it was the duty of every gentleman opposed to the measure thus publicly to denounce so unfair an attempt to produce a wrong impression. As regards the opinions of Gen. Williams, he would say that they all respected him; but it must be remembered that although a Nova Scotian by birth, he was thoroughly English in all his ideas, and he thought upon this subject as all Englishmen did.

Hon. Mr. SHANNON was surprised at the remarks that had been made, and he could not understand what reference this demonstration had to the Legislature, or how it could be construed into an insult upon the people's representatives. That time last year there was a demonstration of another character, in honor of Shakspeare, and the house adjourned to hear the oration that was then delivered—but this demonstration would not interfere with the public duties of any hon. gentleman. It was to take place at night—those who did not choose to attend could stay away—and he really did not see what right that house had to interfere with the citizens of Halifax in a matter of this kind. He could understand how some hon. gentlemen, who had been hissed down by a Halifax audience, should not entertain very friendly feelings towards the citizens; but he did not think the time of the house should be wasted on such matters.

Mr. KILLAM supposed that the object of the demonstration was to produce the same impression upon the minds of the British people as had been produced upon Mr. Cardwell, viz.: that the feeling of this country was in favor of Confederation. As that was at variance with the facts, it was right that the matter should be brought before the house, so that any erroneous impression might be removed.

Mr. LEVESCONTE said that when some years ago a volunteer company took part in a demonstration in honor of the election of Lord Palmerston, attention was called to the fact in the House of Commons. The only excuse that was given on that occasion was that the affair had occurred through inadvertence. He contended that the volunteers, which were supported by the people's money, had no right to take part in any political demonstration whatever. Particularly careful should they be to give their countenance to a scheme to which seven-eighths of the people were unfavorable.

Mr. TOBIN called attention to the programme, and justified the action of the citizens. He thought if the hon. member was going to load his gun with patriotic powder he should try an aim at something more tangible than the present matter.

Hon. FRO. STC. said that he rose for the purpose of moving that the house pass to the order of the day. He would not feel disposed to interfere with any desire of the hon. member for Richmond (Mr. Miller) to favor the house with those rhetorical outbursts of indignation with reference to the very contemptible character and position that Halifax occupied in the Province of Nova Scotia. That hon. member had rendered himself famous for such exhibitions, and it would be a pity to interfere in the slightest degree with any anxiety that he might have to place the city in antagonism to the country. It was not the most laudable ambition in the world for any one to endeavor on every possible occasion to excite unpleasant feelings between different sections of the country. The hon. member's talents and exertions might be directed to a far worthier object. It might not be worth while, perhaps, noticing the hon. member's attempts to show the people that he had taken them under his patriotic care, and in fact to relieve their apprehensions of being trampled down by Halifax influence; but when a resolution was moved which, if passed, would place the house in a false position, it was time that he (Dr. T.) should briefly call attention to the real circumstances of the case. He would state, at the commencement, that the first time he had seen the programme was at eleven or twelve o'clock when he happened to take up one of the morning papers. It was well known that there existed in this city an organization called the Union League. It was not of a secret character; its meetings were called by public notice in the newspapers, and every man favorable to the cause of union was invited to attend them. Most of the leading and influential and respectable citizens of Halifax were engaged in that organization for the purpose, as they believed, of promoting the best interests of the Province of British North America and of Nova Scotia especially. No one could deny that even if the sentiments they held were favorably entertained by only one-tenth of the people, yet they had a perfect right to use all legitimate means of inculcating their opinions without hindrance on the part of any one.

He would confess that he had read with some little surprise the fact that the Volunteer Companies were to take part in this demonstration. The question at issue, it was true, was one that perhaps more than any other, would warrant the Volunteers giving it their countenance. It was known that a delegation was on its way from Canada to England for the purpose of discussing with the Imperial Government the question of defence, the Reciprocity Treaty, and Confederation. Gentlemen who had the Union cause at heart, felt that they would be wanting in their duty if they did not show this delegation, on its arrival that night, that there was in the City of Halifax a large and influential body of citizens who were favorable to the Confederation of British North America. If it was possible that there could be an occasion when the Volunteer organisation would be entitled to turn out, it was when gentlemen were touching our shores on their way to the Imperial Government to provide for the defence and security of British North America. Divided, however, as public sentiment was in this country on this great question, he did not think it advisable that the Militia, or Volunteer, or Artillery organization, should turn out in their uniforms. Since this debate had commenced, without any communication on his own part, he had received an intimation from Captain Chearnley, who commanded the organization, that any members of that organization might attend the demonstration as citizens, but not as Volunteers.

It might be attempted to array the country against Halifax, but no one could prevent the fact being made known that in the political and commercial metropolis of the Province there was a deeply rooted public sentiment pervading the minds of the most leading and influential men of all classes, that the future prosperity of Nova Scotia, as well as of all the Provinces of British North America, depended on the success of the scheme of Confederation. When you read the programme for that evening's celebration, you saw that not only the most highly educated and intelligent members of the mercantile community, but the bone and sinew of the city, the artisans and the working men, proposed to lend their aid in paying due honor to those who were laboring to promote the best interests of British North America at this critical period of the world's history. He could not understand why the feelings of some gentlemen were so excited on this subject.—Was there a man who would deny that an overwhelming body of the citizens of Halifax was in favor of Union. When the meetings in respect to that question were held in the city, Temperance Hall was densely packed, night after night. So strong was the current of public sympathy in favor of Union, that, at times, it was almost impossible for the friends of Confederation to proceed, so enthusiastic were the plaudits that met them. When it was attempted to make the House believe that nine-tenths of the people of this country were against Union, a liberty was taken with the true facts that was unworthy of any public man. Although great exertions had been made, and large amounts of money expended all over the face of the country, only fifteen or sixteen thousand persons had been persuaded to sign the same, or get some one else to sign them—for very many are signed by a cross—to petitions

in reference to the question of Confederation. Let it be marked, too, that of this number only 3000 could be induced to express the opinion that they disapproved of the Confederation of British North America. The remaining number only said that they were not able to make up their minds on the subject—they wanted more information. Contrast the meagre results after the tremendous efforts that had been put forth, with those that had been attained, some years ago, by one party alone in this country. In the course of some three or four weeks, some 26,000 petitioners had approached the House asking for a dissolution on the ground that the men then in power did not possess the confidence of the country.

The time would come when the people could legitimately be called upon to give their opinion on the question—when they were fully informed, they would support it in the most convincing manner. He had had an opportunity of testing the feelings of the country already. He went up into the County of Hants, and at a large public meeting held in the town of Windsor, had conclusive proof that the sentiment there, at all events, was in favor of the scheme. Again, at a meeting held at Kentville—one that was called by the opponents of Confederation, in a County where the most deceptive and fallacious statements had been promulgated—after a lengthy discussion, a resolution to defer the consideration of the question was voted down at the close. Again, he had delivered a lecture on the subject in connection with the collegiate institution in that county, and on that occasion the demonstrations given were of the most satisfactory character. Then he had attended a meeting in Colchester, and he would ask gentlemen opposite whether the Southern District would not rise up to-morrow, almost to a man, in favor of a Union of British North America? In Cumberland he travelled for a hundred miles—from Mill Village to Cornwallis—and found the public sentiment, not only of one, but of both political parties, in favor of the scheme. Then he went into Annapolis, and attended a meeting called at Bridgetown by the opponents of Confederation. He found he did not stand alone there, but was supported by some of the most highly educated, respectable and intelligent men that had opposed the Government. When the recently returned member (Mr. Ray) moved a resolution simply asking for delay, he (Dr. T.) called upon the meeting to vote it down, and not even give a semblance of opposition to a union of British North America. The hon. member then called upon the supporters of the resolution to follow him out, and when they had done so, they were hardly missed in that densely crowded house. Again, he went to Annapolis, and there the same hon. member, who acted with a great deal of tact, saw that, in the temper of his constituents, it was not wise to move a resolution similar to the one at Bridgetown.

Was it to be said, then, that nine-tenths of the people of this country were opposed to Confederation? He believed there were certain sections that had never hesitated to oppose it—some there were whose predilections were not so much in favor of British institutions, but whose feelings as well as commercial relations drew them largely towards the neighboring republic. But no large body of people were found actually hostile to this great

question. Was it not known that the head of the Episcopal Church—one of the most highly educated and influential gentlemen in this country—one who stood aside from all political parties—whose great object was the advancement of his church and the common interests of the province in which he lives—was openly and unequivocally in favor of union. Again, His Grace the Archbishop—a gentleman whom all creeds and classes respect—one of the most sagacious and far-seeing men in the country—had come out boldly and fearlessly to vindicate union. That eminent man did not believe the scheme would sell us to Canada; on the contrary, that it would promote the security of Nova Scotia, and preserve its present institutions and its connection with the mother country, and, at the same time, advance, in common with the rest of those of the people, the interests of which he is the ecclesiastical head. The organs of the Presbyterian church, (the *Presbyterian Witness*.) of the Methodist, (the *Wesleyan*,) and of the Baptist, (the *Christian Messenger*,) were all known to support the Confederation of these provinces. Was it to be said, then, in the light of such facts as these that nine-tenths of the people were opposed to this great scheme?

Over in New Brunswick the opponents of confederation had had a very doubtful success. Notwithstanding all their exertions—all the misrepresentations of the opponents of confederation, they had only got in the whole of the province a bare majority of the votes of the people. So closely balanced was the vote on either side that it was almost impossible to draw the line between them. In fact, the opponents of confederation having polled 500 votes more than the friends of the scheme. Yet the people of England was to be made to believe that not only nine-tenths of the people in Nova Scotia, but in New Brunswick as well, were opposed to the confederation of British America.

In conclusion, he called upon the House to consider the position in which it would be placed if it passed the resolution. Would it elevate itself in the opinion of strangers, if it were to so far forget what was due to its position and dignity as to express unfriendly feelings on an occasion when some of the most eminent statesmen of British America were touching our shores? He would recall the attention of gentlemen to the kindness and generosity with which the people of Canada had greeted the Delegates from the Maritime Provinces. So far was the feeling in Quebec at the commencement from being cordial towards the object of the delegates, that the chairman of the Board of Trade, at the dinner, actually felt himself bound to say that that Association did not feel itself prepared to express any approval of Union. The Delegates went to that dinner under the conviction that a large number of the most eminent merchants of Quebec were in a position of avowed hostility to the objects of the Conference. But they did not attempt to hiss the Delegates when they explained their position,—they behaved themselves like educated gentlemen,—they felt they could tender their hospitalities without compromising their own opinions. The feeling that prevailed all through Canada, wherever the Delegates went, was that the visit was an occasion for the display of inter-provincial courtesy. Political men of all shades of opinion vied with each

other how they might best testify their respect and regard which they had for the Province of Nova Scotia. At the dinner at Montreal there were scores of opponents of the scherre—Dorion and Holton for instance, who had fought against it to the death on the floors of Parliament. John Sandfield McDonald also treated the delegates with the same consideration. In what position, then, would this country be placed, if it were to display, through its Legislature, feelings of hostility to the statesmen of a country who had treated our own public men, irrespective of party, with so much courtesy and attention? He would only add, that he felt when he had made the observation that he did in reference to the volunteers, that he was making a reflection upon Canada, for one of the finest displays that met the eye of the Delegates had been the march of the splendid volunteer artillery past the hotel in Montreal.—One part of the reception, at Toronto that had been arranged, but prevented by the weather, was a grand display of all the volunteers that could be collected in the city.

MR. SREWANT CAMPBELL said that the Provincial Secretary, a few days ago, had himself related an anecdote of a person who could always tell who had the worst of a controversy. Whenever one of the individuals engaged in the dispute showed a great deal of temper and excitement, then it was sure evidence that he was getting the worst of it. On the present occasion the Provincial Secretary had exhibited a great deal of unnecessary temper.

Hon. PROV. SEC.: I am quite ignorant of it, at all events.

MR. CAMPBELL: The hon. gentleman had reflected upon the course taken by the hon. member for Richmond in bringing this matter to the notice of the house. Now if there was any one in the house who was better justified than another in bringing it up, it was that same hon. member. Any one who was acquainted with the question through its various phases, must be aware that on a certain occasion at Temperance Hall, that gentleman was treated with an indignity which he did not deserve. It was felt to be an insult not to him alone, but to the people through the length and breadth of Nova Scotia. He (Mr. C.) was also one of those who felt that the City of Halifax was not the Province of Nova Scotia. It had been said that there were certain individuals about the streets who were underrating the position of members of the House who came from the rural districts. These individuals might have stock in the bank—real estate in this city and country,—but they had never appealed to any constituency in this Province and obtained the confidence of the people. Therefore they had no right to talk in such disparaging terms of gentlemen who for years had represented the rural districts. He was one of those who objected to the demonstration—not because it was intended, as the Provincial Secretary would make the House believe, as a reception to gentlemen from a sister colony. He objected to it because he could see through the motive and design with which the demonstration was got up. The people of the parent country had all been misled upon the question, and the course now about to be taken was for the purpose of keeping up that deception. Now he wished the people of England to be informed, as far as the house could inform them, of the

sense of the people of this country. The delegates reported to Great Britain when there was no legislature in session, and they had it all their own way. They misled the government of England, and as to the feelings of the people of these colonies; and he therefore thought the house, being now in session, owed it to themselves and those they represented, to take care that nothing took place with the concurrence of the government that could have the slightest tendency in the same direction. It was the Hon. Provincial Secretary himself that was attempting to place the house in a false position. He wished to have the impression go abroad that the house sympathized with the sentiments of those gentlemen who were now taking part in the demonstration in question. The hon. gentleman had alluded to the Union League, and had not paid a very high compliment to many gentlemen who, in times past, has been his valuable and active supporters. He had instituted a comparison between the members of the League and those who were opposed to it. He had ventured to say that the—to use his own language—most leading, influential, respectable citizens of Halifax were members of the League. Then it may be a natural deduction that those who did not belong to this organization did not compare in point of respectability or position with its members.

The hon. Provincial Secretary had gone through the Province and expressed his opinion as to the feeling of the country from what took place at some meetings at which he was present. Now few gentlemen would be ready to accept his version of the results of those meetings. Now talk was all very good, but it would have been more satisfactory if they had the best evidence that could be given of the feeling of the country—the evidence obtained from the votes of the people themselves. He challenged the hon. gentleman to produce one petition that had been sent to the house, endorsing this scheme of Confederation. The hon. Provincial Secretary had stated that the majority of the petitioners before the house expressed no positive opinion with reference to the question. But these petitions said in effect to the Provincial Secretary: You have said that the people of this country are in favour of this measure—that if you don't obtain the approval of the representatives of the people you will dissolve the house; now we call upon you to fulfill your promise, and dissolve the Legislature if you dare. Need the house be told that the hon. gentleman had paid some heed to the language of these petitions? He knew the feeling of the people and dared not test it.

The hon. Provincial Secretary had taken a liberty with an eminent Divine in this country which it was difficult to believe he was justified in taking. Every one who knew the Lord Bishop of Nova Scotia, was aware that no one could charge him with having ever taken a part in any political demonstration, or even expressed any feeling in reference to party matters, in this country. It was very bad taste for the Provincial Secretary, under the circumstances, to bring the name of that dignitary, without his concurrence, before the house. Until he heard from another month than the Provincial Secretary's that that gentleman is in favour of the measure, he would be disposed to doubt not only the authority that hon. member had for

bringing his name there, but also the existence of those opinions. His Grace the Archbishop had also been referred to—as every one was aware, that eminent gentleman, respected by all creeds and classes, had made his opinion known. These opinions had had their course through the country, and their effect would appear in due time. The Presbyterian clergymen had also been alluded to, but how long was it that the Provincial Secretary had placed such confidence in the ministry of that denomination. A very strange revulsion of feeling had taken place in that hon. gentleman. A few years ago he could not find anything, too coarse in the vocabulary of Billingsgate against Presbyterian clergymen, but he had changed his tone all at once.

The hon. member for Halifax (Mr. Shannon) had attempted to justify this demonstration by reference to what took place last year in connection with the illustrious name of Shakespeare. No analogy could be drawn between the two demonstrations. That of last year was a national demonstration; not merely in Halifax and Nova Scotia, but in all portions of the British empire—wherever literature and civilization are prized. It was an honour to our common humanity—not an honour to any particular nationality, but one to the name of man. Therefore it was that men of every climate and every nation vied with each other in paying tribute to a name that will live as long as this world will last. Another individual had been mentioned as approving of the scheme of Confederation—General Williams. No man in Nova Scotia was prouder of the fame of that distinguished Nova Scotian than he himself, and it was a proud day when he sat in the Speaker's chair and put the resolution by which the House paid him honour. He admired that illustrious gentleman's talents, but upon this question the people of Nova Scotia and their representatives were as competent to form a sound and safe opinion as even the hero of Kars.

The hon. Provincial Secretary defended the demonstration on the ground that it was only right that we should return the courtesies paid to the delegates. There was no doubt that the various bodies in Canada did treat these gentlemen in the handsomest style. Although this province paid very handsomely for the visit they made, yet he rather believed that they travelled free—that all their expenses, even to their washing bills were paid in Canada. No one could have the slightest objection to the hon. Provincial Secretary or the Attorney General cracking as many bottles of Champagne as they pleased as private individuals with these Canadian gentlemen, but it was not just or right that the government of this country should endorse the action of the city of Halifax in respect to this demonstration. Without dwelling further on the subject he would read the following resolution as expressing the views of himself, and as believed, of a majority in the House:

Whereas a public demonstration is proposed to take place this evening in the city of Halifax for the purpose of giving a public reception to certain gentlemen who formed a portion of the late convention at Quebec.

And whereas by the programme of the demonstration, it appears that a portion of the Volunteers force are to take part in such demonstration.

Resolved, as the sense of the house of this demonstration, that it is not, and must not be, taken to evince the feeling of the majority of this house or of the people of this province as being favourable to the Union of British Colonies as settled by the Quebec conference, and further that in the event of the local forces taking part in such demonstration, such action would be highly derogatory to their true position and distasteful and displeasing to the house, and that the house entertaining these views cannot proceed to the order of the day without in the first place, in the present emergency, expressing the foregoing sentiments.

Mr. KILLAM said as the government had conceded the position, he did not see it was necessary to keep up the matter further.

Mr. BOURNOUT said that the Provincial Secretary, in the course of his second Confederation speech had stated that the petitions now on the table of the House did not show that the public opinion of Nova Scotia was opposed to this scheme of union devised at the Quebec Conference. Now he had the honour of representing one of the largest constituencies in the province; he had individually expressed no opinion against Confederation, but at the same time he could not help seeing that the public sentiment of the county was opposed to the scheme. As respects the resolution before the house, it would not have been presented at all if it had not been stated in the programme that the volunteers would form part of the contemplated procession. The Provincial Secretary had, however, stated that the volunteers were not to be present, and therefore the whole thing was at an end. He looked upon this demonstration in a different light to any member who had spoken upon the subject. Gentlemen would re-call the demonstrations that took place during the summer months. He was glad that our people had given the Canadian visitors a reception that did honour to Nova Scotia. On this occasion, however, there was an expression of opinion given in favor of union. As far as the sentiment of Halifax audiences went, it was in support of union; but that feeling was not responded to by the country. The delegation representing Nova Scotia, thinking they were representing public opinion in this province, went to Canada and agreed to the scheme which was now before the people. Every one knew what a feeling of hostility existed in all the rural districts against this proposed Confederation. Now he looked upon this demonstration as one which the citizens of Halifax were at perfect liberty to make apart from any body of men such as the Volunteers, but why was this affair got up. It was intended to exhibit sympathy for those despondent men who were coming among a population who received them so heartily last year. Every thing that could soothe their disappointment at the failure of their grand scheme would be doubtless done that night. He trusted it would have a beneficial effect upon them, but despite all this, let it be remembered, that Confederation was not and would not be adopted.

Mr. MILLER said that he rose chiefly to make a few remarks in respect to the hon. member for Halifax, (Mr. Shannon), who had the bad taste to refer, in connection with the Union agitation, to some of the disgraceful scenes witnessed in Temperance Hall. He did so, because that gen-

tleman had on other occasions gone out of his way to attack him. He had been often amused at the manner in which the hon. member was in the habit of approaching the discussion of questions in the House. He (Mr. M.) had now been in the Legislature for two years, and previously had been frequently in the galleries, and he had yet to learn, from personal devotion or otherwise, that that hon. gentleman had distinguished himself for industry or ability in connection with the public business. Yet you saw this gentleman, when a question came up in which his feelings were enlisted, getting up and addressing the House with a patronizing air, and in that peculiar *dilettanti* style in which he delighted. He could tell that hon. gentleman it would have been more to his credit, and those with whom he apparently sympathized in the remarks he had just made, if he had endeavoured, instead of bringing the matter publicly before the House, to screen the conduct of those who misbehaved themselves on that occasion. When that hon. gentleman stated that he had been hissed in Temperance Hall, he mentioned a fact of which he was prouder than anything else in his public life. He had never stood, and he never expected hereafter to stand in a prouder—a position more in sympathy with the feelings of the people—than when in response to to a very small portion of the audience in Temperance Hall, who attempted to interfere with freedom of speech, he told them their disgraceful proceedings would go to the country—that their attempt to stifle discussion would rebound upon themselves, and that the little band with which he was associated would teach the contemptible little mob that disturbed the deliberations of that meeting that they were not the people of Nova Scotia. Well they had taught these worthies in the city that they could not stifle public discussion. The sentiments uttered that night even by one so humble as himself had reverberated in the valleys, and along the hill sides, and found its echo in the Legislature of this country. That pledge at least had been “nobly redeemed.” Who were those that hissed him for the utterance of these sentiments on that occasion? Not the respectable citizens of Halifax? No, he scouted the idea—he knew from personal communication with a large number of the citizens of Halifax that they condemned such conduct. Those who hissed him were a few government hirelings—a few *claquers* gathered from the street corners and bar-rooms—whose hostility he had the good fortune to have gained—men who would bring down every young man who endeavoured, by fair exertion, to satisfy a laudable ambition in this country. He was always willing to have the opposition of that crowd. But it was not for the hon. member for Halifax to taunt him in connexion with the subject of Confederation. If that hon. gentleman had occupied the same position he (Mr. M.) assumed he would have been more justified in the arrogance of the tone he had adopted. Where was that hon. gentleman when that question was admitted to the people of this country? Did he step to the front like others and declare his views—did he take the manly position of his hon. col-

league (Mr. Tobin)?—and determine if he must go down on the question, to fall like a man? No; during every demonstration that had taken place in Halifax you could not see the hon. gentleman face on the platform, and if you saw him at all it was in some obscure corner under the galleries watching the current of popular sympathy, in order to take advantage of it. This was the gentleman that came in at the eleventh hour when he thought his constituents had been won to the cause by the labour of others, and to show his zeal justified the disgraceful conduct of the rabble at Temperance Hall. He did not envy the hon. gentleman's position, and the people would appreciate it. But he would tell the hon. member that he was not the man to taunt one, after skulking as he had at the proper time from his legitimate duty. He now came in when he imagined he could do so without personal danger, reminding them of one of those creatures that follow in the rear of armies to pick up prey that others win for them.

He was not at all supererogatory at the style in which the Provincial Secretary had referred to him. It was what he expected from the hon. gentleman. Since he had been in public life, he had the fortune of receiving these attentions more frequently than others. He had got more knocks than anything else, and which he always liked if possible to return, altho he was becoming indifferent to them by this time. They did him little harm and perhaps some good. But he was quite prepared for the remarks of the hon. Prov. Secy—intended as they were for an unworthy purpose. He understood the policy of that hon. gentlemen as well as of others by whom he was surrounded, His object in this instance was to injure him in the estimation of the vast majority of the citizens with whom he was proud to say he stood on terms of which he need never be ashamed. He had never, since he had the honour of a seat in the House, opened his mouth unfairly hostile towards the city of Halifax. On the contrary, he could appeal to gentlemen all around if he had not, on every occasion, when the interests of Halifax were not at conflict with the legitimate interests of these he represented, endeavoured to retain their rights, and promote their wishes. He had been a member of the Committee on City Bills, for two years, and need hardly say he did his best to advance the business before it, and guard the interests of the city. He knew that his exertions were fully appreciated. There was another portion of the remarks of the hon. Provincial Secretary, that deserved some observation. He was astonished at the powers of the face with which that hon. gentleman would stand up before the people's representatives, and, knowing as he must the feelings of the country, state that a vast majority of the people were not opposed to Confederation. He did know whether to admire or condemn the indifference to public sentiment which that hon. gentleman exhibited. He could not imagine anything more dangerous to public liberty, than to have a man occupying the position he did, prepared so to outrage the public sentiment of the country, and use the influence,

and power he possessed to carry out his object in defiance of the people. Holding the sentiments he did, there was great room to fear, that our rights and liberties were endangered; and under such circumstances it was time gentlemen sitting around these benches, should put the house in order. It should be recollected that the leader of the government had great powers in his hands—he could control the public patronage—he had command of the public funds. He might be induced to use all influences to promote a scheme of which he was so enthusiastic an advocate. It would be well for gentlemen to consider these things before it was too late. He did not intend to follow the hon. Provincial Secretary after the lengthy reply of the hon. member for Guysbro, and because a more suitable opportunity would offer to answer him. But he must denounce the assertion made for a purpose, that any large number of the people favored the scheme of the Quebec Conference. Such an assertion from any reliable source might do much harm. He did not, however, think any statements of the hon. member were entitled to much credit. There were few public men in the country who stood in a more unenviable position as respects their unreliability than the hon. Provincial Secretary.

He thought he was done with the hon. member for Halifax, but he found it was not the case; that hon. gentleman with his usual appropriateness of illustration, had referred to the demonstration given in honour of Shakespeare last spring, which was as far from the present case, as the hon. member himself was from the moon. It was true the House did adjourn, but it was more in compliment to the occasion, than to any living individual. What analogy was there between the two cases—between Shakespeare and the Delegates? Shakespeare wrote several works of fiction and these have been handed down to the present day. But he (Mr. M.) might be wrong—perhaps he was unable to appreciate the great acuteness of the hon. member. There might be some point in the comparison. That the delegates dealt largely in fiction will not be denied, and if they put their claim to a demonstration on this ground he could understand them. When the records were examined it would be found that the works of fiction of some of these gentlemen were numerous indeed. If this would entitle them to such an ovation as had been accorded to the great dramatist, let it be given to them, but, as in his case, he would prefer it would be postponed till they were 300 years dead.

Mr. Miller concluded by saying that as the hon. Provincial Secretary had stated that the Volunteers were not to take any part in the demonstration of that evening his object was gained and it was unnecessary to move any resolution on the subject.

Hon. ATTY. GENERAL said if he had ever witnessed a tempest in a teapot, it was during that afternoon. He could, however, easily understand how the gentlemen opposite would wish to make a demonstration which might have some effect across the water. They had stated that nine-tenths of the people were opposed to Confederation,

and ought now to be satisfied. He doubted, however, the worth of the mere assertions they had made, and the value that would be put upon them in the mother country. It was obvious that if gentlemen had not some covert object in view, the whole subject would have been settled in five minutes. If anyone had, at the outset, asked the question, whether the volunteers were to take part in the intended demonstration, he would have got an answer immediately. It was useless for gentlemen to try and persuade the House that actually nine-tenths of the people were opposed to Confederation. Only 3000 persons came before the House, stating that they were opposed to Confederation. He knew that a large number of the petitioners were induced to sign the petitions, through false representations that were made to them. Here Mr. Henry went on to refer to the fact that when the delegates were in Canada, the volunteers, on several occasions, took part in the celebration. He thought that some parties in this country had attempted to mix up the question of Union with party considerations ever since the celebrated speech at Truro. It was party influences that originated the petitions that were got up on this question. What he desired, was that the people should have every opportunity of discussing the question in all its bearings.

The matter then dropped, and the House adjourned over Good Friday until Saturday, at 11 o'clock.

SATURDAY, April 15.

ASSASSINATION OF PRESIDENT LINCOLN.

The House of Assembly met this morning at 11 o'clock, and the Provincial Secretary immediately moved a resolution to adjourn until Monday next. He said:—I need not say that this House has been deeply shocked by the intelligence which has just been received of the death of President Lincoln. Both branches of the Legislature having been on Thursday last informed that His Excellency would come down at 3 o'clock for the purpose of assenting to several Bills which have passed, I felt it my duty, proposing as we do, to adjourn this House, to put myself in communication with His Excellency who entirely concurs in the appropriateness of this House marking its sympathy with the people of the United States, who have thus lost their Chief Magistrate, and their deep abhorrence of the crime by which he has been removed. The House is aware that when exactly four years ago this day the first intelligence reached this country of the commencement of hostilities in the American Republic, this House placed on record its sentiments by the following resolution:—

Resolved unanimously that the House of Assembly of Nova Scotia have heard with deep regret of the outbreak of civil war in the United States, that this House, without expressing any opinion upon the points in controversy between the contending parties sincerely lament that those who speak their language, and share their civilization should be shedding each other's blood, and offer up their prayers to the Father of the Universe for the speedy restoration of peace."

This resolution sufficiently marked the feelings with which this House viewed the beginning of hostilities which have so long and so terribly distracted the neighboring republic. It is not to be denied that as that struggle ad-

vanced, when the people of British North America witnessed the heroic resistance that a comparatively small number of men in the Southern States made against overwhelming odds, a large amount of sympathy was excited in the minds of many—that sympathy which is always excited when a small body is seen contending with great bravery against superior numbers—in favour of the South. But although that feeling has existed to some extent—although there have been persons in this country who believe that the material interests of British America would be promoted by a separation between the Northern and Southern States, and that great Republic being thus divided into two governments; yet I am confident that there is not a British subject in British America who will learn the untimely death of President Lincoln and the circumstances under which it has occurred without the feeling of the most unfeigned sorrow and the most profound regret. It is well known that President Lincoln was elected the President of the United States of America by the intelligent and freely expressed voice of the people of that great country; and no man who has observed the course that he has pursued can entertain a doubt that he has regarded it as a conscientious duty—a duty from which, under no circumstances, he was able in the slightest degree, to shrink—to maintain the sovereignty of his government over the entire country. That he has persistently pursued that policy with an inflexibility of determination and strength of purpose which must for ever mark him as a man of commanding talents, no one can deny, and I am satisfied that the sentiment of the people, and of those who are placed over the people, throughout British North America, will agree in the opinion that he has been actuated by a conscientious discharge of what we believed to be a patriotic duty in that crisis of his country's history. Under these circumstances I feel that it is right that the neighboring governments in B. N. America should, as far as their means would permit, exhibit on the present occasion their deep sympathy with the people of the neighboring states who have lost their Chief Ruler, and, at the same time, mark their deep abhorrence of the atrocious crime by which he has been removed. I have, therefore, to offer to the House the following resolution:

Resolved unanimously: that this House have heard with the most profound regret that the President of the United States of America has fallen by the hand of an assassin, and that, as a mark of sympathy with the people who have thus been deprived of their Chief Ruler, and of their abhorrence of the atrocious crime that has been committed, this House do adjourn until Monday next.

Mr. Stewart Campbell, who seconded the resolution, said:—On any ordinary occasion I should regret the absence of the learned member for Colchester, who occupies a position in this House which would peculiarly call upon him to second any resolution demanding the united action of all parties in this House. But this resolution is of no party, and requires not that any particular individual should second it. It is indeed one that need not be formally seconded by the lips, for it is sustained by the feelings of every gentleman around these

benches. The hon. Provincial Secretary has referred to the awful tragedy of which we have just received the painful intelligence, in terms so feeling, and so appropriate and just, that although according to parliamentary usage, I have undertaken my present duty, but little observation is requisite on my part to confirm or endorse those sentiments. We all feel, Sir, that an occurrence has taken place which at the present age of the world is not only an outrage upon an individual and a nationality, but is an outrage upon mankind and the civilization of the world at large; and although we belong to another Empire than that in which this dreadful scene has been enacted, we are deeply moved by the awful fact that there has been a gross outrage committed against those feelings which are and ever will be, respected in every country that prides itself in the possession of the privileges of civilization and the blessings of christianity. I think the course taken by the government in adjourning this House as a mark and testimony of its feelings on the present melancholy occasion is extremely appropriate, and will be sure to meet with the cordial approval of every member in this House and of every man in this country.

The resolution passed unanimously, and the house adjourned.

MONDAY, 17th April, 1865.

The House met at 11 o'clock.

Hon. ATTY. GEN. introduced a bill to postpone the ensuing sittings of the supreme court at Halifax for a week, which was read a second time.

Mr. STEWART CAMPBELL introduced a bill to provide for improving a road between Guysboro and Cape Canso, which was read a second time.

Mr. BOURINOT introduced a bill to amend the act to incorporate the Block House mining company; a bill to amend the act to incorporate the International coal and railway company; and a bill to incorporate the Boston coal mining company.

The house then went into committee, and passed the foregoing bills; also, a bill in reference to the settlement of titles in the county of Cape Breton.

The committee having adjourned,

Mr. C. J. CAMPBELL presented a petition from Malagawatch, Inverness, praying that the act passed in 1862, depriving them of their church properties, should be repealed. He stated that there were several petitions on the same subject on the table, and the petitioners had undoubtedly much reason for complaint, but owing to the lateness of the session he was afraid the house could not take the matter up, and give it that consideration which its importance demanded.

Mr. HATFIELD presented a petition, and a bill in accordance therewith, giving the proprietors of the old meeting house at Tusket permission to sell the same.

The house then went into committee, and passed the militia bill with a few verbal alterations.

UNION OF THE COLONIES.

Speech of Mr. LeVesconte.

Mr. LEVESCONTE said:—As there appears to be an indisposition on the part of hon. gen-

tlemen to continue the debate, although not very well prepared at the present moment to address the house, rather than that time should be wasted, I shall take advantage of the present opportunity to offer the few remarks I intend to make upon the subject now under discussion.

In the first place I shall refer to the observations made by the hon. Pro. Sec. on Thursday last upon a subject analagous to that now before the house. He challenged the accuracy of the statement I then made that seven-eighths of the people of this country were opposed to the Confederation scheme, and asserted that so far from that being the case, at least that number were in favor of it. Now, sir, if he believes that to be the case—pledged as he is by his action at the Quebec Conference to carry out the scheme—why does he content himself by laying on the table of the house a resolution which asks the house to go back to the policy of last year—in favor of a union of the Maritime provinces—and declares that the larger union is impracticable?

Voting, as I did, last year for a resolution similar to that now before the house I should be prepared to maintain it now, were it not for the observations of the hon. Pro. Sec.—reiterated by the leader of the opposition—that he regarded this as a stepping stone for the larger union of the British North American Provinces. Believing, as I do, that the effect of a union with Canada would be to deprive us of our present *locus standi*, and to make us a mere dependency of that Province, I feel compelled, holding these views, to vote against the resolution, and I do so, as I have said, principally on account of the remarks made by the two hon. gentlemen I have referred to. Now, sir, I think the house will agree with me that the speeches which we have listened to from the hon. Pro. Sec. and the hon. leader of the opposition have had very little connection with the resolution under discussion. Scarcely a word has fallen from their lips upon the question of a union of the Maritime Provinces. As regards that union I may say that I am not opposed to it, provided that it can be effected upon terms favorable to the province; but I am most decidedly opposed to it as a means of accomplishing the larger union. We have been told that the views of Mr. Howe, Mr. Johnston, and Mr. Young were all in favor of union. Even supposing that this was the case, I do not see why their opinions should be binding upon us. They have passed away into a different arena—whilst here they reflected the opinions of their constituents—we are here now in their places, not to carry out their views, but to represent the feelings and the interests of the whole people of Nova Scotia. Before alluding to the financial aspect of this question there are one or two matters to which I shall briefly refer—one is in connection with the loss of privileges which will be entailed upon the people of this country by the adoption of the scheme of union. The right of being taxed, only through the action of their representatives has always been considered one of the dearest privileges a free people can possess, and it is one that comes home to every man's mind. At present not a single penny of taxes can be imposed upon the country except with the consent of the representatives of the people; but what will be the result after we are annexed to Canada? What chance would 300,000 people

have against three millions—or what stand could the representatives of Nova Scotia make against the overpowering influence of the government of Canada? We would be in the position that we would have to submit, no matter how iniquitous the tax, or else be taunted as rebels. Now we have the glorious privilege of electing our own representatives and arranging our own tariff, and I am happy to say that so far we have done so in a manner that has redounded to the credit of the province and has doubled the resources of the country in the last few years. But what would be the consequence if this attempt to barter away our rights and privileges were carried out? Instead of as now—enacting our own laws, subject to the exercise of the royal prerogative—we would, by our own act, surrender to the supreme government at Ottawa the right of passing any laws, no matter how obnoxious they might be to our people, and we would be compelled to submit, or else be branded as rebels. Under the present system, if an act was passed which was not suited to the wants of the people, it could be repealed at the next session—but adopt this union, and we surrender to the Ottawa government all control over our legislature, and leave ourselves entirely at their mercy.

Mr. Speaker, I regret very much that no abler man than myself should be found to raise his voice against this attempt to barter away our dearest rights and privileges,—sorry am I that Nova Scotia's most gifted sons should be found to have entered into this unholy compact to destroy our political existence; but, sir, humble as I am, I should consider myself recreant to my principles, and unworthy of the confidence of those who sent me here, if I failed to denounce, feebly it may be, but to the best of my ability, this scheme, which I consider so detrimental to the best interests of the people of Nova Scotia. Sir, we all remember the old story of Esau selling his birthright for a mess of pottage, and how he afterwards regretted it with an exceeding bitter cry—but there was this to be said in excuse for his conduct, that he sold it when he was hungry, and at all events he received some return,—whereas the Province of Nova Scotia was not hungry, and the only return she would receive for the surrender of her rights would be a mess of bitter herbs, to be eaten in sorrow and digested in tears. We have been told that we would not be left without a Parliament—that the representatives of the people would be in the same position as when such men as Archibald, and Uniacke, and Haliburton adorned these halls by their presence. But it does not require much argument to prove that such will not be the case. They were the representatives of a Province having its own laws—its own tariff—the control of its own resources—while we will represent a dependency of Canada, with powers about as great as the Grand Jury and Sessions of a county. I do hope, if this scheme is carried out, for the credit of old times, and old associations, that the title of the representatives will be changed, and that instead of the time-honored name of M. P. P., they will substitute that of M. C. P., or Member of the Council of Puppets. I do not intend, Mr. Speaker, to go very largely into the financial question, so ably treated by the member for East Halifax (Mr. Annand), but I find that although in the main we agree, yet starting as we did from

different premises, we naturally arrive at different conclusions. This difference has arisen principally I think from the member for Halifax having his calculations upon the whole amount of this year's expenditure, without taking into consideration the balance in the Receiver General's hands at the end of the year. Now, Sir, I assume the civil list is to be paid by the General Government; and I am in doubt as to one item—the pensions for the Judges. I should like to ask the Prov. Secretary, whether, by the Constitution, that is to be borne by the General or Local Government. I assumed in my calculation that they would be paid by the General Government.

Hon. PROV. SEC., after referring to the Constitution, said that by clause 60 that service was to be paid by the General Government.

MR. LEVESCONTE.—I presumed so. Then the General Government under this scheme will have to pay Civil List, after deducting amounts to be paid by the Local Governments.

Criminal Prosecutions.....	\$41,325
Revenue Expenses.....	1,600
Judiciary Expenses.....	61,199
Rations to Troops.....	1,460
Steamboats, &c.....	100
Debt.....	6,700
Militia.....	277,540
Post Communication.....	\$81,000
Return Duties.....	58,750
Railway Expenses.....	16,000
Navigation Securities.....	120,000
Light House Service.....	49,040
Sable Island.....	38,890
Schr. Daring.....	4,370
New Light Houses and Fog Houses.....	4,500
	10,000

	\$772,205
Total for services paid by Gen'l Gov't.....	772,205
Subvention.....	264,548

\$1,036,753

In exchange for which we would give up

Revenue Customs and Excise.....	\$920,000
Light Duty.....	35,000
Canada, New Brunswick, &c.....	4,500
Great Britain for Sable Island.....	2,000
Railway Revenue.....	170,000
Post Office Revenue.....	50,000
Board of Revenue.....	1,427

Amount given up.....	\$1,182,927
Received in return.....	1,036,753

Direct loss to Nova Scotia.....\$146,174

Now, Sir, here are the figures; and I defy the hon. Fin. Sec. to take the papers and show any thing more favorable to the Province. But, separate and apart altogether from this financial view of the subject, there are other considerations which should have some effect upon our action in this matter. It is well known that our public works are progressing, and that our revenue is increasing year by year; but it must be remembered that under this scheme, no matter how prosperous we might become, no matter how largely our resources might increase, it would not be for the benefit of Nova Scotia, but the General Government at Ottawa. It is true that we might become a large manufacturing country, and the great seaport of all the Colonies; yet, still, all the benefit we would derive from the general prosperity would be the 80 cents per head

which the Constitution gives us. When I look at the position of affairs as between Canada and the United States—when I consider that the Reciprocity Treaty is about to expire, and that the Canadians, feeling themselves aggrieved, will seek to retaliate upon the United States, while at the same time they will put money in their own pockets, I am driven to the conviction that they will accomplish their object at the expense of the Maritime Provinces—that they will impose a duty upon flour, which we now import from the United States—a duty of at least a dollar a barrel,—and that we will have no other option than to submit. That will be the time when the effects of this Union will be brought home to us in a practical shape, and when it is too late, the people of this Province will begin to realize the force of the objections we now raise against it.

I maintain if we go into this union with Canada, we will be treated, as all small provinces ever have been treated—which have been annexed to large countries. Our interests will be respected just so far as it is to the advantage of the larger province to do so. I need not assure the house, Mr. Speaker, that I have no interest to serve in this matter. I have no other object than to advance the welfare of the Province of Nova Scotia; but I must candidly say that if this union is effected I believe that the people of Canada will use the people of these lower provinces for the purpose of passing off on them their surplus agricultural products, which we will be compelled to receive at a higher rate than we can now import them from the United States. We have been pointed, sir, to Cape Breton as an instance of the benefit of union, and have been told that under it she has received more than her rights. Sir, I deny it; and I have only to refer to the universal feeling of execration, which even now, after a lapse of twenty years, exists over the whole Island for the act which deprived them of their rights and privileges to prove the truth of my statement. That same feeling, I believe, before many years will be widespread throughout Nova Scotia, for the men who have endeavored to wrench from them their dearest rights without giving them a single iota in return.

Sir, I feel deeply on this subject, and, as I said before, I regret that Nova Scotia's most gifted sons could not have found a better subject to coalesce upon than in this attempt to barter away our rights and liberties. But, sir, it has been said that we are too insignificant in our present position—that we ought to become a great country. Well, sir, I for one am content to remain under that great and glorious flag that waves over us to-day—and poor and insignificant as we Nova Scotians may be, we have the consolation of knowing that we have always been loyal and true to that flag, which is more than can be said of that great country to which some gentlemen are so anxious to be united. It has also been urged that the United States is prepared to gobble us up, if we remain dis-united from Canada. Now, sir, I cannot see in what better position for defence we will be in by the Union. Will we be able to number a man more, or to shoulder an additional musket? I think not. But now, under the ægis of Old England, we are secure. She has promised to defend us, so long as we manifest a disposition to defend ourselves. When we

come to look at our militia estimates for this year, I think it will be found that we have done more for our defence than Canada, in proportion to our resources and population, and therefore when I say that we are more loyal I prove it by the law on the statute book, and by the liberal provision contained in the estimates. The Pro. Sec. told us that this union will give us a character and a nationality we do not now possess—that we have now no *locus standi* and have no weight amongst the nations of the world. I ask how is it going to improve our position in that respect to annex us to Canada? Is it going to add to our importance or position to deprive us of our Lieutenant Governor, and our character as a province, and reduce us to the condition of a mere dependency of a larger province? If it does, I certainly am at a loss to understand it. It is not a very difficult matter to account for the anxiety of Canada for this union. Everybody knows the troubled state of affairs that have existed in that country for years, and it is natural that they should turn to us, not from any regard to our interests, but as a panacea for their own ills. They saw a country with a low tariff, able to uphold all her institutions and her public works—able to devote \$80,000 for her defence, and have a surplus besides—and, like Napoleon's giant and the dwarf, they are prepared to squeeze us, affectionately it may be, but it is the giant's nature to squeeze hard. The hon. Pro. Sec. told us as an irresistible argument in favor of his views—that that great organ, the *Times*, had declared in favor of the scheme, and therefore we must submit. In fact, as Nebuchadneezar told the Babylonians of old—we must bow down and worship the graven image he has sat up. Now I will, with the permission of the house, read a few extracts from the letter of the correspondent of that paper, who came here during the visit of H. R. H. the Prince of Wales—and who was so well up in the geography of the country, that on his way to Halifax he found himself at Toronto. Hear what he says about Windsor:

"So on I got to Windsor, a village of shanties and some 1,200 people, where a well meaning, but mistaken, individual has built an hotel large enough to accommodate all the inhabitants. The latter, however, as might have been anticipated, prefer living in their huts; so this hotel has never been opened to this day." * * *

This sir, is the way in which the accredited correspondent of this great paper maligns the people of this Province, on an occasion when, I am proud to say, they did themselves honor in the reception they gave their Prince.

Then, again, in speaking of the daughters of Acadia, who are renowned the world over for their beauty, their intelligence, and their virtue—this is the way he dares to speak of them:

"Halifax, at first, does not impress one favorably; for the entrance from the station includes, as usual, all the worst thoroughfares and meanest houses, where the *sun burnt natives* loll out of their windows all day, and where brightly dressed Indian squaws, with their great splay feet, covered with thick mocassins, tramp along with little papooses tied hand and foot to a flat piece of board, and looking like some curious preparation of an infant being dried in the sun."

And yet this is the paper that the Provincial Secretary thinks should influence the judg-

ment of the people of this country in the consideration of this great question. Now, sir, I shall not detain this house with any further remarks. All I can say is, if the people of this country are willing to surrender their rights and liberties, let them do so. I have done my duty in warning them against it. I may not live long enough to see them reaping the bitter fruits of their own folly; but I shall have the proud satisfaction of knowing that my children can point to my tomb, and say—There lies one who had the manliness to raise his voice in the halls of parliament against this unholy alliance.

Speech of Mr. McLellan.

Mr. McLELAN spoke as follows:

Mr. Speaker.—We have been charged with making this a party question. But surely the position which members on both sides occupy in reference to it is sufficient to show we are not amenable to such a charge. For myself I am about to address the house in opposition to the views propounded by my political party leader; and let me say that no act of my little political life has given me half the pain I feel in being compelled to take a position in opposition to that hon. gentleman. There are other considerations which might well cause me to hesitate: not only is the question the most momentous ever discussed here, but there is the further consideration that it has been matured by thirty-three gentlemen who claim, and perhaps not undeservedly, to be among the ablest in British America. But if I might be disposed to hesitate from these considerations, I remember that I am here to act upon my own conscientious convictions of what is right and wrong—of what may be or may not be for the good of my country—and not upon other men's capabilities of forming a correct judgment. For apart from considerations of a political nature which may and do too often influence men, there are occasions when the most enlarged and comprehensive minds overlook the useful and the practical in the contemplation of the ideal. So has it been, I believe, on the present occasion. Men have given up to an idea, or a sentiment that which they should never have yielded, except to sound argument and strong conclusive fact. I believe that the idea or sentiment of union has had very much to do with influencing men's minds upon this subject. When the Provincial Secretary, in addressing the house on the history of this question, referred to the most unanimous applause with which the subject of union had been greeted when mentioned on platform or festive occasions, I thought at the time that very much of that applause was given to the sentiment or idea of union which has always a charm for men's minds and not so much to the practical workings of a union of these provinces. There are perhaps few words in the English language that have such an influence over men's minds as that little word "Union." We have seen in the neighboring republic how powerful an influence this "union sentiment" exercises over the people. Many years ago when the question of the admission of Texas into the Union was under consideration, Daniel Webster, than whom America has not known a mightier intellect, warned the Senate against the extension of territory Southward. That warning voice was unheeded. The union sentiment prevailed,

and that union took place. With the greatness and prosperity of the country there grew up an interest in the South, which finding its own centre within itself, and growing antagonistic to the North, at length culminated in a demand for a separation. We are all familiar with the history of events from that time to this—that the difficulty resulted in a war which has been unparalleled in its magnitude and in its severity—a war which has furrowed with the graves of the slain the face of that country as thickly as the furrows in a farmer's field. Looking at the influence which this sentiment has exercised over men's minds at all times, I must conclude that it has also operated largely in the provinces, and that men have been carried away by that sentiment, and have sought a union irrespective of provincial rights and the consequences that may flow from it. They have forgotten the union that already exists between these provinces—that we are united by the same loyal sentiments—that we are, as the hon. member for Richmond says, citizens of the same Empire—subjects of the same Queen. The same flag that floats over Buckingham Palace floats over our Citadel, and protects the inhabitants of these provinces as well as those of London. Under that protection we enjoy every blessing and privilege that is known in civilized and enlightened society; and I asked myself when the Provincial Secretary, the other night, was speaking of the progress and prosperity of this province, and telling us how much we had to be grateful for, why we could not withal cultivate the virtue of contentment. But they tell us that there are circumstances outside of our own borders that prevent the continuance of these things. In the first place, we have been told that there is a disposition on the part of England to cast us adrift. It is hardly necessary to spend much time on that part of the subject, because opinions lately propounded in the British parliament show that there is a determination on the part of Great Britain to preserve her colonies so long as they remain loyal to the crown of England. We naturally expected this declaration. We have seen that the expansion and maintenance of colonies has been the policy which England has pursued from time immemorial, and it is that which has given her her proudest title—"mistress and sovereign of the sea." In the many long years of struggle with other powers to obtain that title, it was not so much the staunchness of her ships, or the bravery of her crews, as from the training to the seas which they had acquired in the wide commerce afforded by colonies. Before passing away from this part of the subject, I may add it is still more unlikely that England should have adopted this policy of abandoning her colonies at a time when her great rival France has adopted it, and in every part of the habitable globe, where she can obtain a foothold, is planting colonies that she too may have a widely extended commerce—that she may train from their youth a large number of her people to "go down upon the seas in ships, to do business upon the mighty waters," and thus prepare them for that magnificent navy she is building. Again, England requires, in large quantities, the products of the American continent, and it would be impolitic to allow a foreign power to control all those products. When Louis Napoleon took possession of Mexico, and made of her a vir-

tual dependency of France, he said, "We have an interest indeed in the republic of the United States being prosperous and powerful; but not that she should take possession of the whole gulf of Mexico, thence to command the Antilles as well as South America, and to be the only dispenser of the products of the New World." If this be the policy of Napoleon—if he felt an anxiety that no foreign power should control the products of a continent, how much more is it the interest of England that a foreign power shall not have the entire command of products essential to her existence. England has justly been called the "workshop of the world," but in materials for manufacture, she procures from other countries the value of over one hundred millions of pounds sterling, while one-third of her people receive the food upon which they live from abroad. Hence it is vastly more important to England than to France whose necessities in those particulars is not so great that no one power should control the grain and material for manufacture produced by the continent of America. Therefore I feel that circumstances do not warrant any man in saying that it is the intention of England to cast these colonies off. Earl Russell said a few years ago: "I firmly believe it is our duty, to maintain our great and valuable Colonial empire," while Earl Grey added: "I believe that much of the power and influence of this country depends upon having large Colonial possessions in different parts of the world;" and but a few days ago we saw the same expression of opinion as delivered by Lord Palmerston. So I feel it was unwarranted for any gentleman to say that it was the intention or policy of England to cast their colonies adrift. But we are told that we are in danger of being wrested from Great Britain, that there are a number of circumstances existing in the United States which endanger the connection with the parent state. I cannot help admiring the zeal with which the hon. gentlemen who are advocating this Confederation have been blowing the War Trumpet. They tell us that the King of Terrors who has been holding high carnival in the valleys of the Shenandoah will soon come to a grand banquet in the valleys of Nova Scotia. When the Pro. Secy. drew a picture of this in addressing the house, I thought I saw his cheek pale, but at the time it occurred to me that possibly the direction in which the hon gentleman was looking had something to do with this. He was looking at Mr. Tilley from New Brunswick, who was sitting outside the benches, and perhaps there ran through his mind all that had grown out of the resolution moved by him last year. That through his action and instrumentality the able Premier of New Brunswick had been hurled from his position, and that when the Pro. Secy's cheek blanched it was because he felt that Banquo's ghost was sitting at the feast. Subsequently when the hon. delegate from South Colchester, in "blowing the war trumpet," exhibited a tremor of voice unusual to him, I had to acknowledge that both these hon. gentlemen were really alarmed at the terrors they pictured. That the "great Wizards" who went "North" were terrified at the apparition they had conjured up to frighten honest folk. We read in fabled story of the sculptor who wrought from a block of marble a statue of Jupiter armed; and when he had finished and looked upon the workmanship of his own

hands was overwhelmed with terror. So are these hon. gentlemen overcome by the workings of their own imaginations.

We are told by these gentlemen danger is really imminent, that it will come upon us suddenly; then, I ask, is it the course of wise men to undertake a change in our constitutional administration that will require years to perfect. Why the instincts of the lowest order of animal life tell us better. The insect, when it is about to undergo a transformation, seeks retirement until that transformation is perfected; and shall we enter upon the throes of this great constitutional transformation at an hour when we are told danger is coming upon us. Let us not put off the old harness until the time has come when we can safely put on the new and have it adjusted. The illustration given by the late Abraham Lincoln, that it is no time to swap horses when you are crossing a stream, ought to be sufficient for these gentlemen. The hon. member for Colchester has spoken of the great change which has occurred in the character and position of the American people. He has told you that a very few years ago that people was engaged in their workshops and factories of the country, but now they have been drawn from all these, and have formed an army that has placed that nation among the first military powers of the world. But he neglected to tell us there were influences more potent to draw these men from their industrial pursuits than were perhaps ever before found combined.

They felt not only called to rescue their country, in whose greatness they felt a just pride, from being rent in fragments, but to wipe from their national escutcheon the foul stain of slavery. That great work they seem to have accomplished. When at our last meeting the tidings reached us that their President had fallen by the hand of a foul assassin, and when we sat in silence no man daring to trust his voice in expressing the sympathies—the sorrow that swelled our hearts—further than to give official form to our feelings, I asked myself what must be the effect of these tidings upon the people over whom Abraham Lincoln presided, when they so affect us. Surely, sir, that people have now drank the last drop in their cup of bitterness, and whatever other effects may flow from this act, I believe the American people will, with the blood of Abraham Lincoln, seal a covenant with the Most High that the clank of the slave chain shall no more be heard in their land. That he who had this object deep in heart, and who, while ably presiding over them, led them on gradually step by step to proclaim freedom to the black man, will in his death so fix and stamp the national mind to that high purpose that when the hour of peace comes, as in the good Providence of God it seems nigh, there will, in the arrangement of terms, be no temporizing, no yielding to Southern interests and wishes on this question. Soon, therefore, will many in those armies be found going back to their industrial avocations, saddened no doubt by the great sacrifice they have witnessed, yet consoled by the glorious thought that they have aided in giving to the term liberty a meaning and a significance hitherto unknown upon their soil, that henceforth it embraces all classes, creeds and colors.

The hon. member will tell us that there are others in that army who will not so readily go to industrial employments; this is true, but all

those will find sufficient employment in re-organizing the Southern portion of the empire and in restoring it from the wreck and debris of this terrible civil strife. Consider also the spirit of the Southern people. The men have shown in the hardships they have endured—in the sacrifices they have made—and in their daring acts that a feeling of hostility to the North lies deep in their hearts. Nor have the Southern women been less remarkable for patient endurance, high courageous spirit and deep-seated hatred; and can we for a moment suppose that the children born of such parents, nourished and trained by these women, will not inherit their feelings and so render it imperative on the Northern portion of the nation to keep for many years a strong hand upon the South. The Provincial Secretary has told us that he has looked upon slavery as the great guarantee of our safety. I don't so read American history. So far as I can judge, the men who have been most bitter in their hostility to England, and most desirous of finding causes of war with that country have been Southern statesmen. The circumstances dependent upon slavery have been such as to lead them to a breach of the peace. The fact that England, with a magnanimity that did her infinite honor, gave twenty millions to redeem her slaves—a fact that stood a perpetual censure as it were upon the South, no doubt was a cause of irritation upon their minds. Again, England kept up a large force upon the African coast to keep down that traffic which tended to give rise to this feeling of animosity. Again, north of them there was a frontier line over which when the slave passed into Canada he gained freedom. This was, perhaps, the strongest inducement for the Southerners to make war upon these colonies for the purpose of wiping away this boundary line, and enabling them to follow wherever the slave might go, and return him to his chains. These were great causes of animosity to England, and now, since, under the blessing of God, this slavery has been blotted out, I believe peace is much more likely to be preserved between England and America. Had the Southerners succeeded in obtaining their independence, the likelihood of hostilities with England would have been much greater. The Northern people thwarted and smarting under the mortification occasioned by their inability to conquer the South, would have been more likely to turn their army—for which they would not have employment—upon these Provinces, than they will be now when they have succeeded in accomplishing the great object that they had in calling these armies into existence. The hon. delegate alluded to a number of circumstances—the passport system, the proposed armament upon the lakes, and the abrogation of the Reciprocity Treaty—as so many evidences of the feeling of the Northern people towards us. When he was reading his summary I wondered why he omitted to refer to a fact which was known here some weeks ago—that the notice in reference to the armament upon the lakes had been withdrawn, and arrangements made for a mere police force. Earl Russell, however, justifies the notice, he says:

"Coupled with this notice is a notice given with respect to the armament of the lakes. I think it must be admitted that recent occurrences on the lakes—namely, the seizure of vessels by the agents of the Confederacy and other acts of hostility—completely

justify the United States in giving notice of the termination of the convention. My lords, it was not to be expected that the United States should submit passively to such acts of violence without availing themselves of all the means of repression within their power."

An act then which seems to strike horror into the mind of Colonial statesmen appears to British statesmen as merely a necessary means of self-protection. Mr. Cardwell, on the 23rd March, informing the British Parliament of the force to be employed on the lakes, says:

"Since I came into the House I have received from the noble lord the Governor-General of Canada (Lord Monck) a despatch which confirms the agreeable reports which had already reached us through the ordinary channels of intelligence. He informs me that he has received a telegraphic despatch from Mr. Burnley, at Washington, to this effect:—'The Secretary of State informs me that his government intends to withdraw the notice for the abrogation of the Treaty of 1817 (cheers), and the passport system will cease immediately.' (Renewed cheers.) Sir, I refer to that announcement with feelings of the greatest pleasure; and now I trust we may proceed to discuss the important practical question which is before us in no spirit of panic, but in that just spirit which becomes the consideration of what is due to the honour and interests of our country, and which has characterized the mode in which the proposal has been considered by the house. (Hear, hear.) Because you are on friendly terms with the American Government, because you hope that the friendly spirit which animates you is reciprocated by them, and because you are confident that two mighty nations of one blood, one origin and one language are united by ties which should forever forbid the possibility of bloodshed between them,—those considerations do not render it the less necessary that you should temperately consider the nature of your defences, and that you should be dependent for your safety only upon the power of your own country."

Lord Palmerston also says:

"Many gentlemen have argued this question as if there was a general impression and belief that war with the United States was imminent, and that this proposal of ours was for the purpose of meeting a sudden danger which we apprehended to be hanging over us. Now, I think there is no danger of war with America. Nothing that has recently passed indicates any hostile disposition on the part of the United States towards us, and, therefore, I do not base this motion on the ground that we expect war to take place between this country and America."

The view taken by British statesmen must be felt to be perfectly correct by every dispassionate man—that it was necessary for the United States, in view of raids across the frontier, the capture of steamers, the robbing of banks, the burning of hotels, to take some precautionary measures for self-protection, which should not be considered indicative of hostilities with Britain.

It has been argued that we are so small a territory, that we should endeavour to unite with some larger country, in order to enlarge our scope for action. I cannot understand why people who enjoy all the privileges, rights, and immunities of the British Empire, should desire to form any other connection in order that they may have greater room and scope. I cannot see how any connection that we can form with other territory can increase the relative conjunctions of Nova Scotia to the British Empire.

Turn to the American States, and contrast the size of Nova Scotia with some States there, and from which we have heard no talk of forming any Union with any other state, in order to increase their importance in the "Union." There are the

States of New Hampshire, Vermont, Rhode Island, Connecticut, New Jersey, Massachusetts, Maryland, &c.—all very much smaller in area than Nova Scotia, and yet from these we hear of no Union being formed among them, in order that the citizens may have more area or room for development. Nova Scotia contains 20,426 square miles; New Hampshire 9,280; Vermont 9,056; Connecticut 4,780; Massachusetts, that occupies so conspicuous a position in the American nation, 7,800. Yet Nova Scotia, that our statesmen look down upon with contempt, is larger than any two other States I have named; and where we find the Americans perfectly satisfied with the proportions these States occupy in the American nation, we should, also, be content, that whilst we are Nova Scotians we are, at the same time, citizens of the British Empire, with all the room and scope which it affords for development.

Again it is contended we have not population sufficient to give us an importance. Whilst those who advocate Confederation, have not shown that the scheme will of itself increase our population, they seem to forget that our Province is very much younger than those American States with whose condition they contrast ours. All we require is a little time, as our growths more rapid now than theirs. I have examined the census returns of eighteen States from Maine Southward, and the average rate of increase for ten years is 16 7-10, while the increase of Nova Scotia in the same period was 19 9-10, so that if those gentlemen will have a little patience, our population will become sufficiently numerous.

It seems, however, the determination of the Prov. Secretary; that we shall not remain in our present happy and prosperous condition, that nothing short of a Union with some other province will satisfy him. When last year he introduced his resolution for a convention to consider the Union of the Maritime provinces, but little importance was attached to it, as it was not likely to lead to any practical result; but when it became known that the convention had arranged a Union of the whole British North American Colonies, and when the terms of the proposed Union were made public, the province was convulsed from centre to circumference; men at once set about petitioning this Legislature, and but for the opinion which got abroad that the Delegates had abandoned the scheme, your table would have been covered with petitions. So strong was public opinion found to be against the Quebec arrangement, that the Pro. Secretary has not had the courage and the manliness to carry it out, although bound in all faith to the other Provinces to make the attempt. When I consider the position of our delegates, I am reminded of the fable of the fellows who sold a "bearskin" before they had killed the bear, which so happily illustrates the case that I shall trouble the House with it.

Five fellows, needing funds and bold,

A bearskin to a furrier sold,

Of which the bear was living still,

But which they presently would kill—

At least they said they would.

And if their word was good.

It was a king of bears—an *Urs Major*;

The fattest bear beneath the sun.

The skin the chaps would wager,

Was cheap at double cost;

'Twould make one laugh at first—

And make two robes as well as one.

(In their accounts 'twas theirs

But in his own the bears.)

By bargain struck upon the skin

Three mouths at most must bring it in,

Forth went the *five*. More easy found than got,

The bear came growling at them on the trot,

Behold our dealers all confounded,

As if by thunderbolt astounded!

Their bargain vanished suddenly in air;

For who could plead his interest with a bear?

Four of the friends sprung up a tree:

The other, cold as ice could be,

Fell on his face, feigned death,

And closely held his breath,—

He having somewhere—heard it said

The bear ne'er preys upon the dead.

Sir Bear, sad blockhead, was deceived—

The prostrate man a corpse believed;

But, half suspecting some deceit,

He feels and snuffs from head to feet,

And in the nostrils blows.

The body's surely dead, he thinks

I'll leave it for it stinks;

And off into the woods he goes.

The other dealers from their tree

Descending cautiously, to see

Their comrade lying in the dirt

Consoling, says it is a wonder

That, by the monster forced assunder,

Were—after all—more scared than hurt,

But, addeth they, what of the creature's skin?

He held his muzzle very near;

What did he whisper in your ear?

He gave this caution,—“Never dare

Again to sell the skin of bear.

Its owner has not ceased to wear.

Now our dealers not finding Sir Bear disposed to quietly part with his skin have determined to get him into a trap. They seek by this resolution on the table for another convention to entrap Nova Scotia into the scheme as arranged at Quebec. My hon. friend from Richmond is correct in stating that they have no other object in view, and I shall ask the House to follow me while I consider the constitution prepared for us at that Quebec conference.

We are told by the Provincial Secretary of the government they proposed to constitute a Federation of British North America. And it appears to me that in the very outset, in the second resolution of this report, they have given the evidence which shows that this Federal Union cannot be stable under the circumstances. They allude there to the “*diversity of the interests of the several Provinces.*”

The fact that the interests of the Provinces are so diversified that each has its own interest, and its centre of interest within itself—precludes the possibility of a Federal Union being formed to work harmoniously. Under present regulations our separate interests are not brought into

antagonism—why then should we bring about a change which will make the interests of the several Provinces clash and destroy that harmony of feeling that is existing among these Colonies? The hon. member for South Colchester, read to you from Judge Story, that when Provinces unite they make mutual sacrifices and concessions in order to obtain some great purpose. One purpose for which they would make that sacrifice would be, that they might obtain mutual aid. In this case there would not be that influence at work in order to induce us to consent to a sacrifice of our interests—an attack upon one is under present regulation an attack upon all—besides we have now the protection of England—we have the command of her armies. She has told us that her honour demands that she should protect her Colonies. Therefore, while they are loyal, no necessity exists why we should make such sacrifices as is proposed. And if the necessity be not apparent the people will not submit to them.

I come now to another branch of the subject—the nature of the representation. We are to have local governments, and a General Government over all. In that General Government, Nova Scotia is to have a representation of 19 out of 194. Now the Provincial Secretary tells us that this is as much as we have any right to expect according to our population, and he stated that if these terms were not just, we had only the delegates to blame. I contend, in view of the geographical position of Nova Scotia—800 miles may form the capital, and almost an island—that the principle of representation by population was not at all sufficient to do her justice. You don't give to the city of Halifax a representation proportioned to the population because you feel that by the Parliament meeting here, influences can be brought to bear upon it that compensates for a less representation. As you recede from the place of the meeting of Parliament, representation should increase in order to give a balance of influence.—The city of London, with a population of nearly 3,000,000—one-tenth of the Empire—has only 16 representatives. If you adopted the principle in question, she ought to have one-tenth of the whole number in Parliament. The reason why it is not carried out, is the Parliament meets there, and that the influence given the city thereby, is sufficient for her. On examination of a table prepared in 1859, I find that as you recede from the place of meeting of Parliament—the proportion of representatives of counties to the population increases. The Counties of Middlesex, Surrey and Kent (exclusive of London) with a population of 3,185,424 have 43 members; one to every 74,074 of the population; in the extreme North, Cumberland, Northumberland, and Durham, with a population of 890,059 have 29 members; one to 30,691 of population. On the extreme South, Cromwell, Devon and Dorset, having a population of 1,106,863 returns 50 members; one to 22,137 of population; on the extreme west, Anglesen, Cameron and Denbigh have 237,780 population and 7 members. And so should there be an increase here, because the great distance from Otta-

we will prevent us from exercising any influence upon the Government there, other than is given us by our representation. The influences of the interests of a country like ours (almost an island) are necessarily confined within her lines, and when the legislation for our interests is placed in a parliament beyond our borders we should have an increase of numbers in representation to compensate for the entire want of local influences.

But the Provincial Secretary tells us that we have a large representation in the Legislative Council which fully compensates us for the want of representation in the Assembly. Mr. George Brown, arguing that question, said that the complaint had been made that they had given us too large a representation in the Upper House; but he says "*in the Lower House, Canada shall hold the purse strings.*" You will further remember that all the Lower Provinces combined have only 24 members in the Legislative Council, whilst united Canada has 48. But whatever differences of opinion may have hitherto existed between Upper and Lower Canada, there is no doubt you will find them as one when their interests come in collision with those of the Lower Provinces. When a man and a wife quarrel, and a third party steps in, they both unite against him. Upper and Lower Canada may have disputes at times too, but whenever the Lower Provinces come in, they will unite as one Province against us. The Provincial Secretary tells us that if our Representatives band together, they can exercise an influence which will make them sufficiently felt in the Canadian Parliament, and referred in illustration of his argument to the influence that the members of Cape Breton exercise here; but he did not tell us that these form a much larger proportion to the whole number in this House than would the Representatives from Nova Scotia exhibit in a Parliament of 194 at Ottawa. But suppose they did band together to make their influence felt in that Parliament. Now, I ask the hon. Prov. Sec'y. to consider the position in which he places this Province and her Representatives. I cannot conceive a more degraded, a more humiliating position than the Representatives of a spirited people compelled to forego their political opinions—their conscientious convictions on all public questions, in order to obtain for their people a consideration in the distribution of the funds. But even supposing our 19 Representatives could so far forget themselves as to turn political hucksters, and offer to sell themselves, body and soul, they will never obtain more than a few pickings from the public chest, which we shall do more than our share in filling. Under any circumstances, however humiliating, we shall be powerless to enforce a just consideration of interests. There is a beautiful work of art, representing two hounds chained together by the neck—one is large and powerful, looking down with contempt and indifference upon his lesser companion, who is as beautiful in the formation of limb, apparently as swift to follow the game, and as keen of scent as the other, yet crouches, overawed and helpless. Often as I have looked upon that work, I have felt an impulse rising

within me to strike the chain from the little fellow's neck, and let him free. And ever since this Confederation scheme has been published—every time I have looked upon a miniature copy of that work, I have thought of Confederation. I have seen in it Nova Scotia, bound and chained by the neck to Canada, and thinking of my country thus helpless, powerless, and prostrate at Ottawa, with a Representation of only nineteen in a Parliament of 194, the exclamation rises from my heart—"God help the little fellow." Around me sit the men to whom the constituencies of Nova Scotia entrusted her Constitutional rights—her interests and welfare—to whom she, for four years, bared her neck—is there—can there be one among us who will help to fasten upon that neck, this chain, prepared by the delegates? No, let us rather keep sacred that trust—let us rather go back to the people, and learn of them at the polls their wishes on this great question, lest in after years, they have just reason to execrate our memories—lest they pray Heaven to strike palsied every hand that touched to fasten a rivet of that chain.

I come now to the financial terms of this scheme of Union. The delegates have adopted at Quebec a scale, and arranged the debt of the Provinces pretty much as they did representation, upon a plan of population irrespective of the incomes which the Provinces possessed. It seems to me at the very outset, the hon. delegates laid down the wrong principle, instead of arranging the debt according to population; they should have looked at the incomes—at the revenues, and funds, what each had in the treasury. If any gentleman should propose to form a partnership with another on Granville street, what is the first question that is asked? The amount of his income—not how many persons are to enter the partnership. Taking it upon this ground, little Nova Scotia, as represented by these gentlemen, has not received justice. Canada is allowed to come into the Confederation with a debt of \$62,500,000, Nova Scotia with one of \$8,000,000. Now, in the year in which this arrangement was made, the income of Canada was \$5,884,594—whilst that of Nova Scotia was \$861,989—in both cases derived from Customs and Excise. According to that income of Canada, as compared with that of Nova Scotia, she should have only been entitled to come in with a debt of \$54,000,000. But the hon. gentlemen should not have taken the present income only into consideration. They should have considered that under Confederation we shall be placed on the same tariff, and therefore they should have looked to the effect of this increase of tariff. It has been ascertained by close calculation, that under the Canadian tariff, Nova Scotia's revenue would have been \$1,330,514. Taking it upon this basis, if we were allowed only 8 millions, Canada should have only \$35,452,507, or reversing it, if Canada is allowed \$62,500,000, Nova Scotia should have been allowed \$14,107,330. By adopting the principle of income, instead of population, it would have given us over six millions more than we are actually to receive under this agreement.

But we have not received justice in respect to the quality of the debt. Very nearly the whole of the debt of Nova Scotia has been created by the construction of a Railway, and we have been told time and again by those delegates, that as soon as we get our railway system completed, our road will be a paying property, and in reality be no debt at all. It is very different with the debt of Canada. In answer to a question put by the hon. member for Halifax, the hon. Prov. Secy. laid on the table a financial statement, containing the debt, income, &c., of Canada, issued by Mr. Galt. At the dinner given last autumn to the Canadian delegates, the hon. Prov. Secy. told us Mr. Galt had the power of making a deficit of a million appear a surplus of that amount. I must confess, looking at the paper before me, there is a great deal of truth in that remark.—In this balance-sheet we find the whole liabilities of Canada are put down at \$176,223,066.65. This, however, is so balanced, even to the last five cents, that we are almost led to believe that Canada in reality does not owe a dollar. But on an examination, I find to make that balance they have put down at cost and accumulated interest all the public buildings, bridges, roads, harbors, lighthouses, canals, railroads, &c., of the country. Now, if we were to put a valuation upon all our roads and bridges, our public buildings, Shubenacadie and St. Peter's Canals, Arisaig Pier, Parsboro Snag, and similar property, we should far overbalance all our indebtedness, without touching the railroads. I have examined the financial returns of Canada, to see the actual net income of the property claimed in this balance-sheet, and I find the net income from over seventy millions of it is only \$471,461, which represents a capital of less than eight millions, leaving about 62,000,000 dollars from which no available profits are derived. The principal sources from which any income is derived is from the Canals and Municipalities. We have the Railways put down for loans and interests unpaid at something like \$30,000,000. It will be perhaps in the knowledge of the House that in 1857 the Grand Trunk Company came to the Canadian Parliament and said: We cannot proceed further, and we wish you to give up your claim on our lines—just as the Shubenacadie Canal people asked us to give up our lien on that undertaking. The Legislature, instead of giving up the claim entirely, consented to give up the first lien and allow new shareholders to come in,—the province, then, to hold the third position. In consequence of this arrangement, no interest is paid, and the accumulation is now \$9,642,000. Anybody who knows anything of the management of these great public companies will perceive, that after working expenses and the interest to the first two sets of bondholders are paid, the Government will never receive a cent of interest upon its loan. Again, there is the Municipal Loan Fund debt, amounting in principal and interest to \$12,890,837—very much of which has been fruitful of the greatest possible political corruption, and will never prove an available asset. Some of the municipalities have borrowed nearly \$300 per head of the population, and of course never can pay either principal or interest. The town of Port Hope, with a population of 4,160, borrowed \$740,000, and had arrears of interest Dec. 31st, 1861, of \$512,303. The town of Niagara, with 2,070 in-

habitants, borrowed \$280,000, and owed for interests \$148,974: I hold in my hand a list of seven municipal cities, containing 40,600 inhabitants, who have received from this fund \$5,594,400, and owed as arrears of interest Dec. 31st, 1861, \$2,359,406—together nearly eight million dollars—the amount Nova Scotia is to be permitted to owe on going into Confederation.

It is therefore evident that very little can be counted upon from the municipalities. It is to be supposed, however, that there is in this balance sheet some property that is profitable. The whole amount of the liabilities are put down at \$76,223,061. They claim funds immediately available to reduce this to \$67,500,000, five millions more than Canada is to enter the Confederation with. This five millions the local governments of Canada are to assume,—but with the debt are to have the property represented by it. Hon. George Brown, speaking of this arrangement, says very distinctly,—and there is a clause in the report of the delegates authorizing it—that the local governments of Upper and Lower Canada are to take this available property—as an offset to the debts that they are called upon to assume. Now it is not reasonable to assume that Upper and Lower Canada, whose public men are so astute, will take liabilities that have no income. They will select the best they can.

Mr. ARCHIBALD.—They have no power to make the selection.

Mr. McLELAN—I will read, in corroboration of my statement, the 58th clause of the constitution,—“All assets connected with such portions of the public debt of any Province as are assumed by the local governments, shall also belong to those governments respectively.” These local governments will not assume any debt unless there is an asset connected with it. I will also tell you what hon. George Brown of Canada says:—

“But, Mr. Speaker, I am told that the arrangement as to the debt is unfair—that we have thrown on the Federal exchequer the whole of the debts of the Maritime Provinces, and only a portion of the debt of Canada. There is not a particle of force in this objection. The whole debt of Canada is \$67,500,000, but five millions of this is due to our own people, to meet which there are certain local funds. Now if we had thrown the whole \$67,500,000 on the Federal treasury, we must also have handed over to it the local revenues which, so far as these five millions are concerned, would have been precisely the same thing. But as regards the public debt with which the Federal government would start, it would not have been the same thing. By restricting the debt of Canada to \$62,500,000, we restricted the debt of the Maritime Provinces to the same proportion on \$25 per head of their population; but had we thrown our whole debt of sixty-seven and a half millions on the Confederation, the proportion of debt for the several Maritime Provinces must have been increased, and the whole debt very greatly augmented.”

The hon. delegates cry “Hear, hear,” but I believe every gentleman present hears enough to convince him that the Canadians are to take five millions worth of available property with the debts they are to assume, leaving the balance, \$62,500,000, comparatively worthless.

A good deal has been said about the tariff, and it has been claimed that under the ar-

rougement that would have to be made, we would be called upon to pay a very much larger sum into the general revenue than we pay into our own treasury. There never appeared to me to be any question on this point. The very fact that Canada has to resort to a stamp act in order to raise funds, was sufficient proof to me that they had run to the full extent they could in the imposition of duties. If there be any one mode of raising taxes that is more obnoxious to the people than another, it is a stamp duty—a stamp tax on every note, bill, receipt, or paper. We are told that there will not be a very large increase of duty, because Canada admits many articles duty free. I have been to some trouble in turning to the returns of articles imported by Canada, and I find the result of the examination to be that the whole amount of imports for 1863 amounted to \$45,964,000. Now we are told \$23,000,000, or one-half, are free goods, and that since Canada has so many free goods, the consequence is, that running the tariff over the whole, she has a lower scale than Nova Scotia. In order to arrive at the incorrectness of this assertion, you must look at the nature of her importations, and see what those free goods are made up of. I find articles under the Reciprocity treaty \$12,330,000. Of course these are free goods there as here, and would continue to be so under Confederation. Again, coin and bullion is put down, although in Nova Scotia it is never called an import; but whenever a Bank gets in a quantity of money, in Canada, it is placed among the imports; the amount given is \$4,652,287. I find down for books \$455,941. Again, the vehicles and carriages of travellers crossing the lines to see their friends are down at \$104,586. Again, gravel and clay are among their imports; clothing and army and other stores for military and naval purposes, nearly a million more. Therefore you see that they put down among their imports articles which were never dreamed of here. The amount of these articles I have enumerated as free here, or which we do not call an import, is \$22,516,223.

There being in all their free goods only half a million which would pay duty under our tariff. Add this to the amount of goods paying duty under their own, and the whole imports of dutiable goods will only amount to \$23,448,270, being \$9.35 per head of population, from which would be collected \$2.40 by their tariff, making it over 25 per cent; whilst our imports, deducting free goods and articles re-exported, amounted to \$5,360,106—being \$16.20 to each inhabitant yielding \$2.53 per head in duty, equivalent to 15 3-5 per cent. tariff. It has been asserted on some occasions that under Confederation we will not necessarily be called upon to come under this high Canadian tariff. Now I claim that under the arrangements of this confederation the new expenses involved will necessitate an increase of tariff. We find in the report a number of new services which involve new expenses. First, there is the interest on the Intercolonial railway \$707,000 a year. Then we have the expenses of the civil government \$540,000; the legislative charges \$630,000. In 1863 Canada, with a less number of representatives than is proposed to be given in the general government, the expenses were \$627,373. At the same rate the expenses for the large government would be \$850,000; but the delegates have put the amount down at \$630,

000. Then it is proposed to give one million for militia, which would be about \$500,000 additional. The public works and buildings put down at \$400,000. Then there is an additional sum given to Canada for local purposes. She retains her local revenues, \$1,297,043, and receives a subsidy of \$2,006,121, being a total of \$3,303,164; while the average sum she has had in four years was \$2,021,979—which gives her an increase of \$1,281,185. In the same way there is an increase in local expenses to P. E. Island of \$61,712, and to Newfoundland \$124,000. Add to all these for interest on additional debt allowed Nova Scotia and New Brunswick \$215,000 and you have a total of new charges upon the confederated colonies of \$4,458,897. From this may be deducted reduction in local services in Nova Scotia \$279,000, and in New Brunswick \$71,047—together \$350,047—leaving the new expenditures \$4,108,850. Now the Canadian tariff of 25 per cent. average on all dutiable goods applied to the Maritime Provinces will realize a part of this sum. Nova Scotia, it has been ascertained by calculation, will pay additional \$468,525; New Brunswick estimated to pay \$200,000; Newfoundland and P. E. Island \$300,000—in all \$968,525, which will still leave, after we are all placed under the Canadian tariff, \$3,140,325 to be provided by a further increase of taxation. Now suppose we only pay one-tenth of this, \$3,140,325, it will make, added what we shall pay, under the present Canadian tariff, an addition to our present annual taxation of \$782,560, for the benefit of the Ottawa Government. Whilst those who have addressed the house more particularly on the local expenses, have shown that we shall have to raise by direct taxation a large sum to meet the wants of roads, bridges, education, and other services, I may here remark that Nova Scotia has now the largest sum of any of the Colonies for local purposes per head \$1.96, but under the Quebec arrangement will have the least—\$1.124.

	Present Local Expenditures.	Per head for local purposes.
Canada.....	\$2,021,979	.80
Nova Scotia....	650,000	1.96
New Brunswick	424,047	1.68
P. E. Island....	124,015	1.52
Newfoundland.	250,000	1.90

UNDER CONFEDERATION.

	Local Revenue.	Subsidy.	Total	Per head.
Canada	\$1,297,043	2,006,121	3,303,164	\$1.374
N. Scotia	107,000	264,000	371,000	1.124
N. B'wk	89,000	264,000	353,000	1.40
P. E. Island	32,000	153,728	185,728	2.294
Newfld.	5,000	369,000	374,000	2.844

Increase under Confederation for local services—

To Canada	1,281,285	514
To P. E. Island	61,715	764
To Newfoundland	124,000	944

11,466,897

Decrease under confederation for local services

	Total.	Per head.
From Nova Scotia	\$279,000	834
From New Brunswick	71,947	284
	\$350,947	

It must be evident to all that whilst we import \$16.20 per head of dutiable goods, and Canada only \$9.35 per head, we shall under Confederation pay into the general revenues

Confederation pay into the general revenues nearly double the amount paid by the same population in Canada. We are larger importers, not only because our pursuits require it, but because we have the means of paying for more goods. Our delegates have attempted to dazzle us with the great wealth of Canada. True, there is a large aggregate of wealth, but divide it among the larger population and you find it falling far below our own little province. I have taken the five principal branches of industry to find the individual income, and the census returns for the year previous show our income to be nearly double theirs.

Branches of Industry	Value in Canada; pop. 2,507,647.	Per head.	Value in N. S.; pop. 830,857	Per head
Agriculture	\$14,259,225	\$5.66	\$786,526	\$2.37
Mines	558,306	22	658,257	1.98
Sea	833,646	33	3,084,449	9.35
Forest	11,012,353	4.36	767,136	2.21
Shipl'g (1863)	3,000,000	1.19	2,000,000	6.06
		\$11.76		\$22.07
				11.76

Excess of income to each inhabitant of Nova Scotia. \$10.31

But it is no disparagement to Canada to be thus exceeded by Nova Scotia. Consider the difference in our resources. I have spoken of the size of our Province—its area, but Nova Scotia should be measured for its cubic contents, and the measurers rod should also be run out three miles to sea—our fishing grounds are a part and parcel of Nova Scotia, as much as the field which the farmer cultivates—for all round the thousand miles of our sea coast we draw a perpetual harvest, provided by the waters of the world. For agriculture we have lands on both sides of the Bay of Fundy, unsurpassed—yielding produce of the highest class, whilst the districts represented by the hon. member for Kings furnish fruit fit for the palate of Royalty itself. Looking downward, we have mines of gold and iron, whose wealth, as yet, is almost untouched, but which is being gradually developed in coal. We are richer than the richest. Examine the geological map of Nova Scotia hanging in our library, and you see almost every part, not occupied by gold and iron, marked by coal measures. And who shall estimate the wealth of these mines, or the influence which Nova Scotia shall, through their possession, have upon the world. As bearing upon the value of our coal fields, let me read to the house an extract from an article by the Professor of Natural History, in the University of Glasgow:—

THE POWER REPRESENTED BY COAL.

“Interesting and impressive comparisons have been instituted between the mechanical force of a given weight of coal applied as fuel in the steam-engine and the dynamic energy of a man. The human labourer exerting his strength upon a tread-mill,—a very economical mode of using it,—can, it is stated, lift his own weight,—we will say 150 lb.,—through a height of 10,000 feet per day, the equivalent of which is 1 lb. raised 1,500,000 feet in the same time. Now, the mechanical virtue of fuel is best estimated by learning the number of pounds which a given quantity—let it be one bushel—will elevate to a given height, say one foot, against gravity. Applied in the steam-engine, this performance of the bushel measure of coal is called its duty. In some improved modern Cornish engines, this duty,—the bushel's work,—is equivalent to the amazing result of raising 125,000,000 lb. one foot

high, or 1 lb. 125,000,000 feet high. Now as there are 84 lb. of coal in one bushel, this divisor 84, gives 1 lb. as equal to 1,483,000, or nearly one million and a half of feet, which, as we have seen above, is just the result of a man's toil for one day upon a tread-mill.—Thus, a pound of good coal is in reality worth a day's wages. If, again, we estimate a lifetime of hard, muscular toil at twenty years, and portion three hundred working days to each year,—a full allowance,—we have for a man's total dynamic effort, six thousand days. But 6000 lb. constitute only three tons, so that we have arrived at the almost amusing fact, the cheering truth, that every three tons of coal in the earth is the convertible equivalent of one man's life-long muscular activity.

What a promise is here of the capacity of civilized inventive man to find an ample substitute for the life-wearing, brutalizing and mind-numbing expenditure of nerve and animal power exacted now of the slaves of all complexions. What a pledge has the all-bountiful and good Creator here given us, that the common lot of mankind is not to be, as always in the past, a lot of physical labor, but in the long future, at least one of a far higher, happier mode of effort. When I behold a section or block from out of a coal seam, and reflect that each cubic yard is in weight somewhat more than a ton; and that a column of it a yard in base and only three yards tall has more work in it than a man, more mechanical energy than any force which willing effort, necessity, or the lash of the tyrant master, can exact from the human organization, I exult in the reverential thought of the superabundant provision bequeathed to our race against the curse of over-physical toil in this marvellous condensation of mechanical strength. Looking at the tall column of the material, thirty-seven feet high, representing a coal-bed in Nova Scotia, displayed in the recent great exhibition in London, I said to myself, here is a black man, of the strength of some four of the stoutest dark-skinned men ever held in serfdom, and see what a willing service, what a painless bondage it can be made to undergo. This, our inanimate slave, can be compelled to work at any rate of gentleness or speed we choose. We can induce him to lengthen out his efforts for almost any term of years, or bid him convert himself into a herculean giant, concentrating the total force of four able-bodied men, spread over twenty years of life, and applying the whole of it in some titanic triumph against brute matter within a week or even a day.

Here it may be worth our while to turn from our giant man of all work, and take the census of those populations of this sort which rest sleeping beneath the ground, but are ever ready, under the magic summons of a little art, to muster at the surface in any strength and await our bidding. Every acre of a coal seam, only four feet in thickness, and yielding one yard depth of pure fuel, will produce, if fitly minded, about 5000 tons—equivalent to the life-labor of more than 1600 strong men. Every square mile of such coal-bed contains about 3,000,000 tons of fuel, and represents one million of men labouring steadily through twenty years of their ripest vigour.”

Here is a view presented to us in which the mind becomes absolutely lost in the maze of figures required to represent the value of our great coal fields, and when we take in connection with them all our other resources we have a country to whose attainments in wealth and prosperity, there is no reasonable limit. It is not so in a country like Canada, largely agricultural, when its lands are settled and the farms established, the extent of its prosperity is nearly attained. It is not extent of territory that renders a country great or wealthy, it is not material size that gives to any object its value. The diamond that sparkles on beauty's brow, though it may scarcely equal in size or rival in brilliancy the eye that beams beneath it, yet in the markets of the world it would purchase an Island or a Mountain of rock. And so is it with our little gem of a Province it may be less in territory than other countries, it may indeed be overshadowed by the gigantic and colossal pro-

portions of Sister Colonies, yet in all the real elements of wealth and prosperity they compare with little Nova Scotia, but as poorhouse giants; but notwithstanding it is so, the Provincial Secretary takes this Province—rich as the rarest jewel—peopled with industrious, enterprising and spirited men, and goes on a trading voyage to Canada and bargains it off acre for acre and man for man with the acres and habitants of Canada. He does more. He does worse—he comes back boasting of what he has done and of his great statesmanship. Let me, sir, tell the House that story of a conceited coxcomb who, making love to a lady, in the pauses of a dance, placed his hand on his heart, and with considerable distortion of features, said—“if this is not love I feel, what is it?” “My dear sir,” said the lady, “it must be something that bites you.”

Now our Provincial Secretary in his trading voyage got badly bitten in his bargain, and mistakes the bite of the Canadians for statesmanship. Let me add that too on many occasions I think the hon. gentleman acts “just as the maggot bites,” and mistakes the feeling for the impulses and inspirations of statesmanship.

I have spoken of our prosperity—of the income from the various branches of industry—the extent of our fisheries, and the value of our mines; and it may be claimed that one of the advantages that will arise from this Union will be the development of these resources, by giving us extended trade and commerce. We have heard a great deal of the powers of parliament, of legislative enactments, but there is one thing that is almost beyond the control of such enactments—that is, the divergence of trade from its natural channels. We have had in fish, coal, and those articles which are our chief products, free trade with the other colonies, and what has been the result? Have our resources thereby been developed? Has our trade been enlarged? If you turn to the imports of Canada—to the free goods—you will see the result. Nova Scotia, which, from her natural position and resources, is especially prepared to supply upon very advantageous terms, gypsum, coal, fish, and stone,—to what extent would you suppose Nova Scotia supplies Canada with these? I find the total import of coal into Canada is estimated at \$936,239, and of this amount Great Britain supplies \$379,703, and the United States, to which we export largely, \$548,846, leaving the total amount imported from the Province of Nova Scotia into Canada, where it goes as free as air, only \$7,690. Again, take the article of gypsum. Even six times more of this article is imported from the United States than from the British American Colonies. Again, of fish, which we export so largely to the United States, Canada only receives from the whole British North American Colonies to the value of \$226,573, while she gets from the United States \$281,023. We export stone, in abundance, to the United States, but not a dollar's worth to Canada. I have enumerated these articles to show that, having in them free trade among these colonies, we send but a small value of them to the colonies with which it is proposed to confederate us.

It has been urged that as this is a Maritime Colony, Confederation would open up a valuable field of commerce to our shipping. It is

absurd to suppose that confederation would give us any advantages we do not now enjoy, or that our shipping interest can depend for employment upon a country whose waters are closed for five months in the year. Nearly the whole trade of Canada is supplied by the accidents of commerce; that is, when a vessel cannot get a charter she would like, and being perhaps in a coal port, she takes a cargo of coal to Canada, and returns with lumber to some other port where she finds more profitable employment. And it is by accidents arising like this, in various ports, the whole wants of the trade of Canada are supplied. It is an entire fallacy to say that by opening the whole trade of these colonies, we should receive great advantages in Nova Scotia. Confederation, instead of extending the commerce and developing the natural products of this country, will rather cripple trade. I have already shown that Confederation must necessarily impose upon us a very heavy tariff and exceedingly large burthens. The consequences of that is, to increase the cost of living and producing the articles of export, and when you increase the cost of living and of wages, you are unable to compete with other countries in the sale of your coal and fish, and other articles which Nova Scotia is especially calculated to produce. It is claimed again that we shall get the Intercolonial Railway by Confederation.

The Provincial Secretary told us we got it on terms never dreamed of. I have looked on these terms and summarized them, just as the hon. member for South Colchester did the indications of war, and the conclusion I have come to is, that the Provincial Secretary was right in his expression. 1st. *We surrender the entire control of the constitution of this country.* 2nd. *We endanger the harmony existing among us as fellow-colonists by bringing our diverse interests into conflict.* 3rd. *We reduce our local expenditures for roads and bridges to a large amount, or supply that deficiency by direct taxation.* 4th. *We subject ourselves to the annoyance and tax of the stamp act.* 5th. *We surrender to Canada the power to tax us to any extent that their extravagance may render necessary; and which I have shown you will be in the outset \$782,560.* 6th. *We must pay our proportion of all expenses entered into by the general government.* I have shown you some of the new expenses which are incident on the first formation of this government; but it is not to be supposed that the engagements entered into by the general government will rest here. We have been told that one of the conditions upon which the Canadians agreed to build the intercolonial railway was that they should have western extension and enlargement of their canals. You will understand that the Canadians find that their canals are not answering their anticipations. The returns of 1864 show that there has been a large decrease in the earnings of the Welland and St. Lawrence canals. In the Welland there is a decrease of 12½ per cent., and in the St. Lawrence canals 33 per cent. In the report of the Commissioner of Public Works he says, to make them remunerative they must be enlarged to allow the passage of vessels 800 to 850 tons burthen; which will require an enormous expenditure, as they have now a depth of water of only about nine feet deep. Now, the enlargement of these canals, and the opening up

of the north-west, were the conditions in connection with the construction of the intercolonial railway. Mr. Brown in his speech gives the Canadians the strongest possible assurance of this, he says:

"But this question of immigration naturally brings me to the subject of the great North-western territories. [Hear, hear.] The resolutions before us recognize the immediate necessity of those vast territories being brought within the Confederation and opened up for settlement. But I am told that while the Intercolonial Railroad has been made an absolute condition of the compact, the opening up of the Great West and enlargement of our canals have been left in doubt. Now, sir, nothing can be more unjust than this. Let me read the resolutions:—

"The General Government shall secure, without delay, the completion of the Intercolonial Railway from Riviere du Loup, through New Brunswick, to Truro in Nova Scotia.

"The communications with the North-western Territory, and the improvements required for the development of the trade of the Great West with the seaboard, are regarded by this Conference as subjects of the highest importance to the Federal Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit."

The Confederation is, therefore, clearly committed to the carrying out both these enterprises.

But honourable gentlemen lay stress upon the point that, while the one enterprise is to be undertaken at once, the other is not to be commenced until the state of the finance will permit. No doubt this is correct, and the reason for it is simply this—the money has already been found for the Intercolonial Railway. They must be well aware that the late Government (the Macdonald-Sicotte Administration) agreed to build the Intercolonial Railway, and obtained from the Imperial Government a guarantee of the debentures for building it—so that money is ready at a very low rate of interest, whenever required. We know where to find money for one enterprise at a rate we are able to bear, and can thus go on with a work which must be gone on with if this union isto be consummated. But we don't know this of the other great work—and we all felt that it would be exceedingly indiscreet—I, myself, as the special advocate of opening up the Great West and of the enlargement of our canals, felt that I could not put my name to a document which declared that all hazards, while our five per cent. debentures were quoted at 75 or 80 per cent. in the money market—we would commence at once, without an hour's delay, any great public work whatever. [Hear, hear.] Honourable gentlemen opposite must not imagine that they have to do with a set of tricksters in the thirty-three gentlemen who composed that Conference. What we have said in our resolutions was deliberately adopted, in the honest sense of the words employed, and not for purposes of deception. Both works are to go on at the earliest possible moment our finances will permit, and honourable gentlemen will find the members of the Cabinet from Lower Canada, as well as from Upper Canada, actuated by the same hearty desire to have this whole scheme carried out in its fair meaning.

Stress may be laid on the term, "as soon as the finances will permit"; but we know the great anxiety on the part of Canada to have this expensive work accomplished, and that as soon as they have the power in their hands to carry out their wishes they will go on with the work.

It has been claimed, also, on behalf of this scheme, that it would add to the defence of these colonies. Perhaps there is no one assertion which the advocates of confederation have made that has gained them more supporters than this. There is something in it that captivates every man's mind and carries him almost away despite himself. It finds a response in every heart that feels the attachments of home. And it was wrong; it was cruel, on the part of the advocates to thus make an appeal to one of the noblest sentiments that find

a home in the breast of man—that sentiment which bids us rise to defend the country in which God has placed us—to protect the homes we have secured by His blessing, and guard the altars we have erected to His worship,—without having such facts as would sustain the hopes excited by the assertions.

What is the Provincial Secretary's argument? That Confederation will give us more men and money to affect this great object. That we shall have 4000,000, instead of 350,000 people to defend us. He does not, however, say that with an increase of men comes an increase of duty that they would have to perform. If it gave us the four millions entirely for the defence of this province then his assertion would be sustained, but when every man that goes into Confederation brings with him the particular spot which he feels most anxious to defend, in case of invasion, then Confederation does not give us more men or money. Besides it places the control of our defences under a power that is situated 800 miles away from us. We are told by the hon. member from South Colchester that the temptation to invade this Province is greater than to invade any other—its value in consequence of its position and resources being greater. Admitting this to be the case, is it not unwise to give the control of the natural defences of this country—the men who are to defend their homes—to a power situated 800 miles away, and who will feel it more to their individual interest to call them away to protect Canada. It has been said that the fate of Canada is our own. That may be, but I regard the safety of Nova Scotia as more essential to the maintenance of our connection with the British Empire than is that of any other of the British Colonies. I answer, Nova Scotia is the keystone to the whole—when she falls, the whole follow.—Great changes have taken place of late years in the character of the navies of the world. Steam has taken the place of wind as the motive power rendering the ships more effective but more dependent upon their base of supply. We have here the power—the coal—which must be regularly supplied to the British fleet from our mines, in case of hostilities on this side the Atlantic. And if this base of supply should fall into the hands of an enemy, then the whole navy of England would be powerless for the protection of these Colonies, and must leave them to their fate. How essential, then, is it that local influences in Canada shall not have the power to call away our natural protectors to defend less important territory.

The Prov. Sec. says we are as unprotected and as helpless as the crawling worm.

I was amazed beyond measure, to hear such an expression fall from an hon. gentleman occupying a position which gives to his declarations an official character. Had I occupied his position, rather than have stood at the table of this House, declaring that a portion of the *British Empire* "are as unprotected as the crawling worm" I'd have crawled down under the table.

A crawling worm are we? Well, what does he make of us under Confederation? I waited in anxiety expecting to see the "worm" swell and

"develope its proportions," and eventually become a terrible dragon that would "gobble up" the American Eagle, and still hunger for more.—But, alas! he only made the worm longer. He only lengthened it out until it become a tape worm. He run it through circumlocution offices 800 miles away until it became a worm of that "red tape" species, which so nearly proved the destruction of the British army on the outbreak of the Crimean War. Our main protection lies in the power of Britain, but the evident tendency of this Ottawa arrangement is separation from England. Our minds naturally follow the channels of authority up to the source, and when we have reached that source, our ideas centre about it, and it becomes the embodiment of our nationality.—We have hitherto looked to England, and have run up through the various channels to the Crown, and there our affections have centred; but this Confederation comes in and proposes a new order of things. It proposes that we shall have local governments, and that the source of our authority shall be at Ottawa. And when our thoughts and affections are turned toward that,—provided the various and divers interests of the several provinces, will enable us to live in harmony,—the effect will be that our affections will cling round that government, and shall be withdrawn from the Crown of England. Suppose that five or six American States imagined that separately they were too small, and accordingly proposed to form a special Confederation under the General Government just as these gentlemen propose with us to form a Government at Ottawa.

Does not every man see that before ten years had expired, the feelings of the people would be around that smaller Confederation, and in antagonism to the larger. And so would it be in the event of Confederation, with the other B. A. Provinces.—Therefore, I believe, instead of diminishing it would only increase our danger, and render us an easy prey to an invader. Suppose we should become an independent nationality, we would then, indeed, be helpless as the crawling worms, and the American Eagle would soon make a "Diet of Worms" that would have a different interpretation in American history from the "Diet of Worms" in European history. Lord Palmerston, referring to the subject, says:—

"Sir, it is true that the only danger which a smaller colonial State runs from a more powerful and larger neighbour arises from quarrels that may exist between the mother country and the foreign State? I say that is a total fallacy. Suppose these provinces separated from this country—suppose them erected into a monarchy, a republic, or any other form of Government. Are there not motives that might lead a stronger neighbour to pick a quarrel with that smaller State with a view to its annexation? (Hear, hear.) Is there nothing like territorial ambition pervading the policy of great military States? The example of the world should teach us that as far as the danger of invasion and annexation is concerned, that danger would be increased to Canada by a separation from Great Britain, and when she is deprived of the protection that the military power and resources of this country may afford. (Cheers.)

The question of defence, in my view, depends to a

large extent, upon the spirit of those who are called upon to defend the country. If you elevate the country and its institutions, the people will be prepared to defend it with greater spirit. We have seen in history the effect of rendering a people dissatisfied with the country in which they lived. One of the great grievances of the people of Ireland, is that they have not had since the Union with England, control of their own affairs—that they have not sufficient representation in the British Parliament, to give them their due influence; and see what an exodus there is of her people. The last census of the United States returns 1,611,304, of the citizens of the Union as born in Ireland, where the whole population is only five and three quarter millions, while the same returns give only 431,692 persons born in England, where the population is twenty millions.

If then you desire to have the hearty co-operation of our people in the defence of this country, you should not deprive them of the control which they now exercise, over the constitution and institutions of their country. Neither must you make them feel that they are pressed down by taxes. If you impose upon them burthens beyond what they consider just—and over which they can exercise no control—then the spirit to defend their country vanishes. Lord Bacon, reminds us that the blessing given to Judah and Issachar are never found combined in the same individual, nor in the same people. Judah was to have the spirit of the lion—to place his hand upon his enemy's neck.

But Issachar was to bow himself to pay tribute—to become like "the Ass crouching between two burdens." And no matter how spirited a people are; whenever these burdens are placed upon them they will change. Did the hon. Pro. Sec., suppose when he made this Quebec bargain, that the men around these benches are the Representatives of the lineal descendants of Issachar. That we are such consummate asses, as to bow down and allow him to fix and saddle upon us forever the ass's burthen. This people have shown that they have a spirit to defend their country and its interests. Little Nova Scotia has given several names to history, and we have erected a monument to the memory of some of those who have thus shown themselves worthy a noble ancestry. Every time I pass that monument I feel my step grow firmer and prouder with the thought, that the spirit which influenced these men, still lives in the bosoms of the people of Nova Scotia. That it animates the stalwart militia men of this Province, "whose arms were moulded in their mothers wombs, to drive the invader from our soil;" but take away from these the control of their representative institutions, and impose upon them such burthens as I believe you are going to place upon them by this Confederation, and you drive out that spirit, and they will become as useless for defence, as a battalion of dried mummies from the catacombs of Egypt.

The Provincial Secretary tells us that Confederation will give us influence and position. He asks where was Nova Scotia, when the Reciprocity Treaty was passed. Was not Nova Scotia present

in her Legislature at its ratification. But I ask where will Nova Scotia be, when the whole power is placed in the hands of Canadians, to barter away her interests whenever it may suit them. One of the conditions most prized by the American people in effecting that treaty, is the right to our fisheries. Now with Canada's anxiety for the continuance of that treaty, what regard will she have for the particular interests of Nova Scotia when, as I have already shown you, we shall be powerless at Ottawa, so far as our representation is concerned. Again he asks where was New Brunswick, when a slice was cut off her, and given to Maine? I reply she was just in the position that Nova Scotia was, when a piece was taken from her territory and handed over to New Brunswick—in the hands of those who did not regard her interests. There is, however, this difference—the "slice" we lost went to a sister colony, which is some satisfaction, but not equal to what I have, no doubt the Pro. Secy. felt, in getting rid of a number of voters of the wrong political stripe.

The hon. gentleman wants to know who is not humiliated, when he finds that Canada is only mentioned in the debates concerning these Provinces, in the British Parliament. I rather take it as a compliment, that Canada has alone been mentioned. The Government of England have had no cause of complaint against Nova Scotia, on the ground of unwillingness to make preparation for her defence, but she had a reason for dissatisfaction with Canada. We have also heard of the Grand Trunk Railway, and of the transactions connected with it, which have given Canada a reputation, I am glad to say, Nova Scotia does not possess. Notoriety is not necessarily fame. There may be a celebrity that does not carry with it any weight of respectability. The Siamese Twins became celebrated—but it was for their unnatural connexion; and should this Confederation be accomplished, we too shall have a chance of becoming celebrated, as being in our geographical position, a string of Siamese Twins. When the Union with New Brunswick was discussed here last session, I made a calculation of the proportionate size of the strips of land connecting us with New Brunswick to the Provinces, as compared with the proportion of the ligature connecting Chang and Eng. to their whole size, and found that our ligature is very much proportionately less. In their case you have two men, perfect in all their formation, but by a freak of nature so bound together, that their powers of free action and usefulness are destroyed. In this case each province is a perfect geographical formation of itself, having its own centre of interest, its own heart within itself. If it were possible to take the Siamese Twins, and reform them, and make of the two one powerful man, with one heart then, unfettered and free, he would be effective to discharge the duties of life. And just so if you could remould these Colonies by a Confederation and bring them into compact shape, so that there should be one common centre of interest—one heart from which the life blood sustaining the whole should flow to the extremities and return, then would the Union commend itself to my mind;

and I should wish it "God speed." This is an impossibility, and therefore we should be content as are brothers who are not "Siamese Twins" each having and exercising his individuality; but all united by the bonds of family affection. Let us then be content to go on prospering as we have, and at the same time cultivating the ties of brotherhood with the other Colonies, and above all, let us not take a step that will tend to sever our connection with England. My strong desire is to see this connection continued, that through our lives we may glory in the grandeur and greatness of the British Empire, and leave behind us those who shall inherit the same feelings of loyal attachments to her Crown and Institutions, that the same sentiments may bind together the people of these colonies. Every heart beating in unison—even as one great heart—when waked by the strains of "Rule Britannia" and "God Save the Queen."

Speech of Mr. Shannon.

Hon. Mr. SHANNON said—I do not intend to make any lengthened speech, but will merely avail myself of the portion of time left, before the adjournment of the house, to give expression to a few practical ideas in reference to this great question, which have been passing through my mind. In the first place, I may remark that ever since the commencement of the American Union, or rather ever since the adoption of the present constitution, the leading minds connected with the Colonies have turned their attention to the subject of a Colonial Union. It was not to be wondered at that when they saw the great prosperity resulting from that Union under the American constitution, they should deem similar benefits might flow from the adoption of a similar course in British North America. Among the earliest who approached this subject was Chief Justice Sewell, who was one of the prominent men of Canada, and who wrote upon the question. Again and again the subject was brought forward, but it was left to Lord Durham to give it greater prominence in his celebrated report. That nobleman came to this continent clothed with the highest powers, and on a mission of the greatest importance,—that of quieting, if possible, the disturbances of Canada. He saw the isolated condition of these Colonies, and contrasted them with the strength and power of the U. States, and he felt and expressed the necessity of a Union. I have often regretted that advantage had not been taken of that opportunity to have consolidated the whole of British America, not merely to unite Upper and Lower Canada. At that time the Colonies were in a different position from what they are now. Then we were subject to the fiat of the Colonial Secretary, and an act of Parliament could easily have been obtained at the time Lord Durham returned to England, and would have been received as law by all. His Lordship, however, was too much imbued with Republican ideas, and I am not sure that he would have arranged his plan upon the monarchical principles, which, I am happy to say, pervades the scheme which was adopted at Quebec.

From the time of Lord Durham down to the present, we have had in every colony, from time to time, statesmen who have brought the

subject of union before the public, who have talked of and dreamed about it, who have desired it as one of the greatest boons, but who felt that such were the difficulties in the way no plan could be possibly agreed upon that would approach to a satisfactory adjustment. All thought it would sometime or other be accomplished, but none that the time for its discussion was at hand or that a solution of its difficulties was practicable. We hoped that a period would arrive when the leading minds of the different provinces might agree upon some feasible plan, but we hardly dared to expect that it would be in our time. And yet now, strange to say, when the difficulties have been removed, when the leaders of the different parties in all the different colonies have united upon common ground, and the time has come for us to obtain that which we have so long desired, there are found those among us who are unwilling to accept it!

That there would be doubts and hesitations at first is what might be expected; but we did not think there would be a movement made to reject the whole scheme. The difficulty in such cases has always been with the minor states, and the hon. member for South Colchester detailed to us the other day some of the perplexities which occurred in the different States of the American Union before the constitution was finally accepted. Especially was it unpalatable to those who thought their position and influence would be sacrificed. And is not this the feeling which prevails with us at present? Are not small local jealousies at the bottom of most of the objections? The colony which is most hostile now is the small Island of Prince Edward. The State which most stoutly refused to accept the constitution then was little Rhode Island. But has Rhode Island ever had reason to regret her ultimate acceptance? No, she has had her rights preserved intact in the two branches of congress and has prospered together with her Sister States, and far more than she could have done, had she determinedly held out for isolation.

But what are the advantages which we expect to derive from Union? I will give a short summary of them as they lie in my mind. They have been so often brought before the public, both in the press and on the platform, and recently by speakers in this house, that I feel I shall but go over ground which has been already fully occupied. And yet at the risk of wearying the patience of the house I will again refer to a few of them.

Union we truly believe is strength. We believe in the old maxim as a truism. We have not forgotten the old fable of our boyhood, and yet in these latter days the old adage has been called in question, and isolation is lauded as practically of more value. It seems to me to require no argument to prove that whatever power or force there may be in isolated fragments is greatly extended when those fragments are consolidated into one. And that power when exerted in self-defence is far more effectual under the direction of one central authority, than when exerted by different and often conflicting influences. And this brings me to the next point. Union is defence.

A few years ago this question would not probably have been of so much importance as it is now, indeed it would hardly have been thought of. At the time of the visit of the Prince of Wales, and when he passed so tri-

umphantly through these Provinces, and the United States, what was the position of the neighboring Republic? It was one busy hive of industry; and the great object of its citizens was to labor to increase their wealth. Its military power was trifling. What is its position now? It has become one of the greatest military nations in the world, and that too upon our frontier. While we remain mere isolated settlements, this great nation is in a position to successfully attack us. If we can do anything, then, to protect ourselves, surely we ought to lose no time in doing so. If Union is one of the best means towards warding off an adversary, as we maintain it is, then let us adopt it. Now, I am far from being an alarmist. I believe the American Government has had the most friendly feelings towards these Colonies. The late President, to whose untimely end we referred recently with such deep sympathy, was, I am convinced, sincerely desirous of preserving peace between England and America, and the Governments of the different Provinces have always had the most amicable relations with that of the United States during all the perplexities of the terrible civil war now existing. But I am not insensible to the fact that democratic governments are frequently obliged to give up their own convictions and bow to the will of the people; and therefore I look with deep interest to the sentiments expressed by the journals and leading minds among our neighbors, and I cannot disguise from myself that there has been far from a friendly feeling manifested towards England in quarters where it was least expected. I do not refer so much to the *New York Herald*, and papers of that stamp, as to the expressed opinions of men of standing and intelligence. The other day I lighted upon a letter of Professor Parson's, Professor of Law at the Harvard University, published a month or two since, that surprised me not a little, and serves to show the views entertained by some men, at least, in high position, in New England. From it I cull the following extract. He says:

"I have not the slightest hesitation in expressing my opinion that the conduct of England, relative to the Trent, was insolence carried to the last extreme; was a great insult to this country as well as a great wrong; and stained the name of England, in history, with disgrace. The thought is now in men's minds, that when our turn comes, we will imitate her example. That we will, so far as the different circumstances permit, use her own words and her own methods, and with an equal peremptoriness and a similar threat of immediate war and a refusal of delay or negotiation, force her into immediate choice between compliance or war. And if we would follow her example, we must do just this; neither more or less. Most earnestly do I deprecate any such thought, any such act.—But in my opinion the only way in which it can be prevented is to press upon our people the truth. For the lover of peace to forget the conduct of England or to defend it is equally impossible. But our people may see that her conduct was not only so wrongful, but so discreditable, that they may determine to avoid what they would be ashamed to imitate."

I have found this letter in "Littell's Living Age," of February last, but I was glad to perceive that the editor of that periodical did not concur in all its views, and I hope that there may be a large number of the population agreeing with him, and that the danger anticipated may never come. Still, with the publication and circulation of such views, it is but right that we should remember that they bear upon the question of defence in these colonies. We know the old adage, that in peace

we should prepare for war, and I believe that one of the best preparations is that of uniting ourselves to meet any contingency.

But it has been said, will union give us one soldier more? It may not; but it will place our military resources under one head, and the force of the whole union could be concentrated and moved with a celerity and in bodies which could not take place if we remain isolated. It has been said that our men, in case of war, will be required in Canada to defend its exposed frontier. It seems to me, however, that the reverse would be the case, and I agree with the member for South Colchester, that in the contingency of war, the maritime colonies would most probably be the first point of attack. This was the case in the time of the old French war; it was not until Louisburg had fallen that the campaign against Canada had commenced, and this would most probably be the case again. I may refer, in connection with this subject, to the unanimous resolution of this house to place the entire militia of the province at the disposal of the province of New Brunswick at the period when the frontier of the latter was threatened by the State of Maine. Had there been an union of the colonies it would not have been necessary to await the action of the legislature, the central power would at once have detailed to the threatened point whatever number of men was required for defence.

Again, Union in my mind means a closer connection with England. We see this from the tone of the public journals, from the speeches in Parliament, and more particularly from the important despatch of Mr. Cardwell which has been so widely circulated. We could not please the British Government or people better, we could not more readily induce them to assist us, as they promise to do, by the whole resources of the mother country, than by adopting the scheme of the union. But it has been asserted that we need not trouble ourselves about Canada for the power of England will always protect us in Nova Scotia. Well, suppose we admit this, would we be so pusillanimous as to act upon it? I hardly think any honorable gentleman or his constituents would recommend the adoption of such a course. It appears to me that for weal or for woe these colonies are and must be bound together. Again, Union will bring with it large commercial advantages, by breaking down hostile tariffs and introducing free trade and manufactures. Hitherto we have been crippled by a want of knowledge and communication with each other. By it we shall have the Intercolonial Railway, and increased communication. If there is one object more than another which Nova Scotians have been long desirous of obtaining it has been this great object. The last scheme in reference to it was one which compelled this Province to pay more than many of us thought it ought to bear, but, nevertheless, the house adopted it, so great were the advantages expected to be realized by it. Now we are offered this railway on terms more advantageous than we had any reason to anticipate, and yet those who have heretofore been so anxious to accomplish so great an object now refuse to accept it, and cast away a boon of priceless value,—a conduct which seems to me to border on infatuation. Another result of union will be to afford a field for the energy and industry of our

young men. We have long wanted such openings for enterprise, and the absence of them has driven away a large portion of the youth of the country. The member for North Colchester spoke most glowingly of the resources and advantages of this Province. Why, I should ask him, have they not been able to induce the flower of our population to remain within our limits? I have heard it stated that there are no less than 30,000 Nova Scotians within or in the vicinity of the city of Boston. Upon what principles can we account for this? It is because we offer no adequate inducements for our young men to remain. They expatriate themselves in order to enjoy the larger field and better chances of success offered in the United States than here. I often look around in my own city and ask myself how many of those who were educated with me are still to be found within its limits. Many are beneath the green sod; but many are still living, but not here,—they are far away, in the neighboring States and elsewhere, pushing their fortunes, and forever lost to us. I ask any person familiar with Halifax to look at the signs over the stores in any of the streets—in Granville-street, for instance, and count how many of their occupants are natives of the City. The great majority of our business men are either from abroad or from the country. A short time since I was asked to look at the will of one of our staunch yeomen in the rural districts of this county. In it he had named his several children, and I was surprised to observe—and it is an excellent commentary upon the point—how few there were in Nova Scotia. One son was in California, one in Nevada, another in Kansas, and a fourth in Massachusetts. All the enterprising and energetic had carried their talents and industry to places where they could be better remunerated. We have devoted a portion of our public funds to the introduction of immigrants. I would rather, Mr. Speaker, bring back our Nova Scotia exiles than gather all the immigrants we could obtain from abroad, if we only had the inducements to offer them to remain.

Again, if we had union, we should possess more of a national position than we do at present. Let any Nova Scotian cross the Atlantic and he will soon learn the estimation in which he is held as a Provincial. I recollect an instance which occurred to myself when travelling on the Continent, and how keenly I felt the different position a Colonist held from that of an American citizen. Notwithstanding the remarks of the hon. member for North Colchester, I am persuaded that our leading men, under the Union, will have their minds enlarged and take a higher position as statesmen than they can possibly do in the small and degrading discussions which occupy too much of the time of each Provincial Legislature. Before the American Revolution, there was not a single man in the old Colonies who at that time had acquired an European reputation but Franklin. Washington was only known as a Colonel of Militia, Adams was but a village attorney, and the same may be said of Jefferson, Madison, and other eminent men of the day. They occupied positions such as colonists occupy to-day. When, however, the war was over, and the United States assumed a national character, these men rose to their position, and took high rank in the estimation of the world. Though we do not wish independence, but con-

solidation, in British America, I am convinced that the effects produced will not be less elevating in our case than in that of the neighboring Republic.

I will now refer shortly to some remarks upon the disadvantages which we are told will result from the project. First—it is said that our union means separation from England. I think I have already disposed of this, for I need only repeat that the whole public mind in the mother country is in favor of the plan, for the very reason that it will draw parent and children closer together, to be united by one common tie. The main objection, however, which has been brought forward, is one of a financial character. It is said we have made a bad bargain—in the language of the hon. member for Richmond (Mr. LeVesconte) the Provincial Secretary has sold his country to Canada! Well, my answer is, the sale is not yet perfected, for it has still to be ratified. But is it so bad a bargain? The objections are twofold—political and financial.

They say we have not a fair representation in the United Parliament. I ask, what has been conceded to us in the Legislative Council? We shall have in that body, which I am happy to see is to be purely of a monarchical character, and whose functions will be high and important, greater weight than we were really entitled to. But it is said that the real power of the Parliament will be in the House of Assembly, and that there we will not be adequately represented. We shall be represented upon the true principle, that is, according to our population, and I cannot see how such an arrangement can be objected to, or what could be considered more equitable. But the hon. member for North Colchester would introduce a curious idea in connection with this. He would increase the representation in proportion to the distance from the capital. I think my hon. friend from the county of Cape Breton would gladly accede to this, as it would largely increase the influence of his favourite island.—This idea was illustrated by a reference to the distribution of the members of Parliament in England, but the hon. member should have gone further; he should have told us what representation Scotland actually has, and what she would be entitled to on his principle. He would find his argument utterly fall him.

As regards the financial aspect of the bargain, the matter has been so fully discussed that I do not intend to enter into it further than to say that we have had numerous statements and calculations during the last few weeks, scarcely one of which agrees with another. The truth is, statements of figures are too often very delusive, and unless the premises are scrutinized and found correct the conclusions are worthless. All that may be said is that though we shall be required to give up the larger part of our general revenues we receive a yearly subvention sufficient with our local revenue to provide for our local wants. As regards the question of increase of tariff we have had the same wide difference in computation. The hon. member for South Colchester puts it at such an insignificant figure as to make it a subject of astonishment that any person should dread its imposition. But even if we were to take the increase at the largest sum mentioned, that of a dollar per head, would not the great benefits to be derived warrant us in increasing

our burdens even to that extent? But I am not afraid that there will be so great an increase, and am quite confident that increased prosperity will enable us to meet without difficulty whatever additional taxation may be required. To the city of Halifax union will be of inestimable advantage. Let any of our citizens visit the busy wharves of Boston, or sail into the port of New York by the East River and see the long lines of shipping extending for miles on either hand as he approaches the Hudson, and then return to Halifax, and how great is the contrast! Now, if we have union and the intercolonial railway my expectation is that so great a contrast will soon be lessened. We need not expect to attain to the eminence of their commercial emporium, but we may hope that the traveller visiting us hereafter will find a harbor filled with shipping and busy with trade, and a city whose streets will be thronged with an active and prosperous population.

I am afraid I have been trespassing upon the patience of the house longer than I had intended, but I cannot conclude without making a few remarks upon the offensive display made by the hon. member for Richmond (Mr. Miller) the other evening in reference to myself. Now among the great advantages of the contemplated Union, I consider not the least to be, that the tone of public men and public sentiment will be far higher in consequence, and that the debates of the General Parliament will not be disgraced by such a wretched exhibition of personalities as we were treated with on the occasion I refer to. That hon. gentleman took occasion to pass upon my public conduct in reference to the Union, and to assert that I had acted the mean part of concealing my sentiments until I had ascertained the feeling of the majority of my constituents. Now, in answer to this unfounded statement, I have merely to appeal to the hon. member for East Halifax (Mr. Annand), who is present, and who knows that hardly had the Delegates returned before I had publicly exhibited my feelings on the subject, and that he good-naturedly challenged me with doing so in the public streets. My sentiments were never concealed from my constituents. As to the very gentlemanly charge of skulking beneath the galleries when I ought to have been on the platform, my answer is, that it is simply without foundation. I was present on the platform at the first meeting in Temperance Hall, but from all the others I was absent owing to the inclemency of the weather and the delicate state of my health. I hardly know that it was even necessary to refer to these things, but I have done so because I felt it due to this house to give this public contradiction to the statements made. I know that my constituents do not require it.

As regards the other personalities which have fallen from the hon. gentleman, I can treat them as idle wind, and do not feel it necessary to take any notice of them. The position of every gentleman who enters this House is soon assigned him by his brother members, who gauge and test his qualifications before he has been with them many weeks. With whatever position they may assign me I am quite content, and sure I am I shall never envy that of one whose recent display has neither added credit nor dignity to this assembly.

Speech of Mr. Bourinot.

Mr. BOURINOT said:—As no one appears desirous this afternoon of commencing the debate I shall endeavour as briefly as possible to state the opinions I entertain on the subject under consideration. No doubt the question has been pretty well exhausted. Many able speeches have already been made both in and out of the house, and the press has gone into the subject very fully; but I think it is the duty of every member in this Legislature to state his views. It is the opinions expressed in this house that will influence the people the most. In accordance with the resolution moved by the Provincial Secretary last winter, a delegation was appointed for the purpose of conferring with others from New Brunswick and P. E. Island with the object of uniting the Maritime Provinces. You are all aware of the history of this delegation at P. E. Island, and therefore it is unnecessary I should refer to it. I cannot refrain, however, from alluding to the composition of the delegation itself.—First of all, four out of the five were members of the Bar—the fifth being the Provincial Secretary who, I daresay, is as good a lawyer as the others. This fact, however, at the very outset produced distrust and no little dissatisfaction throughout the country. It was quite right and proper that the Provincial Secretary should be a member of that delegation—his position and great abilities will not be denied by any man in this country. The leader of the opposition was also one of the number, and it was but right that he should be, but what I complain of is, that the mercantile and other interests were not represented in this delegation. It is true that the Provincial Secretary has in speeches at Temperance Hall and elsewhere told you that several mercantile gentlemen connected with the Legislature were asked to be members of the delegation—Hon. J. H. Anderson, Mr. Tobin, and Mr. Locke, but that for reasons given they were unable to go. When the services of these gentlemen could not be obtained the selection fell upon the hon. Mr. McCully, and the remaining members of the delegation were the Attorney General, and hon. Mr. Dickey from Cumberland. Now I must say it would have given far greater satisfaction if the government had looked around these benches and selected gentlemen who could well have formed a part of that delegation and represented the mercantile interests of this country. And let me ask why was it that in making the selection they should have ignored the Island of Cape Breton altogether? Were there no men to be found there who were capable of taking part in that delegation? And I can point out many around these benches, and one hon. gentleman from the other branch of the Legislature who could as well represent the mercantile interest as those named. Look at little P. E. Island; no greater in extent, certainly not to be compared with Cape Breton in resources; it was represented by no less than seven members in Canada. Look again at the fact that no less than three gentlemen were taken from one county alone. That favored county of Cumberland sent the Provincial Secretary, Mr. Dickey, and Mr. McCully. Therefore it will be seen that in the selection of the delegates the interests of the different sections of the province were altogether disregarded; and under these circumstances it is not strange that

at the very initiation of this question dissatisfaction arose. I can assure you the feeling was very widely extended in the section I represent, for Cape Breton, as in many other cases, was entirely blotted out. And I was nearly forgetting to mention another fact in connection with the delegation at Charlottetown.—My hon. friend from Cumberland (Mr. McFarlane) happened also to be present at the time the delegation assembled—no doubt it was thought to be an act of wise foresight to have him at hand in case some accident should happen to the other delegates from Cumberland. You all know what took place at Charlottetown. Gentlemen from Canada joined the delegates from the Maritime Provinces and mysterious conferences ensued. A great deal of what took place there has not yet come to light, but it will be known hereafter. When hereafter those private correspondence come to light—as occurs so often in history—we shall learn some facts which will give the world a better idea than they have now of the motives and reasons that influenced the delegates in coming to the conclusion they did. These gentlemen then left Charlottetown and came to Halifax, and when they had done so, I received a telegram inviting me to a banquet to be given to the Canadian delegates. Just imagine a telegram inviting me to come to a dinner party given at a place 300 miles distant from where I resided. What took place at that famous dinner party? Any number of speeches were made. Union was descanted on at length and the Canadian delegates as well as the Provincial Government, no doubt, thought that the public mind was quite decided on the subject and satisfied with the expression of opinion on that occasion. Then they went on to Canada under the impression that the people of these provinces were quite ready to accept the results of their conferences. We all know what took place in Canada. The reception given to our delegates was very flattering—a perfect ovation—and I am proud to say that some of the gentlemen that represented this province did credit to themselves and Nova Scotia. Having finished the business of the delegation they returned to Nova Scotia where they soon learned the state of the public mind. The meetings at Temperance Hall gave them indications of the state of public opinion, even in a city which was likely to be benefited, whatever might be the case with respect to the rest of the province. In this city which had so much at stake they had actually to listen to derisive cheers and hisses. Then a meeting was held at Windsor. In that town the Provincial Secretary endeavored to impress on the minds of the people, that no appeal to the constituencies was necessary. He went into the history of the scheme at length to show that it had been before the country for years, and that under such circumstances it was unnecessary that the people should be consulted in reference to the subject. Now that the people should be told that they were to have nothing to do with deciding so important a question as changing the constitution of the country, but that the house could deal with it irrespective of the wishes of those they represented, was something most preposterous to propound in a country like this, enjoying the privileges of responsible government—where the people are the fountain of authority. The Prov. Sec'y

must have known that the house was elected under our existing constitution, and could not change it without consulting those that elected them. Yet the Provincial Secretary was quite ready to strike down all existing rights and privileges enjoyed by the people, in order that he might march on to Ottawa.

But far and wide the spirit of the people asserted itself. Little by little a feeling arose which spread over the length and breadth of this province, and showed the government that they must pause in their rash career. In my own county, at first, much indifference was felt on the question; but as the discussion proceeded, a strong feeling of dissatisfaction at the scheme exhibited itself among all classes of the people. Before passing away, however, from the meeting at Windsor, let me say that the Prov. Secretary dwelt particularly on the report of Lord Durham, who may be said to have been the first to have brought this question before these provinces. That report is valuable, in consequence of its own intrinsic merit and the ability of its author; but we must all be aware that the mass of the people have never known anything about its contents, and could not, therefore, be at all affected by it.

Now, turning to the scheme itself, we find that it provides for a federal union of these provinces. I have no hesitation in saying that if the conference had devised a legislative union, it would have been preferable. Every one knows what the local legislatures will be under this scheme—very insignificant bodies. Another portion of the scheme provides that the Lieut. Governors shall be selected by the Governor-General at Ottawa. What class of men shall we, then, have for our local governors? These very men who formed the convention. But how would they be looked upon? The position of Lieutenant-Governor would become a mockery in the estimation of the public. I can understand the principle that induced the British government to elevate Mr. Hincks to a colonial governorship, and should like to see it extended to Mr. Howe who has far higher claims than the former to such a position; but any one must see that the people would never approve of any public man being made governor in his own colony. It has never yet been fully explained why we have been given local legislatures in this scheme. It might be satisfactory to the Lower Canadians, but it would never do for these other provinces. The municipal system that is in full operation in Canada West, or the very system of county sessions that exists here now, might have done the work assigned to the local legislatures. If the Lower Canadians would not agree to legislative union, an arrangement might have been made so as to give them the control of those matters in which they felt especial interest without interfering with the rest of the provinces. I am glad, however, that some gentlemen who formed part of the Conference had some respect for that section of Canada which has been so trampled upon by the Western Canadians for years past. It is known to many that Upper Canada has long been endeavoring to deprive Lower Canada of many of those institutions and rights which they value—the very principle upon which the union was formed it has been attempted to destroy. Just in that way would the Upper Canadians, in case of a Confederation, endeavour to override the interests

and rights of these maritime provinces. As respects the question of taxation, it has been so ably handled by the hon. member for North Colchester that I shall not attempt to touch it, except to say it requires no lengthy calculations to see that if this union were consummated our taxes would be largely increased, if for no other object than the defences of Canada, more especially the fortifications that have to be erected, and the gunboats that must be put on the lakes. The Canadians are now expected to defend the lakes by means of those iron clad monitors, and the expense of only a very few would be at least three or four millions of dollars. We have also heard that Hon. Mr. Geo. Brown, when he went back to his constituents at Toronto, from the Convention, told them in explicit terms that when this Confederation took place their canals would be enlarged, and that the North-West territory would be opened up. Millions of dollars would be expended for that purpose alone, and under these circumstances is there any man so blind as not to see the great burthens that will be necessarily imposed upon us by Confederation. As respects the proportion of representation that Nova Scotia will have, let me say at once that no other principle would have been acceptable as a basis except population; but when you look at the small number Nova Scotia will have in proportion to the Canadas, cannot you see she will be treated just as Cape Breton has been for years past. I admit in all sincerity that a greater desire now exists in this Legislature to do justice to Cape Breton, than was the case some time ago. Whoever is familiar with the history of legislation in this province is aware that no member from Cape Breton could for years raise his voice on behalf of that island without being met with sneers, if indeed he was heard at all. At first I was inclined to rather favour the scheme of Union for this reason; I felt it was better to be an appendage to Canada than to Nova Scotia, as we might then obtain more justice than we had received in the past from Nova Scotia. However, as I said before, I can see evidence of a disposition to pay more consideration to the section whose interests I have especially at heart. Gentlemen must know this, that the moment the Union takes place our grants for roads and bridges must be diminished, (for the revenue at the disposal of the local government will be altogether insufficient for local wants,) or else you must resort to that most unpalatable of expedients—direct taxation. The assertion that the commercial interests of this province would be benefited by Union has been scattered to the wind by gentlemen who have preceded me. Look at our trade returns, and you see that we send Canada nothing of those great products such as fish and coal, for which there is a free market at present in that country. What do we get from them except a few barrels of flour? If it is necessary to have a uniform tariff and currency, there is nothing to prevent it being done without Confederation—that has been conclusively shown time and again since this question was discussed. Now let me say a few words in respect to the reception of the scheme in England. We are all familiar with Mr. Cardwell's despatch—how heartily he approved of it. The Provincial Secretary told us that the English Government

were in favor of it, and that therefore we should adopt it—that, if we did not, England would withdraw her protection from us by degrees. But it must be remembered that Mr. Cardwell's impression was derived from the same source that prepared this grand scheme at Quebec. I have no doubt that these gentlemen impressed upon the Colonial Secretary's mind the moment the local legislatures met they would adopt the scheme. No doubt the opinion in England was, that the gentlemen who acted as delegates at the convention represented the public opinion of these Maritime Provinces; but I repel that idea. They did not represent public sentiment on this question at all; the result, not only in New Brunswick, but in Nova Scotia and the other Provinces, has proved it. Now I wish to make a reference to some remarks that fell from the hon. member for Colchester (Mr. Archibald) at a meeting in Temperance Hall on his return from Quebec. Now if there is a gentleman whom I hold in personal esteem—whom I respect for his great abilities as a legislator, it is that hon. member; but I always understood that these delegates met in good faith—that they had assembled with the determination to disclose everything affecting these Provinces—everything concerning their great resources and prospects, but they did not do so, and I shall prove it. The hon. member for Colchester said in his speech:

"Look again at the great mineral advantages we possess. With a country filled with coal, our position on the continent is such that we must necessarily become the suppliers of the whole Atlantic coast. If in the period from 1859 to 1864 we have doubled our coal trade, and the revenue has risen from \$20,000 to \$40,000, will it not double itself again in a few years, and enable us to provide from that fund alone, all that we require for education, and for the management of our roads and bridges, and our other local concerns? This does not include the revenue from our gold fields, and that has yielded this year \$15,000 above the cost of its collection. See if these advantages do not place us in a position superior to that of our neighbors. *This statement of our mineral resources is one that I would not like to have made in Canada; it is too much like 'letting the cat out of the bag,'* for although we thus obtain no unfair advantage, yet the superiority is one that might have been looked on with suspicion. Not only does this open up a view of increasing enterprise and prosperity, but it shews us one way to the position we so much desire to fill of becoming the carriers of the world."

What now do you think of a delegate, that went to meet other delegates in good faith, and yet tells you that he *suppressed facts that they ought to have known*? How becoming a position was that for a statesman to occupy? I must now refer to another speech on a recent occasion. Let me say at the outset that those who have read the debates of the Houses of Parliament are aware that there is a strong feeling in England in reference to these colonies. We have perhaps flattered ourselves with the idea that when the name of Nova Scotia was aspersed we had at least one man in the Commons to stand up for his native country; and how has that gentleman discharged his duty? We know that an attempt has been made in the press to explain away the remarks to which I am about to allude; but that explanation amounts to nothing. Judge Halliburton delivered his speech at least more than a week before the last steamer left, and we know that whenever a gentleman has been misrepresented or misunderstood in the Imperial Parliament, it is usual for him to make ex-

planations which will appear in due course in the *Times* or other public journals. But he did nothing of the kind. These remarks, aspersing the loyalty of Nova Scotia, have gone abroad without any contradiction from his own hand. Hear what he says:

"The people of Canada were, moreover, perfectly loyal, and very much attached to this country; indeed, he did not think that in Canada a disloyal man of any sect, or creed, or color was to be found. New Brunswick and Nova Scotia, he was sorry to say, did not deserve the same praise in that respect, and he hoped the Secretary for the Colonies would show that he was aware that such was the case."

These are, indeed, worthy sentiments to fall from a former member of this Legislature—from one who is a pensioner of this Province. In another part of his speech he actually says that he had lived for 60 years in Canada—so ashamed was he of Nova Scotia—and other parts of the speech referred to are not more complimentary. The Provincial Secretary told you in his lengthy speech on Confederation, that he felt humiliated because Nova Scotia was not mentioned at all in the great debate in connection with these Provinces. Now, if you read the debate carefully, you will see that in the speeches of Mr. Disraeli and other eminent English statesmen, the British American Provinces are frequently mentioned, and the same kindly feeling is expressed for all. We are told that if we refuse to accept Confederation, England would withdraw her protection from us, but read the debates of the House of Commons, and you will see that this assertion is baseless. The honor of England, we are told, is concerned in the defence of these colonies. The Premier, Lord Palmerston, tells you:

"This is not a Canadian question, it is not a local question: it is an Imperial question. It is a question which affects the position and character, the honor, the interests, and the duties of this great country."

With or without Confederation we shall never be left unprotected by the mother country, should the enemy at any time touch our shores. A great deal has been said about the feelings that exist in the neighboring Republic. I deny the truth of the statement that the Americans are desirous of pouncing upon these Provinces, and are only waiting a favorable opportunity of doing so. Their object is simply to cultivate a good understanding with these colonies. Already Americans are largely identified with us, and are interested, (more especially in my county, where they shall always receive a cordial welcome,) in preserving peaceful and commercial relations with us. Some reference has also been made in the course of this debate to the *Times*. Now I am not one of those who underrate the *Times*—it is the great exponent of public opinion in England—it is a journal of immense talent and influence—second to none in that respect in the world; but it will be remembered, that there was present at the banquet given to the delegates in Quebec, a Mr. Sala, a gentleman of ability—well known to the literary world—a friend of a person who would like to be closely identified with our railway schemes. Mr. Sala, on that occasion, did not compliment the *Times*—he stated his reasons why that journal had acquired such an influence over the people, and said that after all its opinions were not of such

great value. For my own part, however, I do not underrate its influence; but it should be remembered that the *Times* got its inspiration from the same source as Mr. Cardwell—from the gentlemen who formed the Convention.—If the *Times*' writers had been living amongst us, or had means of knowing the tendency of public opinion in these provinces, its articles would have been very different. The views of Mr. Howe, Mr. Johnston, and Mr. Young have been referred to in connection with this question. Mr. Howe held certain opinions respecting representation in the Imperial Parliament, and has expressed various views at various times on the Union of the Provinces. But may not circumstances have very much changed since such views were expressed? I have myself expressed opinions favorable to a Union. I have wished that the time would come when we might form a great nation. If a humble individual like myself saw reason to change his views, might not Mr. Howe and others do the same? Are gentlemen bound to entertain the same views always irrespective of circumstances that may arise requiring a modification or change of these views. A great stress has been laid upon the nationality that these Provinces would acquire; instead of being insignificant dependencies, they would form a nation that would be respected abroad. I believe that the formation of such a nation would lead to independence of England. Isolated as we are now, we could not form an independent state. Perhaps, however, some gentlemen have longings to see such a result obtained.

I have no desire to dwell further upon this subject, except to say that I am quite unwilling to support the resolution on the table unless there is a guarantee given that no change will be effected without consulting the wishes of the people. The matter has now assumed a very different aspect to what it did when the resolution was introduced last session. We authorized these gentlemen to perform certain duties and they went beyond their authority, and their course has caused a great deal of dissatisfaction. Under such circumstances I cannot authorize any set of men to suggest any change that will touch our constitution without an appeal to the people. With the people of this country must rest the decision as to a union of the Maritime Provinces. I believe, in all sincerity, that we are prospering sufficiently, and I cannot see how any change in our constitution is going to improve our present condition. I had intended referring to some other points which have been brought up in this debate, especially to the remarks of the Provincial Secretary as to the influence that the Cape Breton members exercise in this house; but as I shall perhaps have an opportunity of doing so, I shall not enter upon this subject at length at present. Let me say, however, that such an influence does not exist, and the Provincial Secretary knows it well. No section of this Province exercises less influence than Cape Breton in provincial matters. If there is a public office to be filled up, Cape Breton is entirely ignored, and many of its adopted sons' claims, some of them very strong indeed, have been disregarded, whilst a few counties are especially favored. I have already referred to Cumberland in connection with the delegation. Perhaps the hon. Provincial Secretary can explain the especial claims of that county to consideration. Is all the ability and

talent of the country in that county? Look again at the county of Annapolis; that county has given a judge to the bench—a gentleman who is an ornament to the position, all will admit. We have also taken a deputy secretary from that county, a Sol. General, a commissioner of railways, and I believe, sir, that you, the chief Commoner of Nova Scotia, are also a native of Annapolis,—besides the promise of a railway, and Bear River bridge grant. And yet despite all these favors heaped upon them, how ungrateful were the people last election. I think I can promise any government that would give us all these good things more support from the island of Cape Breton than this ungrateful county of Annapolis has given, for the Cape Bretonians are always grateful. However, I shall not dwell upon this question at present, for it is, perhaps, somewhat foreign to the real matter at issue. In conclusion, let me say that I regret having occupied so much time in addressing the house, and I must apologize for not having acquitted myself as well as was due to the house; but I feel strongly upon this question, and must repeat what I have already said—that no question involving a change in our constitution should be dealt with by this house, without the wishes of the people being first consulted.

Speech of Mr. McFarlane.

Hon. Mr. MCFARLANE said:—At this late period of the session I feel that it is absurd to attempt to engage the attention of the house with any lengthy speech. Indeed, I do not think the subject we are now discussing is one which should have occupied so much time as it has already. It appears to me that on the present occasion we are attempting to jump before we get to the style. Gentlemen have spent some three or four days in delivering speeches which would be quite appropriate if we had the question of union before us for our final decision. This resolution says on the face of it that a union with Canada is at present impracticable, and simply proposes a delegation to confer with others from the other Provinces on a subject of a union of the Maritime Colonies. Yet gentlemen have gone at great length into the subject of the union of all the provinces. Had that question come legitimately before the legislature, then it would have been our duty to have solemnly investigated the matter and given it our most mature consideration. But the untoward event that lately took place in New Brunswick prevented us dealing with the question of the larger union. All efforts to press forward any measure under such circumstances would have been spent in vain. I have no hesitation in saying that all my feelings are strongly in favor of union. I am not afraid to say that the general welfare of these provinces in the future is closely connected with their confederation. I do not believe that any connection with Canada would be otherwise than beneficial to us. Western Canada would feel that her interests were bound up with ours,—whatever benefitted us would be of advantage to her—and we would feel the same way. We would form all a part of one whole, and whatever affected one portion would affect the other. How is it with ourselves? Nova Scotia is divided into a number of counties. I know little of Yarmouth, but when the hon. member for that county comes

here and advocates some local matter, do I not feel that it is my duty to assist him if his request ought to be granted? This legislature does not hesitate a moment in answering his appeal. So it would be in the case of confederation. Every man in the general parliament—whether from Canada or Nova Scotia—would feel an equal interest in the whole confederacy. I cannot see what possible interest the Canadians could have for crushing or injuring us? Is it not obvious that it would be for their interests much more that we should be a city of 100,000 instead of 30,000 people. It is for the interest of Canada to build up our great seaports on the Atlantic so that she may have an outlet to the ocean when the St. Lawrence is closed. Without these great outlets of trade of St. John and Halifax, Canada would be placed in a position of great difficulty in time of war with the great power on her frontier. My hon. friend from Cape Breton has alluded to my presence at Charlottetown, when the delegates were meeting there, but I do not imagine that fact had much influence over confederation. He told you at the outset that you were injuring the best interests of the country, by going into confederation; but he went so far as to say at the close that whenever the people were prepared for union he was ready to obey their wishes. Under these circumstances I do not think we can put him down as a most determined opponent of confederation. I believe the time will come when the people of this country will be ready to acknowledge the necessity of confederation, and adopt it. They will see the great benefits that they must derive from breaking down these vexatious custom houses that now stand on your frontier, so many obstacles to the growth of industry and wealth in these Provinces. Look at your different currencies. Go to P. E. Island and you find your money actually has increased in value. Go, again, to New Brunswick and you find it decreased. Thus by every means in our power we create hostility between these several provinces. Does any person pretend to assert for an instant that this is a state of things that should be allowed to prevail for a single moment more than we can help it? That these provinces belonging to the same crown, and influenced by the same spirit of loyalty to the British Empire should perpetuate all the incongruities that now exist? I awaited with fear and trembling the results of the Quebec Conference; but, when I considered them carefully, I have no hesitation in saying that the best interests of Nova Scotia were carefully guarded. I was afraid that our most valuable resources—our mines and minerals—might be yielded up by Confederation, and I was proud to find that our delegates had wisely reserved to this country this valuable source of revenue. I am convinced that these resources alone under Confederation would give us all the means necessary to carry on our local affairs. We have only to look at the results that have been obtained during the past four or five years to gain some idea of what we may expect in the future from these invaluable resources. As respects the financial argument, I shall not say much, for it is superfluous to do so. It is a matter of little consequence whether we pay a few cents more a head, provided we get in return corresponding advantages. Or, is it to be supposed that our burthens will not be increased more largely than they are now in

the natural order of things, whether we have Confederation or not? Suppose we have Confederation, are we all to stand still? I presume each of these colonies will continue to prosper as they have for the past ten or fifteen years—that the revenue of each will correspondingly increase. And how will the large revenue at the disposal of the General Government be expended? I presume in accordance with the wants of the whole Confederacy—not with respect to the interests of any particular colony. Whenever any great public works are required in any part they will be gone on with.

Mr. McDONNELL: In the North-West territory, for instance.

Mr. McFARLANE: I believe the time will come, although many of us will not live to see it, when that vast region will be the abode of millions of human beings. There you have a territory abounding in most valuable resources, and which could afford means of subsistence to more people than can be found on this Continent. A good deal has been said about the Canadas combining for the purpose of injuring the Maritime Provinces. Now any one acquainted with public affairs on this Continent must know that there must long be antagonism between the two sections into which Canada is divided. That antagonism proceeds from something more than mere diversity of interests—it is one that is the strongest of all, that of race. The population of Lower Canada is as loyal as any in British America—being decidedly monarchical in its tendency, and well satisfied with the advantages it receives from its connection with the British Empire. That French population has to a large extent the same interests as we have, and we may be sure they would combine with the Maritime Provinces in preference to the Upper Canadians. I feel, however, that it is unnecessary for me to go into the subject of Union at length, for, as I said at the outset, it is not actually before us. I don't believe the time has arrived for its full discussion in this House. Let me say, however, that the friends of Confederation have never had a wish to force it upon the people—strongly convinced as they are that it is connected with the best interests of the country. Entertaining these views, I feel that it is my duty to use all the means in my power to convince those who are within the scope of my influence. I believe in all sincerity that the time will soon come when the people will be found fully alive to the beneficial results that will accrue from this scheme. Let its friends be patient, and use all the legitimate means at their command to make their views known to the people. Can any one believe that this Province should continue to remain in the isolated condition it has been for fifty years? That we are now going on prosperously no one can doubt. Nova Scotia is certainly one of the most flourishing colonies of the British Empire, but Confederation will not endanger that prosperity. I believe, indeed, that confederation is necessary in order to preserve the enjoyment of that peace and prosperity we now have. I have no hesitation in saying that when the war is over in the States, I do not apprehend much danger to ourselves; I believe that the people will not be anxious for hostilities with a power like England, and that they will not be willing to add to the great burthens they have already created. But, at the same time, I believe they

will adopt every means in their power to extract all they can from these provinces,—by hostile tariffs and such means. Therefore I feel that it is essential for these provinces to make such arrangements as will make them independent, as far as possible, of the States, and give them a market where they will not be met by hostile restrictions.

Speech of Mr. Locke.

MR. LOCKE said :—As this question appears to be entirely used up, I do not rise with the hope of throwing any new light upon it, either financially—politically or otherwise, but having presented a number of petitions from my constituents upon the subject, I feel that it is due to them, as well as to myself, that I should offer a few observations, in explanation of the course I intend to take.

It will be in the recollection of the House, that at the last session, a resolution was passed, authorizing a conference to be held between Delegates from this Province, and New Brunswick, and Prince Edward Island, on the subject of a Union of the Maritime Provinces. In accordance with that resolution, the Delegates proceeded to Charlottetown, and after deliberating for a day—in an incredibly short space of time, they came to the conclusion, that a Union of the Lower Provinces was impracticable, and they admitted into the conference a number of gentlemen from Canada, who speedily indoctrinated them with their views upon the question of the larger Union of all the Provinces. The result was that our Delegates returned to Halifax, and immediately proceeded to Quebec. Now sir before going any further, I should like to ask these gentlemen upon what principle they received these Canadian Delegates at all. They were only authorized to confer upon the subject of a Union of the Lower Provinces, and yet by some means or other, they appear to have lost sight of that altogether, and to have been led entirely by the opinions of the gentlemen from Canada.

Now sir, I do not intend to reflect upon the conduct of the Delegates. I have too much respect for the honor and integrity of the public men of this Country to impute to them interested motives, and I have no doubt that in taking the course they did, they acted in a way which they believed was for the best interests of the Province; we must suppose, taking a charitable view of the case, they erred in judgment. I do not question their constitutional right to proceed to Quebec, and take part in the Conference which was there held—because the members of a Government possess the power to deal as they think best, with the interests of the country they are called upon to govern, but when men possess power it is not always advisable to exercise it arbitrarily, and therefore as a matter of policy, and in view of the expressed feeling of this House, I think it would have been better for the Government to have obtained the sanction of the House, before they entered upon the consideration of the larger question of the Confederation of these North American Provinces. They did not however think proper to do so, and we must therefore deal with the question as we find it.

The very first article of the Report of the Quebec Conference, recites as the groundwork, upon which a Union should take place, that it is advisable “provided it can be effected on principles just to the several provinces. Those concluding words contain the gist of the whole matter. I contend that the terms as arranged at that Conference are not “just to the several provinces”—more especially as regards Nova Scotia. I hold that in adopting the principle of representation by population, they have ignored other important interests of this Province, which are entitled to consideration. There are other matters to be considered besides mere blood and bones. There is the mining interest which contributes so largely to our provincial prosperity, there is the shipping interest, which as has been stated in this debate, is equal to one eighteenth of that possessed by the British Empire, and represents a capital of eight millions of dollars. Is that not an interest worth protecting and worthy of representation? Canada has nothing to compare with that. It is true that she has a large inland trade by means of her canals, but we cannot participate in the advantages to be derived from them. Then again there is a most important branch of industry, the fisheries, and in connection with that there is one part of the report which I cannot understand, and which I should like the hon. Prov. Sec. to explain. I perceive that by a clause of the constitution, the general government are to have control over the sea coast and inland fisheries, while by another clause the same power is given to the local government. The same thing occurs in reference to Agriculture and Emigration. Both Governments according to the terms agreed upon by the Delegates, are to have control over these subjects, and yet that can scarcely be possible. I can only say that if the control of these important matters has been surrendered to the general Government, that our Delegates have shown but little regard for the best interests of the country.

By this principle of representation by population, a very unfair advantage is given to Canada. Everybody knows that Emigration to that country is increasing every year, and as the representation is by this scheme to be adjusted every ten years upon the basis of population, it follows that she will possess an unfair advantage over the Maritime Provinces, which do not offer the same inducements to Emigrants that she does. I believe that at the close of the first period of ten years, Upper Canada will have increased her population ten per cent, while our increase will not amount to more than five. It will be seen therefore that in this respect, the terms agreed upon are not just or equitable to the several Provinces, and it appears as if the Delegates from this Province had entirely lost sight of what is manifestly an undue advantage conceded to Canada.

Then again on turning to the Report of the Delegates, I find that the general Government, is to have the control of trade and commerce, the imposition of excise and customs duties, and the control of railroads and canals. This latter clause is of the utmost importance to us. It is well known that the Canadians are anxious to extend

their territory west, and to open up communication with the great country lying in that direction. And in order to do this, they will make use of the means placed under their control from this and the other provinces confederated with them. For it must be remembered that even if our Revenue doubles under Confederation, it will be of no use to us, it will be all swallowed up by Canada, whose superior voice in the Parliament will always control the action of the Lower Provinces.

The hon. Prov. Sec. the other night in urging his views in favour of this scheme stated, that it had received the sanction of the Bishops, and the Clergy of the different denomination. Even so, I hold that is no argument to control the members of this House. They can entertain any opinions they please upon this or any other subject, and however much I may respect them in matters peculiarly within their province, I do not admit that in matters of finance and political economy, they should exercise much influence over the deliberations of the people's representatives.

Again he advanced as an additional argument, that all the leading men of the Province had been in favor of Union. Now it is true that at different times various prominent politicians have in their places in Parliament and elsewhere made grand speeches in favor of Union, but it was well understood at the time, that nothing was to come of it, they just wished to make a grand show, and had no idea of its being followed by any practical results, so that even if grand speeches have been made upon the advantages of Union in the abstract, that has nothing to do with the merits of the scheme promulgated by the Quebec Delegates.

The hon. Prov. Sec. also stated that the most respectable portion of the Press are in favor of the measure. Now sir, I have made a list of those pro and con—not including the Religious press—and here they are. In the city we have:

For—*Unionist, Colonist, Reporter, and Express.*

Against—*Chronicle, Nova Scotian, Acadian Recorder, Sun, Citizen, and Bull Frog.*

Hon. PROV. SECY.—No. You must strike off the last. It has recanted.

MR. LOCKE—Well even so. Then in the country we have:

Against—*Yarmouth Herald, Tribune, Free Press, Liverpool Transcript, Eastern Chronicle, C. B. News, and Antigonish Casket,* and the *Pictou Standard* which may be in favor. It has been said that there is no intention on the part of the Canadian Delegates, now going home to use their influence with the British Cabinet to force this measure upon the Province. I will read to the House what Mr. Cartier said on the subject, when addressing the audience at the Temperance Hall:—

“They knew that in Nova Scotia there was a strong feeling in favor of the scheme of Confederation. * * * * * He rejoiced to know that the heart of Nova Scotia as well the heart of the Canadas was warm for Confederation. The friends of the cause had no reason for desponden-

cy, it would take but little time to warm the heart of New Brunswick, after the people of that province had understood and weighed the important bearings of the question. The Canadian delegates were the first to present at the Conference at Charlottetown, to the Maritime Provinces, the larger view of the greater Confederation; and he did not hesitate to declare that the basis of union agreed upon at Quebec was the most just and equitable Union that under the circumstances could be devised—ensuring alike the safety and prosperity of all the Confederate provinces; and such success had attended the deliberations of the Quebec convention as was unprecedented. In all human affairs, we must expect checks and disappointments—it could not always be smooth water—there must be shortcomings, and New Brunswick had merely delayed its consummation—it must ultimately be carried out. On hearing the fate of the measure in New Brunswick, they in Canada deemed it advisable to bring to a conclusion the business of the Legislature, and send a delegation to England to press confederation upon the Imperial parliament, the defence question and in connection therewith the Intercolonial Railway. It had become a question of Imperial policy and his co-delegates and himself were going to England to urge the question of defence not for Canada alone, but to all the British North American Provinces. On this question of defence all the Provinces must be united, and in order to defend ourselves properly we must be united under one government. The treasure and resources of the Provinces separately cannot be usefully and properly applied for defence, except united under one government, and then all the strength of the Confederated Provinces can be brought to bear upon the point when the attack takes place. It is beyond doubt that the Imperial Government consider the Federation of all the Provinces absolutely necessary. The resources of one Province alone would be too small to resist attack, but when all are united very great assistance can be given, and when that has taken place there can be no difficulty. The delegates are going to England to urge the construction of the great Intercolonial Railway, as the construction of that work was absolutely necessary for the defence of British North America. * * * *

This public demonstration was an authentic and unmistakable exhibition of strong confederate feeling in the commercial city of the province of Nova Scotia, and the people of England would come to the conclusion that the citizens of Halifax are favorable to the cause of confederation.”

Mr. Galt also used this language:—“He could not refrain from expressing his emotions on the occasion of so magnificent a reception—not from personal considerations alone, but because it was the unanimous expression of approval of a policy that has an echo in the breast of the people of Nova Scotia as well as that of Canada. Fully sensible of the check which it has received in New Brunswick, he did not believe that it was permanent,—the great body of the people had not time to weigh well the question; and he could not bring his mind to the belief that the New Brun-

wickers were less alive to the necessities of union, or less desirous of perpetrating connection with the mother country, than either Nova Scotia or Canada. It was impossible to shut our eyes to the events occurring in the neighboring States, and it is undeniable that unless we are united under the terms as agreed upon at Quebec, another union will be formed that will be found to be of an entirely different character, and under a different flag than that which we now recognize, and it becomes a question whether we prefer the good old flag we are now under to that of the United States. Firmly united under the bonds of the proposed Confederation, and backed by the support, influence and means of Great Britain, we can fear none; but alone, and undivided, we may fall victims at any moment. Apart from the great commercial advantages of the proposed Confederation, we rank still more highly—that which we believe is of still greater importance—that by delaying the Union we may risk and imperil the connection between these Provinces and the Mother Country. They have been told that Nova Scotia was opposed to Confederation, but this meeting and magnificent demonstration had given the lie to that assertion, and he hoped the time would not be remote when he would have the honor and privilege of addressing them not only as Nova Scotians, but as a united Confederation of British North America."

I think that after this that there can be very little doubt in the minds of any body, that these gentlemen go home with the intention of forcing upon the British Government the necessity for the Union being at once accomplished,—whether the Lower Provinces are willing or not. I cannot allow a remark of the hon. Prov. Secy., made the other day in reference to the people of Yarmouth, to pass unnoticed. He said they were favorably disposed towards American Institutions, and in fact insinuated that, with some other counties, they were disloyal in their sentiments.

Hon. Prov. Secy.—denied that he ever made such an assertion.

Mr. Locke—I so understood it, and I believe the hon. gentleman endeavored afterwards to explain. Now, sir, I maintain that there is not a more loyal people on the face of the globe than the people of Nova Scotia.

Shelburne was founded by Loyalists—and they could be outdone by none in their devotion to the British flag. The man who insinuated anything there about their loyalty, would find it a pretty hard place to stand in—and I believe the very purity of their loyalty would deter them from entering into this Scheme, judging from the previous history of Canada.

Now, Mr. Speaker, a word as to the resolution on the table of the House. I will just read the preamble, and ask in what position would any man be placed who voted for it? He thereby admits that he is in favor of a Union of all the Provinces—and the only reason why he does not do so now, is because "it is at present impracticable."

I do not say that the Prov. Secy. in wording that resolution had any design to entrap gentlemen into committing themselves upon this ques-

tion, but I consider it to be the duty of every man opposed to Confederation to vote against it.

That is the course I intend to take, and I would say to the Government, as Henry Clay said to John Randolph, "go home to your Constituents, who sent you here, and see whether they approve of the course you have taken."

It was useless attempting to make the Canadian Delegates or the British people believe that the question of Confederation was received with any favor in this country.

It was virtually dead. Like the Church at Ephesus, it had a name to live for, and was yet dead. Let the resolution, then, remain a dead letter upon the table of the House, and let nothing more be said about it until the time shall arrive when the people of this country declare themselves in favor of a scheme which goes to alter the Constitution, under which they are now prospering and living contentedly.

Remarks of Mr. Killam.

Mr. KILLAM said—I shall not delay the house long with my expression of opinion on the subject under consideration. It has been given as an argument in favour of Confederation, that leading men in this Legislature have been in favour of it, and have spoken often in respect to it. Now I have been a member of this house for many years, and have heard what remarks have been made, but I am not aware that any large number of members, or of the people, thought much about the subject. The Legislature took no interest in the question, and the people felt the same way. No one believed that anything practical would grow out of the discussion—the whole thing was a mere pleasant theory in which some gentlemen liked to indulge when they had nothing else to talk about.

A great deal of alarm exists all through the Province on this subject of Confederation. It appeared to be the opinion of every man you met that no good could come of it, and this feeling appeared to be the spontaneous feeling of the people, without any effort having been made by those who are called political leaders to excite it. As regards the resolution on the table, I will say that I can scarcely imagine how any person could be found within those walls to favor a Union of the Lower Provinces. There can be no advantage to us in mixing up our local interests with those of the other Maritime Provinces. I have yet to hear any argument in favour of this smaller Union. Then where is the necessity for any further delegation on the subject, if no practical result is to follow.

There has been a great deal said about the advantages a union with Canada would confer upon us, but I think that the effect would be to restrict and hamper our commercial operations. Nova Scotia wants the whole world for a market—she wants free communication with the great producing country, the United States, which furnishes us with luxuries and necessaries which we have not got. We want our carrying trade, upon which we so largely depend, to be unrestricted in its extent. All this is necessary to our prosperity; but adopt this confederation scheme, and we will hedge ourselves in as it were, and shut ourselves out from the markets that are now open to us. We were in

fact going to adopt the Japanese policy, who, for a thousand years, lived within themselves until civilization compelled them to open up their markets to the world. That is a policy I do not think is suited to Nova Scotia; and that is the reason I am so much against it.

If there is anything worth protecting in Nova Scotia, surely it is our shipping and foreign commerce, and yet we would render this useless by going into Confederation. The very name of Nova Scotia is worth keeping—a country that owns one-eighth of the shipping of the British Empire is surely worthy of a name amongst the nations of the world. The shipping of Nova Scotia is to be found in every part of the world, and their sails whiten the seas in every portion of the globe. That important interest represents in value no less than eight millions of dollars, and yet we are called to adopt a policy detrimental to so valuable a branch of our provincial prosperity. The only true policy for a commercial country, is free and unrestricted trade. That is the policy of Great Britain. The more trade is unfettered, the more it will expand; and yet we are about to adopt a restrictive policy, and to shut ourselves out from the markets of the world. Canada, from her inland position, can never become a large manufacturing country—and she is a great agricultural country—she can supply us with all the whiskey we want, but we can do without that; and if we want it, the best way is to get it at the cheapest rate. She can supply us with most of the eatables we want, and some of the wearing apparel, and can give employment to our labor; but the best way, in a new country, is to employ it within our own Province. There is no doubt that the lumber trade of Canada gives employment to our shipping, but they get no better price for it than anywhere else. They can go anywhere and get good prices; and as I said before, the carrying trade of Nova Scotia extends over the world. I cannot see why Novascotians are not satisfied with the progress they are making—our manufacturing interest is advancing as rapidly as can be expected in a new country without any protection at all. Our public works—if the government manage them prudently and carefully, and do not enter upon them too rashly—will contribute to the general prosperity. In fact, every branch of industry is in a sound condition. Then why alter this state of things, and rush blindly into a union with Canada? The hon. Prov. Secretary, in his speech, complained of an article in the *Morning Chronicle* on the subject of the defence of this country. I cannot say that the scheme there propounded met my views, and I am not desirous that any English acts of parliament should be passed to interfere with our rights and liberties. What did the delegates propose to do? If their wishes had been carried out, they intended to go to England to tie up the people of these North American colonies, by an English act of parliament, for all time to come, and to compel them to submit to the scheme.

Hon. PROV. SEC.—No such thing was ever proposed.

Mr. KILLAM—It is very strange if I am mis-taken. Was it not proposed that the leading men should go to England?

Hon. PROV. SEC.—It was proposed that the scheme propounded by the delegates should be first submitted to the local legislatures

and an address be passed asking the British parliament to confirm the action that had been taken.

Mr. KILLAM—If it is not one of the articles of agreement it was generally understood that such was to be the case. It has been urged that the great Intercolonial Railway is going to make us a great country, that Halifax is going to be the entrepot of the whole continent. Now, sir, when I saw the grass growing on the Grand Trunk of Canada, and reflected that for six months of the year there is no business doing upon it, I confess that I was not very sanguine as to the necessity of this work as a commercial undertaking. Nor would it be of any advantage in time of war—running as it would within ten or twelve miles of the United States territory, it would be easy for them to destroy it, and they might take Upper Canada before we could hear of it except by way of the United States. It was useless then to talk about that being of any advantage to us either commercially or politically. If Canada wants it, let her have it—in the meantime let us go on with our own public works. If the government can show a feasible plan to connect with the New Brunswick border, and the state of finances will admit of it, I shall not oppose it; although I should prefer that the Pictou road should be built first, as I think that will sufficiently tax our energies and resources for some time to come.

TUESDAY, April 18th, 1865.

Mr. McFARLANE from the Committee on Agriculture reported. Some conversational debate took place on the subject of the importation of Stock.

Mr. PARKER advocated the idea of having farms in different parts of the Province, for the raising of Stock. He also spoke of the want of a suitable Market House in Halifax for the convenience of Farmers.

The report was received and adopted.

THE CROWN LANDS IN CAPE BRETON.

Mr. McDONNELL referred to the question of the settlement of Crown Lands in Cape Breton which had been discussed in the early part of the session, and to the statement then made by Hon. Prov. Sec., and the hon. leader of the Opposition, to the effect that Cape Breton had been more highly favored than other parts of the Provinces as regards the terms upon which the payment of Crown Lands was to be made—inasmuch as long credit was given to purchasers in that Island, and the moneys amounting from the sale of these lands, were reserved for the opening up of roads.

He was rather surprised at the assertion at the time, and he was induced to look into the question, and ascertain how the facts really stood.—Upon referring to the law passed in 1859, for the settlement of Crown Lands in Cape Breton, he found it enacted that the money arising from the sale of these lands, was in the discretion of the Government to be appropriated to the opening up of roads in the Island of Cape Breton. In order to follow the matter up, he asked the leader of the Government to lay upon the table a return of all moneys derived from this source, since the passage of the Act. From that return it appeared that there had been paid into the Re-

ceiver General's office \$9,467 from the County of Cape Breton, arising from the sale of Crown Lands, while the sum contributed by that county to the revenue of the Province, including amount of outstanding lands, amounts to \$37,164, from Inverness \$27,138, Richmond \$16,476, Victoria \$23,606.

And yet, would it be believed, that altho' it is five or six years since the law was put upon the Statute Book, there had not been a single cent of the money appropriated either by this or any previous Government for the purpose pointed out in the Act.

He had asked the Government for an advance of \$3,000 which was absolutely required for the roads of the county he represented (Inverness) and altho' there had been actually paid into the Receiver General's Office, from that County since the passing of the Act, the sum of \$10,153, which after deducting therefrom the cost of all surveys made in the County since the Act, leaves a balance at this day of \$6,049 in the Treasury, yet the Government have refused to give a single cent for the purpose recommended in the Act. He thought the House would agree with him that this was not right. The Act referred to was passed by this Legislature—and that for the purpose referred to. He could not suppose that it was intended that it should remain a nullity upon the Statute Book, and therefore desired to have it enforced. The hon. gentleman said he had risen for the purpose of contradicting the statements made in the early part of this Session by the hon. Prov. Secy. and the hon. leader of the Opposition now sent broadcast by the hon gentlemen over the Province, that Cape Breton enjoyed all moneys coming from its Crown Lands, which last assertion was not supported to the extent of one cent. He also asked the Prov. Sec. what the reasons of the Government were for not carrying out the provisions of the law, and whether the Govt. intended in the future, as in the past, to treat the law as a nullity.

Hon. Prov. Sec. was not sorry that this matter had been brought to the notice of the House. He did not think that any reply was needed from him, as the clause of the Act to which the hon. gentleman had alluded, sufficiently answered every statement he had made.

He (the Prov. Sec.) was afraid that the remark he had made in debate, in a somewhat jocular manner—that it was in the power of the members for Cape Breton—by combining together, to deal a fatal blow at the Government, had had an unhappy effect. From the remarks that had fallen on the previous evening from a gentleman who had usually ranked himself as a supporter of the Government, and from the style of observations just made, he was inclined to think that there was a disposition on the part of some of the members for that Island to assume an attitude of dictation to the Government. Now, he wished it to be understood at the outset, that important as he considered it to be for the Country, that the present Government should continue to occupy the Treasury benches, and that the Province should enjoy for some time to come, the advanta-

ges of so excellent a Government, yet he had no hesitation in saying, that he would rather resign the position he held, and retire into the cold shades of opposition, than yield to unfair dictation from any combination of gentlemen. As regards the complaint of the member from Inverness, he had only to turn to the Estimates to prove that no other part of the Province had received so much consideration as the Island of Cape Breton, and at no time had the members for that section less cause to complain than the present.

Ever since he had the honor of a seat in that House, he had done his utmost to assist the members for Cape Breton, in their attempts to obtain for that Island that consideration which its importance deserved, and now after the Government had shown a disposition, which no previous Government had ever done, to deal liberally with its wants, he would ask whether this was time, or the occasion, for any gentlemen from Cape Breton, least of all, for any one pretending to be a supporter of the Government, to assume an attitude of defiance and dictation.

The hon. Prov. Sec. here referred to the large provision made in the estimates for the various public services in Cape Breton, and to the pledge of the Government, that they would undertake the construction of the wharf at Port Hood, and asked whether in view of all this, it was fair for any member from that county, to complain of not having received proper consideration at the hands of the Government. As regards the facts of this case, he would say that the hon gentleman himself, was one of those who assisted in breaking up the system by which these monies were to be paid into the Treasury, and which had the effect of throwing the whole thing into confusion.

MR. McDONNELL.—That was done before I came into the House.

HON. PROV. SEC.—was under the impression that he was a party to the arrangement, at all events the law of 1859 was altered so, as to produce great confusion.

The hon. gentleman here read the act, and said it was the intention of the Government, to comply with its spirit and letter. They intended as they had already informed the members for Cape Breton, to obtain reports from the Crown Land Surveyors, as to the localities most requiring aid, so as to carry out the provisions of the law in such a way, as would be best for the interests of the whole Province, as well as for the advantage of the Island. The hon gentleman concluded by regretting that he should be called upon to denounce in the terms he had done this unfair attempt to prejudice the government in the eyes of the people of Cape Breton.

MR. BOUBINOT, as far as he was concerned, denied the existence of any combination on the part of the members for Cape Breton, and he was not aware that this matter was coming up. He must do the Government the credit to say, that they had done more justice to Cape Breton than any previous one, altho he was not, prepared to admit that she had ever yet received her just rights.

MR. BLANCHARD was pleased to hear the assurance of the leader of the Government, that

these monies were to be applied for the purposes contemplated in the act. He thought that there was no doubt that the object of the law was to apply these monies to the opening up of roads through the Crown Lands, the discretion left with the Government was as to the time and manner in which they should be applied. He was therefore quite satisfied with the statements made by the Prov. Sec., and he thought that what he promised, was all that the members for Cape Breton had a right to ask.

The object of the members for Inverness in making the application they did, was not to supplement the road grant, but to apply the money to open up roads through Crown Lands, which was the legitimate purpose contemplated by the act.

The hon. gentlemen explained the object of making the alteration in the law, alluded to by the hon. Pro. Sec. It was held out as an inducement to settlers to take up Crown Lands, that they would be able to pay for them by their earnings from the expenditure of the public monies, in the opening up of new roads; but when the three years specified as to the time for payment had rolled round, it was found that they were unable to pay, and the time had to be extended.

As regards the amount of justice that Cape Breton had received in the distribution of the public monies, while he was prepared to acknowledge that the Government had dealt as liberally with her as with the rest of the Provinces, he could not admit that she was under very great obligations. According to population she had just received what she was entitled to, one-fifth of the whole grant. This however was a distinct question, and depended altogether upon the rights which the law gave them, and he was satisfied by the assurance, that the Government intended to carry out the provisions of the statute.

Hon. FIN'L. SEC. said that this was not a question of justice to Cape Breton, and the hon. Prov. Sec. had done perfectly right, in rebuking the hon. member for Inverness, (Mr. McD.) for placing it upon that ground.

He thought that hon. gentleman had no reason to complain of the way in which Cape Breton had been treated, either in the distribution of the road grant, or in any other branch of the public services. While some counties had their road grants decreased, almost every county in that Island had theirs increased.

He would go further than the hon. Pro. Sec. had, and say that if the Government had acceded to the demand of the member for Inverness, and supplemented his new road grant, as he wanted them to do, they would have acted contrary to law. He thought that he ought to be satisfied with the assurance that had been given, that the Government intended to carry out the policy of the law, as soon as they had received the necessary information from the Crown Land Surveyor.

Mr. S. McDONNELL was glad that the government had at length announced the policy they intended to pursue in this matter. The hon. Pro. Sec. had thought proper to intimate, that in making his remarks he was actuated by covert motives.

He (Mr. McD.) did not think the course that hon. gentleman had thought proper to pursue in reference to this matter was conducive to strengthen the relations that subsisted between them, as to add to the doccrum which should prevail in that House. He had stood in his place, in the performance of a duty he owed his constituents, he had no private interests to serve, but he was simply demanding the rights which the law gave them. He most emphatically denied that Cape Breton had received more than her just share of the public moneys, or that he had demanded anything more than the Government were bound to give.

Mr. C. J. CAMPBELL denied that there was any combination on the part of the members for Cape Breton. He considered it unfair for any one to attempt to get up a feeling against that section of the Province. He pointed out the provisions of the act of 1859, and contended that it had not been carried out as originally intended. He alluded to the Crown Lands' office, and considered that more energy should be infused into the working of that department. He pointed out one or two cases within his own knowledge of the way the business of the people was impeded in that office.

The subject then dropped.

Railway Extension.

Hon. PROV. SEC. then moved the resolution for Railway Extension, which he had laid on the table some days previously. In doing so, he stated that he did not intend occupying the attention of the house with any lengthy remarks, for the simple reason that the policy that this resolution propounded, and the expenditure it involved, had been fully discussed, and had received the sanction of a large majority of the Legislature. He would not open the useless discussion whether the present mode of constructing railroads was the best. Suffice it to say, that the Legislature had decided, after a great deal of discussion, to construct Provincial Railways by Provincial funds. When that policy was propounded by the house, it was in connection with a certain scheme of railway extension — that certain lines of communication should be carried out under that policy, and the act originally placed on the statute book, and under which the first mile of railway was put under contract, provided for the extension of our railway system to the borders of New Brunswick, to the Gulf of St. Lawrence, to the Granville Beach on the Bay of Fundy. The house would see that the object was obviously to give to all the people in the different sections of the Province, as fully as was possible, the advantages of railway communication. The cost of railway construction, however, in this Province proved to be worth so much more than was anticipated, at the time the act was placed on the statute-book, that it was found impossible to go on with the policy as originally laid down. At the last session, however, the house decided to go on to Pictou, and tap the Gulf of St. Lawrence. The Government, in bringing forward the act for the construction of that railway, felt it was their duty to the outlying sections of the country to lay down a policy which, without burthening the Provincial funds, would, at the same time, give the facilities of railway com-

munication to the large, and populous, and fertile counties of the west as originally contemplated when the railway system was inaugurated. He need hardly say that the house had been always ready to adopt any means by which the Province might have a railway communication with the neighboring Provinces and States. Accordingly, the Government last session brought forward a proposition which they thought would accomplish, without burthening our means, the two-fold object of extending our road to the borders of New Brunswick and to the county of Annapolis in the west. The resolution authorized the Government to enter into contracts with companies prepared to connect us with the railway system of New Brunswick, at a cost not to exceed 4 per cent. for twenty years, on a capital of £10,000 a mile. At the same time they offered 4 per cent. on a capital of £6,000 a mile for the extension to Annapolis. The surveys that had been made of these lines had proved, they believed, that the resolution offered most ample compensation to any companies that might undertake the work. Under the authority of that resolution, the Government placed themselves in communication with parties who they had reason to believe would be disposed to carry out their policy, and the result of this correspondence has been to show that the provision offered was not quite sufficient. The difference in the terms, however, was so slight, as to warrant the house to carry out the policy which received their sanction at the last session.—

He went on to explain that the terms on which the offer of the International Contract company was founded, involved but a slight addition to the terms sanctioned last year, being the cost of dredging the river Avon, which was estimated at £40,000, and the provision of £100,000 of subscription for the line to New Brunswick. He believed that the affirmation of the resolution would entirely do away with the objections of the city of Halifax to taking the stock to this extent, but assuming that this sum had to be borrowed, it would only be an increase of two per cent., the offer of last year being to the extent of four per cent. As to the route of the railway nothing could be now definitely said, and that matter would have to be decided by the government upon a careful examination. He said that the debt of Nova Scotia was fixed by the delegates who represented the government at the Quebec Conference at eight millions in consideration of the resolution of last year in connection with railways. That increase to eight millions would have given the means to complete the Pictou and Western line, leaving the Intercolonial road to be dealt with by the government, but assuming that the colonies were to remain as at present the burthen entailed for the extension would not be more than £28,000 for the trunk line, and £23,000 for the western line, including the cost of bridging the Avon, or about £50,000 per annum. He thought there could be no doubt that the proposed extension would give us such an increase of trade and revenue as would compensate for the expenditure involved. He expressed surprise at the opinion enunciated on a former day to the effect that railway construction should be undertaken by the government, by Mr. Killam, who had long been laboriously maintaining the doctrine that such construction should be left to foreign capi-

talists and companies. He was glad to find that that gentleman's confidence in the government was so extended. He thought, however, under existing circumstances, it was not advisable to prevent these capitalists who were desirous of constructing our railways coming in and expending their capital.

Mr. KILLAM said that it had always been his desire whenever the question of railway extension was before the Legislature to express such opinions as he thought favorable to the prosperity of the Province. When the construction was commenced he thought it wise that the matter should be left to companies, but the other policy having been adopted he thought it would be well for the government to continue it in respect to the main Trunk line. It was estimated that the existing line would pay one per cent. above its working expenses, and there was every reason for supposing that the extended line would be still more profitable, while difficulties would be caused by having the railway under two distinct managements. If the lines were expected to pay four per cent. which the Province had offered would it not be well for the government to undertake their construction and realize whatever profit was to be made? He feared that by accepting the proposal the province would at the same time lose all the advantages that would arise from the increased prosperity of the country.

HON. ATTORNEY GEN. explained that the government were to have the power at any time to take possession of the railway by arbitration in the usual form. If we were to hand over the lines without giving any control to the government or legislature, then there might be something in the argument of the hon. member for Yarmouth. He believed that the time had arrived when we should deal with this question. New Brunswick was prepared to build to our borders, and there was this gap between Truro and Moncton which should be built at once. Connection with the railway system of this continent was, as all would admit, most desirable, as it would promote the best interests of this province. If the government could build the line directly out of the provincial funds, it would be a matter deserving of serious consideration, but under existing circumstances he was of opinion that it was the wisest policy for us to accept the best terms that were offered us by companies who were ready to invest their capital in the country.

Mr. ARCHIBALD alluded to the great importance of the subject under consideration, and then went on to say that when the matter was before the house last year, he had the misfortune to be absent, and therefore had had no opportunity of offering any remarks upon it.— Under these circumstances, he had listened to the observations of the Pro. Sec. that day with no little anxiety, for he was desirous of knowing upon what grounds he asked the house to consent to the very grave proposition which was contained in the resolution now before it. That hon. gentleman should have shown how the railways were to be constructed without crippling the resources of the country. He felt exceedingly disappointed that the hon. gentleman had not adopted the course which he should have taken as a Colonial minister, asking the house to incur such heavy liabilities.— Now there was no one in the house who had been a greater advocate of railways than himself—or was more committed to their extension

within the limits of the Province. On some occasions he had even gone ahead of the Administration for the time being. In 1857 a resolution was moved in the house for the construction of the Pictou Railway. On that occasion he had warmly advocated that scheme, being then as now in opposition. The Government of the day, acting under the belief of what they considered most judicious under existing circumstances, refused to accept the resolution; and, after the calm consideration which a few years had enabled him to give to the subject, he had no hesitation in acknowledging that he thought they discharged their duty to the country on that occasion.

When last year an attempt to repeal the Intercolonial Railway act was made by the government he had not hesitated to express in the most emphatic terms his views in favor of communication between the Provinces, and his preference of that great scheme to even the Pictou railway which was at the last session under discussion. He would refer to his language on that occasion to show how warm he had expressed himself on the subject.

"It appears," he had then said, "according to the opinions of the present government of this province that the terms agreed to were too burdensome for Nova Scotia. The Canadian ministry have also taken the ground that the burthen imposed upon them is too great. With these opinions prevailing at the Nova Scotia end and at the Canadian end, it is obvious that even if the act remained in force, the prospect of an intercolonial line is adjourned to an indefinite period in the future. Therefore I feel that we can approach the subject of a Pictou railway in a very different spirit from what we could have done if there were any hopes from the legislature in reference to the intercolonial scheme. I have no hesitation in saying that in dealing with this important question I would not be doing justice to myself if I did unequivocally state what policy I would pursue if the intercolonial project were feasible. I consider the branch to Pictou is of sectional interest compared with the former scheme. It would be a priceless boon to Nova Scotia, jutting out as she does 500 miles on the path to Europe, if we could have consummated an undertaking which must have made her the wharf on which the traffic of two continents would concentrate."

And again, "I must fully confess in conclusion that it has been with no little hesitation that I have given up so desirable a project as the Intercolonial railway scheme. I have always looked at it as the precursor of *that union* which has so long been the hope of every intelligent man who wishes to see the arena of politics in this province enlarged and ennobled. I fear very much that the action of the government on the present occasion has done very much to postpone the great intercolonial question. I fear we are giving away the chances of ever effecting that great work, but on the gentlemen opposite rests the entire responsibility."

It would be seen, therefore, that while he did not hesitate to express the most unqualified preference for the construction of the Intercolonial Road, he had not attempted to disguise from himself or the house that the necessary effect of embarking in that scheme was in his opinion to postpone to an indefinite period the construction of the Intercolonial Railway on any scheme which was then open to us, or could be opened to our unassisted resources.

But not only was he interested in this railway as a public man, and from Provincial considerations, but he was a representative of a county through which that road must pass.—Again, he was interested in a valuable mineral property in that county, which would be exceedingly benefited by the completion of this enterprise, provided the route selected should be the one indicated in the proposals of the company and on the table of the house. Therefore it would be seen that not only his interests as a public man and as a representative of the county, but also his personal and private interests were at stake in this matter. Therefore, if he did not give his assent to the present resolution, it could not be said that he was acting from personal or selfish motives. He thought, too, he could appeal to the house to bear their testimony, that during this and last session he had not exhibited any spirit towards the Government that would subject him to the imputation of factious opposition to any measure, but had a right to be considered as acting from a desire to discharge what he believed to be his duty to the people of this country.

He regretted that he had not all the documents at hand which would enable him to give that full information in respect to the state of our finances which he was desirous of giving. At the last session of the house a resolution was adopted, by which it was determined that the financial year should end on the 30th September instead of on the 31st Decr., so it was impossible to get the means of comparison between 1864 and 1865. A large portion of the liabilities which were chargeable on the year did not fall due till its end. He had, at an early period of the session, asked for the requisite information; but the Financial Secretary had not yet been able to hand him the documents which were necessary to make the accurate comparison he wished; no doubt, in the hurry of the session it was difficult for the officials to give all the information desirable.—However, looking at the accounts as laid on the table, he found that on the 30th September, 1864, the balance in the hands of the Receiver-General was \$225,156—a large amount, no one will deny, to be in the treasury. The possession of this balance was nothing, if at the time it was in the treasury we owed the amount, or a larger amount than these monies would enable us to pay.

Now it appeared by the statement submitted that at the very time when this sum appeared to our credit we owed \$276,000 for various services, so with this sum to pay, and only \$225,156 on hand to pay it with, we could not be considered as having necessarily a large amount at our disposal. We had, it was true, in the shape of assets coming in, a considerable additional sum, but as far as he could gather from the accounts there appeared to have been borrowed from the Savings Bank \$42,000, and from Treasury notes \$40,000, making \$82,000, which had gone to swell the receipts, and which, though actually borrowed money, had been treated by the Government as so much revenue, and added to the balance at their disposal.

He had been desirous of ascertaining our financial condition on the 31st Dec. last and therefore had asked for the amount of the revenue till that date. He anticipated that there must be a falling off. It was impossible to contemplate the condition of things in the United

States at this moment, and the effect that this would necessarily have on our commerce—it was impossible to view the panic which was beginning to show itself in every branch of business, and the necessarily diminished importations of the incoming year, not to feel that this would begin to show itself in the last quarter of the year, and he had asked to see the returns in the conviction that his anticipations will be realized.

By the returns the revenue of the year from customs and excise amounted to \$999,000. The revenue of the December quarter was \$306,491. For the June quarter of 1862 it was \$330,000. So that in the last quarter of the year the increase over the corresponding quarter of the year before was only \$3000. Compare that with the 9 months preceding. The revenue of that part of 1863 was \$564,938, for 1864 it was \$692,818. So that the increase in the past nine months of 1864 was \$127,360, or at the rate of 23 per cent., while the increase of the last quarter was only \$3000, or 2 per cent. It was quite clear, therefore, that the prosperity of the early part of the year had not been kept up. That a sudden and serious change had taken place, which was an omen of the condition of the present year, and might be largely relied on as indicating what we might expect, and the prosperity of the first nine months continued to the end of the year in the same proportion, we should have had an addition to the revenue of the quarter over what we actually received, of \$63,000.—Now in 1863 we contributed one third of our entire revenue in the last quarter of the year.—This is pretty much the fact every year, and therefore assuming that the trade of the whole year were to fall off at the same rate, we should have less by \$109,000 than if our prosperity had continued uniformly as it begun in 1863.

This is a very serious statement of matters, and well claims our attention. I have asked for the returns of the first quarter of the present year, with a view to continue the comparison. I have not yet received them, nor does it much matter. The importations of the first quarter of any year are largely the result of accident.—They might be more or less in any particular year without largely affecting the returns of the year, inasmuch as they form altogether but a small part of our importations. The main business of the year is conducted in the Spring and Fall quarters.

Now what are the last terms referred to? I have spoken of the panic in the United States—that panic will be felt here. It will lead to the interruption of our trade with the States.

Then there is a great depression in prices impending. The opening of the cotton ports of the U. States will bring down the prices of cotton fabrics and diminish immensely the price of cotton goods imported to this market. This will react on the price of woollen goods, and between the two your *advalorem* duties will fall. Then agricultural produce is going down in price. A friend of mine bought, the other day, for the Cape Breton market a ton of butter for 12½ cents a lb. This came from the U. States, where not long ago we were sending our butter and getting three times the price for it. Other articles of produce will fall, if not to the same extent. The immense market made by the fleet of blockade runners sailing from Halifax is at an end.

The ability to buy, which the farmer derives from a large and ready market for his goods, has passed away, and our merchants will anticipate the change, and regulate their importations accordingly. Then shipping and ship-building are both declining; freights are low, and the inducements to build are not great this year.

Contemporaneously with all this, the market was largely supplied with goods not intended for it. The cargoes shipped from England to the Southern States, and which recent events had prevented from going there, were thrown suddenly upon this market, and had to be sold for whatever they would fetch. They of course would be entered low, and thus would affect the *advalorem* duties, and diminish the usual importations. Now, could any person of ordinary foresight shut his eyes to this concurrence of events. Was it possible to anticipate that the revenue could be maintained; and if it fell, in what condition would we be found? Suppose we were to enter on this year as we did the year which followed 1854, would we be far astray? 1854 was a year of plethoric revenue; but it was followed by several successive years of declining trade and falling income. It would not be unreasonable to expect that the receipts from customs and excise in 1865 would not much exceed \$800,000. The revenue after 1854 did not for many years reach the figures of that year. Whether we collected more than that in the ensuing year or not, he was quite sure that we would not be justified in making our calculations on a larger scale for several years to come; and if that was true, we should be unable to meet the appropriations we have made this year by an enormous sum. But these appropriations, large as they were, made no provisions for our new liabilities. Now, let us see what these are: First, there is the Pictou railway. This was estimated at first to cost us \$1,600,000. It was supposed to be forty miles, at £10,000. The government pass the bill before the road is created. It is then measured; and forthwith ten miles or one-fourth of the whole is added to the length and cost. Then Mr. Fleming surveys the ground more accurately, and finds it will cost 2½ million of dollars to build it, and somewhat more to build and equip it. He is told, however, that he must reduce his figures, and he does so, and now tells us we may have a road for two millions. Anybody, however, who knew how immensely expenditures exceed estimates, must be satisfied that if we get off for two and a half million of dollars we should be fortunate indeed. Now, as the contracts are to be completed in 1866, we are fully assured that one half the work will be done, and one half the cost incurred in 1865. If so, we shall need to sell debentures to supply what means we require. Already we have had them in the market for several months, and we have sold £21,800 stg. or \$109,000. Suppose we have to make up the amount we shall require for the year 1865, we shall need still to sell over \$1,000,000 in debentures during the present year. How is this to be done? Our debentures are now selling at 92 to 95 per cent. At par they are worth, with the interest to date, £101 10s. So that on every debenture we sell, we lose from £9 10s. to £6 10s. Take the medium and there is a loss of 8 per cent., which, on \$1,000,000 alone, would be a loss of \$80,000, and would add that sum to the cost of the

railway. Can anybody hope, in the uncertainties of the future, that we can sell at par what we require this year?

But not only are our sales affected by the uncertainties of the future; they must be largely affected by the certainties of the liabilities we are heaping on ourselves. We have before us a Bill to construct the St. Peter's Canal. This is variously estimated. Mr. Perley, who is the best Engineer out of the half-a-dozen who have reported on it, put the cost at \$170,000. We have appropriated, this year, bonds at \$30,000, which will leave a sum of \$140,000 to be provided for—assuming you could place any reliance on the estimate for a Canal. But as a rule, nothing can be more fallacious than such an estimate. A Railway may be estimated. Any work on the surface of the ground may be computed, but there is something in the nature of canal operations which renders such computations unreliable. The Shubenacadie Canal was estimated at \$250,000. It cost \$300,000, and was then scarcely begun. It was subsequently made a present of to gentlemen who were deluded with the idea that it could be finished for \$40,000—by the amount of estimate by a competent Engineer. They accepted the fatal gift, and spent \$200,000 to find the work still incomplete, and with all this money spent on it, it would be difficult to find any other body of gentlemen who would be willing to accept the thing as a gift.

The Welland Canal was begun by a subscription of stock to the extent of \$150,000. Before it ended the enormous sum of \$6,620,000 was spent in its construction. I do not contend that the cases are parallel; there were circumstances in each case to render the works much more formidable than anything that is completed at St. Peter's; but I refer to these instances, to shew the whole unreliability of canal estimates; and I undertake to tell the house that nobody need expect to come out of this scheme under \$200,000. But the government are determined to commit the house to it; and if so, we may as well look the expense steadily in the face, and prepare for it. Let us then assume we have to raise the amount, how can it be done? By debentures alone; and this will throw into the market well on to \$200,000 more of debentures.

Next we find an additional liability to be assumed for Mabou or Port Hood wharf. What this may be we, on this side of the house, have as yet no means of knowing. Indeed but for the sudden revelation which flashed upon us the other day, when one of the hon. and learned members for Inverness complained that it was not in the estimate, and expressed his fear that the promise privately made would not be redeemed, we should have been ignorant that any such expenditure was intended. But now that the hon. gentleman has had the private promise, publicly acknowledged, we may prepare for another expenditure in that quarter. That it will be of no trifling magnitude, is clear; but with the obscurity that surrounds it, we cannot undertake to say what is its extent or merit.

Next in order comes the scheme for aid to the railway to the borders of New Brunswick. The proposition is that we shall give 4 per cent. or £10,000 a mile for twenty years. This is equivalent to an annuity for 20 years of \$120,000; and the proposition as made to us—the

proposition as this house, if it passes this resolution assents to it, is that either party is to have the option of capitalizing this annuity; and that, too, taking both propositions together, not on the terms of paying in debentures what the annuity is worth, but paying a principal sum which shall yield an interest equal to the amount of the annuity; leaving it to the company to be formed, to pay off the principal sum out of a sinking fund to be instituted by them for that purpose. It is quite true that the government declared they do not intend to allow the capitalization to be made on that footing; it is quite true that they have said they will not even give the contractors the option of capitalizing at all; and further, that they will not capitalize under par value; but when they make these statements, they are not accepting the proposition; and yet, while they do not accept it and declare they will not accept it, they ask us to pass a resolution to empower them to do that which they say they have no intention to do. But whether they capitalize, or not, they are to take stock to the extent of \$400,000, for which they must issue debentures, and these debentures must be put in the market. If they are sold, of course they will affect the saleable value of the debentures for the Pictou road; and whether they are sold or not, the very fact that this amount of debentures is to be thrown into the market—or is liable to be thrown into it—will reduce the value of the other bonds. If this proposition stood alone, it would be difficult to bear the burden of it; but when it is accompanied by another proposition, equally burdensome, it is impossible to contemplate the position without fear and apprehension. Indeed, it would seem that the twin scheme is looked upon with even more favor than the New Brunswick proposition. On the 23rd November, Mr. Levesey's proposition was before the government. It had been before them for weeks; yet the government do nothing. Connexion with New Brunswick and the United States may be secured by accepting the offer; but it is not accepted,—and from that day to this no sign is made, no council is held, no minute passed either accepting or rejecting the proposition. It is quite otherwise with the Annapolis scheme. A constituency is vacant—a member has to be secured—and forthwith a council is convened, and a minute passed, and the government pledged—and the house controlled, so far as that pledge controls them—to build the Annapolis road.

Now let us see what this involves—4 per cent on £6000 a mile, or 80 miles, is equal to \$76,800 a year, and there is the same option as to capitalization. And as in the North so in the West an additional liability is to be incurred. The Avon is to be bridged, and the Government are to bear the cost. This we have no estimate for, but the Provincial Secretary put it at \$160,000. I don't pretend to be an Engineer, but judging from the width of the river, the character of its approaches, the nature of the foundation, nobody need be astonished if it should cost much beyond \$200,000. And for this sum debentures must issue, and these again will act upon the debentures for Pictou and affect their value in the market, and increase the cost of the Pictou Road. Now let me group all this together:

	Annual debt.
We shall have to pay for the Pictou road.....	\$150,000
Cumberland road.....	144,000

Annapolis.....	76,800
Avon Bridge.....	12,000
St. Peter's.....	12,000
	<hr/>
	\$394,000
Less 4 per cent. guaranteed on stock taken on road to N. B., 400,000..	16,000
	<hr/>
	\$378,000

So that for these liabilities, when completed, we shall have to provide a Revenue of nearly \$400,000 a year. But this is not all. We borrow money, which we ought not to have borrowed, to erect a building in Halifax which is to cost us £30,000. We borrow, to be sure, from the Savings' Bank, and to pay only 4 per cent, but this will entail some \$5,000 additional for interest. So that if this added to the other sums, we may fairly put our whole burthen at \$400,000 a year, and this to be paid all by new taxation. True, the Prov. Sec'y says that we may count an additional revenue from the Railroads as reducing the charge. But we are already counting \$50,000. The Finl. Sec'y has taken credit for that amount this year. In 1863, the whole yield was \$22,000 or thereabouts. In 1864, very little more, and it is beyond reasonable probability that will yield \$50,000 in 1865. But if, when the roads are completed, there is a larger yield, it will arise from a larger traffic, and just in proportion to the traffic will be the wear and tear, and the time is at hand when necessarily the permanent way will require to be renewed, and all that we can obtain, and more, will be required for that service when it has to be done.

Now, Mr. Speaker, I believe I have not overdrawn the picture. It is not very wise to present the state of our public finances in a gloomy aspect. I have great faith in the character of our resources; I think that with fair play, we can cope with a large burden; I believe, too, that if depression come, we may feel it severely for a while, but in time we shall rally again. But if the prospects of the incoming year are such as I have described them—if we have no reason to hope that our revenue will meet the amount already voted away, and if the necessity of preserving the public faith intact is a paramount consideration—if we are committed to the Pictou contracts, and must find the means to pay at whatever cost,—I have seriously to ask this House whether they ought not to pause before committing the country to those enormous additional responsibilities. Three years ago the country was disturbed from one end to the other, lest taxes should be imposed to meet a temporary deficiency, the interest of which would only be about \$3,000 a year. And yet the gentlemen who raised that cry, and who made the people believe it, are not only enormously increasing the ordinary expenditure, but adding a debt which must be provided by new taxes, to the incredible amount of nearly \$400,000 a year. He asked the Government to give themselves a year to breathe, and see what the prospects were. In all probability nothing could be done for one year, even if they passed the resolution. New Brunswick was hardly in a condition to incur additional liability, and if it were, he had reason to believe that the favorite project there would be western extension. The people of that Province were deeply interested in connecting their railway system with that of the United States, and were not perhaps so

anxious to extend that connection east of their own metropolis. At all events there was good authority for believing that a gentleman exercising much influence in the present Government of New Brunswick, without whose aid it could hardly exist, stood pledged to support no Government work. If this was so, New Brunswick, clearly, could do nothing more, and any hopes of connection between her rail road and our border might be given up for the present. If then to press this resolution could do no good, if the only effect of pressing it would be to do mischief by operating upon our Pictou loan, and depressing it, he asked the government whether as men of ordinary prudence, it was not their duty to accept the suggestions that were offered from this side of the house, and not needlessly imperil the public credit or embarrass our finances?

He felt that as a member of the opposition he had no particular responsibility in this matter. It was the duty of the government to be satisfied of its ability to cope with the enterprises it originated; but, as a public man, owing a public duty to his constituents and the province, he had raised his warning voice, and felt that, whether it was listened to or not, he had done his duty; and he wished and hoped the government would receive his suggestions in the spirit in which they were offered.

One word more and he would not detain the house further. Many gentlemen had appeared to be in great dread of confederation from the increased taxes that might be imposed. Whether confederation would or would not result in that, he would not stay now to ask; but he was curious to see whether these gentlemen, who were frightened at imaginary taxation, were willing to subject themselves to a real taxation exceeding the wildest flights which the opponents of union had ventured to assume as the result of confederation. If we were willing to bear these taxes—if we were willing to rush into them when no necessity pressed us,—then he could not but feel, and he did not say it offensively, that the dread of taxation was mere hypocrisy, and those who used that argument would show their insincerity by voting for this resolution.

Hon. FINANCIAL SECRETARY replied: I cannot pretend to have so long a familiarity with public accounts as the hon. leader of the Opposition, nor to possess the financial ability of that hon. gentleman; but I think I shall be able to show that the premises on which he founded his statements—statements which, if true, would justly create serious uneasiness in this country—are entirely baseless. I have no hesitation in saying, that the facts and figures in the possession of the hon. member (which were as full as it was possible to procure for him) were sufficient to convince him that his statement was entirely fallacious. He started with the assertion that in the preparation of the estimate which I laid on the table there was the large sum of \$82,000 placed to our credit which did not belong to it. He was good enough to insinuate, if he did not assert, that I was so incompetent to discharge my duty as to allow the sums borrowed from the Savings Bank, and the amount of Provincial Notes issued by the Receiver General, to go with the general account without giving credit in the estimate. Now if the hon. member had taken the trouble to look at the paper in his hand, he

would have found that he is entirely inaccurate. By the Receiver General's account, it appears that the sum of \$40,000 was issued in Treasury notes, and an amount of \$42,000 was borrowed from the Savings' Bank. The Treasury notes were issued on the authority of the House, in connection with the new Provincial Building, and \$42,000 was borrowed towards the construction of the Pictou Railway. The sum of \$143,000, which I show is the balance in the general treasury for my disposal, is totally independent of the \$32,000 in question. In the Receiver General's account there is paid for the Pictou Railway \$21,000, and the balance is brought up as outstanding liability against the Province, as a glance at schedule B of the estimates will show. Then there is the sum of \$40,000 of treasury notes. By an Act passed in 1863, the Government were authorised to issue Province notes not to exceed \$40,000, and to take from the Savings' Bank a sum not to exceed \$60,000 for the purchase of the lot known as Hare's lot, and the erection thereon of the public building now in course of construction.

In accordance with this authority, the lot was purchased, the building contracted for, and up to the 30th Sept. last the account of that building with the Province stood as follows:—

From Savings Bank in 1863.....	\$36,000
New Notes in 1864.....	40,000
	\$76,000
Paid for Land.....	\$39,644.30
On acc't of building in 1864... ..	6,116.45
	45,760.75

Leaving a balance of.....\$30,239.25 being the amount brought up as a liability against the Province, as the hon. gentleman would have seen at a glance had he taken the trouble to consult the papers which have been under his hands for weeks—before attempting to prejudice the government by statements entirely without foundation and greatly calculated to mislead those not having the ready access to the public accounts which the hon. gentleman can command. The hon. member then proceeded to question the soundness of the estimate for the present year, and compared the receipts of the past two quarters with those of last year. The house will recollect that the actual custom's receipts were \$999,000. Now I have before me the contingency of a revulsion of trade—the probability that in view of events transpiring in the United States there might be a serious reduction in the revenue received from our imports. Therefore I estimate \$79,000 less than was actually received last year. There is nothing that I can see in the circumstances of the country—apart from any great convulsion of trade that nothing at times can prevent—to warrant us in coming to the conclusion that the year is not to be a prosperous one in a commercial and financial point of view. We see in the island of Cape Breton which is making such rapid progress in all the elements of prosperity, immense sums of money are being expended for the development of its resources and the construction of the Railway. Under such circumstances the people in that section must be better able than heretofore to buy largely of dutiable goods. We have the assurance that capitalists are ready to expend an

enormous sum of money in proportion to our population in the extension of our lines of railway. Again, the Province is going on with the construction of the Pictou line. According to the hon. member we are this year to expend a million and a half of dollars among our people in connection with this work. All these facts show that there will be a large amount of money in circulation, and as the people will buy in proportion to their ability to pay, the consumption of dutiable articles must largely increase with the increased circulation of money. Therefore, apart from the general favorable condition of the country, I think, under all the circumstances, no man is justified in saying, that for this year at all events the ordinary receipts from our ordinary sources of revenue are to be largely reduced. I am not, however, obliged to deal in mere generalities on this point. I have, on a previous occasion, shown that in the first quarter of this year we had received over \$100,000 in excess of the same quarter last year; now we have another quarter gone by, the one ending in March. The revenue for that quarter is \$129,000, or an increase of over \$20,000 on the same quarter of last year. I can also state to the house that I had the assurance of gentlemen who can best speak as to the prospects of our revenue for the present quarter, that they are most favorable, and that, in fact, there will be an increase in the receipts over the same quarter of 1864. Under these circumstances I don't think the hon. gentleman was justified in drawing the alarming picture he has of the state of our affairs.

The hon. member went further, and charged the Government with recklessness in spending large sums of money. He complained that he had not the liabilities to the end of the year at hand,—that it was impossible for him to get at the exact condition of our financial affairs, and thereupon assumed that the expenditures were largely in excess of the receipts. My hon. friend from Richmond, when Financial Secretary, estimated largely in excess of the actual expenditure, and the paper which I hold in my hand shows that on the 30th Sept. the Receiver General had paid on the estimate of my hon. friend an amount very much less than the estimate.

Supposing the total expenditures to be as stated, yet the hon. member will find that the financial condition of the country is sound, and that there is no reason whatever why the country should be in the slightest degree alarmed as to its ability to meet the obligations it has incurred. The hon. member attempted to cause alarm respecting the sale of our debentures. Every man who has the interest of his country at heart must deprecate the attempt to prejudice the public mind in connection with the position which our debentures occupy in the market. I have reason to know that the discussions which have taken place in another branch of the Legislature have already deterred men from investing in these bonds to the extent they intended. Before an hon. gentleman endeavored to create mistrust and prejudice on the public mind in this respect, he should have at least grounds for so doing, and I for one cannot see that he has any. He is altogether in error in estimating the expenditure on the railway to be one and a half millions during the present season. I have reason to believe that the expenditure will be between 700 and

\$800,000, and that there will not be any serious difficulty in obtaining the money required.

The hon. gentleman next stated that the adoption of the resolutions on the table would impose upon the country an additional burden of \$400,000 per annum for Railway interest; and on giving us his assumption that \$800,000 will hereafter be the highest amount on which we can calculate as revenue receipts, he concludes that we shall not be in a position to meet the increased demands upon our revenues. Now, sir, I assume that our revenue for at least a few years to come, will not be materially less than at present; and I found the estimate upon the increasing trade of the country, which I have before endeavored to show the house, must inevitably be the result of the large expenditures now being and likely hereafter to be made on our public works and in the development of the mineral wealth of the country. The hon. gentleman has altogether ignored this view of the question, and also the not only probable but inevitable increase in our casual and territorial revenue. We must also consider the very large increase which must take place in the earnings of our present railways on the completion of the contemplated extensions, east, north and west. Now it must be evident to the house that every coal mine opened not only represents the capital invested in its development, but gives annually an additional revenue in proportion to the extent of its shipments—just as every additional mile of railway built in connection with existing lines will throw a large additional traffic on the government work. The receipts on our roads are even now largely increasing, as every month's return shows—and I shall be much mistaken if the receipts this year will not amount to \$200,000 as against \$168,000 last year. I assume, therefore, that I may safely ask the country to base the revenue for a few years to come on the estimated revenue for the present year—and on that assumption it will not be difficult to show that even without resorting to the expedient of raising our present tariff the additional burdens could be met, and all the substantial interests of the country subserved. Indeed, was I inclined to rely upon such authority alone, I need only quote the speech of his friend the hon. member for East Halifax, who, in a speech delivered in Temperance Hall, when his object was not to depreciate the resources of his country, proved to a demonstration—if his figures be accepted as of any value—that the country could safely undertake the work contemplated by this resolution without seriously encroaching upon the other essential services of the country. The hon. gentleman has even stated the liability which the adoption of these resolutions will entail—the amount being \$312,000 with the interest on the cost of construction of the Avon bridge. This estimate will give the following result:—

Estimated Revenue for 1865..... \$1,307,927

Liabilities.

Present Railway Interest.....	\$240,000
do for N. Brunswick line.....	112,000
do for Pictou line.....	120,000
do for Annapolis line.....	81,600
	\$553,600
Civil List.....	63,205
Criminal Prosecution.....	1,600
Crown Land Department.....	14,000
Coroners Inquests.....	1,400

Revenue expenses.....	61,000
Judiciary expenses.....	1,400
Poor Asylum.....	8,000
Rations to Troops.....	100
Steamboats and Ferries.....	11,000
Militia.....	20,000
Postal Communication.....	58,750
Return Duties.....	66,000
Education.....	127,000
Indians and Relief.....	1,300
Public Printing.....	8,000
Gold Fields.....	12,000
Agriculture.....	6,000
Railway expenses.....	120,000
Statistics.....	3,000
Legislative expenses.....	45,000
Relief of Poor.....	8,000
Navigation Securities.....	8,000
Public Works.....	90,000
Miscellaneous.....	6,000
	\$1,244,455
Present ordinary Road Grant.....	160,000
	1,404,455
	96,528

Leaving a balance of only \$96,528 to be made up from the increased receipts upon our railways and on the revenue derived from our coal and gold mines—or if necessary by a small addition to our tariff, which would not be felt by the people, and which they would willingly grant on advantages to be derived. It was never contemplated by any one party in this house that our public works could be largely extended without somewhat increasing our tariff, at present the lowest in America; but it is not necessary that I should now enter on that subject. One word now, sir, as to the propriety of a gentleman occupying the position admittedly occupied by the hon. and learned gentleman from Colchester, as a financier, for any purpose attempting against the facts of the case to depreciate the financial position and character of the country at a time when it is the duty of every man to further and sustain its credit. That hon. gentleman's position and talents give even false and erroneous views and assertions when propounded by him, a weight and consideration which would not otherwise attach to them, and he will be held responsible by the country for allowing his eagerness to embarrass the government to betray him into the hasty and inconsiderate statement of facts either utterly baseless or founded on mere speculation, but which may, notwithstanding, coming from such authority have a tendency to injure the public credit. His calculations to-day, sir, are somewhat on a par with those by which in 1859 he proved so conclusively that the Pictou Railway could be built at a cost to the Province of £6000 a year, and, I am sorry to say, are not a bit more reliable than that celebrated financial statement. I have thus shown that the hon. gentleman's attempt to impugn the correctness of the estimates on the table have utterly failed. I have attempted, and I think with success, to show that the large expenditure of the Government for the present year is founded upon well-considered and safe calculations of our resources, and that Mr. Archibald's attempt to play the alarmist is due rather to his desire to embarrass or injure the Government than to any fear of financial embarrassment on the part of the men who did not hesitate to embrace the Quebec scheme of 1862 for the construction of the Intercolonial Railway.

I can only say, for my own part, if it was at

all apparent that the construction of these railways was to impose burthens we could not bear, I would hesitate before adopting the resolution. No man in this country, however, can deny that, if we are able to obtain the connection with St. John, and with the railway system of the continent, we shall gain vast commercial advantages. The increase in trade will soon counterbalance any additional burthens that we may impose upon ourselves. Railways make trade wherever they pass, and no one can doubt that a road to the fertile counties of King's and Annapolis would be not only a great boon to the people of the west, but create an ultimately remunerative traffic. In due time a trade would accumulate that would repay handsomely the Province for the expenditure it might incur.

THURSDAY, APRIL 20.

MR. TOBIN said that for the last few years so much had been said upon the question of Railroads, it was impossible to bring forward anything new on the subject. There were a great many things in the speech of the hon. leader of the opposition, to which he would have liked to refer; but as he perceived that he was not in his place, he should refrain from doing so. If the present position of this country were contrasted with the condition of affairs a few years ago, it would be found that from some cause or other, whether from the construction of railroads or the spirit of commercial enterprise, or the gradual expansion of trade, the Revenue had swelled to an extent beyond the expectation of the most sanguine. He had taken the trouble a year ago, when it was proposed to extend the railroad to Pictou, to look into the question, and to contrast the state of our Revenue then with what it was before the railway system was inaugurated, and what did he find?

(The hon. gentleman here said that he had mislaid the memorandum of figures he had prepared; but speaking from memory) the Revenue, which in 1851 amounted to £102,632, had swelled in 10 years (1861) to over £281,000, and this year the Financial Secretary estimates it at over \$1,300,000. So it will be seen that since the construction of railroads has been commenced, that the trade of the country has increased—labor has been multiplied,—and the expenditure of the Province has been kept within its income. He had prepared a few calculations as to the amount of liability annually imposed upon this country by the construction of these public works, and first as to the two links already completed to Truro and Windsor. Some hon. gentlemen wished to leave these where they were; but that he never could assent to. He believed that they never could be made properly remunerative until they tapped the waters of the St. Lawrence on the one hand, and the Bay of Fundy on the other.

In approaching this subject, he wished to do so in a spirit of fairness and candor. He did not wish to state the liability we would be called upon to assume at a dollar less than it really would be. For many years we have spent large sums of the public monies in constructing mud roads. This session, over \$250,000 has been voted for that

purpose. And yet it is argued by some, that altho' the Province can afford to do that, she cannot undertake the construction of the e public works, which will add so much to the wealth and material prosperity of the country.

To return, however, to the subject of liability—he found that the Province had issued debentures to the extent of a million of pounds for the construction of the lines to Windsor and Truro—this involved an annual liability of £60,000 for interest. No difficulty had ever been experienced in paying that interest—the Province had always been prepared when called upon to meet all demands, and certainly she was in a better condition now, than when railway construction was commenced. Then again, we have, after some delay, undertaken the construction of the line to Pictou—the propriety of that extension has always been admitted, and it was only a question of time as to when the finances of the country would admit of its being undertaken. The estimated cost of that work is £500,000, which will impose an annual liability of £30,000. That liability, however, will not fall upon us immediately; but will be extended over three years, as the work goes on—and as the business of the country would also go on increasing, there is no doubt, that there would be no trouble in meeting these obligations. The Government now propose to subsidize any company to construct the line to the borders of New Brunswick—which is estimated to cost £400,000, when capitalized, involving an annual charge on the Revenues of the Province of £24,000 a year. It is also proposed to extend the line to Annapolis. Last year, a resolution was passed by the House, offering any company that would undertake to construct the line, a subvention of 4 per cent. on £6,000 per mile. It appears, after a lapse of a year, that no company is willing to undertake the work, unless the Government will build the bridge over the Avon—that bridge is estimated to cost £40,000. The cost of the Annapolis road, at £6,000 per mile, will amount to £50,000—if that is capitalized at the same rate of four per cent—it will give £20,400 annual interest to be paid by the Province.

Then again, take the cost of bridging the Avon—the hon. leader of the Opposition undertook to question the accuracy of the estimate—but the only means of judging, was from the report of the Engineer, and he did not think that the Government had any motive or desire to conceal from the country the real cost of the work—the interest at six per cent upon the cost—as estimated by the Engineer, will be £2,400 a year.

It appears that Mr. Leversey on behalf of the International Contract Company, has offered to construct the road to the borders of New Brunswick, provided the Government, or the City of Halifax, take stock to the amount of £100,000. The Government, probably looking at all points of the political horizon, have come to the conclusion that they can manage to get the city to assume that amount of stock. He (Mr. T.) was not going to discuss that question just then—but he thought it would be wise before they passed any law to make

the city liable, that they should have the agreement drawn up and the bond signed. He believed that if the proper papers had been signed by the properly constituted authorities, there would have been no difficulty—but the members of the City Council felt that they were not bound by any loose expressions or pledges made by some persons at a public meeting in the Temperance Hall, and which never had been ratified by any resolution of the City Council. These are the views of many of the members of the City Council, whether correct or not he was not prepared to say. If the city of Halifax, took stock to the extent of £100,000, she would receive from the Province four per cent. If the Province took it—they would have to pay 2 per cent more. All these sums added together, would give a total annual liability of \$578,700, which the Province would have to pay after the whole of these works were completed—representing a debt of \$9,645,000; but this of course would not accrue at once, but would be spread over a number of years. This appeared a pretty large debt for a population of about 350,000 people, amounting to about \$1.65 per head.

Mr. LEVESCONTE.—Have you taken into consideration, that the Province only guarantees the amount for 20 years, and that it will not be a permanent debt.

Mr. TOBIN perfectly understood that the liability would cease at the end of twenty years—on the extension to Annapolis, and New Brunswick.

Mr. LEVESCONTE.—It does not require as much money to capitalize a sum for 20 years, as if it was for ever. He thought the hon. member had made this mistake.

Mr. TOBIN had made no mistake whatever.

He had also included the St. Peter's Canal in his calculations, which he had put down at \$125,000. He had also taken the trouble to make another little estimate of the indirect advantages which had been derived from the construction of the two short lines of railroad to Windsor and Truro. He found upon looking over the returns of 1863 that there were 110,137 passengers carried over the road and 56,471 tons of freight—9,784 free passengers and 1,192 had season tickets—then take into consideration the time saved in travelling—a farmer leaving Windsor for Halifax by the old route, would have to stop at the various places of call on the road, each one costing him something, and by the time he had completed his business to Halifax, it would be several days before he could get home again—whereas now by the railroad, he could transact all his business and be back in two days.

He put down time saved at \$99,161—saving in freight as compared with the cost of transportation over the ordinary road at \$282,355—free passengers must have saved in time—at the rate of \$2 each \$19,568—season tickets, these are chiefly used by parties who have opened up a number of works along the line, such as slate quarries—powder mills—ice houses—he would put down the direct advantages to the parties at \$5 each, which would amount to \$5,960—then add the amount of net proceeds received according to the Commissioners report, \$149,647—42 making a total of

\$556,718,42-100 while the amount of interest, the Province will be liable for, after the completion of the entire lines, will only be \$578,700. Therefore, in view of these calculations, he thought it would be the best thing to go on with these works, even if we had to run some risk. It was true that the obligations they were about to assume were heavy, but he believed that the revenue and resources of the county would increase to such an extent as to meet every liability that they were about to incur.

No one could deny but that it would be a great advantage to this country, to have direct railway communication with the whole continent of America, and if New Brunswick has determined to construct her line to the borders, it surely was the duty as well as the interest of Nova Scotia to connect with her, and thus open communication with Canada and the United States of America. It was well known that people who travelled abroad, had a great repugnance to sea voyages, and no doubt if these lines of railroad were completed, travellers from Canada, New Brunswick, and the United States, would come to Halifax, to take passage to Europe, and thus increase the passenger traffic and consequently the remunerative qualities of the road.

They had all been accustomed for years to build great hopes upon the construction of the Intercolonial Railroad. For his part he must confess that but as a means for the consummation of a Union of the Colonies he had no great faith in it. As a commercial speculation it would be years before it could pay. As a national work however it was a matter of great importance, and as a means of transporting mails and passengers it would be exceedingly valuable. At present the mails and passengers have to be transported through Boston by sufferance. Suppose any disturbance should take place between England and the United States and that should happen in mid-winter, and it would be necessary to land the mails and passengers, it would take ten or twelve days to transport them over land to Canada.

Unless this line is continued, and the contemplated union takes place, he had serious doubts whether Canada would long remain in her present position as a province of British America. She must have an outlet to the sea. He read a speech the other day of Sir Etienne Tache in which he said, that unless acrostic science was more fully developed, Canada could not reach the sea by ballooning. However, it is quite certain she cannot remain much longer in her present position. He could not help regretting that Nova Scotia and New Brunswick should be so unpatriotic in a matter of such national and paramount importance as this, as to talk about dollars and cents, that they should be so unpatriotic to the mother country who had spent so much for their defence, as to refuse to make even a small sacrifice for the purpose of helping her to maintain her power on this continent.

He must confess that his views rather went with the member for Yarmouth in his idea that the Government ought to retain the control over the trunk line to New Brunswick, but if there was

any doubt as to whether New Brunswick would build her line to the border, if there was any danger of any difficulty occurring, he was willing to agree to this proposition, rather than run the risk of the line not being built.

On the subject of the Intercolonial railroad he would say that if built by the United Provinces, even if it remained unremunerative for a while, it would not bear too heavily upon the revenue, because when all our revenues are combined we would be in a better position to bear the burden than we are now. All the revenues would go into the common treasury, the public works would be of such a nature that the combined means of all the Provinces would be sufficient to sustain them. It appeared to him surprising that hon. gentlemen in discussing the question, appeared to think that Nova Scotia was always going to be Nova Scotia, they forget that they would all be British Americans—all our people would be associated together for business purposes, with one code of laws, one currency, one system of custom duties.

But he would not say any more at present, about the union of the colonies. The hon gentleman concluded by recapitulating the advantage Nova Scotia would derive from the extension of railway communication, if providently and economically carried out.

Mr. MILLER said, he did not intend, at that period of the session, to weary the house with any lengthened remarks upon the subject then under discussion. The resolution before the house proposes to grant from the public treasury, as a free gift for the next twenty years, the sum of four per cent. on \$40,000 a mile to a company to complete railway connection between Truro and Moncton, and the further sum of four per cent. on \$24,000 per mile to extend the railway from Windsor to Annapolis, not including the Avon bridge. This resolution will, therefore, add to the burthens of the country about \$23,000 for the next twenty years.

It would be in the recollection of the house that when this question was brought up last year, and the subvention resolution was moved by the Provincial Secretary, he (Mr. M.) moved a resolution, by way of amendment, to this effect:—

“Whereas, The revenue of this Province is now burthened with a liability of about £60,000 annually for interest on the money invested in our existing lines of railway.

And whereas, The Act of this Session, providing for the construction of the line to Pictou, will entail a further charge of at least £25,000 annually.

Therefore resolved, That it is unwise, at the present time, to pledge the public credit to the extent required by the resolution before the House.”

That amendment, he regretted to say, was lost by a large majority, and by the votes of many whose duty it was to have sustained it. It was true, that the impression prevailed at the time, whether rightly founded or not, that although the subvention for the Annapolis line was included in the original resolution, there was no serious intention of carrying it into effect; and some of those who voted for it might have been influenced by that idea. Whether that was a sufficient excuse for the action of any hon. gentleman upon a question of such magnitude as this, was not for him to say. If any such consider-

ations controlled the votes of any members of the house last year, he trusted such would not be the case on the present occasion, and that the people's representatives would consider well the consequences that would flow from the vote they were about to give—a vote which must add enormously to the taxation of the country. When he looked at the conduct of the gentlemen who were now conducting the government of this country—when he observed the reckless extravagance of their general policy, and contrasted it with their retrenchment pledges, and the course they pursued a few years ago, when in opposition—especially with regard to railways, he was inclined to look with much suspicion and distrust upon their present action on this subject. What had produced a change so startling and extreme? If the government then in power had endeavoured to fasten upon the resources of the province the liability which is now sought to be imposed, those gentlemen would have raised a howl of indignation throughout the whole country. He was curious, therefore, to enquire into the causes which had led to this sudden change of policy. To his mind there was only one satisfactory solution of the inconsistency of the administration, and their apparent desire to plunge the country inextricably into debt. They all knew that the members of the present government were heart and soul wrapped up in carrying to a successful termination the confederation of the British North American provinces, and that hitherto the most powerful argument used by the opponents of that measure was the increased taxation it would involve, and the necessity of raising our tariff from ten to twenty per cent. Now, if they succeed in embarrassing the finances of the country, if they succeed in burthening our resources with the enormous debt the resolution on the table of the house will entail, so as to compel us to increase the taxation of the people by doubling our tariff, they, at the same time do away with one of the principle objections to their pet scheme of confederation. It was hard to fathom the motives of these gentlemen, but it was clear they were not governed by a prudent regard to the best interests of the country. Perhaps, also, a desire to secure the political favor of one or two western counties has something to do with the extension to Annapolis. These were the only motives that suggested themselves to his mind for the reckless course the government were now pursuing on this question. When this subject was discussed last session he had endeavored, feebly no doubt, but to the best of his ability, to urge his views against the policy then under consideration, because he keenly felt its injustice to those he represented. All he could say then had no effect in deterring hon. gentlemen from the headlong course of extravagance they seemed determined to pursue, and he supposed anything he might say now would be equally useless and unavailing. He did not intend to go into financial matters, which had been so ably treated by the learned leader of the Opposition—but he thought that any one who listened to the arguments of that hon. member—with a sincere desire to arrive at a correct conclusion—could not fail to be convinced of the correctness of the views he enunciated, and the wisdom of the course he advocated. That hon.

gentleman, with his usual ability had so clearly justified the attitude of opposition he had assumed to this resolution, and shown it to be the duty of every man who regarded the credit and welfare of the country to oppose it, that it was unnecessary to go over the same ground. He could not, however, refrain from alluding to the impropriety of the course pursued by the government, in delaying the consideration of this important question—the most important, financially, that had engaged the attention of the house—until this late period of the session, when some of the members had returned to their homes, and there was no probability of its receiving that attention its importance demanded. Too much of the business of the house was done in that way. On the subject of railway extension, he would say that if the province was justified at all in entering upon any further expenditure, the line to the borders of New Brunswick, to connect with the railway system of the United States, should be the first to receive consideration, and he was not prepared to say if that had been proposed by itself, whether it would have received his opposition, provided he could be convinced the country could bear the burthen of its construction without injury to other important services. But there certainly could be no doubt that the finances of this province would not admit of the construction of both lines at the same time even if they were admitted to be necessary to the public convenience. With regard to the Annapolis line he could only look up it as an accommodation to one or two counties at the expense of the whole province. Party necessity or political expediency might secure its construction, but those who helped to place this liability on their constituents would yet have to meet a day of reckoning. The Finl. Sec. endeavoured to shew in supporting the Railway policy of the government that certain services could be cut down, some of them of the most vital consequence to the country. Thus admitting that we must hereafter either lose our public grants or be more heavily taxed. He thought that if there was no other reason for opposition if the Finl. Secy. was obliged to admit that he could not expect to meet this expenditure, without depriving them of some of the most essential services the province required, that of itself ought to be sufficient reason to deter gentlemen from voting for this resolution, and he begged them to be warned in time. He had promised not to make any lengthy observations and he should not do so. He had risen principally to make these explanations in consequence of the position he had taken last year, and because the remarks he then made had not been reported. He would ask gentlemen from all parts of the province, and particularly these representing the more remote sections, whether they were prepared to assume the enormous liability this resolution proposes,—a liability which would cramp our resources, and weigh upon the industry and energies of our people for the next twenty years. He for one was not prepared to do so; and in voting against the resolution he considered he was acting with a due regard to the interests of the whole province, and those especially who had elected him as their representative. The adoption of this policy, it was admitted, would lead either to the increase of the tariff or the reduction of

those grants which have been always considered essential to the interests of the country. Their constituents might not complain until they experienced that result; but when railway interest had absorbed all the revenue, and nothing was left for roads, schools, navigation securities, or other services, gentlemen around these benches would then hear their reproaches. Instead of diminishing the grants to these sources as intimated by the Financial Secretary, he contended they should be increased from year to year with the increasing wants of the country. In that view of the case, then, he did not think it was wise or prudent, but on the contrary the most reckless folly, to incur this heavy expenditure. He would be ashamed to show himself among the people of Cape Breton, who are already so largely taxed for railways in Nova Scotia proper, from which they derive little benefit, if he voted for this resolution. He could be guilty of no greater injustice towards them than to add so largely to the railway burdens they now so unjustly bear. In comparison with this question every other of a financial nature before them this winter was simply insignificant, and no small considerations should influence the course of gentlemen in regard to it. The hon. member concluded by referring to the haste with which this measure was pressed through the house. It took years before the Pictou railway bill was placed on the statute book; and here they were asked with scarcely any discussion on consideration, to pass a measure involving an annual liability of something like \$230,000, in addition to \$360,000 which they would at least have to pay on the completion of the Pictou road. He trusted that gentlemen would pause before they committed themselves to this measure, and would, at all events, wait until the Pictou road was completed before they incurred fresh liabilities—which he was convinced the province was not at present in a position to assume.

Mr. BLANCHARD said that he did not agree with the member for Richmond in his idea, that the government in introducing this measure were influenced by a desire to assist the confederation scheme. In his judgment, the government, by taking this step, had put confederation out of the question for at least 20 years to come. When these proposed lines of railway are completed, the debt of Nova Scotia will amount to \$11,085,000; and if he understood anything about the terms agreed upon at the Quebec Conference, the Province was to be admitted into the Union with a debt of \$8,000,000—anything beyond that was to be borne by the Province individually—and would have to be raised by direct taxation. Therefore he could not see that the government were serving the best interests of confederation by the introduction of this measure. At this late period of the session, when most of the members had returned to their homes, and those who remained were not in the humor to listen to long speeches, he did not intend to address the house at any very great length, but he would refer, shortly, to some of the remarks made by the honourable Financial Secretary. That honourable gentleman stated that he based his calculations upon the assumption that the revenue for this year would be the same, if not larger, than the last. On a former occasion he (Mr. B.) had made the assertion that at no time did our

commercial prospects look more gloomy than at the present—and he had appealed to the hon. members for Richmond and Halifax to say whether he was right. Neither of these gentlemen had ventured to endorse the statement of the Financial Secretary, because being engaged in trade themselves they knew his anticipations of an increased revenue were without foundation. According to the calculation of the member for Colchester (Mr. Archibald) an additional burden of \$400,000 a year will be placed upon the revenues of the province by the resolution now under discussion. The member for Halifax (Mr. Tobin) makes out that the whole debt will be \$11,085,000, and he calculates the interest at \$500,000. How he arrived at that conclusion he (Mr. B.) was at a loss to imagine; it certainly was not at six per cent. By his own calculations he made out the yearly liability to be \$665,000 on the debt as stated by Mr. Tobin, and this, deducting the present debt, just agrees with Mr. Archibald's estimate. He would ask the house whether they were prepared to assume an additional liability of \$400,000 per annum for twenty years; to come? If the Financial Secretary can demonstrate that the financial condition of the country will bear that enormous burden, he should be surprised indeed. How, he would ask, could the members for Cape Breton go back to their constituents and justify themselves for voting for this resolution which will put £20,000 additional every year upon them. The great cry in that island always had been that Nova Scotia swallowed up the whole revenue, and did not return to Cape Breton a fair share of what she contributed. He for one could not go back to his constituents and tell them that he had consented to put £20,000 more upon them to build a railroad to Moncton and Annapolis. The hon. member for Victoria (Mr. C. J. Campbell) denounced the resolution introduced last year, in the strongest manner, in pretty much the same terms as he was then doing; but the resolution of last year sank into utter insignificance when compared with those now on the table. When it was considered that the Pictou railroad was going to cost £100,000 more than was anticipated when it was commenced, he did not envy the man who undertook to justify to the people of this country the increased expenditure which it was proposed to make. He would be the last man to say, that upon every public question, a representative was to be bound and influenced solely by the views of his constituents. It was his duty to regard the interests of the whole country, but still, in a question of this kind, it was proper that he should consider whether he was justified in imposing this additional burden upon them. Any one who took the trouble to look into the statistics on the subject will find that Cape Breton paid into the revenue, for loyalty on coal, \$29,000, being ten thousand dollars more than Nova Scotia proper, and yet this money is to be expended for the construction of a railroad to the western part of the province. The Finl. Sec'y appeared to think that the large expenditure which is going on in Cape Breton will tend to increase the revenue. He (Mr. B.) did not think that there was much in that argument. If any reduction took place in the price of agricultural productions, she would lose more than could be made up in that respect. Cape Breton sent

to market, in 1863, a million of pounds of butter; upon that article alone, if the price remains as it is, which is about one half of what it was a short time ago, she will lose \$125,000. The advantages derived from the expenditure of capital in Cape Breton will be more than counterbalanced by the loss she will sustain in the price of agricultural productions. The Finl. Sec'y admits that we will incur a liability of \$323,000. Now he would ask the house to look these figures in the face. He would ask the members for Cape Breton if they were prepared to assume a liability of \$323,000 in addition to the sum already borne by the revenue?

The Pro. Sec. says the tariff must be increased in order to provide for the increased expenditure upon the public works. What a commentary upon the course pursued by that hon. gentleman a few years ago. The government then to meet a temporary emergency were forced to increase the tariff. Did the Financial Secretary agree to that? On the contrary he denounced the government and appealed to the country with the cry that this reckless and extravagant government, instead of retrenching their expenses, were going to increase the burdens of the people by adding to the duties they would have to pay. He and those associated with him succeeded in frightening the people for the time, and he attained the object he had in view. But what did he propose to do now—instead of carrying out the retrenchment he then advocated, he proposes to add this additional burden of \$323,000 a year to our present liabilities and to increase the tariff as well. He also said that there were certain public services which will not require the assistance they now receive; and first of all he proposes to reduce the grant for navigation securities from \$49,000 to \$5,000. If the people of this province will agree to that reduction he (Mr. B.) would be much astonished. Then again he said the St. Peter's Canal would be finished and that expenditure would be saved. He was at a loss to know how that could be the case. That work would certainly not be completed before this liability would accrue. It was rather singular that the Financial Secretary, in his present retrenchment scheme, should have hit upon the same figures as the hon. Provincial Secretary used a few years ago; or, at all events, should have arrived at the same result. He is going to save \$80,000 a year—just as the hon. Provincial Secretary intended to do before he got into office; but the tables are turned now—he has got into power and not a word is heard about reducing the salaries of public officers. His plan now is to reduce the grant to navigation securities and other important services.

Hon. FINL. SEC.—The only reduction proposed is with respect to those grants which will terminate in this present session.

Mr. BLANCHARD—Then the idea appears to have been to get as much as possible this session, so that none will be wanted next year. He agreed entirely with the member for Halifax (Mr. Tobin) in his remarks as to the advantages of railway extension, but he did not agree with him in some of the calculations he had made—when he talked about the saving that was effected by railroad travel, and put it down at a dollar a day—he forgot that many of these passengers did not go further than the four mile house, or to Bedford—and it could not

be said of them that they saved that much. The Hon. Finl. Sec. undertook to prove that the member for Colchester was wrong in his statement that a larger expenditure would be required for the future, for the maintenance of the railroads, than had been necessary in the past. Upon referring to the returns he found that the cost of maintenance had been steadily increasing year by year. He would be the last person to alarm people as to the state of the railroads, but every body knew that every year the roads necessarily became more worn out, and required repair. In 1861, the cost of maintenance amounted to \$34,000; in 1862, \$37,000. In '63, \$47,000, and in the nine months of 1864 \$50,000. He did not wish to detain the House much longer, but he would give them a few figures shewing what Cape Breton would have to pay towards the railway system of Nova Scotia. She would be required to pay one-fifth of the whole debt—or \$128,000. The hon. member for Halifax talked about mud roads as if they were of no consequence at all. If he represented a country constituency he would find it a matter of a little more importance than he seemed to think it now. He is only willing to give us \$100,000 for what he calls mud roads, but is perfectly ready to vote \$556,000 a year for iron roads. Now he (Mr. B.) would yield to no man, in his opinion as to the importance of railroads to a country, but if they were only to be obtained by sacrificing the common roads which were of so much importance to the great mass of the people he would be inclined to pause, before incurring any greater liability. At all events he could not see how any one could doubt the propriety of adopting the course proposed by the member for Colchester, to wait for a twelve month, and see how affairs looked then, we would then be able to ascertain how much the Pictou road was actually going to cost. At present that was uncertain. He had had a conversation with contractors who had been employed on the Truro road and they laughed at the idea of its being built for two millions of dollars. Under these circumstances as a member of the house, and a representative from Cape Breton he was not prepared to authorize the enormous expenditure contemplated by the resolution before the house and he should vote against them.

FRIDAY, April 21.

The adjourned debate on the railway resolution was resumed.

Hon. ATTY. GEN. said—I do not intend to address the house at any very great length upon this question, but I cannot allow the observations of the hon. leader of the opposition to pass unanswered. This is a subject with which every gentleman in this house is so well acquainted, that I think it is hardly necessary to direct attention back for the last eleven years in order to ascertain the policy of the house on the subject of railways. The idea of building a railroad to Annapolis dates as far back as 1854, when the country was led to believe that for a million of money they were going to have railway communication from Halifax to the Gulf of St. Lawrence on the one hand, and the waters of the Bay of Fundy on the other. In fact, in all discussions upon the subject, the people were educated up to the belief that for the small amount I have

named, the points referred to could be reached. The experience of a few years, however, soon dissipated that idea; and although the policy has partially failed for want of means, yet the house remained pledged to carry on these important works so soon as the finances of the country would admit. It was, therefore, no new policy that the government introduced last year, but one that was initiated and approved of years ago. Such, then, being the case, it is not for us now to consider the correctness or incorrectness of the idea. The country at that time was divided upon the question of building railways. Some thought it inadvisable to embark in the enterprise at all; some were in favor of their being built by government; whilst others—and they formed a large section of this house and of the country—were in favor of their construction by private companies under legislative subventions. Those who were opposed altogether to railroads formed but a small class in the country, and I am happy to find that one of the representatives of that section has at length given in his adhesion to the system, and approves of their construction under the policy first inaugurated. As to whether that is the best system or not it is unnecessary to advert in the present discussion; that question was settled last year, and nothing has since occurred to alter the position of affairs. The only point, then, that now arises for consideration is the question as to whether the finances of the province are in a condition to warrant the construction of these works in the modified form proposed by the resolution now before the house.

There are many considerations to be thought of in connection with this subject, but the paramount one is to keep up the credit of the country and to maintain inviolate the good faith of the province. If we can do this, then I think we are warranted in going on with these works. In the consideration of this question I intend principally to refer to the opposition given to it by the hon. member for South Colchester (Mr. Archibald) and to the course he has thought proper to pursue; and I cannot avoid saying that the position taken by that hon. gentleman, in regard to one or two other important subjects to which he had been previously committed, has rather astonished me. In regard to the School Bill, for instance, no one was more thoroughly committed to that measure by his action last session than the hon. gentleman; in fact, he went even further than the views of the government on the subject; while this year he has adopted a policy totally inconsistent with the course he then pursued. I think that hon. gentleman ought to have more regard for the position he occupies as leader of the opposition than to come here, as he did yesterday, and, in relation to this question, admit that he had made such gross mistakes in his calculations; and my hon. friend the Financial Secretary was quite justified in the remark that it was highly culpable in one occupying his position to found arguments upon a subject to which he confessed he had not given that consideration which its importance demanded. He has given evidence upon other occasions, of his power to sift and analyze financial statements; and there is no doubt that, if he had had the inclination, he was quite competent to ascertain what amount the government had in hand at

the end of last year. In charging the government with falsifying the public accounts, he evidently tried very hard to manufacture a mountain out of a molehill. He knew very well, or ought to have known, that in the sum represented as being in the treasury at the end of the year there was not included the amount due by parties holding province notes, and those indebted to the savings' bank, amounting to over \$80,000. There was no mystery about the matter. If he had given proper attention to the subject, he would have seen that the statements he made were grossly inaccurate, and with the evidence before him, it is perfectly inexplicable to me how he could have done so.

I have taken a few notes of his speech, and shall endeavour to point out the inaccuracies with which it abounds. In the first place he assumed that it would be necessary to provide for one-half of the whole cost of the Pictou railroad this year. Now we have provided \$30,000 for interest this year, which is about one-third of the interest of the whole sum required, while it is calculated that not more than a fourth will be wanted, and therefore that little over a fourth of the whole cost will be required this year. Then, again, the leader of the Opposition has undertaken to state that the St. Peter's Canal will cost at least \$200,000. I am at a loss to know where he got the data for his calculations, or whether he is more qualified to judge than those who were employed for that purpose; but all I can say is that he differs widely from the engineer who was employed to survey it, and whose report is upon the table, showing the estimated cost to be at the farthest \$170,000 and that the specification requiring only \$130,000 is the one adopted.

The hon. gentleman also referred to other public works, and put down the interest on the Pictou road at \$150,000, the Moncton road at \$144,000, and strange to say, although he had the same reasons for exaggeration as regards the Annapolis railroad, he had put the interest for that line down at \$5,000 less than it really would be according to the proposals on the table. In order then to raise the amount he puts down the interest on the St. Peter's Canal, at \$12,000. He has, therefore, made a mistake in his calculations of \$30,000 a year in the interest on the Pictou road, and \$22,000 on the Moncton road.

Now, however much we may be inclined to give the hon. gentleman credit for skill as a financier in the case of the St. Peter's Canal, he can hardly be imagined to know more than the Engineer who bored every rod, and made his calculations from actual experiments. We are driven, therefore, to the conclusion that the hon. gentleman founded a great many of his assertions upon mere assumption, without the slightest particle of proof.

The hon. gentleman, amongst other things, alluded to the Shubenacadie Canal, and seems to have based his calculations as to the cost of St. Peter's upon the expenditure incurred upon that work. Now, we all know the history of that unfortunate canal, and the causes of its failure, but I am at a loss to perceive how any comparison can be instituted between a work of such magnitude as that, and a canal of half a mile long. And so with the Welland Canal. It is well known that the reason why that cost so much was because it was turned into a ship canal, instead of a boat canal, as at first intended.

The hon. leader of the opposition made another singular statement to which I shall allude for a moment. He said that the issue of debentures for the construction of the road to Moncton would depreciate the value of those already issued. How this can be I am at a loss to imagine. We all know that the debentures that are already sold have the first claim upon the revenues of the Province and take precedence over all others. How, then, can they be affected by those subsequently issued? He knows very well that a second mortgage does not take priority over the first.

The hon. gentleman said that in New Brunswick western extension received the most favor, and that no provision would be made to build their line to the borders. I tell him that the line to the borders has been secured, and that an undertaking has been entered into between the Government of New Brunswick and contractors to build their portion of the line, so soon as Nova Scotia makes arrangements to connect with it. I take it for granted the incoming Government will not repudiate the agreement of their predecessors.

The hon. gentleman charged the Government with withholding Mr. Livesey's offer made in November, because they had an election to run in the West. I tell him that when the Government got the House to adopt this policy last year they intended to carry it out in good faith. They felt it their duty then, as they feel it now, to get the road to Annapolis built upon the best terms they could. They have never failed to do their duty to the West, whenever the opportunity offered, and it is with that view that the present resolutions have been introduced.

The hon. member for Colechester drew a fearful picture of the ruin that was going to overwhelm the country. He said that the price of goods was going to fall to such an extent as to reduce the revenue and diminish our resources. Now, sir, I do not agree with him at all. I do not think that the fall in the price of cottons is going to have so much effect upon the revenue. For several years past the price of this article has been so great, that the majority of the people were beginning to dispense with its use, and to substitute other articles for it, so that the consumption of cotton goods has not been so great of late years as formerly. I hold, therefore, that if the price of cotton does fall, that from the increased quantity that will be imported, the amount of duties, instead of decreasing, will increase for the first year or two.

The question to be considered, however, is not so much as to the revenue of this year as to how these considerations would affect us in two years' time when this liability will accrue. It is our duty, then, to take a more expansive view of the subject, and endeavor, as far as possible, to ascertain what position we would be in, in a few years' time. If we contrast our present position with that of a few years back we have every reason to be encouraged—our revenues have trebled since the railway system has been commenced, and there is every reason to believe that with increased facilities in that respect they will continue to increase in a large ratio.

A few years ago gold was discovered in this Province, and, as was the case in most countries, it proved a bad speculation to most of those who rashly entered into it. But of late the position of affairs has changed; a number

of capitalists have come into the country, and by the application of science, and skill, and means, very different results have been produced. Then, again, look at our coal mining interests, and the large amount of capital recently brought into the country to develop this important branch of industry. Everything in the way of capital brought into a country helps the agricultural and laboring classes, and increases the general prosperity, and consequently increases the revenue.

But it is said that a commercial crisis is going to take place in the United States, and that the business of this country is in an unsettled state. If a crisis does arrive (and I see no reason to anticipate it,) we, at all events will be in a better position to meet it than a country like the United States, over head and ears in debt. But I see no necessity for indulging in such a gloomy view of affairs. Looking at the increasing prosperity of the country, arising from the causes to which I have referred, I think there can be no doubt that we can afford to provide \$313,000 for railway interest, without interfering with the ordinary services of the country. The hon. member for Colchester seemed to doubt whether the expenditure of money for railway purposes was of any benefit to a country.

Mr. ARCHIBALD—I did not say that.

Hon. ATTY. GEN.—I do not wish to misrepresent the hon. gentleman, but he certainly said it was not calculated to increase the revenue. I ask him whether he was serious? Does he not know that the increased labor which the construction of these public works brings into a country necessitates the consumption of a larger quantity of articles upon which duty is levied—that in proportion to the number of the non-producing class will be the increased consumption of goods, and consequent increase of revenue. I hold, then, that the various enterprises now going on in this country are going largely to increase the importation of dutiable goods. Smuggling from the United States will be rendered impossible in consequence of the high rate of duties which will be kept upon goods in that country, and the trade will be largely with Europe for years to come, and the chances of smuggling in that proportion diminished. I, therefore, come to the conclusion that there is not the slightest grounds for the danger apprehended by the hon. leader of the Opposition as to the falling off of the revenue. He endeavored to show that we could not expect any beneficial effect upon our revenues from the construction of railroads, because during the years that the present lines were in course of construction no sensible increase was produced. But that is not a fair comparison. From 1855 to 1858 but a small section of the road was open—only about 9 miles—and it could not be expected that any advantages would be felt until the system had had a fair trial, and the people had begun to appreciate the convenience and benefits of railroad communication; still I contend that the expenditure of the money itself had a beneficial effect upon the revenues of these years.

The hon. leader of the Opposition endeavored to give as unfavorable an account as he possibly could of the present condition of our railroads, and tried to make us believe that they were nearly worn out. It is true that some portions of the road have worn, but they have been renewed, and are as good as new, and,

with some trifling exceptions, it is in as good a condition as it ever was. And I have good authority for saying that it is likely to last for eight years more with but little expense beyond a little ordinary wear and tear. The most of expense incurred for the last few years has been for fencing and renewing sleepers—the rails and chairs are as good as ever, and will last for years longer, and the rolling stock has been completely renovated. I think, then, that the facts will not bear out the hon. gentleman in the gloomy picture he has drawn.

The next thing he endeavored to do was to show that the revenue for this year would probably fall short of that of last year by 200,000 dollars. I ask him upon what foundation he rests his statement? If that be true, then the estimate laid upon the table by the Financial Secretary is erroneous, and ought not to have been adopted by the house. He begun by stating that the December quarter of 1861 was short by 63,000 dollars of the corresponding quarter of 1863, and he stated that that was the largest quarter of the year.

I find upon referring to the returns that the amount received in that quarter of 1863 was \$393,123 and in 1864 \$413,164. I do not know how he undertakes to make his calculations, if not by comparing one quarter with another. If he takes one month of one year and compares it with that of another, that is not the fair way of treating the subject, as the arrival of the fall or spring stocks may be thrown into one month or another, or even into a different quarter by the accident of a few days in the date of arrival. Now sir I shall endeavour to shew that instead of their being any probability of a falling off in 1865 there is every prospect of an increase. The December quarter which belongs to this year has produced \$413,164, and the March quarter \$129,820 making for the first half of 1865 \$542,986. From that date we may fairly assume that the July and September quarters will not fall short sufficient to absorb the large surplus for the two past quarters. What ground then I ask has the hon. gentleman for assuming that there will be a decrease of \$200,000, when the two first quarters show an increase of \$123,793, and more than this I have the best reason for knowing that the month of April this year will show a surplus of \$20,000 over that of last. Now then let any one compare the statement of both of us, and see where the facts would place the decision. I shall now call the attention of the house for a moment to a financial statement I hold in my hand, and which I think will convince any one that we are in a good condition to undertake the construction of these works. It is well known that the road grant this year is unusually large—\$264,000—while the largest regular appropriation ever before made for that service was \$160,000. We can then take this \$104,000 of extra grant, and still appropriate the largest sum ever given in any previous year towards the ordinary road and bridge service of the country. We can give the usual grant for navigation securities—we can provide for the St. Peters Canal, and the extension of the Lunatic Asylum, as well as all the other public services, including the largely increased School grant, and we can provide for the railways also.

Taking then the Extra Road Grant this year \$104,000
Add Extra Grant this year for Navigation
Securities..... 29,000

Add Interest of Pictou Railway provided for in the Estimate.....	80,000
Add for increase of Revenue for the present Lines.....	150,000
Add increase of Casual Revenue.....	50,000
" increase of General Revenue three years hence \$60,000, average annual increase....	180,000
And we have a total of	\$543,000

Which we may reasonably calculate to have of increase of means to meet the liabilities for the Pictou Branch and the two lines now under consideration. The hon. leader of the opposition said that the net revenue of the railways for 1863 was \$22,000, and that of 1864 only \$1,000 more and he argued from that that we could not expect a larger increase. His statement only included three quarters of the past year and I have reason to know that the net revenue will come up to \$35,000 this year instead of \$23,000 as stated by him. I have also abundant evidence to prove that the sum of \$15,000 was expended in repairs last year which might more properly have been done this year, so that the cost of maintenance this year will be lessened by that amount. Then again when we consider the increased accommodation that will be afforded to the travelling public by the construction of these two additional lines, and the increased traffic that will result, I think we have every reason to anticipate in three years hence a revenue of \$150,000 as against the interest we will be then first called upon to pay. Then as regards the casual revenue, I think in view of the extensive mining operations in Cape Breton and elsewhere, I am largely within bounds in putting down an increase of \$50,000 and double that sum would be nearer the true estimate. Now, sir, I have endeavoured to give the reason why I anticipate an increase of the revenue, and to show that the gloomy forebodings of the hon. leader of the opposition are totally unfounded. But I shall refer him to the financial statement of his own finance minister (Mr. Annand) and show that they are directly at issue. [Mr. H. here read in corroboration] of his statement.]

I shall also read an extract from the speech of that same hon. gentleman upon a different subject, (Confederation,) and although I may not approve of the object for which the calculations were used, it matters not if the figures are correct. Mr. Annand, in his speech at Temperance Hall, went into calculations to prove that we were able to build all the Railways in question without any additional taxation. After referring to statements of Mr. Jones, proving the same position, he says:

The present total Provincial expenditure under the estimate of 1864, including interest,	
Amounts to.....	\$1,222,355
Supplementary Estimate.....	5,811
Pictou Railway.....	120,000
Subsidy to Annapolis Railway, 60 miles, £6-000 per mile, at 4 per cent., 20 years.....	86,800
Subsidy to Railway from Truro to N.B. Frontier, 70 miles, £10,000 per mile, at 4 per cent. 20 years.....	112,000
	\$1,546,566
Add for Militia.....	78,000
	\$1,624,500
Revenue for 1864, per Estimate.....	\$180,000
Gain on Gold fields in 1864.....	15,000
" Casual Revenue, 1864.....	10,000
" Custom and Excise, 1864, 150,000	
	\$1,355,000
	1,355,000
Deficiency.....	\$269,566

It will be perceived, then, that under our present tariff, which is by far the lowest in America, at the end of the present year the revenue would be sufficient to pay the interest on the Pictou, the Annapolis and the Intercolonial railway, provide for every public service as liberally as in 1864, leaving a deficiency of only \$269,566 to be provided for—[cheers.] This, too, is assuming that these railways were all *now* constructed, and the entire interest on the outlay payable from the treasury. We have now in hand a sum of money sufficient to pay the entire interest on the cost of the Pictou Railway, as well as \$55,000 additional, and this derived from the increase of revenue in 1864 alone—[cheers.] But as these railways cannot possibly be all constructed in less than three years from this date, let us see how we would stand at that period. I find upon examination of the amount of revenue collected in an average of five years, from 1853 to 1863, that the mean increase yearly on the total revenue was \$165,369! and that on the 10 per cent ad valorem duties alone the average increase was during those five years \$63,013—[cheers.] Now, sir, I might take the average of the total revenue, commencing on the 1st of January, 1865, for the next three years, at \$168,330 a year; but as our revenue may fluctuate, I take the increase at the very moderate average of \$30,000, and find that in three years the increase would amount to \$180,000; add increased earnings of present railways, \$75,000, and we have \$255,000 to meet a deficiency of \$269,566; and this result, this startling and astonishing result, may be attained, let it be recollected and understood, without the imposition of one farthing additional taxation—[loud and protracted cheering.]

Now, sir, I have given my own figures as to the amount of liability we are going to assume under the resolutions before the house; and I have given the calculations of the late Finl. Sec'y (Mr. Annand,) who puts the gross amount as the interest of the lines from Truro to Pictou, and New Brunswick and the line to Annapolis down at \$313,000 a year, and I have endeavoured to show, by a fair estimate of our probable increased revenue in three years hence, amounting to \$543,000, that that liability is within the compass of our resources, and will not infringe unnecessarily upon any ordinary public service.

This no doubt is an important question and it is the duty of every one to give it an attentive consideration. I have endeavoured to deal with it to the best of my judgment, and if I have made any mistakes in my calculations I am ready to correct them if any one can detect them. I think that this question ought not to be postponed any longer; it is of the utmost importance to this country that we should connect our Railway system with that of New Brunswick, and thus be brought into connection with the United States and Canada. By this route we could go to Montreal as quickly as by the Intercolonial Railway, the only difference being that in the one case, we would travel wholly through our own territory; with this connection complete the great object would be attained of making Halifax the nearest stopping place for all steamers from Europe. Passengers for Canada and the United States, after a long sea voyage would prefer taking rail for their various destinations, rather than embark again by steamer. Besides all this we must consider the immense amount of traffic which would be brought from Prince Edward Island, Cape Breton, and the Eastern Counties, and also from Cumberland and the neighbouring Province. Then again the Annapolis road will be the means of diverting trade which now finds its outlet at St. John, and will open up all the rich agricultural counties between Windsor and Annapolis. The hon. gentleman concluded by alluding to the advantages de-

rived from railway extension, as a means of bringing the people into closer communication with each other, and of liberalizing their minds by intercourse with the people of other countries.

Mr. LONGLEY said that at that hour of the evening, and at that late period of the session, he supposed gentlemen would prefer going to their homes rather than listen to anything he might have to say; but he felt that he would not be doing justice to his own feelings and to the position he occupied, if he failed to make a few observations upon the subject under discussion. The desirability of extending railway communication east and west had always been admitted, and it was only a question of time as to when it should be undertaken. He had turned his attention to the subject, and he was prepared to show that the country was in a better position at present to undertake railway extension to both the New Brunswick border and Annapolis, than she was in 1855, when the railway system was inaugurated. At that time the *entire* revenue did not exceed £130,000, while last year it was £330,000. If any gentleman would take the trouble to make the calculation, he would see that we are in a better position to pay the interest upon the cost of the whole undertaking contemplated by the resolution before the house, than we were to pay £60,000 a year in 1855. He had the figures before him, the accuracy of which could not be disputed, and to which he would shortly refer. He estimated the revenue in 1855 to have been £130,000, and the amount of railway debt then incurred at £60,000 a year. Now it did not require much argument to prove that we could better afford to pay £150,000 with our present revenue, than £60,000 with the revenue of 1855.

What would be the amount of our liability after the whole works had been constructed? He put down the cost of the Pictou extension at £30,000 a year; the extension to the borders of New Brunswick as £30,000 more; the road to Annapolis at £22,000—£142,000 a year in all, including £60,000 which we now pay, or £11,000 a year less in proportion as compared by the burden borne by the revenue of 1855.

There were various other considerations that should not be lost sight of in the discussion of this question. There were various incidental advantages which the country derived from the construction of railroads which could not be estimated in figures—such as the stimulus given to trade, and the development of our resources induced by the increased facilities those works afforded. But without referring more particularly to these at present, he would endeavor to show how the amount of annual interest the Province would have to pay was going to be gradually reduced by the earnings of the road.

He estimated the nett revenue of the road this year at £12,000, that deducted from the whole liability would leave £130,000 annual interest to be paid. When the Pictou line was opened, of course the paying qualities of the road between Truro and Halifax would be proportionately increased, and he thought that he would be safe in putting that down at 2 per cent. in addition to present receipts, or £12,000 more, reducing interest to £118,000. Then he assumed that the tenth section of the Pictou line—between Fisher's Grant and the coal fields would not be in operation a single year without paying working expenses and 6 per

cent. interest besides. That reduces the entire amount of interest to £112,000 a year. He calculated that when the entire lines were completed, at the expiration of five years, they would pay at least three per cent. over and above working expenses. These calculations have reference to construction of the whole by Government. It must not be forgotten that in proportion as the lines were extended so would the traffic increase with very little additional cost. The annual interest will then be reduced in five years after the whole railway system has been completed to £71,000, or only about £10,000 a year more than the present liability.

The hon. member for Halifax alluded to the indirect advantages which a country derives from railroads. He (Mr. L.) had taken pains to make some calculations on that point, and he thought that they would be borne out by the facts.

The net receipts from the railroads last year amounted to nearly £9,000. He would pause for a moment, to contrast the position of railway matters in New Brunswick with these of this country. That Province, with a population much less than ours, owes about a million of dollars more than we do; and then it should not be forgotten that her tariff is 15½ per cent., while ours is only 10—being a difference of more than 50 per cent. The receipts from their road, he regretted to say, had fallen off this year; while our passenger traffic had increased 13,000, with corresponding receipts in traffic department; and there was every reason to anticipate a larger revenue this year, from the increased mining operations in Cape Breton and other parts of the Province. He would turn for a moment to some calculations he had made, based upon the working of the road in 1863, and he thought that they would bear the strictest scrutiny. He found in that year that 110,137 persons had been carried over the road, and most of these from extreme points, so that he would be safe in putting down the time and cost of travel saved to these persons at a dollar a head;

That would amount to	\$110,137
There was carried over the road 56,471 tons of freight, saving per ton, \$2,	112,942
9,640 horses, at a saving of \$1 each,	9,640
5,462 head of horned cattle, at a saving of \$1.50 each,	8,193
19,970 sheep and lambs, at a saving of 20 cents each,	3,994
2,309 calves and pigs, at a saving of 30 cents each.	0,692
	<u>\$245,598</u>

Gain by rendering valuable what would be otherwise useless, 40,000
£71,399, or \$285,598

Making the indirect gain of £10,000 more than the interest now paid.

In making these statements he knew that he should be met by his opponents with the taunt that all this was very different from the views and opinions he formerly held. He was prepared to admit that his views on this subject had undergone some change. He thought then that it was a serious undertaking to pledge the revenues of the Province to the extent of £60,000 a year; but now, as we had become involved in these great public works, it was to the interests of the people to go on steadily increasing them east and west, until the system had become perfected and placed in a position

to be remunerative. That must be done, either by the Government or by the aid of capitalists from abroad.

It seemed to him now as it did last winter, that if we could secure the extension of the road to Annapolis by an annual subvention of but little more than £20,000, it would be to the interest of the Province to do so. He thought that the west was fairly entitled to this consideration. The members for that section of the Province had always aided the Eastern members in their public works, and he had no hesitation in saying that the vote given by them last session for the Pictou railroad had not received that consideration it deserved. He thought that the true policy had been adopted, then of securing the trade of Prince Edward Island and the eastern part of the Province. For the same reasons as to means of making the roads more remunerative, he justified the present extension, and he thought he had shewn by figures that challenged investigation, that it was clearly within our means to go on with these works. The hon. gentleman then alluded to the great saving in the way of time and freight which this road would afford to the farmers of the west. Now, by the present road, it cost \$1.20 a hundred weight for truckage from Windsor to Annapolis, whereas it could be taken by rail for 25c., thus saving \$19 a ton, and there was also time saved, as he had shewn, so that in every shape the question was viewed, whether as regards the direct or indirect advantages, it must be looked upon as a great boon to the country. He had made a few calculations of the position of railway affairs in other countries. He found that the State of Massachusetts, with a population of about 1,400,000, had about the same number of miles of railway, or about a mile to every 1000 of population, and their railway debt is about \$55 per head, while ours, estimating our population at 250,000, does not exceed \$18 per head, or about one-third as much in proportion as Massachusetts.

I have made a few estimates of the probable cost and advantages of the Annapolis railway:

Cost of railway to Annapolis, 30 miles, at £6000 per mile.....	£480,000
Interest at 4 per cent.....	19,200
Cost of bridging the Avon £40,000— interest at 5 per cent.....	2,000
	£21,000

Probable returns:

Population of Kings, Annapolis, Digby and Yarmouth say.....	70,000
Assume that one-half the population of these counties travel over the road once a year, and the gain to each \$2.....	£17,500
Assume 12,000 tons of freight annually, at a gain of \$2 per ton.....	6,000
	£23,500

Here we have more than the annual cost of interest at once; but these are far from being all the advantages that will result. Let us enquire the present cost of getting to Halifax, say from the centre of Annapolis, and as the distance is extended the gain is increased:

Fare by coach to Windsor, say.....	\$5.00
By rail.....	1.35
Time consumed 4 days, at \$1 per day.....	4.00
Expenses while absent, \$1.....	4.00

£14.35

With the railway to Annapolis completed, how would it stand?

Fare per rail, say.....	\$3.00
Two days consumed, at \$1.....	2.00
Expenses per day, \$1.....	2.00

\$7 000

Gain to each person passing over the line \$7.35

The above are given as approximate calculations and results, but they cannot be regarded as extravagant.

The hon. gentleman concluded by saying that he would not weary the House by any further remarks at that late period of the session. He was convinced that in proposing this extension, the Government were acting for the best interests of the country and in accordance with sound policy, and he should [vote for the resolution before the House.

Mr. MACDONNELL said that he felt called upon to make a few observations after the remarks that had fallen from the member for Annapolis, who had just addressed the house. That hon. gentleman had called upon the members for the Eastern part of the Province to assist him in carrying this scheme, on the grounds that the Western members had aided in passing the Pictou railroad bill. He (Mr. McD.) could not agree to the question being put on that plea. He had always, upon every occasion when he had expressed an opinion, denied that the East had derived any more advantage from the Pictou railroad than the West. When the distance of the Counties of Cape Breton from the present termini of the railroads was considered, it would be seen that they derived no more direct benefit than the Western Counties. He was sorry, then, to find this cry of last session reiterated—that the East alone was going to be benefited by the Pictou railroad. It could have no other effect than to produce sectional jealousies, which in a question of this kind should be kept out of sight. If this policy of railway extension was sound, it should stand upon its own merits, and be justified upon provincial grounds, and not as being of advantage, to any particular locality. As regards the resolution upon the table, he would say that if it went no further than to authorize the construction of the line to the borders of New Brunswick, he should have supported it, because he believed that that extension would be of great benefit to the whole Province; but he could not see what advantage would flow from the Annapolis line. It could not be said that it was for the purpose of obtaining the trade of New Brunswick, because that would be accomplished by the construction of the Trunk line, and the one would only interfere with the other. He should be compelled, then, to vote against the resolution in its present shape. After a deliberate revision of the financial condition of the country, he had arrived at the conclusion, that it would be unwise to undertake the construction of both lines at the present time. It was true that a resolution of a somewhat similar character had received his support last year; but in voting for it then, he had been actuated principally by a desire to secure the construction of the line to the borders, and with no idea that the Annapolis road would become a reality. He was rather surprised to hear some of the arguments used by the member for Annapolis. He commenced by comparing the state of our finances now with their position in

1855, and gave the railroads the credit for all the improvements; but he forgot that the *ad valorem* duties then were only five per cent and now they are ten. And then, again, he calculated that the Annapolis road would pay three per cent.; but he also forgot that it would be in the hands of a company, and that they would receive the benefit, if any. He would not detain the house at any greater length, but he felt that from the course he had previously taken he could not give a silent vote.

Mr. CHURCHILL said that he would have been better pleased if this resolution of the Government had gone further, and authorized these two branches to be immediately put under contract. It was quite time that the iron road should traverse the fertile vales of Kings and Hauts; and he could not see how any financial considerations should deter the Government from at once prosecuting this work to a conclusion. The country was in want of increased accommodation in the way of paper currency, and he did not see why a few hundred thousand pounds more of paper could not be easily floated. It would accommodate the public, and could be floated without any detriment to the public credit. The hon. gentleman alluded to his recent visit to the United States, and the advantages he had witnessed there from railway extension. He trusted that the resolutions now on the table would receive the unanimous approval of gentlemen on both sides, and the Government would be prepared to prosecute the work with energy and vigor.

Mr. C. J. CAMPBELL said that he admired the consistency of the Atty. Genl., although he could not commend his advocacy of the proposed policy. He found that the present railway yielded about half per cent on their cost, leaving the province to bear the remaining five and a half per cent. He contended that the increase of our taxation was injurious to the best interests of the country, and that the improvement of the localities through which the existing lines ran was not so great as had been represented. He read from a speech delivered last session by Mr. Churchill, (in which that gentleman said that our railways were as a millstone about our neck), as a contrast to the speech delivered last evening. He concurred in these sentiments; he believed that the extension would benefit only Halifax, and could not advance the interests of Cape Breton. He denounced the policy of exacting so large an amount of royalty from our mines, and said that the sum received from that source should not be confidently reckoned on.

Mr. LOCKE said that they had arrived at that period of the session when short speeches were necessary and he should not therefore detain the house more than a few moments. From the time of the first inception of the railway system in 1851 up to last session, he had always advocated the construction of those public works. At that time he was obliged to vote against the extension to Pictou because he thought that it would interfere with the larger scheme of an intercolonial railroad, and that both of them could not be undertaken at the same time. The same reason would compel him now to vote against the present resolution, because he did not believe that the finances of the country would admit of extension east and west at the same time. He believed that if both these lines are undertaken

it will involve an annual liability of \$600,000: and he contended that the Province was not in a position to bear that. It was beginning to be admitted now that the estimate he had made last year of the cost of the Pictou line, which he had put down at between £600,000 and £700,000 would not be far out of the way. He should oppose this proposition to engage in any new undertaking until the Pictou road was completed, because he thought it would not be done without breaking faith with either the east or the west. He disapproved of accepting the offer of Mr. Livesey, because we would be in the position of having placed one portion of our lines under the contract of a company while the rest would be under the management of the government.

He doubted very much the correctness of the anticipations of the hon. Fin. Sec. as to the increase of the revenue. Every one who knew any thing about trade, knew that this quarter exhibited the largest returns, and it afforded no criterion for the rest of the year. He would find that the importations next quarter would fall ten per cent. short of this; and there would be a large decrease in the amount collected for *ad valorem* duties. He believed that if the Province was able to construct these roads under the scheme proposed, it would be only under great difficulties, and not without seriously embarrassing the resources for a long time to come. He did not think that the Government should force this measure through at that time, but should agree to the proposition to wait for a twelvemonth, until the Pictou road was finished, and they would be able to see how the revenue stood. He concluded by expressing his hope that the Government would not press the measure, when it was manifestly against the wishes of many gentlemen in the house, some of whom had always been the strongest supporters of railway extension.

Mr. CHURCHILL, in alluding to the remarks made by the member for Victoria, in which he had quoted a speech made by him on a previous occasion, complained that he omitted the latter portion of it, which explained his meaning. When he said that the railroad debt was like a millstone round our necks, he meant that it was like any other debt, an encumbrance to us. But he did not mean that that was any reason why we should not engage in the construction of these works. He had always been an advocate of progress, and any one acquainted with his past history knew that he had always endeavored to do his utmost to develop the resources of his native Province.

Mr. STEWART CAMPBELL said that he felt a reluctance at that late period of the session to trouble the House with remarks upon any question, but in a matter of such importance as this he could not content himself with giving a silent vote. At an early period of his legislative career he had committed himself to the policy of railway construction by government, and he was happy to say that that policy had resulted beneficially to the country. He observed with pleasure that the example set by this small colony was about to be followed by the parent state, and that in that country the question was now being considered as to whether it would not be advisable to take the control of the railways out of the hands of private companies, and place it with

the government. He was disposed to object to this resolution because it departed from the policy adopted by the government when the system was inaugurated in times gone by, and he thought that this was a view of the subject which deserved consideration. They had only to look back for a short period and see what had taken place in Canada in order to appreciate the effects of placing the control of the public works of a country in the hands of large and influential corporations. He objected then to the scheme because it would introduce into this country something of the same kind. The effect of this subvention of these two lines of railroad would be that the company receiving it would necessarily be brought into close connection with the government of the day, and to a large extent would be subordinate to them and under their influence.

These lines of railroad would run through various counties of the province—Colchester, Pictou and Cumberland on the one hand, and Hants, Kings and Annapolis on the other.—They all knew then how many representatives would be directly interested in their construction—no less a number than sixteen would be more or less interested in their completion. He would ask then whether it would conduce to the best interests of the country, or the independence of the legislature, that so large a proportion of the people's representatives should be in a position to be influenced by the companies who would receive this subvention, and who, again, must necessarily be so closely connected with the government of the day. He had listened with great interest to the financial picture of the affairs of this country, so ably drawn by the hon. leader of the opposition, and he thought that the house would agree with him that there was no gentleman in that house or the country whose opinions were more entitled to respect upon questions of finance than that hon. gentleman. The hon. Provincial Secretary had on some occasions been rather severe upon the hon. member for Colchester, as regards his skill as a financier; but from what had taken place recently between them upon another question of great public importance, he thought that he was not in a position to question his accuracy now. He did not wish to make any invidious comparisons between the leader of the opposition and the present Financial Secretary as regards their financial capacity, but, as one was comparatively new to the business and the other had made it his study for years, it followed that he must necessarily have more acquaintance with the subject, and his opinions were therefore entitled to greater weight.

The member for Colchester had referred to the past financial position of this country, and to our prospects for the future, and he had called upon the hon. members for Halifax and Richmond to dispute the position he took. The hon. member for Halifax (Mr. Tobin) had since addressed the house, but he had not ventured to controvert the assertion he made, that the present was not the time to embark in these works. The member for Richmond (Mr. LeVesconte) had not yet spoken but, from what had fallen from him on a previous occasion, when the sale of provincial debentures was under consideration, he did not think that he would be inclined to disagree with the opinions of that hon. gentleman. On a previous occasion the

hon. Prov. Secy. in reference to the fisheries said that his (Mr. C.'s) constituents had better look round, and find some representative better acquainted with trade and commerce than he was. He thought that he had better apply his remarks to his own government and to his Financial Secy., and get somebody more conversant with the intricacies of finance than that honourable gentleman from his previous training could be expected to be. He thought that it was a lamentable defect in the composition of the present executive that it did not possess a single individual amongst its members in any way identified with the trade or commerce of the country. He may be told that there was one gentleman who had formerly been engaged in trade, but from what he knew of that gentleman's connection with the late government he did not think that his judgment approved of entering upon the scheme of railway extension now proposed altho' from his being a member of the government he was to a certain extent committed to it. It was well known that the government was principally if not entirely carried on by the two or three members of it who sat at the table of that house, and that in point of fact they were the real dictators of the affairs of this country. He could easily fancy then how the opinions of the hon. gentleman, to whom he had alluded would be set on one side and everything would be made subservient to the political necessities of those who held seats in that house.

Reference had been made to the time when railroads were first commenced in this country, and to the fact that our revenues were then comparatively insignificant. That, no doubt, was the fact; but it must not be forgotten, that our obligations were also much less then than now. The liabilities we have already assumed, including the Pictou line, amount to something like four-fifths of the entire revenue of 1851; but it seems that this road is not enough for Nova Scotia to bear, and we must add this additional burden for the construction of branch lines to Annapolis and the borders of New Brunswick, which will make the entire amount to be borne by the revenues of the Province about \$500,000 a year. Now blue nose was a very good natured fellow, no doubt, but it does not do to push a willing horse too far; and he cautioned hon. gentlemen how they committed themselves to a scheme which was going to entail such heavy burdens upon the people. He had no wish to condemn railroads in the abstract; he believed that when a man had plenty of money, he had a right to spend it as he pleased; but where a person is only possessed of limited means, he stands in a different position, and should only spend his money upon necessaries, and not upon luxuries. That was just the position the province was in. Railroads, no doubt, were a great convenience, but if they could only be obtained by the sacrifice of other important interests they should be left alone.

The government should make themselves acquainted with the wants and necessities of the country before they talk about every service being properly provided for. He should like to take some of them over some of the roads in the county he represented, and show them the inconveniences under which the people labored, and the grievances which he had so often and so unsuccessfully brought to their

notice; and he thought that they would come back with their views considerably changed.

(The hon. gentleman referred to a case of a petition he had presented to the government, signed by hundreds of influential persons in his county, asking for aid to an important public road, but which was refused any consideration at all. So indignant was one gentleman at the treatment they had received, that he offered to lend £700 himself to carry on the work which it was the duty of the government to construct.) This was only one of many instances, in which the government had turned a deaf ear to the wants of the county of Guisborough. How then could he justify himself to his constituents, if he voted for these resolutions?

The hon. member for Hants (Mr. Churchill) had exhibited himself on the previous evening in rather an extraordinary attitude, but it appeared that there were some favored ones in that house who could do as they chose, provided they gave the government a vote. That hon. gentleman had thought proper to absent himself for the greater part of the session from his duties, first at his own home and afterwards in a neighbouring country, attending to his private interests. Whether that was a proper course for a representative to take was exceedingly questionable; and now he comes back and undertakes to impute motives to hon. gentlemen for the course pursued by them on this question. He thought that when it was considered that this railroad would for a long distance go through the county that hon. gentleman represented, and that a large sum of money would be spent at his very door, that the less he challenged the motives of others the better.

He trusted that in the opposition he was obliged to give to this measure that factious motives would not be imputed to him. He had only to point to the course he pursued last session—on the Pictou railroad—to shew that he was not influenced by any factious spirit. It was then in the power of the opposition, if they had had the desire, to have seriously embarrassed the government on that question. He had, however, taken a higher view of the question, and had supported that measure although Pictou was not a bit nearer to him than Annapolis or Windsor. He hoped, therefore, that the government would not attribute to him any motives of that description.

At that late period of the session he would not detain the house at any greater length. The hon. gentleman concluded by depreciating any immediate action in the way of incurring any further liability. He was afraid it would have the effect of depreciating the value of the debentures already issued. He appealed to gentlemen on both sides of the house, to the supporters of the government as well as their opponents, not to be influenced by a mere desire for a party triumph in voting for a resolution which he believed on sober reflection they would find to be detrimental to the best interests of the country.

MR. KILLAM alluded to the offer of the International Contract Company, and compared it with the terms offered by the resolution of last session. He remarked that the question stood in quite another position from what it did in the previous Session. In proposing to place the work in the hands of a company, the government must have

placed very little confidence in their own officers, for the Commissioner of Railways had given to the House as his opinion that in a few years the road would pay three per cent above its working expenses; if that were correct the best course would be for the government itself to undertake the construction. He said that the terms of the offer were entirely altered, and it would therefore be perfectly consistent in the House to reject the resolution. The determination of the government seemed to be to keep themselves afloat, whatever became of the country.

HON. MR. McFARLANE replied to a remark of Mr. Killam. He said that four different surveys of routes had been made, but the route was to be finally selected by the government, acting under the advice of the very able engineer now in their employ.

MR. ARCHIBALD contended that to give to the government the discretion proposed by the resolution would be to hand over to them the entire control of the public chest. So great had been the mystification of figures on the question that the member for Halifax, although a merchant, had made a mistake in stating the public debt, to the extent of two million of dollars, a sum sufficient to build the Pictou railway. He had a great appreciation of the value of railways, and he hoped that the time had arrived when we could connect our road with the other lines of the continent; but the circumstances which had exhibited themselves in the trade of the country had convinced him that our prospects were not so good as to warrant us in increasing the large liability that would be necessary to carry on even that work. He was greatly pleased to find that our present railways had not only become able to pay their working expenses, but had commenced to yield something towards the interest. There was, however, one important circumstance which had been left out of consideration,—in nearly all railways the duration of the iron was estimated at eight years, and the companies made a practice of setting aside a certain sum every year to meet the cost of renewing. Our road was not as much worked as others and might be expected to last 16 years, 8 of which had already expired, and he found that the cost of replacing the line, after deducting the value of the old iron would be \$4,000 per mile, in addition to \$400 per mile for labour, making a total for the work of \$481,000, so that we ought at present to be setting aside for that service about \$53,800 a year. The remarks of the Commissioner of Railways had given him no little amusement. That gentleman had previously assigned railways to not very complimentary company, but now, with the ardor which always characterized one newly converted from a heathen to a saint, was outstripping in his zeal those who had been trained for a lifetime to the policy to which he had been converted.

MR. ARCHIBALD, after some further remarks moved the following amendment:—

“Whereas—The location of the Pictou Railway has added largely to the length of the road contemplated to be constructed by the Railway bill last year; and whereas in view of the heavy liabilities

which the construction of that work will entail, and the paramount necessity at the present exigency of preserving the public credit unimpaired, it is desirable not to enter at present into any new Railway enterprises.

Therefore Resolved—That this House is of opinion that beyond the completion of the Pictou Railway, no additional railway liability should be gone on with by the government until the House is enabled, at its next session, to pass an opinion on its necessity."

HON. PROV. SEC. said that he admired the pluck which the leader of the opposition shewed in dancing on nothing after the platform had been taken from under him by the Financial Secretary and Attorney General. The attitude of that gentleman was only suitable for one who had opposed railway construction from the first. The government on this occasion proposed no new policy, but merely asked the House to extend to the amount of £5100 the terms of last year. It was not the first time that the cry "one year more" had been heard. It was raised at the time when our delegates had obtained for us the most favourable terms in connection with our zincs and minerals, and if the pressure had then been yielded to a monopoly would still have controlled the resources which now enrich the country. The proposed expenditure for a connection with the European and North American line would be only £53,000, while the former government had passed an act offering £50,000 for our share of the Intercolonial road, an undertaking with infinitely less paying qualities than the other, and that too without giving us a line to the fertile West, or to the neighboring Provinces. He then referred to the arguments advanced by Mr. Killam.

Mr. Archibald's amendment was lost 27 to 19.

For—Heffernan, Ross, Killam, Hatfield, Parker, Ray, McLellan, Miller, Robertson, McDonnell, C. J. Campbell, Blackwood, Archibald, Blanchard, Locke, Caldwell, Balcan, Annand.
Against—Donkin, Shannon, McFarlane, Fin. Secretary, Bill, Longley, Bill, Atty General E. L. Brown, McKay, More, Juc Campbell, Lawrence, Pryor, Whitman, D. Fraser, Kaulback, Hamilton, Tobin, Jost, Bourinot, J. Fraser, Churchill, LeVesconte, Prov. Secretary, McKinnon, Robicheau.

Mr. MILLER then moved the following resolution:—"That in the opinion of this House, it is expedient to define with accuracy the nature and extent of the subvention to be given towards the construction of lines of Railway to New Brunswick and Annapolis, and not leave the same to be gathered from proposals which are capable of misrepresentation, and have been so differently interpreted in the discussion on the resolution before the House.

Mr. MILLER explained that the resolution he had read had been handed him by the hon. member for Colchester. He had framed himself one similar to it, with the intention of moving it.

HON. ATTY. GENERAL said that the Government intended bringing in a bill, defining the powers to be given under the original resolution. The present amendment was a direct insult to the Government.

Mr. ARCHIBALD said that it was only due to the House that the resolution to be adopted should be definite in its character.

HON. PROV. SEC. said that this resolution was altogether unnecessary, after the explanations that had been given by the Government, that it was intended to submit a bill, distinctly defining the powers that were to be given to them in connection with this question. He challenged the hon. leader of the opposition to produce a precedent where the Government had been treated as on the present occasion.

The amendment was lost by 28 to 18.

For—E. Brown, Heffernan, Ross, Hatfield, Parker, Ray, Killam, McLellan, Miller, Robertson, McDonnell, Archibald, S. Campbell, Blackwood, Blanchard, Locke, Annand, Balcan.

Against—Pryor, Jno. Campbell, C. J. Campbell, Atty. Gen., McKay, Moore, Shannon, Lawrence, Donkin, Whitman, Longley, D. Fraser, Kaulback, Hamilton, Tobin, Jost, Bourinot, J. Fraser, Churchill, LeVesconte, McFarlane, Hill, Prov. Secretary, McKinnon, King, Robicheau, Caldwell, Fin. Secretary.

The original resolution then passed by a vote of 28 to 18.

The House adjourned at about half-past 12.

CLOSE OF CONFEDERATION DEBATE.

HON. PROV. SEC. moved that the adjourned debate on the Union of the Colonies be resumed.

Mr. ARCHIBALD said—At this late period of the session, it is impossible to resume the debate on this question without wearing the patience of the House on all sides. The Supreme Court meets here next Tuesday, and the legal gentlemen in this House have necessarily much to occupy their attention. Besides nothing practical can grow out of this discussion. The House are already committed by the resolution of last year to a Union of the Maritime Provinces, and the only difficulty that may prevent gentlemen agreeing to the present resolution is its preamble. I therefore rise to suggest to the Provincial Secretary, whether he would not be willing to withdraw this preamble, which is a matter of no importance.

HON. PROV. SEC.—My colleagues and myself entirely concur in the opinion that it is very desirable that the House should preserve the same attitude it assumed last session in reference to a Union of the Maritime Provinces. I think it is only justice to the delegates from these Provinces to say that it was not their fault that the Conference held under the resolution of last session had not a different result. It is only fair that I should also say that I am now much less sanguine than I was last year of any practical result growing out of this resolution. It is a secret no where, that as far as the Island of Prince Edward is concerned, they have decided to have nothing to do with anybody under any circumstances, and to remain in their present isolated condition. Since I addressed the House on the last occasion I notice that two prominent members of the New Brunswick Government have pledged themselves against a Legislative Union of the Maritime Provinces. It will be our duty, however, to ascertain the feelings of the Government of that Pro-

vice on the subject, and to bring it to a termination. I can but add, that, if removing the preamble to this resolution will enable the House to come to the same unanimous conclusion they did last year, I will cheerfully consent to the proposition made by my hon. friend opposite.

Mr. ANNAND.—I am glad the Prov. Secy. has made the announcement he has, that he will withdraw the preamble. This portion of the resolution was distasteful to many gentlemen, and prevented them assuming the same position they did last year. It is apparent that the proposed Union with New Brunswick cannot possibly be consummated—a union I heartily desire—and it would, be therefore, useless at the present stage of the session, to proceed any further with the matter.

Hon. ATTORNEY GENERAL.—I have come to the conclusion that I will not have the pleasure of addressing the House, for the reasons given by the gentlemen who have spoken. There is now a considerable amount of business that must be transacted without delay. I have no hesitation in saying that if the course now suggested is not adopted, the House must be delayed at least a fortnight longer. I have reluctantly yielded to the suggestion to close the debate. I have listened with a great deal of attention, to the gentlemen who have spoken on this subject, and I certainly must say, that I had hoped to have been able to reply to their observations. I have not yet had an opportunity of fully expressing my opinions as one of the delegates. I did not consider that it was necessary for me at the outset of this debate to address the House, but allowed gentlemen to precede me. I must congratulate gentlemen in the Opposition on this question, that they have had an opportunity of fully explaining their views, and placing them before the country to an extent that the friends of Confederation have not. Looking, however, at the time that must be occupied if the debate is continued, and the delay of public business that must result, I have waived my own feelings in the matter.

Mr. TOBIN.—Whilst I am not going to oppose the resolution, I must express my conviction that a Union of the Maritime Provinces cannot bring with it any positive advantages. There is very little trade and business between Nova Scotia and New Brunswick. We can never gain nationality by means of such a Union. I am quite sure, too, that New Brunswick has no desire whatever to unite with us. I firmly believe, if we cannot be united to a large country like Canada, it is better for us to remain as we are. I expressed the same opinions last year, and I see no reasons now for changing them.

Mr. S. McDONNELL.—I must confess that I vote for the resolution with no little reluctance. That the time of the House would be wasted in the discussion of this question, I do not believe. A question that has engaged the attention of so many prominent public men in these Provinces, and has agitated the public mind to so large an extent, is surely worth a few day's debate. The country has expected that every man would express his

opinion on the subject. In view, however, of the desire of the House to bring the discussion to a close, and of the fact that the Prov. Secy. has consented to withdraw the preamble, I shall agree to allow the resolution to pass without making any further observations.

Mr. MILLER.—I feel just as reluctant as other gentlemen, to allow the question to pass without expressing my views, especially after the position which I occupied last year, and have since taken in reference to it. However, I heartily concur with gentlemen as to the necessity of saving the public time. Besides the debate would not really elicit much new information, for nearly all the facts connected with it have already been put before the country. I don't desire to divide the House on the resolution, but I wish it to be understood distinctly that I am not at all committed to it. I entertain views similar to those expressed by the hon. member for Halifax (Mr. Tobin,) respecting a Union of the Maritime Provinces. If I have any desire for a Union it is for the larger one. The opinions I held last year I hold now. My opposition has not been to the Union in the abstract, but to the terms on which it was secured. I defy any one to find a passage in anything I have said since last session, which proves that I am opposed to a Union on fair and equitable terms.

Hon. FIN. SEC.—Any one must see that that if this debate were continued, we must be here a good many days longer. I take it for granted that every gentleman in this House will feel that he should give his constituents the benefit of the views he entertains, and define the position which he occupies, but that he can do equally as well when he visits his country.

Mr. S. CAMPBELL.—As I have offered no remarks upon the question during the debate which has ensued, I now rise to make a speech. It will be a very short one; it is that the question be now put.

The resolution then passed as amended without a division.

[The remaining days, till the prorogation, were taken up with merely routine business, summaries of which have already appeared in the city papers.—Reporter.]

TUESDAY, May 2.

PROROGATION OF THE LEGISLATURE.

The session of the Provincial Parliament was prorogued this afternoon at half-past four o'clock, by His Excellency the Lieutenant Governor, with all the usual formalities. After the usual preliminaries, His Excellency Sir Richard Graves Macdonnell closed the session with the following

Speech:

Mr. President and Honourable Gentlemen of the Legislature Council:

Mr. Speaker, and Gentlemen of the House of Assembly:

1. I am happy that the state of the public business enables me to release you from further attendance on your legislative duties

2. It gives me much pleasure, in closing the second session of the twenty-third General Assembly of the Provincial Parliament, to be able to congratulate you on the many useful

and important measures which your labours have matured.

Mr. Speaker and Gentlemen of the House of Assembly :

3. I have to thank you for the liberal provision which you have made for the public services.

Mr. President and Honourable Gentlemen of the Legislative Council :

Mr. Speaker and Gentlemen of the House of Assembly :

4. The action taken by New Brunswick early in the session, apparently placed a decision on the question of a general Confederation of British North America, to which at the opening of the session I had invited your attention, under the disadvantage of leading to no immediate practical result. I am confident that otherwise you would have felt it your duty to have fully discussed the most important and interesting question, with an earnest desire to meet the views of Her Majesty's Government, in every way compatible with the wishes and interests of this Province.

5. Under the impression, therefore, that the above circumstances, over which you could have exercised no control, had for a time precluded any useful consideration of the larger question, you have meantime reverted to the project of a Union of the Maritime Provinces, and reiterated your opinion of last session as to the expediency of appointing Representatives of this Province to confer thereon. I

shall have much pleasure in transmitting that resolution to the Lieut. Governors of the adjacent Provinces.

6. I most sincerely hope that the important principle of Free Schools, based on a moderate county assessment, may realize your expectations, by obtaining the support of all classes of the people, and effecting the most valuable results in the general diffusion of education.

7. The largely increased provision for the local defence of the country conclusively proves the importance which, as Representatives of a loyal people, you attach to British connection, and the determination of this Province to assume a fair share of the burdens of protecting her existing institutions.

8. The increased provision made for extension of Railway communication to the borders of New Brunswick and Annapolis will, I hope, ensure those undertakings being effectively prosecuted at an early day, with the happiest results to the trade and general prosperity of the Provinces.

9. I am gratified to learn that an Act has been passed providing for the completion of the St. Peter's Canal, and that provision has been made for the extension of the Hospital of the Insane.

10. With heartfelt thankfulness for the continued peace and prosperity which, under Providence, we have so long enjoyed, and with sincere prayers for the continuance of these blessings, I now declare this Session closed.