

**THE**  
**PARLIAMENTARY REPORTER;**

OR,

**DEBATES AND PROCEEDINGS**

OF THE

**HOUSE OF ASSEMBLY**

OF

**PRINCE EDWARD ISLAND,**

FOR THE YEAR 1868.

BEING THE SECOND SESSION OF THE TWENTY-THIRD GENERAL ASSEMBLY.



CHARLOTTETOWN:

PRINTED AT THE "EXAMINER OFFICE," HILLSBOROUGH STREET,

1868.

# INDEX

TO THE

## PARLIAMENTARY REPORTER,

1868.

---

- ADDRESS**, Draft, in answer to His Excellency's Speech, submitted, 8.  
 Taken up in Committee of the whole House, 12.  
 1st Paragraph agreed to, 12.  
 2d Paragraph, relating to negotiations with non-resident Proprietors of Township Lands, discussed, 12; agreed to, 19.  
 3d Paragraph, relating to the Loan Bill, discussed, 19; agreed to, 34.  
 4th Paragraph, relating to papers on the above subjects, agreed to, 34.  
 5th Paragraph, relating to the Selkirk Estate, discussed, 34; agreed to, 44.  
 6th Paragraph, relating to the Land Purchase Act, discussed, 44; agreed to, 44.  
 7th Paragraph agreed to, 44.  
 8th Paragraph, relating to the Revenue, discussed, 44; agreed to, 45.  
 9th Paragraph, relating to Education, discussed, 45; agreed to, 55.  
 10th and 11th Paragraphs agreed to, 55.  
 12th Paragraph discussed and agreed to, 55.  
 13th Paragraph, relating to Local Exhibition, discussed and agreed to, 55. Whole Address agreed to, 55.
- Agricultural Society**, of Cascoopee, grant for, 82.  
 of Prince County, Bill for Incorporation of, presented 86, 94.  
 of St. Peter's, Bill for Incorporation of, presented, 86, 101.
- Address to Her Majesty**, 224.
- Accounts, Public**, 187, 207.
- Alewives Fishery Bill**, 193, 206.
- Appropriation Bill**, 215, 218.
- BIG TIGNISH RUN**, report on, presented, 87, discussion, 106, 110.
- Belfast Grammar School**, 88.
- Baptist Church**, Long Creek, Incorporation of, 101, 113.  
 at North River, 152, 165, 187, 202.
- Bible Christian Church**, Bill relating to the celebration of marriages in, presented, 202; read a second time, 206, 210, 216.
- CONTINGENT ACCOUNTS**, 220.
- Charlottetown Ferry**, 89, 202, 206.
- Incorporation Act**, amendment to, 102, 113, 114, 126.
- Crown and Government of United Kingdom in this Island**, Bill for better security of, presented, 152; discussed, 182.
- Confederation**, Despatches on the, 216.
- DRILL SHED**, 89, Summerside, 205.
- Despatches**, on expenses in connexion with Her Majesty's Troops, 95, 134.  
 Salary of Lieutenant Governor, 210, 213, 215, 224.  
 Consideration of, 220.
- Death of Hon. T. D. McGee**, remarks on, 190, 210.
- EXHIBITION**, Industrial, report of Commissioners on, submitted, 56; Grant for Local, 82.
- Estimates**, Supplementary, 95, 121; extra, 202, 203, 206.
- Education**, Bill to amend Laws relating to, introduced, 120; discussed, 153, 166, 182, 187, 192, 197, 215.  
 Memorial of His Lordship the B. C. Bishop of Charlottetown, on, 130.  
 Resolution on, discussed, 138.
- FISH BARRELS**, Bill to prevent the improper use of, introduced, 86.
- HIGHWAYS**, Report on best means of improving, submitted, 31.
- INTEREST**, Rate of, Bill to regulate, 60.
- Ice Bushing Bill**, 94, 107, 118.
- JAIL LIMIT BILL**, 86, 91, 94.
- LAND PURCHASE ACT**, Bill to amend, introduced, 56; discussed, 57, 58, 90.
- Lord's Day**, Bill for observance of, introduced, 67; discussed, 81, 90.
- Light Houses**, 85.

# INDEX.

License Law, 121, 143, 152, 153.

**MILITIA LAW**, Bill to amend, introduced, 56, 65, 76.

**Manufacturing Roads**, grant for, 93; for opening, 102, 105, 108, 139; Main Road, 105.

**Militia Bill** (Dr. Jenkins) introduced, 119.

**NEW ROAD**, report on, submitted, 81, opening, 94; from Montague Bridge to Burnt Point, 94.

**POST OFFICE GENERAL REPORT**, submitted, 79.

**Public Land Office**, Accounts of, presented, 82.

**Panper Grant**, 192, 193.

**Purchase of Lands**, Bill to expend Ten Thousand Pounds in, 207, 216, 218, 223.

**Petitions disposed of**, of inhabitants of Lots 55, 56 and 57, 57; of inhabitants of Lots 33 and 34, 63, 218; of inhabitants of Lot 59, 76; for New Roads, 79; for Incorporation of Agricultural Society at Sammerside, 79; of Stockholders of Sammerside Bank, 86; for Post Offices, 87; for Small Lark Quay at Egmont Bay, 94, 206; from Wheatley River, 102; of Chas. Taylor of St. John, 102; of Wm. Jaffine, 115; of Geo. Macgregor, 120, 145; of Esg. John Chappell and others, 134; for opening a new road from St. Mary's Road, Lot 61, to Burnt Point Bridge, Lot 63, 192.

**ROAD SERVICE**, 79.

**Revenue**, Bill for raising, presented, 193, 193, 194, 205, 210, 213.

**SALARY OF ATTORNEY AND SOLICITOR GENERAL**, Bill to settle, introduced, 56, 57, 65, 87, 92.

**Sollicit Estate**, Report on purchase, classification, results of sale, &c., by Committee, submitted, 56.

Supply to Her Majesty, 57, 79, 82, 86, 87, 93, 102, 108, 134, 152, 166, 202, 203, 206.

**Sheriff's Deeds**, Act for shortening, 206, 208.

**Special Committee's Report**, presented, 202.

**St. John's Island**, 88.

Grant to certain, 152.

Visitor's Report on, submitted, 81.

**Stock Farm**, grant for, 82; discussed, 83.

**Steam Packet Communication**, grant for, 87.

**St. John's Bank**, 91, 91, 111, 125, 202, 203, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**St. John's Breakwater**, 105.

**Stanfield Factory**, 106.

**Seed Grain Societies**, Bill to Incorporate, introduced, 139; discussed, 133, 144, 152, 207, 208.

**Small Debt Act**, 195, 205, 208, 209, 210, 216.

**Sammerside Bank**, 101.

Bill to en-tire certain Acts relating to, 207, 213, 216.

**Salary of Lieutenant Governor**, Despatch relating to, 210, 213, 215, 224.

**TENANT UNION**, 68.

**Temperance**, petition, 113; discussion on, 121, 148.

**Troops' expenses of**, discussed, 134, 95.

**UNFORTUNATE DEBTORS' BILL**, presented, 144; discussed, 197, 202.

**VOLUNTEER AND MILITIA GRANT**, 89.

**Victoria Breakwater**, 90.

**Victoria Barracks**, 141.

**WILDERNESS LANDS**, Bill to encourage settlement of, 85, 95.

**West Point Wharf**, 90, 165, 192, 194.

**Wharf at Montague Bridge**, 101.

**Ways and Means**, 101, 126.

THE

# PARLIAMENTARY REPORTER.

## SESSION 1868.

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### Meeting of the Legislature.

WEDNESDAY, March 4, 1868.

At 8 o'clock His Excellency the Lieutenant Governor was pleased to open the Second Session of the Twenty-third General Assembly of this Island with the following

SPEECH :

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

*Mr. Speaker and Gentlemen of the House of Assembly.*

I am glad to meet you at the commencement of another Session, and to have recourse again to your assistance and advice.

During last Session you passed an Act to authorize the raising of a Loan : It was deemed advisable that, during the recess, a Delegate should proceed to England to carry out your intentions in this matter ; and, also to apply to the various Proprietors of Township Lands resident in England, with the view of ascertaining from them the terms upon which they would be willing to dispose of their estates.

I regret that the negotiations with these Proprietors have not, thus far, been productive of any results : Nevertheless, the efforts of the Government continue to be directed to a full and final settlement of all questions connected with the Land Tenures.

As one of your principal objects in passing the Loan Act was to enable the Government to make extensive purchases of Land, it has not as yet been deemed advisable to proceed with that Loan.

Papers on these subjects will be laid before you.

I have recently received a petition from certain persons who have purchased their holdings on the Selkirk Estate. The Petitioners allege that the amount paid by them, as instalments, has already been more than sufficient to pay for this Estate, and that it was not the intention of the Legislature, in passing the Act under which this property was purchased, that a larger sum should be exacted from the Tenants than would render the purchase self-sustaining.

I deemed it necessary to refer this Petition for the consideration of the Law Officers ; and I have directed that their opinion should be laid before you, in full confidence that you will mature such measures as may be deemed equitable and convenient on this subject.

A Bill will be submitted to you for relaxing the provisions enacted by the Land Purchase Act for the sale of wilderness lands on public estates, with the view of encouraging their speedy settlement and disposition.

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

The Public Accounts for the past year will be laid before you.

I am glad to observe that notwithstanding the commercial depression of the past year, the Revenue was larger than could have been anticipated, and including that derived from the sale of Public Lands, was in excess of the expenditure.

I have directed that estimates for the current year be submitted to you, and I ask with confidence such supplies as may be required for the public service.

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

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

When I released you from the Legislative duties of last Session, I expressed the hope that you would, at your next meeting, take into consideration a measure calculated to impart to your system of Education a degree of efficiency and practical benefit more commensurate with your liberal provision for that service.

A measure for consolidating the present Laws on this subject, and for amending them in certain particulars, will be submitted for your consideration.

The Committee which you appointed last Session, to report the best method of improving the Highways throughout this Island has concluded its labors, and its report will be laid before you.

I would direct your special attention to a subject of such manifest importance to the people whom you represent.

I venture to hope that the success which attended the Exhibition of articles of local industry during last Autumn, will encourage you to repeat and extend the stimulus which such exhibitions undoubtedly give.

I now leave you to the performance of the duties of the Session.

Hon. Members of the Assembly having returned to their seats, His Excellency's Speech was again read from the Chair, after which the House proceeded to business.

Hon. Mr. COLES, Col. Secretary, laid on the table the Writ of Election issued for the election of a Member for the Second District of King's County, in the place of Edward Rielly, Esq., who had accepted the office of Queen's Printer, and the Sheriff's Return thereon, which was read by the Clerk.

E. REILLY, Esq., Queen's Printer, re-elected a Member for the Second District of King's County, appeared at the Bar, and having been introduced, took the usual oaths and his seat.

The following Committees were then appointed, viz:

Committee to prepare and report the Draft Address in answer to His Excellency's Speech.—Messrs. Beilly, McNeill, Hon. Mr. Kelly, Messrs. McCormack, Dr. Jenkins, Bell and Kickham.

Committee to receive Tenders for Printing the Debates of the House.—Hon. Messrs. Hensley, Howlan, Haviland.

Committee to receive Tenders for Printing the Journals of the House.—Hon. Mr. Hensley, Mr. McNeill, Hon. Mr. Henderson.

Committee on Public Accounts.—Messrs. P. Sinclair, Bell, Hon. Mr. Kelly, Messrs. McNeill, McCormack, Owen, Yeo.

Committee to provide Stationery.—Messrs. Bell, G. Sinclair and Hon. Mr. Laird.

The usual standing Committees were then appointed; and, on motion, it was ordered that Mr. John Griffith be Door-keeper to the House, in the place of Mr. Furlong, who, owing to illness, was unable to attend to the duties of that office.

On motion of the Hon. COL. SECRETARY, Mr. Archibald McNeill was appointed Summary Reporter to the House, his duty being to furnish each Member of the House, daily, with a printed Summary of the previous day's proceedings.

House adjourned till ten o'clock to-morrow.

#### THURSDAY, March 5.

Hon. B. DAVIES submitted a Resolution, seconded by the Hon. Mr. Howlan, to the effect that Robert Gordon, Benjamin Balderston and Isaac Oxenham be appointed Reporters to the House during the present Session.

To which the Hon. Mr. HAVILAND moved an amendment, seconded by the Hon. Mr. McAulay, namely, that the names of Robert Gordon, Benjamin Balderston and Isaac Oxenham be struck out, and the names of David Laird and Peter Stainforth McGowan be inserted in lieu thereof.

Hon. Mr. HAVILAND, in submitting the said amendment, asked why were the claims of the two able Reporters of last Session ignored? The capabilities of two at least of the three named in the Resolution of the hon. member for Belfast (Mr. Davies) were unknown to the House; true, the name of Benjamin Balderston was before the House last Session, relative to his appointment as Registrar of Deeds, and it was extraordinary that the Government, who thought him not fit for that office, should appoint him Reporter to the House, his abilities to discharge the responsible duties of that office never having been tested. Messrs. Laird and McGowan's abilities, as Reporters, had not been questioned, and they had given every satisfaction last Session. It appeared to him exceedingly strange that Mr. McGowan's claims, in particular, should be overlooked; he voted at the last election for Dr. Jenkins and Mr. P. W. Hyndman. He (Hon. Mr. H.) did not wish to say one word disparagingly of Mr. Gordon, whose services were retained by the Resolution in question; he believed that gentleman to be a good member of society and was possessed of many excellent qualities; but in regard to duties of a

Reporter, it was very evident that he was the most inefficient of the three Reporters of last Session, and yet his services were to be continued, and those of the better qualified dispensed with.

Hon. ATTORNEY GENERAL replied, and said it was not to be presumed that the gift or talent of Reporting was confined to any one particular class. Change had been frequently made in that, as in other departments, and he had no desire to recognize the principle of continuing one class of officers always in office. He had reason to believe that the gentlemen named in the Resolution before the House would be found competent to discharge the duties of their office. He was satisfied with the manner in which the Reporters of last Session discharged their duties, but he had yet to learn that Mr. Laird was now an applicant for the office.

Hon. Mr. McAULAY said it was unfair and unjust to discharge the Reporters of last Session. They had performed their work faithfully and well, and why discharge them?

Hon. Mr. DAVIES said the same line of argument as that used by the Hon. Mr. McAulay might be applied to the office of Speaker of the House, or any other office. The debates of last Session were not conducted with that impartiality which should be observed on the part of the Reporters. His opinions on the Loan Bill had not been put forward as they should be; and he was informed that Mr. Laird refused to publish his speech as forwarded to him by the Reporter who was at the desk on the occasion. If those young men named in the Resolution had certificates of competency, which he believed they had, they, he had no doubt, would give general satisfaction to the House.

Mr. BRACKEN said if the charges made by the Hon. Mr. Davies were correct some grounds might exist for substituting the name of another in his place, but he was of opinion that the charge was not correct. Mr. Laird's character was too well known in this community for any one to believe that he would be guilty of what the hon. member (Mr. Davies) had charged him. There were two ways of misrepresenting a speaker, 1st, by putting down what he did not say; 2nd, by omitting what he did say. It was to be regretted that the Government could not provide some other office for Mr. Balderston; but he supposed a section of the Government wanted some public recognition of the services of at least one prominent member of the Tenant League. It was an admitted fact that the two most efficient Reporters were discharged without a fault, and the most inefficient one retained.

Hon. Mr. HENDERSON said it was a delicate matter to speak of the conduct of those who could not reply. He was surprised that the Hon. Mr. Davies had not publicly charged Mr. Laird with that now alleged, when writing on the subject in the public press. He would always defend those whose conduct merited defence, but to discharge the able officers of any department was contrary to all he ever knew, civil or military.

Hon. Mr. HOWLAN said it was unfair to Mr. Gordon to say that he was inefficient. The Parliamentary Reporter of last Session would show that Mr. Gordon had performed his full share of the work. It was well to have a change occasionally, without which no inducement was held out to those disposed to excel in any department. He (Hon. Mr. Howlan) would ask if the hon. member for Georgetown (Mr. McAulay) thought it unfair or unjust on a certain occasion to accept the office of Speaker of that House, the duties of which had been efficiently discharged by his predecessor.

Hon. Mr. HAVILAND reiterated that Mr. Gordon was not an efficient Reporter; he might be master of the English language, and yet not be a good Reporter. He (Hon. Mr. Haviland) said that the hon. member for Belfast (Mr. Davies) should have stated, openly and fairly, when he submitted his resolution, that Mr. Laird was guilty of favoritism, and not charge him with it afterwards.

Hon. COL. SECRETARY said that individually he had nothing to say against the Reporters of last Session. He had ample confidence in Mr. Laird's integrity, but it appeared that that gentleman was very indifferent about taking the office again, though he believed he would accept of it if it was the desire of the House. The Free Education Act had

done much for the young men of the Colony, and those of them who directed their attention to the study of the art of Reporting should be encouraged. It was indeed important that what hon. members on both sides said should be fairly reported. A knowledge of the political views of the speaker was very necessary in order to carry out his remarks correctly. It might appear unfair in the eyes of the Opposition, and perhaps the public, that Mr. McGowan was discharged, but it was one of those changes which would occasionally take place, and if those appointed should prove incapable, they, no doubt, would resign and let others take the desk.

After debate the amendment was lost on the following division, viz:

For it—Hons. Haviland, McAulay, Henderson, Messrs. Ramsay, Prowse, Yeo, Brecken—7.

Against it—Hons. B. Davies, Howlan, Callbeck, Laird, Atty. General, Col. Secretary, Kelly, Messrs. Bell, Arseneault, Reilly, McNeill, P. Sinclair, Kickham, McCormack, Dr. Jenkins—15.

HON. ATTY. GENERAL, from Committee appointed to receive tenders for printing the Debates of the House, presented their report, to the effect that they had received tenders from Messrs. F. W. Hughes and W. Malone and from Mr. David Laird, upon the consideration of which the said Committee recommended the tender of Messrs. Hughes and Malone be accepted.

Report adopted.

Hon. Atty. General also presented the report of the Committee appointed to receive tenders for printing the Journals, which was to the effect that said Committee had received tenders from Thomas Rielly, Hughes & Malone and D. Laird, and that having compared the specimens of paper submitted, the Committee recommended the acceptance of Messrs. Hughes & Malone's tender.

Report of said Committee was then also adopted.

MR. REILLY, from the Committee appointed to prepare and report the draft Address in answer to His Excellency's Speech, presented said draft Address, which is as follows:—

*To His Excellency George Dundas, Esq., Lieutenant Governor, &c., &c.*

May it please your Excellency,

We, Her Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, beg to reciprocate with your Excellency the pleasure which we experience in meeting you again at the commencement of another Session, and to assure your Excellency that our assistance and advice will be cheerfully given whenever you shall have occasion to require them.

With your Excellency, we regret that the negotiations entered into during the recess of the Legislature, with non-resident Proprietors of Township Lands in this Island, have not, up to the present time, proved successful.

Although your Excellency has not, as yet, deemed it advisable to proceed with the Loan, yet the provisions of the Act authorizing it still remain available, in case any Proprietors shall hereafter, as we trust they will do, see the advantage and propriety of meeting the views of the Government by accepting a fair price for their property.

Any papers upon these subjects which your Excellency may lay before us shall receive our due consideration.

When the opinion of the Law Officers of the Crown on the subject of the Selkirk Estate shall be laid before us, your Excellency may rely upon our giving the several questions involved in it our serious and careful attention, and maturing such measures on the subject as may appear just and equitable upon a full consideration of the whole question,

It will afford us much satisfaction to give every encouragement to the settling of wilderness lands, by passing a bill for relaxing the provisions of the Land Purchase Act, or devising such other measures as may best promote that desirable object.

We thank your Excellency for the assurance that the Public Accounts for the past year will be laid before us.

It is gratifying to learn from your Excellency that the Revenue for the past year has been in excess of the expenditure, notwithstanding the commercial depression to which your Excellency has alluded, and also the unusual demands upon the public Treasury to repair the damages caused by the gales of last autumn.

We shall be prepared to give to any measure which may be submitted to us, having for its object the improvement of our present system of Education, and the amendment and consolidation of the laws by which the same is regulated, our careful consideration, believing as we do that the subject is one of paramount importance to the people of this Colony.

The system of Road making hitherto adopted in this Island has been almost universally condemned by its inhabitants. We hail with pleasure the prospect that some feasible scheme will be devised by which our highways will be improved without trenching too much upon the Public Revenue.

The Report of the Committee appointed last session to consider this important subject will receive our special attention when laid before us.

As Agriculture must ever form the principal business of a large proportion of the people of this Colony, it will be our duty to stimulate, by every means within our power, an occupation upon the successful prosecution of which depends, to a considerable extent, the material well being of the Colony.

The Local Industrial Exhibition of last autumn having proved a success, we can assure your Excellency that it will be a pleasure for us to extend to every section of the Island the benefits which such exhibitions are calculated to confer.

On motion of Mr. Reilly, it was resolved that on Saturday next the House resolve itself into a Committee of the whole to take into consideration the said draft address.

House adjourned till 10 o'clock to-morrow.

A. McNEILL, Reporter.

FRIDAY, March 6.

*(On Expiring Laws.)*

Hon. Attorney General, from the Committee to report on what Laws have expired, or are about to expire, submitted the following report, and moved that it be referred to a Committee of the whole House to-morrow:—

The Act of the 21st Vic., Chap. 7, intituled "An Act relating to accidents by fire in Summerside, and the removal of nuisances from the streets thereof."

The Act of the 21st Vic., Chap. 10, intituled "An Act to prevent the running at large of swine in Summerside and vicinity," will expire at the end of the present Session of the General Assembly, and that the Act of the 30th Vic., Chap. 1, intituled "An Act for raising a Revenue," and the Act of the 30th Vic., Chap. 2, intituled "An Act to alter a certain Act therein mentioned, relating to the Revenue," will expire on the first day of May, in the year of our Lord one thousand eight hundred and sixty-eight.

JOSEPH HENSLEY,  
FREDERICK BRECKEN,  
WM. S. McNEILL.

Mr. Peter Sinclair moved the following resolution :—

*Resolved*, "That the House will provide for payment out of the sum to be voted for the contingent expenses of the present Session, a sum not exceeding £15 to each of the proprietors or publishers of such of the newspapers of this Colony as will publish in full the Debates of the House as taken down by the Reporters during the present Session."

HON. LEADER OF THE OPPOSITION.—I take exception to that resolution, Mr. Speaker. It is introduced contrary to the principle upon which the initiation of money votes is based.

HON. ATTORNEY GENERAL.—If that principle was carried out and applied to such a motion as this, we could not appoint an officer of this House without its becoming a matter of supply.

HON. LEADER OF THE OPPOSITION.—The resolution under consideration does not refer to the appointment of officers to this House, and is therefore quite irregular.

MR. REILLY.—Perhaps Mr. Sinclair might get over the difficulty by altering the resolution.

MR. P. SINCLAIR.—I consider it would be well to give the publishers the amount named in the resolution; but it will be for the House to decide.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker, the only thing in the resolution to which any objection can be made, is the amount. I think the member who moved this resolution did so on the score of economy. Those printers, we know, are very grasping when they get an opportunity. They must be given to understand that they will be required to furnish slips to this House, similar to those of the Summary Reporter. When members from the country say that the majority of their constituents never see these debates, it will not do to give an extravagant sum for publishing them. If we give an order to have all the debates published without specifying any amount we do not know what sum may be charged.

HON. LEADER OF THE OPPOSITION.—There is another objection to this resolution, and that is, that it has altogether taken the House by surprise, and if the construction the Hon. Attorney General put upon it is correct, any member may get up any afternoon and propose a subject without putting it in the Order Book.

HON. ATTORNEY GENERAL.—With respect to the rule of the House, it is quite correct that anything of importance should be placed upon the Order Book, but it is the first time that I have heard of any matter respecting the publication of the debates or the appointment of officers of the House, being taken up in that manner.

MR. SINCLAIR.—I have no desire, Mr. Speaker, to press the motion, as hon. members appear to object to it.

A message was received from the Legislative Council, through its Clerk, Mr. Ball, stating that a Committee had been appointed by that body to keep up a good correspondence between the two branches of the Legislature.

On motion, the House adjourned till ten o'clock to-morrow.

BEN. BALDERSTON, Reporter.

SATURDAY, March 7th.

*House in Committee on expiring Laws.*

Mr. G. Sinclair in the Chair. Hon. Attorney General submitted the following Resolution :—

*Resolved*, That it is expedient to continue and amend the Act of the 21st Vic., Chap. 7, intituled "An Act re-

lating to accidents by fire in Summerside, and removal of nuisances from the streets thereof."

HON. MR. HOWLAN said, that a public meeting had been held at Summerside for the purpose of considering the propriety of obtaining an Act of Incorporation for that town, and he had expected that the hon. member (Mr. McLellan) would have been prepared to ask leave to introduce such a measure. He believed that it was also in contemplation to ask for money to build side-walks in that town. Improvements of that nature were required there, and he believed that the best way to obtain them would be to have the town incorporated.

MR. McLELLAN considered that it would be quite time enough for the members for that district to move in the matter when the people asked them.

The Resolution was then agreed to.

HON. ATTY. GENERAL said, that the next Resolution had reference to the running at large of swine in the town of Summerside and vicinity. The hon. member then read an extract from the Act to which the resolution referred, and after making some comments on its provisions, moved the following resolution :—

"That it is expedient to continue and amend the Act of the 21st Vic., Chap. 10, intituled "An Act to prevent the running at large of swine in Summerside and vicinity."

HON. MR. DAVIES, in seconding the Resolution said, that the hints which had been thrown out by the hon. member for Tignish were, in his opinion, well worthy the attention of the hon. member for Summerside. His (Hon. Mr. Davies') opinion was, that the hon. member for that place should bring in a Bill for the incorporation of that town, for he was convinced that such a measure would be found to be of great service. They have now in Summerside a Bank, which has for some time been in successful operation, a Grammar School, and a Press. The business of the town has largely increased within the past few years, and it is now a place of considerable importance, and he certainly would like to see them having such powers as would enable them to manage their local affairs. He thought it was proper to state that if the hon. member brought in a petition asking leave to bring in a Bill of that nature, it would be favourably entertained by this House.

HON. MR. HOWLAN was only surprised that the hon. member for Summerside was not now prepared to ask leave to bring in such a Bill. He was aware that a meeting had been held in that town to consider the subject, and a long report of the proceedings had appeared in the newspapers. The Press of that town had also drawn attention to the propriety of the Government purchasing some property for the town. He thought the hon. member (Mr. McL.) should be cognizant of these facts. He had noticed, too, that it had been in contemplation to ask for money to build side-walks, but although he belonged to Prince County, and would be glad to do all in his power to aid the chief town in that end of the Island, yet he doubted if it would be right for this House to grant public money for such a purpose. He was aware that their streets and side-walks required improving, but he believed the most satisfactory way in which that object could be accomplished, would be to have the town incorporated.

MR. McLELLAN considered it a waste of time to be talking about what had occurred at public meetings. He did not expect that this hon. Committee was going to consider such matters now, and was therefore not prepared

to enter into their consideration. When the people of that town asked for an Act of Incorporation he hoped to have the support of the hon. member from Tignish. He could assure him, however, that no definite action had as yet been taken upon the subject by his constituents.

Hon. Mr. DAVIES said that if the people of that town would ask for an Act of Incorporation, no obstruction should be thrown in their way, and he believed the sooner they applied for such an Act the better. It was now a place of considerable importance, and had risen to its present creditable position wholly by the energy, enterprise and public spirit of its people.

Mr. GAZER thought it would be quite time enough to take this matter up when asked by the people to do so. It was true that several meetings were held for considering the subject, but the majority were opposed to having the town incorporated. When the people were prepared to ask for an Act of that nature he would be ready to support it. Until then he did not see any propriety in discussing the matter.

Hon. Mr. HOWLAN said that he very much regretted that no spot of ground had been secured for public purposes in that town. He understood that Mr J. Green had made an offer of a plot for a public square some years ago, but the government did not purchase it. He did not belong to that town, but as a resident of the country he considered it important that attention should be given to the public wants of Summerside. Georgetown has her public squares and public buildings, and the capital of Prince County should have the same.

The Resolution was then agreed to, and a Committee consisting of Mr. McLellan, Hons. Mr. Haviland and Mr. Howlan was appointed to bring in a Bill in accordance with the foregoing resolutions.

House adjourned.

ROBERT GORDON, Reporter.

MONDAY, March 9.

*Morning Session.*

Speaker in the Chair.

It was moved that the House do now go into Committee on the draft address in answer to His Excellency's Speech.

Hon. LEADER OF THE OPPOSITION—Mr. Speaker, before we go into that Committee, I will make a flying commentary on the speech with which Her Majesty's Ministers have opened the present Session. I do feel disappointed that this motion was not made by the hon. gentleman who framed the address. I thought that that hon. member would have given us a very eloquent address on the great and vital interests involved in the questions which are to be brought before this House. We know that last session, the reason given why there were no great measures brought in for the benefit of the Island, was the late season at which we were called together, and the short time during which this Government was in power. But now, sir, I was going to say they are as stable as a rock. They are, in fact, like the happy family that was exhibited in London, in which cats, rats, various descriptions of birds, &c, lived together in perfect harmony. I have thought that the present Government is very much like these creatures in the cage—it is composed of persons of every shade of politics, living, or apparently living, together in harmony. Now, Sir, we have this speech emanating

from this composite Government, yet I cannot congratulate them on its production. True it may pass the muster which the celebrated Cobbet once said no speech from the throne could—it may be grammatical; but when I look at it, I find nothing wonderful in it from the first to the last. In the first part, it mentions the Loan, that measure which was to give free land to the down-trodden tenantry, and relieve the country from commercial depression for all time to come. Some members of the Government said that if the Loan was not obtained, it would be impossible to meet the liabilities accruing on the Cunard Estate; and when it was laid down by members on this side of the House that there was no necessity for it, and that the Island could pay its debts without getting a loan, they were laughed at. When a petition was laid before this House for a further issue of Treasury Notes, and it was moved that the House go into Committee to consider the subject, the Hon. Mr. Howlan put his veto upon it at once. Well, then the Loan Bill is passed, and it remains upon the Statute Book a dead measure. Although this is a speech of Governor Dundas, yet it is the speech of his ministers. The speech goes on to say that the negotiations with the non-resident proprietors have not proved successful. Although the Townsend Estate has been purchased, yet the efforts of the Government to settle the Land Question have not been productive of much benefit. The report of the Attorney General, respecting this Bill, is published in the *Royal Gazette*, and contains a great deal of matter, but the matter is not there. From this speech you would imagine that the Loan had already been obtained, for what inference is to be drawn from the words "The provisions of the Loan still remain available, in case any proprietor shall see the advantage of meeting the views of the Government." I believe that while the Attorney General was in England, he did not fool away much of his time, and however unfortunate the result has been, it was not his fault. But we know, sir, that when he went there, although there was plenty of capital afloat, yet capitalists were not very ready to run after him and beg his acceptance of it. The Tasmanian Government were trying to negotiate a loan at the same time, but could not obtain it, except by selling their bonds at 90 per cent. When money could be had on the Island at six per cent, and the bonds taken at par, it was a most extraordinary thing that they should go to England for it. Notwithstanding all the fears of the hon. member (Attorney General), and his friend on his left, there is more money now on the Island than there was last year. The money due on the Cunard Estate has been paid, and there is now plenty of money in the banks awaiting investment. I will leave it for the hon. member for Belfast, on this side of the House, who is such a great financier, to settle this question.

Mr. DAVIES—I am as good a financier as you are.

Hon. LEADER OF THE OPPOSITION—I said the hon. member for Belfast, on this side of the House. I think Mr. Duncan is well able to speak for himself.

Mr. DAVIES—I thought the hon. member referred to me.

Hon. LEADER OF THE OPPOSITION—I leave it to Mr. Duncan himself to decide the matter.

Mr. DUNCAN—I certainly understood the hon. Leader of the Opposition to refer to me.

Mr. DAVIES—I am perfectly satisfied.



**HON. LEADER OF THE OPPOSITION**—The mistake of the hon. member has certainly had one good effect—it has troubled me to know where I left off.

**HON. ATTORNEY GENERAL**—The flourishing state of the country.

**HON. LEADER OF THE OPPOSITION**—I want to show that notwithstanding all the prognostications of the Attorney General and his friends, we have surmounted the difficulty. There is no more to be paid on the Cunard Estate for ten years, and I think the country will progress so much in that time that no difficulty will be experienced in meeting the payment. If ever there was a political bogus this was one. Why last year you could not go into the country to collect a debt but the people would say wait till we get the Loan and then we will have plenty of money. There is at the present time over forty thousand pounds in the two banks awaiting investment, and I think it was a strange affair to go to so much trouble to carry such a Bill and then leave it a dead measure on the Statute Book. Whenever a Government interferes with trade it does more harm than good. A number of merchants once came to a great financier in France, and when he asked them what he could do to advance the interests of trade, they replied—that all they wanted him to do for trade was to leave it alone, and that principle is as sound now as ever it was. Well, Sir, when these papers are laid before us, we will not attempt to bring any slur upon the Attorney General, that he did not do his duty. But it was trumpeted abroad that although the Attorney General did not get the Loan, yet he succeeded in getting the Island relieved from paying the five thousand pounds with which it was charged as the expenses of the military. But the Attorney General must not take all the credit of this, for the late Government repudiated the payment of that sum, and had they remained in power never would have paid it. The claim was unjust, and when the Colonial Minister considered the matter he recommended the War Office to drop it. Then, Sir, we have another paragraph on the petition from the settlers on the Selkirk Estate. For a Government which is supreme in its authority, such a miserable and contemptible paragraph is nothing to their credit. They have not the manliness to say they will introduce a measure, but leave the matter for the consideration of the House. What is the use of a Government if they will not take any responsibility upon themselves? Upon a small matter we are promised a Bill—regulating the sale of wilderness land; but upon a matter affecting the interests of all the settlers on the Selkirk Estate, no promise is made. How happy they are if they can fall back upon something which the late Government did which will serve as a precedent for them. They say that the late Government should have sold the Estate to the Tenants at a price which would make it self-sustaining and no more; but no person could do this except he was omniscient. Commissioners were sent there to settle the matter, and then the Government had to fix the prices in accordance with their report. They say that the Government of that day were dishonest, but if they were, where was the patriotism of the other side of the House that they never could find out for eight years that these settlers were charged too highly for their lands. It was left to the press to discover this error. The Attorney General in his report says the remedy is to be found elsewhere than in a Court of Law; but he does not say where. I think that this Government which contains Tenant Leaguers,

who, it is said, are greater friends to the Tenantry than either Liberals or Tories, might have had something more definite on the subject. But it appears that the only influence these Tenant Leaguers have is to get Reporters to the House appointed. Then we come to the question of Education. Upon that question I thought we should have had a promise that the present educational system should be altered. But what are we promised? Why, Sir, very little more than in the paragraph relating to the Selkirk Estate. We are going to have it consolidated and changed in certain particulars. We know that in the present Government there is a member who has, I think, christened himself the father of free Education in the Colony.

**HON. MR. HOWLEN**—No.

**HON. LEADER OF THE OPPOSITION**—Well who was christened so by others. I took it for granted that while he was Leader of the Government we should have something done. The paragraph of last year, when they had not been in office ten days, was a far braver and better paragraph. We know that when a people are well educated they are more easily governed. In an age when it is laid down as a rule that an educated man should know something of everything, and everything of something, I am surprised at this paragraph. There is another question connected with this subject, and that is whether it is better in a mixed community for each denomination to have its own school, or have a common school for all. Then there is the paragraph which refers to local industry. All I can say is that I approve of it, and if the Government ask for a grant for an Exhibition, it shall have my support. There is another question which I think might have been in the Speech. I know that there are one or two members who take a great interest in it. It is a question which should have been taken up long ago. The question to which I refer is the improvement of our Insolvency Act. If a man is unable to meet his liabilities, we know that by taking advantage of our Insolvency Act he can secure his person from arrest, but he can never do business again in his own name; he is a drone in the community. I contend that when a man gives up all his property to his creditors he should afterwards be allowed to do business for himself.

BALDERSTON, Reporter.

**HON. ATTY. GENERAL**—Mr. Speaker, after listening to the startling speech of the hon. and learned member, the Leader of the Opposition, and the line of argument which he has pursued, I think this House will agree with me in saying, that the hon. member has been entirely too vehement in his remarks, and that he grew too warm in their delivery, for he has laid down principles which are sadly at variance with the past practice of that party. The hon. and learned member has thought proper to refer to this side of the House, and to compare it to the happy family that was exhibited in London, where animals of different kinds lived in harmony together. He was, however, happy to inform the hon. member that, although this side of the House may have men who entertain different opinions on some points, yet he was sure his hon. friend would be glad to know that we get along very comfortably. We have our own individual and particular views, but we are not so bigotted as to forget how to respect each other. But, Sir, it is well known that such was not the case with the late Government. The statements of the learned and hon. member do not apply to this side of the House, or to the Go-

vernment, but they apply forcibly to the late Government. It is well known, Sir, that they quarrelled among themselves at the Executive Board, and that their strife and contentions became so vehement, so alarming, and so dangerous to themselves, that the country found it necessary to open their cage and set them at liberty. We have taken possession of the cage—we had to do so; and, as we agree very well, it is quite possible that we may continue to occupy it for some time longer. I am sure, sir, that it must have been apparent to this House when listening to the speech of the hon. member, that some public men never shine so brightly as when placed in the cold shades of opposition. It is, indeed, surprising to notice how the lessons of adversity benefit some people; it makes them wiser, kinder, and more considerate. It brightens their perception, too, for they can then see errors and omissions of duty which they never could notice before. It now appears that the only substantial fault which they can find, springs from the natural regret that they are not in the Government themselves. But, sir, the effect upon them, since placed in opposition, has been so beneficial, that I hope Her Majesty's hon. Opposition shall long continue on that side of the House. It would be a sad calamity were it otherwise. (Laughter.) The learned leader of the opposition says that the speech of His Excellency should have informed this House of the principles of those measures which it says the Government intend submitting for the consideration of this House. Now, while my hon. friend was speaking and endeavouring to shew what the Government should do, I thought he should have remembered that it was only about a year since the late Government went out of power, and that the hon. member should have considered how little his party did for the country when in office. And, considering what he has said, I only wonder to find that the Government of which he was a member did not foreshadow more fully in their Governor's Speeches the measures which they intended to bring down. Before the hon. member had made such statements I think he should have gone back a few years and reviewed the course pursued by his own party. In the Speech of 1864, the only measure promised was "A Bill to prevent the fraudulent marking of merchandize." In that of 1866, no notice was given of the measures they intended to introduce. They were then so occupied with the fascinating project of the expedition to Brazil, and the civil disturbances of the country, that they could not give attention to other matters affecting the public interests. The Speech of 1866 says, "The general prosperity of the country has been marred by the civil disturbances which took place in several parts of the Colony." We might, sir, have stated that the country is not now in a disturbed state, and that troops are not now necessary to support the law or the Government; but, sir, I have no wish to refer to these unpleasant matters, for my own part I would prefer to say nothing about them, but, were we so disposed, my hon. friend will perceive that the Government could easily have done so. In the Speech then of 1866, I find no measure promised: It is a Speech literally without a measure. I will now turn to that of 1865, and see what measures are referred to in it. The hon. member has found fault with the Government because no line of policy is laid down in His Excellency's Speech. If it is right that His Excellency should have done so in the Speech now before this House, it was surely also proper

for the late Government to have laid down their policy, and foreshadowed their principles. There was in 1865 a matter of vital importance brought to their notice by the Imperial Government; one which aimed at changing the constitution of this Colony, but they only told the House that they deemed it expedient to appoint delegates "to proceed to Quebec," and that they would give the subject their *earnest consideration*. This was all, sir, they pledged themselves to do, on a question so important, and at a time, too, when it was expected that they should declare their policy. It is true, they refer very generally to the militia laws of the Colony, and say that "a measure will be proposed" relating to that service. These are the only matters I notice in the Speech of that year, alluded to in the vaguest manner; and, therefore, I think that the arguments of the hon. member fall to the ground. The learned and hon. member finds fault because we have not embodied in the speech the leading principles of the measures proposed to be brought down. But when, in 1864, they referred to the Report of the Land Commissioners and the "Bill to prevent the fraudulent marking of merchandize," which they proposed bringing in, they did not at all even foreshadow the principles of that measure, under the latter of which, too, I have never heard of a person being prosecuted. I do not intend travelling over all the ground gone over by the hon. member, and will only say that my hon. friend may be in a Government yet; and, therefore, I think, he should be careful in making such speeches, for they may be brought up against him on another occasion, in a very inconvenient way. The learned and hon. member has alluded to the Loan Bill, and I have to acknowledge that in dealing with that measure I have always received the utmost courtesy from him. When the measure was before the House last Session, it was thought that unless something was done to relieve the immediate drain required to meet the instalments which became due in July and January last, on the Cusard Estates, that it would lead to commercial difficulties in this Colony. Am I going to complain because a commercial crisis did not occur? By no means. I rejoice that it did not; but I believe that if the loan had been obtained, the country would be in a better state now than it is. It cannot, I think, be otherwise than admitted but that the arrangements of the late Government caused a large amount of money to be retained in the Banks, that might have been in circulation. I am glad that no crisis has occurred, the Colony, sir, has weathered the storm; although I still believe that, financially, it would have been better for the Colony if the loan had been obtained. The hon. member has said that there is no evidence that a loan can be obtained, though this seemed to be taken for granted in the address. Upon this matter, the learned and hon. member has taken the trouble to state the course the Government ought to have pursued, and really, sir, it is a most valuable thing to have such a lesson. I hope Her Majesty's Government will always get full and faithful instructions from that side of the House. But, notwithstanding all that has been advanced by the hon. and learned member, I believe the Government will be able to satisfy this House that the course they pursued was a proper one, and such as will command their respect. It is true, we did not obtain a loan, but the Bill received the Royal allowance, and it can be obtained when we require it. When the Bill was under discussion last Session it was

said that it would not receive the Royal allowance, but it has. Our attention was then directed to the Tasmanian Government, which was unable to obtain a loan in July last. And when I was in England last year that Government had not obtained it, but they procured it last January at a trifle above par. And although these North American Provinces do not stand as high as the Australian Colonies in the money market of London, yet it is probable that if our loan had been pressed at the same time, that we could have obtained the money for 95 or 96, terms which could not have been had when I was in England. On account of the large shipments of produce and fair prices obtained last autumn, the country has surmounted the difficulties of the past year better than was at one time anticipated. With respect to the negotiations for the purchase of proprietors' estates, I do not see what the Government could do but express regret that the negotiations have not been "productive of any results." Not longer ago than last week, I received a letter from Lord Melville, in which he refuses 10s. 3d. an acre for the land which he holds in this Island. And when this and other communications are laid before the House, it will be seen that the Government did all it was possible for them to do. My hon. friend, the Leader of the Opposition, has also referred to the clause referring to Education, and in doing so proposed all manner of vexed questions. He would have liked it better if something more definite had been furnished, and that this House had been informed whether the consolidation of the laws and some trifling amendment was all that was intended, or was some more difficult questions to be entertained, and the whole system remodelled. The hon. member is very well aware that the general rule in Speeches from the throne is to say as little as possible in regard to details. When the Imperial Government promised a Reform Bill in the Queen's Speech, they did not announce what its provisions were to be. Such a course would be inconvenient. But as the hon. member has spoken so earnestly on the subject, and seems so much interested in the matter, I am surprised that he has not given us his own opinion. I think he should do so.

HON. LEADER OF THE OPPOSITION.—Oh! no, I want to get the opinion of the Government first.

HON. ATTY. GENERAL.—Yes, of course, my hon. friend would prefer to have the opinion of the Government first; but the proper time will be when the Bill is brought down. If the Speech entered into these details, a discussion would arise, which would unnecessarily prolong this debate, and delay the presenting of the Address in answer to His Excellency's Speech. With respect to the remission by the Home Government the amount demanded for maintenance of the troops I never said that this Government claimed all the credit, for it will be seen in my Report that I based my application (and clearly stated it) upon the remonstrance of the late Government, as embodied in their Minute of Council forwarded to the Colonial Minister, nor has this Government ever put forth the opinions attributed to them in this matter. But this question can be more fully discussed when the paragraph comes up in committee. With all due deference to my hon. friend, I think the course he has pursued most unusual. We never until now heard the Address in answer to His Excellency's Speech discussed before the Speaker left the Chair.

HON. LEADER OF THE OPPOSITION.—I rise, Mr. Speaker, to a point of order. I maintain that I have a perfect right, according to the constitution, to follow the course I have pursued. Indeed it was the only time for a running commentary on the whole Address, although I admit that it is, perhaps, not the best time.

HON. ATTY. GENERAL.—I admit the correctness of what the hon. member has said. I did not say it was unconstitutional, but unusual.

HON. LEADER OF THE OPPOSITION.—I agree to that.

MR. BRECKEN.—Mr. Speaker, I will offer a few remarks, although I do not intend to go into all the subjects alluded to in this reply, but simply to notice the very reticent manner in which the matters referred to in this address, comes before us in His Excellency's Speech. Sir, if they have a policy, why do they not come boldly down and state it? The learned Attorney General, before the last election, issued an address to his supporters, in which he enlarged upon the divided state of the late Government. It is no use denying that the late party were split up and divided on the subject of Confederation. But in this Government it would seem there is nothing of the kind. They say that they are possessed of all the energy and industry of the country, and are overflowing with good intentions. They may have very good intentions, but I am afraid they lack public spirit. I was prepared to hear from my hon. friend, the Atty. General, that though comprised of men of all shades of politics, they can hang together, and I believe they will continue to do so as long as the rules of Parliament will allow, and that when they do die, it will be of political consumption. Will they deny that they are not constantly at issue among themselves? On the floor of this House they have all the appearance of a happy family, but it is in caucus that their differences are brought out. In reality, Sir, they differ as widely as men can on all public questions, and when they find that they cannot agree, round goes the ballot-box, that political Pandora's Box which will yet bring them into difficulty. The Pandora's Box of mythology had hope at the bottom; but this political box of theirs has only despair. Last Session they had the excuse that there was not time; but they have not that excuse now, for during the recess they had plenty of time to mature their measures. I am sure, Sir, that my hon. friend, Mr. Coles, is desirous of doing his best for the country; but, if it is true that all political shades of opinion are associated in that party, and that they cannot agree on important public questions, then I am also sure that the position of my hon. friend is not an enviable one. I know that there are men in that party who entertain extreme views. There are some of the old Liberals, some middle men, and a few Conservatives, and I ask, Sir, what confidence can we have in such a party. There is something radically wrong in the manner in which they deal with important public questions. And I say that public questions will not be properly dealt with by a party so divided among themselves. They do not agree even on minor points, for a few days ago, when the official Reporters for this House were appointed, the curtains of the windows were brought into requisition by one hon. member who did not wish to vote on the question. I put it to the hon. Atty. General if it is not so? And when he says that this Government can do well, I am not so sure that my hon. and learned friend is very sanguine on that point. The way in which the hon. the Atty. General has replied to the hon. the Leader of the Opposition, regarding the meagre promises contained in the Speech from the throne, was rather amusing. You know, Sir, that it has been said that a sort of political delusion led the people to support the late Government, and I would submit for the consideration of the Atty. General, if the Liberal party have not always held up the Conservatives as a useless party? How then can the hon. member fall back upon their acts, in order to excuse his Government for

bringing forward this meagre Speech? The Conservative Government had been in power for several years at that time, and by their management of public affairs had so matured and perfected their measures, that comparatively little was then required of them. It is, therefore, no use for the learned Atty. General to be referring to the Governor's Speeches during the time the Conservative party was in power. If the Conservative Government did not do well, that is no reason why the present Government should not. Did he suppose that his supporters would be satisfied, when he told them that the Tories had also given meagre Speeches from the throne, in which their measures and the principles upon which they intended to base them, were not set forth? Had he told his supporters that he intended to take these Tories into his confidence, and held a consultation with them on important questions, then there would be some reason in the arguments he has advanced. The hon. Atty. General has come in here as a reformer, and, therefore, what he has said forms no answer at all to the objections taken to the Speech from the throne, by the hon. and learned Leader of the Opposition. Last year, Sir, as I before said, they had the excuse that the Tories had delayed the election so long, that there was no time to mature measures, and I admit, there was some reason in that excuse; but, are they coming down here now to tell us that they had no time? There is a diversity of opinion in the Government, and I have no doubt but that my hon. and learned friend, the Atty. General, does not feel quite as comfortable as when in opposition, and notwithstanding what he has said about hon. members, when placed in opposition, I speak sincerely when I say, that so far as my personal feelings are concerned, I would much rather be in the Opposition than in the Government. This, however, might be said to be the first Session of the present Government, and some new measures might, therefore, be reasonably expected. The Speech informed the House, that the Government had considered the petition from the tenants on the Selkirk Estate of sufficient importance to be referred to the Crown Law officers for their opinion. I find no fault with those gentlemen for the opinions given in that report; but when they stated that the matter was worthy the consideration of the Government, and that the spirit and intention of the Act was to make the Estate self-sustaining, I do find fault with the Government for not declaring their intention of legislating upon this matter, as well as upon the sale of wilderness land.—In the extracts from the speeches, which had been read by the Attorney General, there was one which spoke of the country being in a state of agitation and turmoil; and the hon. member said that if the Government had been disposed, they might have referred to the state of the country then, and have compared it with its condition now. Whatever the opinions are, which my hon. friend may entertain on this point, he will admit that when the agitation arose in the country, the Conservative Government had manliness, public spirit, and energy enough to take what they considered the proper course to check it, though they were well aware that their action in thus suppressing the Tenant Union would operate against their party, and produce a feeling that would cause their overthrow; and I heard one hon. member, who is not now here, say he was very well aware that such would be the case. Yet, Sir, with this knowledge plainly before them, the Conservative Government considered that their first duty was to maintain the honor of the country, and it is to be regretted that the present Government have not more of such public spirit. And let me tell them further, Sir, that a Government which cannot respect itself, will not long continue to command respect. We knew, Sir, that we had a character to sustain, and we upheld it with the certainty before us of breaking up the Government. The Conservative Government, Sir, had too much public spirit to act otherwise. On the matter of Confederation, I will ask the hon. the Attorney General what other course the late Government could have pursued in reference to

that question? It is true the Leader of the Government introduced a Resolution on the subject, but he stated at the time that he did so as a private member. I say, Sir, that the Conservative party pursued a straight-forward, honorable course, in dealing with that question, one that would satisfy the most timid Anti-Unionist in the Colony. Both parties had friends in this House, who were in favor of the measure, and one of these was the late Queen's Printer, and although Conservatives cannot be expected to say much for that gentleman, for the severest handlings they ever received were from him, yet he was the brightest and most talented man who ever sat among the Liberals, and he may have considered that the Conservatives deserved it all. But there was a time, Sir, when he monopolised the business of that party, and at that time there was more respectability among them than is to be found to-day. There was, too, a political manliness at that time in the party that does not exist now. Well, this man was a Confederate, and he was placed in one of the best and most important offices in the gift of the Government. I do not reflect upon them for this; for he had strong claims upon them. As regards the Insolvency Act, to which the hon. the Leader of the Opposition has referred, I suppose the Government will be prepared to deal with the subject. Last Session a special committee was appointed to consider the subject; but Sir, that is not the way to deal with this important matter. The subject is one which required very serious consideration, for there is, perhaps, no Act upon the Statute Book of the Mother Country which has been more frequently altered and amended. Indeed, it is not yet settled. There is no question that has given more trouble to legal men whose duty it has been to frame such measures, or to legislators who have had to legislate upon them. Some of the ablest men in England have been engaged in preparing and legislating upon such measures. Lord Westbury and Lord Brougham, two of the ablest men in that department of study that Great Britain ever produced, devoted their attention to the consideration of the Law of Insolvency. To frame a measure of this kind properly we would require to have a collection of all the laws of the neighboring Provinces and the United States on this subject. It is an important question, and one that should be taken up by the Government. The intentions of the Government on Education, I dare say, are very good, but still I think my learned friend the Atty. General should have been more explicit when referring to this matter. The hon. Leader of the Opposition was probably not far wrong when he stated that they only purposed consolidating the Act, and making a few alterations in minor details. Perhaps enacting how the chimneys should be built, that the doors of School-houses should open outside instead of inside, or that teachers would not be required to attend the Normal School. Last year they altered the mode in which the teachers were paid, by repealing the section introduced by the late Government, as it had not given general satisfaction in the country. But, Sir, sooner or later it will come to be seen, that the principle laid down by the Conservative Government was a correct one. This is the only country in the world whose teachers are paid entirely from the public treasury, and I believe that it will yet be found that the drain upon the revenue will be too great; and that a local assessment will have to be resorted to, for raising a part of the teacher's salary. In upper Canada the Government had lately granted \$50,000 for Education, but it was expected that over a million dollars would be raised by assessment. I know it was said that the section which had been introduced by Mr. Longworth was wrong, and that it was made use of to prejudice the people against him, but I submit that it was not. It would, no doubt, be well to consolidate the Act, and amend it in a few minor details, but have this beautiful composite Government no other policy? Were there no important alterations required. Their good intentions would perhaps be made known at the next general election.

**Hon. Mr. HOWLAN.**—Mr. Speaker, it is indeed a pity that the Government had not called upon the learned and hon. members of the Opposition and informed them of their intentions, especially as they are so fond of asking questions and so anxious to know what the Government intend to do. The hon. and learned member for Charlottetown (Mr. B.) has told the House what the Government should do, and I hope they will be sufficiently grateful for such gratuitous advice. Perhaps it is to be regretted that the hon. member was not employed to prepare the Speech. No doubt he thinks so himself. I cannot but regard it as strange that the hon. member should have sat in this House for so many years, and that he should have for so long a time neglected to have brought forward this highly important matter respecting the chimnies and doors of school houses. It is, indeed, wonderful that he never thought of this before; but I rather suspect, sir, that when they are attended to, that it will have to be done by other people. When the question of Education comes up for consideration, the Government will, I hope, be prepared to treat it upon its merits. The hon. member has also made the discovery that there is no respectability on the Government side of the House. That all the respectability of the country and of this House, is to be found in Her Majesty's hon. Opposition.

**Mr. BRACKEN.**—I rise to a point of order. In using the word "respectable," I did not mean to apply it to any individual. I meant political respectability. I meant nothing personal; or that my remarks should apply to any individual.

**Hon. Mr. HOWLAN.**—Oh, of course not. Lawyers are so fond of special pleading, that as a matter of course the hon. member meant nothing personal. But, Sir, it does not become the hon. member to be twitting the present Government with want of unity and respectability; such taunts come with a very bad grace from the Opposition. Is it possible, Sir, that there is no respectability in the country, but what belongs to that side of the House, and that this side should have no respectability, no manliness, no public spirit, and no enterprise, and that they should have it all, and that we are but playing second fiddle to the public spirit and respectability of our opponents? Certainly this want of respectability is an all important one in the estimation of the hon. member for Charlottetown. When I first took my seat in this House, five years ago, the Conservatives had a majority which enabled them to carry everything before them; they had then all the respectability of the Colony with them. The fact is, they had too much of it, and became so surcharged with respectability, that it scattered them and broke their party into fragments, and if some of these who were forced away have been drawn into the Liberal ranks, it is because they have found, not too much respectability, but sufficient to enable them to perceive that the best interests of the country can be promoted by the party with which they now stand connected. The hon. member (Mr. B.) said that during the first four years the Conservatives were in power, they had enacted so many good measures, that there was comparatively very little for them to do afterwards. But where are those great measures? It is true they passed the 15 Years' Purchase Bill—a Bill so nearly obsolete, that I hardly know where to find it. But where are their other measures?

**Hon. Mr. McANLAY.**—That is not in the Speech.

**Hon. Mr. HOWLAN.**—There was not anything in the Speech about the Law of Insolvency, and yet the hon. member, the leader of the Opposition, introduced the matter into debate, and when they introduce matters not connected with the subject before the House, they must expect a reply. For eight years the Conservatives did nothing calculated to benefit the country, and the people had to fall back upon the Liberals. The people who put the late party into power nine years ago, had unbounded confidence in them, and gave them a power which the Liberals never had. That party, Sir, exercised the power of voting away large sums of money and contracting large debts, without asking the consent of this House; and in doing so abused and misused their power, and the people turned them out of office. But, oh! the present is a composite party. Well, if we are made up of different parties, and can agree among ourselves, and successfully carry on the business of the country, I say, Sir, it is to our credit. It is an evidence of our earnest desire to do all that we can for the good of the country. But I ask you can find any two of the members of the late Government who held the same opinion upon any important measure? I think, Sir, that any Government that has had their public acts let alone as well as this one has, need not be afraid of their position. It had been stated that there was no necessity for the Loan, because the country was now in a flourishing state. This, I am sorry to say, is not the case. The country was never in a worse condition than at present, and no hon. members in this House are better aware of this than are the hon. the Leader of the Opposition and the hon. member for Charlottetown. Let any hon. member who has doubts on this point examine the returns from the Commissioners' Courts for the Recovery of Small Debts and they will soon be removed. When the hon. the Leader of the Opposition spoke of the gentleman in France who recommended that commerce should be left to regulate itself, he but repeated an advice worthy the attention of all governments. But our difficulty arose from the fact that the Conservative Government did not let trade alone, and, by their meddling, injured the commerce of the country. They asked an overtasked country to bear an additional burden of £30,000. One Bank has been unable to declare a dividend, on account of the amount of protested paper in their hands. When the late Government bought the Cunard Estate, they, by their arrangements for the payment of it, threw obstacles in the way of the trade of this Colony, that, to a considerable extent, damed up the channels of our commerce. I do not say that they intended to do so, but still it is none the less true.—When last year I saw a petition before this House praying for a fresh issue of Treasury notes, and the respectable names that were appended to it, I felt that something was wrong, and that if a Loan could be obtained on reasonable terms, that it would benefit the Colony. With respect to the £5000 which had been demanded for the maintenance of the troops, my hon. and learned friend, the Attorney General, has not taken all the credit to himself in this matter; but I believe we may justly regard this remission as one of the good results of the hon. member's mission to England, and I am quite confident that if the present party had been in power in 1865, the troops would not have been called for. The late Government brought the troops here with their eyes open, as they were aware that when troops were required to quell a local disturbance, payment would be demand-

ed. for Mr. Cardwell, in his despatch to the Administrator of the Government, of the 23rd August, 1865, says: "I have already expressed my opinion that to maintain the supremacy of the Law, is the first duty of the local Government; and I readily admit, that in the present emergency, and in the absence of any regular military force, no other course was open to you than the one you adopted. But Her Majesty's Government must adhere, in this instance, to the principles on which they have elsewhere hitherto acted. And I therefore wish to impress upon you, that civil disturbances should be met by an effective civil force, and that Her Majesty's troops cannot be placed at the disposal of the Colonial Government at the expense of this country, for the purpose of supplying the want of a Colonial Police." Here we see, the Government had been distinctly told, that if they had no effective civil force to put down disturbances, and that if troops were required for that purpose, that Her Majesty's could not be placed at the disposal of the Government of this Island, to supply the duty of a Colonial Police, at the expense of the Home Government. The despatch further says: "Whether the presence of a military force is required for the suppression of riots between different factions of the population, or to aid the civil power in the due execution of the law, the same principle applies, and the expense of the transport of such force from a neighboring Garrison, and also the cost of their maintenance in the Colony in which their presence is required, must be defrayed by that Colony, and cannot become a charge on the Imperial Exchequer." With these plain statements from the Colonial Minister, they knew when the troops were sent for to quell a local disturbance, that the demand for their pay, cost of transport, and maintenance while in this Colony, would have to be met by this country. And I say, Sir, when they brought them here they done so with their eyes open. They knew that they would be called upon to pay the bill afterwards demanded. I do not see any ground for finding fault with the Government for not introducing the subject of a Bankrupt Law into the Speech; but since the subject has been introduced into this debate, and if the hon. member, the Leader of the Opposition, feels such an interest in this matter, why does he not bring in such a bill himself? Is it because he has always been an enemy to progress that he has not done so before, and fails to do so now? When that hon. member was on the Committee, appointed to report on the propriety of bringing in a bill on Decimal Currency, he asked to have the Committee discharged, and to be excused from reporting, and now he shrinks from bringing in a measure on this important question. It was expected that the committee appointed to consider this subject last year, would have been prepared to have reported, and when they have failed to do so, is the Government now to be blamed for not mentioning the subject in His Excellency's Speech? If the committee will bring forward a reasonable measure, I shall be happy to give it my support. The want of such a Law has deprived this country of the active services of some of her best commercial men; and I think it is not expecting too much to be looking for such a Bill from an hon. member of twenty-five years standing as a lawyer and a member of this House. With respect to the Loan Bill, and the results of the Attorney General's mission to England, I think it will compare favourably with those of the late Government to Brazil and Canada. It is creditable to the Govern-

ment that it has worked through the difficulties of the past year so successfully and so well. Can the late Government show any good results from their famous expedition to Brazil? What have we for all the money spent in that delegation? Why nothing, Sir, but some letters from their delegate, which, I admit, were written with considerable ability, but which have not been productive of any benefit to this Island. Not so with the results of the hon. Attorney General's mission to England, for we can point, with pleasure and with pride, to the able and satisfactory manner in which the duties with which he was charged, were performed. The opposition said that the Loan Bill would not receive the Royal allowance. Well, Sir, we wanted to test this, and also to ascertain if a loan could be obtained in England by this colony. We have done so, and the result is highly creditable to the Government, and to the country, and when laid before this House, will, I think, be approved of. But, Sir, had the late Government succeeded in their plans, where would we be to-day? Why into Confederation, and not in the proud position which we now occupy. We might have been in the position that Nova Scotia is now placed in. This is one of the reasons why this Government stands so high in the estimation of the people. They know that on this important question they can trust us. The hon. member has said that there was no political manliness in this Government. But, Sir, where was the political manliness of the late Government. In 1865 Confederation was a question then brought to their notice by the highest authority. Did they come down with a measure upon the subject, or a decisive expression of opinion? No! nothing of the kind. They had men in that party who were determined to carry it if they could. They knew also that the Hon. Mr. Whelan was a Confederate, and doubtless thought that his influence would secure a few votes in favour of the measure from this side of the House, and thus by obtaining a vote here and another there, they hoped to succeed in forcing the measure upon this country. But this question, I may state, will not be entertained by any hon. member from the one end of our party to the other.—The hon. the Leader of the Opposition; in referring to Education, made quite a circuit; but, lawyer like, took care to express no opinion of his own. I am surprised though that he never before made the discovery that he so strongly sympathised with the Catholics.

HON. LEADER OF THE OPPOSITION.—I rise, Sir, to a point of order. I will not allow that hon. member to misrepresent me thus. I did not refer to Catholics only, but I spoke of sectarian grants to different sects of Protestants as well as to Roman Catholics.

HON. MR. HOWLAN.—True, that is what I know, but the hon. the Leader of the Opposition knows very well that sectarian grants, in this country, just means a Protestant and a Catholic vote. Why had the hon. member not thought of this when he was in power. It will not do for the hon. member to say, oh! I only spoke of grants to different sects, for none knew better than the hon. member, the Leader of the Opposition, that such references were always synonymous with a Catholic and a Protestant vote. This is the real state of the case, and I will leave the learned and hon. member to take either horn of the dilemma. He imagined, I suppose, that this would be a sore spot with the present Government.

R. GORDON, Reporter.

Hon. Mr. McAULAY.—I do not intend to offer many remarks. I assure you that I am not afflicted with that loathsome disease called *cacochæles loquendi*. But I will ask the hon. member, who has just sat down, a question which will be a test of his qualification for his office. What is the constitutional intention of what is called the Governor's Speech, or the Speech from the throne? If he is not able to answer, I shall inform him.

Hon. Mr. HOWLAN.—The Speech foreshadows that which will take place during the Session.

Hon. Mr. LAIRD.—That which the hon. member for Tignish (Mr. Howlan) has stated is the true principle. Leave commerce alone and it will regulate itself. But the late Government did not do so when they purchased the Cunard Estate. By withdrawing all the money from the country, commercial men must suffer. Certainly we did not suffer as much as many anticipated, when the purchase was made. It appears that the hon. member for Charlottetown is offended with the composite Government, and says that no good thing can emanate from such a Government. No two persons can be found who can agree upon every point. Each individual has his own opinion. I do not fear to say, that no Government ever existed, the members of which could agree upon all points. The late Government was to a certain extent composite. There were many differences of opinion among its members. A Government, in which there exist differences of opinion, is better qualified to fulfil the wishes of the country. Education is coming in for a considerable share of the remarks of the Opposition. They sneer at the Government, by asking whether a Bill is to be brought in, to enable the people to build two chimneys in a school house where there is only one. Why do they not suggest amendments? they have full liberty to do so. The hon. member for Georgetown, true to the instincts of his party, says that the Government should come down boldly and defiantly, without fear or favor. The Government have no fear in the matter.

Hon. Mr. DUNCAN.—What have the Government come to? Is there not money here in plenty, waiting for investment? All they can get abroad for their bonds is ninety pounds for a hundred. The payments of the Cunard Estate have all been met; and other estates may be purchased in the same way, and by the same means. I have been more astonished at the Attorney General's statement than at that of the Finance Minister. There is no proof that they can get a Loan from abroad. Last year they said that the Loan would do everything. What would the Government have done with the money if they had obtained the Loan? The hon. Mr. Laird, too, thinks that the Loan would do wonders. They do not intend to interfere with commerce by buying any more estates.

"Resolved, That this House go into Committee of the whole, to take into consideration the Draft Address in answer to His Excellency's Speech."

The Speaker then took the Chair and reported progress. House adjourned.

I. OXENHAM, Reporter.

#### Afternoon Session.

House in Committee on the draft Address in answer to His Excellency's Speech.

Hon. Mr. Kelly in the Chair.

The first paragraph was agreed to without amendment. The second paragraph was then read.

Hon. LEADER OF THE GOVERNMENT.—I must congratulate this side of the House, that the Opposition has not brought out much fire on these paragraphs. The Hon. the Leader of the Opposition thinks there ought to be a good deal more in the Address, but the best speech is often the shortest. It is easy for him to lay down what the Government ought to do. The part which seems to attract the Opposition is the Loan Bill. It seems that we are not to obtain a Loan from abroad. Although the other Colonies go abroad for money, here, the feeling seems to be in favor of getting the money in our own Colony.

At the time Mr. Hensley went to England there was a restraint upon the Banks, in consequence of the purchase of the Cunard Estate. There was a large amount of money withdrawn from the Banks at that time, but they have now recovered from the pressure. The monetary affairs of this Colony seemed to require a Loan to remove the difficulties that then existed. The instalments paid for the Cunard Estate were large, but we easily got clear of these difficulties. The Opposition need not say that there was then no need of the Loan, but as we have tided over the difficulty, the Government thought it as well to let the Bill lay over for a time. I believe, when it is required, this Colony will obtain a loan as fairly as any of the Colonies. If the first Loan Bill, which was proposed several years ago, had been obtained, we could have bought the Lands from the Proprietors, cheaper than at the present time; but the Loan could not then be obtained. Since that time, proprietors have raised the price of their Lands. Some tracts of land were sold low, and others high. The tenantry on the Selkirk Estate, were called upon to pay more than the Land Purchase Act required. Last Session was a very short one, and the Land Commissioner's returns from the Estate did not say that there was a very large return. But I believe it was clearly shown at the time of purchasing, that the instalments would more than pay the cost and charges. It was never intended by the Government to demand more than would pay these. The Government is prepared to redress the grievances of the people on the Estate; and in allowing the opinion of the Crown Law Officers to be made public, show that they are prepared to do so. We expected the Opposition to pick a hole in the Address, but they could not do it more mildly than they have done. I believe no serious objections to the paragraph will be offered.

Hon. Mr. McAULAY. As none of the members on this side of the House seem to offer any remarks, I wish to direct your attention to an extraordinary expression which is clouded in such obscure words, as completely to hide its meaning. This expression is to be found in this paragraph, and is like a plus and a minus which destroy one another. It should read thus—"We beg respectfully to reciprocate the pleasure your Excellency expresses, in meeting us here, at the commencement of another Session." It will not get my sanction in the state it now is. A little further on, we find the following:—"And to assure your Excellency that our assistance, &c." Have we any Government? if we have, are they incompetent to give advice? This paragraph is a memorial of their inability. I do not stigmatise the Leader of the Government. I have sat with him in friendship, in his own house. I shall let it pass.

Hon. ATTORNEY GENERAL. I wish the hon. member (Mr. McAulay) to correct the construction of the sentence.

Hon. Mr. McAULAY. I do not find fault with the grammar.

Hon. Mr. HENSLEY. I really did not understand what the hon. member meant.

Hon. Mr. McAULAY. Does the hon. gentleman know the parliamentary rules? When a resolution has passed, no member has a right to bring it up again.

Hon. ATTORNEY GENERAL. The hon. gentleman who has found fault need not be alarmed. I respect him, as he is a good authority in grammar. A person who pays such strict attention to the grammar, is apt to be warped in his judgment, and lose the principal idea. As he said the grammatical construction was wrong, I only asked him to put it right. As he is the grammarian of the House, his opinion is authority in all cases, when there is anything wrong. I wish him to put it right.

Hon. Mr. McAULAY. If he cannot see where it is wrong, he must be short sighted. Although he has good ability, and is a good member of society, he seems a little obtuse in this matter. The best writings in the world, were brought forth, before there was a grammar. It is the want of sense in the paragraph, to which I refer.

Mr. PEARSON.—I am surprised that the Government have not given us some idea of their policy. A number of their members were sent to the House, with the expectation that something would be done by them, which would enable the tenants to become freeholders. I hear that no more efforts are to be made till the loan is secured. Many of the tenantry are laboring under great difficulties, on account of the present leasehold system. I have the honor to represent people who pay rent; but they are bound to have free land or leave the country. I understand from the Government supporters, that coercive measures are to be introduced. It is unfair for those members of the Government, who promised coercive measures, to let these promises remain a dead letter. The Hon. Mr. Laird has told us that the Conservatives interfered with the trade of the Colony, when they purchased the Osnard Estate. Did the Merchants depend on the Treasury to carry on their business? I certainly approve of any law which will improve the condition of the tenantry, by making them freeholders.

Hon. Mr. HENDERSON.—The allusion to the tenantry, in this paragraph, must not be allowed to pass without remark. If the tactics of some politicians are examined, we shall find that promises are one thing and performances another. I must give this House to understand that I am not merely picturing now. A tenant whom I met, asked me how it was that Miss Sullivan went unaccompanied to Exot 16. How was it that she was allowed to go, with no one but her private attendants? She examined some of the soil, and said, that people who were settled on such land deserved to starve, if they did not obtain a livelihood from it. It was understood that the present Government when put in power, would do what the Conservatives had failed to do. It was natural that the people should express their disappointment that no one accompanied Miss Sullivan. Another ask what is the use of talking to us about buying our land, when we have not ten shillings worth of provisions in our houses. The Government does nothing in the way of giving the people free land; they are quite dead upon the subject. It is no wonder that the people feel that they are a foot ball for all parties. I heard the Leader of the Government say, that if this Loan had been obtained in older times, the Land Question would have been settled, and the talents of our statesmen employed in developing the resources of the country. Does the hon. Leader of the Government believe what he has affirmed? I do not believe it. Instead of having the Land Question settled, we are told that the negotiations now going on with the Imperial Government, may accomplish that object. A statement made by the hon. member for Tignish, must not be allowed to pass unnoticed. This was, that when the late Government sent to Halifax for the troops, they were well aware, that they would be required to pay all expenses; not only the expense of transportation, but their daily pay. The hon. member affirmed that he could prove this to be the case, from the despatches between the late Government and the Colonial Minister. This statement is unjustifiable. Why was the despatch of the Colonial Minister so ambiguously couched, that they could not tell what it meant; whether it was the pay of the troops or the expenses of their transportation. Under the circumstances, they had to risk this, and direct their attention to the maintenance of law and order, in the Colony. They acted as firmly, under the circumstances, as the present Government would have done. Several hon. members of the Government were sent to this House, by the Tenant Leaguers. They promised that more should be done towards a settlement of the Land Question, than had been done by the Conservatives; but when they had served their own ends, the tenantry were forgotten. I shall not enter any farther into the subject.

Hon. LEADER OF THE GOVERNMENT.—The Tenant League, I believe, originated in the district of which the hon. member for Murray Harbor is the representative. It arose in the Conservative ranks, and was no doubt caused by

the disappointment of the people, in the non-fulfillment of the promises of the late Government. It was one of those unfortunate schemes that went a little too far. It is considered, that if the people had been better advised by their representatives, all trouble would have been prevented, and the troops would not have been required. A little more determination on the part of the late Government would have prevented the unhappy disturbances which afterwards arose. The Conservative party got into power by making rash promises to the people, and by raising a great deal of religious excitement. What did they do, when they had the government in their hands? They have certainly purchased some Estates; but I have yet to learn that the country has been much benefited by them. If the first proposed loan had been obtained, all the land in the Island might now be freehold. The proprietors would then have been glad to sell their lands, and the Government could have purchased them at a low price. At the last elections, the people were sick and tired of the Conservative Government, which had crippled the Education Act; and disappointed their expectations. In cutting off a part of the teacher's salary, and laying a part of the burden on the people, they thought they were improving the Education Act. The present Government are accused of making great promises to the people, but I can assure the hon. members of the Opposition, that I made no promises further than the amendment of the laws relating to Education. I believed that the Revenue was quite sufficient to pay the teachers' salaries in full, and as far as this was concerned, we acted in good faith. The late Government was not thrown out, on account of the great promises made by the Liberal party. This is an unfounded accusation. They held on till they could do so no longer.

I. OXENHAM, Reporter.

Mr. BRACKEN.—I do not charge the hon. member (Mr. Coles) with having made extravagant promises to the country; but if he did not, some of his supporters did. It is perfectly fair then to make some remarks upon it. He has said, with some truth, that the divisions in the camp of the late Conservative party were the cause of their dissolution. They did split upon a very great question; but, Sir, it reflected no discredit upon them. I consider that the present party will not split upon any great question, for I think the welfare of the country is with them secondary to their own interests. The hon. Leader of the Government will not deny the fact that he derives his support from members who said that the present measures for settling the land question were radically wrong. Now, Sir, he has a member in his Government—I refer to the hon. member for Belfast—who said that the Tenant League was constitutionally right. I do not know whether he was an honorary member of that body; but I do know that he was held in high esteem among them. I prefer what the hon. Leader of the Government said: he thought they went a little too far. I do not wish to see any futile measures brought in to redeem the promises of some hon. members; but it is right to ask them what they are going to do. Does my hon. friend, Mr. Davies, who cheered the Tenant League in its palmyest days, think that he will discharge his duty and satisfy his constituents with this "milk and water" paragraph? What a wonderful change must have taken place in the sentiments of my hon. friend! Does he think that he has redeemed his promises to his constituents? Will they be satisfied with what the present party has done to settle the land question? The hon. Attorney General went home to England to negotiate the Loan, and whilst there he took a hint from this side of the House—he opened up a correspondence with the proprietors there. He was told by Colonel Cumberland that when they showed him they were in a position to give him a remunerative price for his land, he would be prepared to treat with them. Other proprietors, however, did not give him as satisfactory an answer. My hon. friend, the member from Belfast, is one



who came into this House to re-organise the land question and carry out the views of the Tenant League. He has had a year to think of this matter, and does he think that what the hon. Attorney General did in England was sufficient. Sir, if the hon. member for Belfast is honest now, if he feels that this is a right way to deal with this matter, what a conservative influence a seat at the Executive Board must have! Let any person compare this mild paragraph with the fiery speeches of that hon. member on this subject. Now, Sir, I have been told that I am constantly at this Tenant League, that I am constantly telling members on the other side of the House that they belong to this association. I do it not for the sake of opposition, but for the purpose of eliciting their views. I hold it to be one of the first principles of politics, that an hon. member, who takes any political platform, is bound to see the principles which he enunciates carried out. I ask them what respect can be entertained for them by this side of the House? I do not make these remarks against the Leader of the Government and the fragments of the old Liberal party; but against those members who came into this House pledged to support principles which they have no intention of carrying out. I cannot agree with the hon. Leader of the Government, that the Conservatives wanted the troops to be brought here, if their services could have been dispensed with. The Conservatives felt that the peace of the country required this strong remedy, and they did not shrink from their duty. It is not to be wondered at, that in this country, where a large majority of the people are leaseholders, that they should tear asunder the political party which had acted so contrary to their wishes. But I doubt very much the statement, that this matter took its rise among the Conservative party. I believe that some designing Liberals made cat's paws of some Conservatives. The hon. member, Mr. Coles, stated very candidly that he did not think the present party came into power pledged to do more for the country than the old Conservative party. I hope that two of his supporters, Mr. Davies and Mr. McNeill, will take notice of this.

**HON. LEADER OF THE GOVERNMENT.**—We did not agitate the country more on the question.

**MR. BRECKEN.**—It is pretty well understood that when any party speak of grievances, they say, "return us to power and we will redress them." If this is all that is going to be done, what a respectable position these two hon. members (Mr. Davies and Mr. McNeill) occupy? Bold as lions on the hustings—deriding the Tories as tyrants and I know not what, now quiet as lambs. Now, if they have anything in store, why so reticent about it? I know, as the hon. Leader of the Government says, that they should not give us all the details; but they might have foreshadowed what they were going to do. I wish, Sir, that I had at my elbow half the denunciations which the hon. member for Belfast hurled against the Conservatives. This is not waste time, Mr. Chairman, it is the duty of the Opposition to probe the honesty of the Government. Perhaps the hon. member, Mr. Davies, will repudiate these sentiments; but, if he is sound upon these questions, I do not see how he can be an honest politician.

BALDERSTON, Reporter.

**HON. ATTY. GENERAL.**—Mr. Chairman, whatever the views of my hon. friend on the left (Mr. Davies) may be, I believe he is sincere in them, and it is useless for the hon. member for Charlottetown (Mr. Brecken) to attempt to introduce matters into this discussion that can only have a tendency to stir up feelings and provoke a discussion that can not be productive of any good. In Belfast, they considered that they were not fairly dealt with by their late representatives, and have returned my hon. friend, in whom they have every confidence, for they know that his intentions are honest and sincere, and that he will use every proper effort to deal fairly with this question; and I believe that the people are satisfied that the Government will also exert themselves to the utmost of their power to settle the land question. No doubt it is

an easy task for the learned and hon. member to strive to charge hon. members with not fulfilling their pledges to their constituents; but, Sir, I do not see what more could be expected of the Government than they have done. In dealing with this question, it was the duty of the Government to remember that it is a rash thing to make rash promises, and it would have been outrageous to have done so in His Excellency's Speech. The Government entered into negotiations with the proprietors to induce them to sell their estates, and if their efforts have been unsuccessful, what else could the Government do but express their regret. All that the Conservative party did when in power, was to fall back upon the measures which had been introduced by the Liberals. The hon. the Leader of the Government and myself brought in a Bill calculated to extend the operations of the Land Purchase Bill to the whole Island, and although the negotiations opened up with the proprietors have not been successful, yet it cannot be said but that the present Government have endeavored to fulfil their pledges. In the Address we express our regret—a sincere feeling of regret, not merely of the Government, but of each individual member in the Government—that our negotiations with the proprietors were not more successful. As far, Mr. Chairman, as I am concerned, and in so far as my hon. friend, the Leader of the Government and other members of the Government are concerned, we do regret the result. I do not say that there is no regret felt also by hon. members opposite, for I believe there is, and I would not say so if I did not think it, but it will be remembered that it was the Conservative Government who were not satisfied with the Land Purchase Bill, and who promised another measure that would settle it in eight weeks. I think since the failure of the Land Commission, that hon. members of the Opposition ought to be aware of the impropriety of making rash promises. The country took the Liberals at their word; and, Sir, what has been done by the present Government since they came into power to show that they are not worthy of the confidence of the country on this point? I had the honor, last year, of being sent to England, and one of the duties I had to attend to was, to see if the remaining proprietors of lands in this Island would dispose of their estates at a reasonable rate. In conducting these negotiations, and dealing with the other matters with which I was instructed, the Government allowed me to pursue that course which I might deem the most advisable. I corresponded with several of the proprietors, but although the result has not been such as I could wish, yet when the negotiations are laid before this House, I think the hon. member will not be dissatisfied with the course I adopted. The hon. member for Murray Harbor, (Mr. Henderson) referred to what some tenants had said, to the effect that the Government ought not to have permitted Miss Sullivan to have visited her estate in that district with no other escort than her agent. When I was in England, I called upon that lady at her residence, and afterwards made a fair offer to her for her estates, and advised her to dispose of them to the Government, assuring her that I was certain that it would be the best course for her to adopt. And surely, Mr. Chairman, this was a much more respectable course to adopt than to send a person to travel at her heels and haunt her footsteps after she came to this Colony. To say that a lady of education could not travel through this country without being watched every moment by the Government, was too absurd and ridiculous to be thought of. I would be ashamed of any Government who would adopt such a course. Why, Sir, to have done so would have disgraced any Government. If it was the duty of any one person, more than another, to have haunted and pursued that lady in her tour to Murray Harbour; it was that of the hon. member himself, as the representative of the district.

**HON. MR. HENDERSON.**—Mr. Chairman, will the hon. the Attorney General allow me to say so much eloquence? The hon. member heard from me, that it was the sentiments and opinions of some of the warmest supporters of the party in power; and they say, that the Government

should not have permitted that lady to have gone unattended by a member of the Government, not for the purpose of protecting her—there was no occasion for that—but to prevent false impressions being made upon her mind by parties supposed to be opposed to the wishes of the people. These, Sir, were the views I uttered. I did not say they were my sentiments. I hope the hon. member will understand me now.

Hon. ATTY. GENERAL.—Mr. Chairman, when an hon. member makes a statement here and does not give the name of the author, he must not afterwards try to shield himself under the name and language of another, by saying, "I did not say so, but such and such a one did, some one met me in the streets and said so," and then to come here and say, "Oh, I do not mean to say so. They are not my views." I have no doubt, Mr. Chairman, but that the hon. member would desire to excuse himself in this way, but still the statements he made did appear very much like, as if they were the actual sentiments of the hon. member himself. There may have been individuals in the country who entertained the opinions put forward by the hon. member, but I think they form no grounds upon which to found an argument against the Government.

Hon. Mr. DUNCAN.—Mr. Chairman, I cannot allow this paragraph to pass without a few remarks. Before the last election, I heard one gentleman, who is now a member of this House, say that the land question would be settled in a short time without a Loan Bill.

Hon. Mr. DAVIES.—Who was it? Name him.

Hon. Mr. DUNCAN.—Mr. Chairman, I did not refer to my hon. colleague. My hon. colleague and I had quite a time of it in an electioneering campaign, and I had an opportunity of hearing him express his opinions pretty freely, but I never heard him make such a rash promise as that. When I spoke I alluded to the hon. member for Cavendish (Mr. McNeill), who stated on the hustings, after the election, that his whole desire in getting into the House was to have the land question settled, which would soon be accomplished.

Mr. McNEILL.—The statement is incorrect. I never said so.

Hon. Mr. DUNCAN.—Perhaps the hon. member is now ashamed of what he then said, and in so far as the negatives have proceeded it is all very well; but I understood him to say, that the party then returned intended to settle the land question in the Tenant League style.

Hon. Mr. DAVIES.—What was that style?

Hon. Mr. DUNCAN.—I think the hon. member could explain that himself, but the way I understood the hon. member was, that the party who carried the day at the polls intended to make an offer to the proprietors for their lands, and if it should be refused, that the House would pass a measure which would compel them to accept the terms offered, and in such a case I supposed there would be no need for a Loan. My hon. colleague was not so extravagant in his statements. All I heard him say was, that he would use his best endeavours to have the question settled, but the inducements held out by the hon. member (Mr. McNeill) and his friends were the means of securing his return and that of two other hon. members to this House. Now, however, the hon. member finds it convenient to say, "I never made such promises."

Mr. McNEILL.—The hon. member is astray again.

Hon. Mr. DUNCAN.—I told him at the time that it was foolish for him to be making such rash promises; but now that he is here, he seems to have forgotten them. I will say though that my hon. colleague (Mr. Davies) was sincere in his promises, and I know that he meant what he said. The paragraph before the Committee would surely not meet the expectations of the hon. member for Cavendish. He had better return to his constituents and tell them that the promises he made to them cannot be fulfilled. I was going to refer to the Loan Bill, but it will do at another time.

Mr. McNEILL.—Is there any other matter the hon. member was going to refer to?

Hon. Mr. DUNCAN.—The hon. member would not like to hear it now. But as my hon. colleague thought I was referring to him, I may say that I was not. I think the hon. the speaker knows where the League originated. It was near to his place—in the Sturgeon School-house. It commenced with the Liberals, but they succeeded in getting some of the Conservatives to join them.

Hon. LEADER OF THE GOVERNMENT.—Was that where the cannon was?

Hon. Mr. DUNCAN.—I do not know. Afterwards they had a meeting in Georgetown. In so far as the Loan and the purchasing of estates from the proprietors are concerned, I think the Attorney General and the Liberal party have done well in not taking up a Loan when they had no offers from the proprietors, and they have let their friends know the results.

R. GORDON, Reporter.

Hon. Mr. DAVIES.—It is a very proper paragraph, and the Opposition do not seem disposed to offer a resolution to rectify it. I will hurl back the ungentlemanly charges which are thrown at me.

Mr. BRECKEN.—I rise to a point of order. Does the hon. member mean to say that I have betrayed my constituents? I deny the charge. Does he not understand the difference between personal charges and those of a political nature?

Hon. Mr. HAVILAND.—I rise to a point of order.

Mr. BRECKEN.—I impute strange motives to him in his political conduct, not in his private station. I respect the hon. member. How many charges has he made in this House? I used strong language, but I had cause to do so.

Hon. Mr. DAVIES.—I deny that I ever made promises which I never intended to carry out. I will, Sir, acknowledge that I sympathized with the Tenant Union—I was free to do so. I say that the action taken against the Union was unconstitutional and tyrannical. It must be a most extraordinary affair that would warrant a Government in bringing troops into a country like this, to keep order. A charge remains on the Statute Book which vilifies the people of the Island. The late Government would make it appear that it was unsafe for the Sheriff to go into the country to carry out the laws. I deny it, Sir. They wished to make it appear that the country was in a state of rebellion, and it was represented on the Journals of the House; that this was the case. But I will inform the hon. gentlemen of the Opposition that the Tenant League was organized for the purpose of purchasing the Proprietary lands; the late Government having failed to do so. Will they deny that the people had a right to offer the Proprietors a price for their lands? I am not ashamed of the principles of the Tenant Union when it was organized, but after a time, it was joined by large bodies of men over whom the leaders had no control. There was then opposition offered to the laws, and when I saw this, I warned the people of the consequences. I told them that redress might be had in a constitutional manner; that the Government could pass an Act to compel the Proprietors to sell their lands at a fair valuation, and that if they got the majority in the Legislature, this would be done. I promised them that I would do all in my power to have such a Bill passed. I believe that if the representatives of the people had given them advice in this extremity, all the trouble would have been avoided. But the tyrannical manner in which the late Government acted, only irritated the people, and forced them; as it were, to break the laws. The people never intended to take the lands from the proprietors without giving them any equivalent. It is very singular that the steps taken by the present Government are the very same as those adopted by the Tenant Union at its initiation. When the Attorney General gave an account of his mission to England, I felt proud of the manner in which he acquitted himself. We hope the proprietors will be obliged to give way before long. The Government can obtain a loan in England at any time to pay them the value of their lands. No persons know better than the officers of the Banks, that the Bonds

of the Government and the best of securities. But before I sit down I will ask the hon. members of the Opposition, how many out of more than a hundred of the Tenant Leaguers were convicted? All the charges were struck out except a few frivolous ones. The principal case was that of a poor harmless Frenchman.

Hon. Mr. HAYLAND.—If nothing was found against those who were convicted, the jury must have perjured themselves.

Hon. Mr. DAVIES.—No. The jury discharged their duty faithfully. It is quite unworthy of the hon. member for Charlottetown (Mr. Brecken) to say that it was not safe for the Sheriff to serve a writ of any kind within twenty miles of the City. I think him unworthy to hold the seat which he now possesses. I know of no good measure which he has brought forth, nor of any good which he has done for his constituents.

I. OXENHAM, Reporter.

Mr. BRECKEN.—I never heard an hon. member stultify himself as the hon. member for Belfast has done. He says that the people have been slandered and vilified; but does he believe their reputations suffered unjustly? Did he ever hear of such a thing as a Government investigation? Why does he not remove the stigma resting upon the Tenant Leaguers? I never sought a constituency in my life. I have always been a supporter of the Conservative party, and whatever measures were introduced by them, which I considered were for the benefit of the people, I have always supported. Whenever my constituents want anything, they uniformly find that my humble abilities are at their command. If my memory serves me right, the hon. member was foreman of the Grand Jury when the Tenant Leaguers were condemned. His was the hand that sent in this vile document, of which he speaks.

Hon. Mr. DAVIES.—Let that alone.

Mr. BRECKEN.—If the hon. member thinks that the Tenant Leaguers were unjustly treated, why did he bring in that Bill of Impeachment? He was the man who brought them to the Bar of Justice. He advised the people to wait till they had a majority of Tenant Leaguers in the Legislature, then they would get free land. The Tenant League influence, on the other side of the House, is quite sufficient to paralyse the Government. I hold the hon. member for Belfast more responsible for the doings of the Tenant Leaguers, than nineteen-twentieths of the Leaguers themselves. If he believed that their constitution was a legal one, why did he not support it? The Leader of the late Government did warn the people of the consequences of their unlawful proceedings. Your humble servant also protested against their doings, whenever he had an opportunity.

Hon. Mr. DAVIES.—Why did he not hold public meetings throughout the country?

Mr. BRECKEN.—I am a representative of the city. I would ask him to point to a single member, on this side of the House, who supports proprietary influence. The hon. member has stated that the proprietors are now unwilling to sell their estates. How will he satisfy his constituents, after such an admission?

Hon. Mr. DAVIES.—I did not promise to settle the Land Question. Why did not the Opposition do so?

Hon. LEADER OF THE OPPOSITION.—It is the duty of a healthy Opposition, to propose nothing, and oppose every thing, as well as to harass the Government, when they deserve it.

Hon. Mr. DAVIES.—I wish the Opposition success. It is more than is likely to be accomplished.

Hon. Mr. HENDERSON.—The hon. member for Belfast has brought in a heavy charge against the late Government. The charge is this, that not one of them went to the country to warn the Tenant Leaguers of the evils they were bringing upon themselves; and to persuade them to keep within the bounds of the law. Now, Sir, I think I fully answered that charge, on the last day of last Session. If he refers to the Debates he will find the answer. I will ask the hon. member, Mr.

Speaker, through you, if he intends to prove that charge?

Hon. Mr. DAVIES.—The hon. member asked me the very same question last Session. If he will turn up the Debates, he will find my answer. I have to inform the hon. member for Charlottetown (Mr. Brecken) that there is not a Tenant Leaguer in Belfast—he must have been erroneously informed.

Hon. Mr. HENDERSON.—Does the hon. member say that I have not answered his charge? It is a silly one, and I will make short work of it. I will only say that I shall take no notice of his charges in future.

Hon. Mr. HOWLAND.—I have been dared to prove that the late Government were aware that they would have to pay the troops, when they sent to Halifax for them, during the Tenant League disturbances. My authority is to be found in a despatch from Lieut. Governor Dundas to Mr. Cardwell, Secretary of State for the Colonies, dated 23rd March, 1865. It is a quotation made by His Excellency from a despatch of Mr. Cardwell's predecessor, as follows:—"I trust you will impress upon the Commissioners, if requisite, the necessity of avoiding, as far as possible, any steps calculated to excite unreasonable expectations, or to stimulate agitation; on the other hand, while assuring the proprietors that the Award of the Commissioners will not be enforced by Her Majesty's Government against any persons who have not, either personally or by their representatives, consented to refer their claims to arbitration. I should wish you also to observe to them, that their refusal to concur frankly in a measure which was intended to compose existing differences, and which, so far as it has yet proceeded, has been assented to by a large portion of their body, may materially influence the conduct of Her Majesty's Government, if called upon hereafter to support them in any future disputes with their tenants." In a despatch from Mr. Cardwell to Governor Dundas, dated April 23rd, 1865, we find the following answer:—"The duty of enforcing the law in the Island, against those who defy it, rests with the Local Government, and for that reason, if for no other, it is impossible to suppose that the Duke of Newcastle could have intended to imply, by the passage to which you refer, that the proprietors who refused to compromise their rights, would be left without the protection of the law." In a despatch from the Administrator of the Government to Mr. Cardwell, dated August 2nd, 1865, there is the demand for the troops:—"At a full meeting of the Executive Council, convened yesterday, the subject matter of this despatch was fully discussed, and I have the honor to acquaint you that, with the unanimous consent and approval of the members of the Government, I have forwarded to Sir Richard G. McDonnell, a requisition for two companies of Troops, to be without delay despatched to this Island. I have the honor to enclose a copy of the requisition addressed to Sir R. G. McDonnell." This despatch was answered August 23rd, as follows:—"Mr. Cardwell to the Administrator of the Government:—"I have already expressed my opinion, that to maintain the supremacy of the law is the first duty of the local Government, and I readily admit, that in the present emergency, and in the absence of any regular military force, no other course was open to you, than the one you adopted. But Her Majesty's Government must adhere, in this instance, to the principle on which they have elsewhere hitherto acted, and I therefore wish to impress upon you, that civil disturbances should be met by an efficient civil force, and that Her Majesty's troops cannot be placed at the disposal of the Colonial Government, at the expense of this country, for the purpose of supplying the want of a Colonial Police. Whether the presence of a military force is required for the suppression of riots, between different factions of the population, or to aid the civil power in the due execution of the law, the same principle applies, and the expense of the transport of such force from a neighboring garrison, and also the cost of their maintenance in the Colony in which their presence is required, must be defrayed by that Colony, and cannot become a charge on the Imperial Ex-

troops." On August 14th, the troops were embarked at Halifax, and the following was despatched by their Commander to the Administrator of the Government:—"I have further to request that as by my instructions from the Imperial Government (which I have reason to believe, you will also find recorded in the Government correspondence of Prince Edward Island, in the third quarter of 1855), troops are not to be detained, a moment after the occasion for their services have ceased." You will be pleased to inform me by telegraph of the earliest period at which you can dispense with them." This shows pretty clearly that the late Government knew that they would have to pay for the troops. Mr. Cardwell says that Her Majesty's Government must adhere to the principles on which they have hitherto acted. In asking for the troops, and accepting their services, the late Government bound themselves to bear the ordinary expenses.

Hon. LEADER OF THE OPPOSITION.—The hon. member has put a wrong construction upon these despatches. They relate to the expense of transporting the troops from one locality to another. The late Government had no doubt about their signification. They knew that they were not bound to pay the ordinary expenses of the troops. The Colony was required to pay only the extra expenses.

Hon. Mr. HOWLAND.—But for fear that the Government should forget these requirements, what does the Commander-in-Chief say about these troops? It was this, "They are not to be detained a moment after the demand for their services has ceased." In the despatch dated August, 18th, Mr. Cardwell states, "That Her Majesty's troops cannot be placed at the disposal of the Colonial Government, at the expense of this country, for the purpose of supplying the want of a colonial Police."

Hon. Mr. HENDERSON.—The learned member is only making it a case of special pleading. The late Government were at a loss to understand these despatches. They did not wish to understand anything contrary to the interests of the Colony. They wished to have more definite instructions on the subject. If the hon. member will look a little farther back he will find that the assistance of the troops was to be relied upon, whenever occasion required them. He knows that it was the duty of the late Government to maintain the law. He has tried to prove that such and such was the meaning of these despatches, but he has left us no wiser than we were before.

Hon. Mr. BAIRD.—Mr. Chairman, the principal charge against the present Government seems to be, that they have opposed the proprietary tendencies of the late Government. It certainly is the duty of the representatives of the people to maintain the rights and privileges of the tenantry. It is their peculiar duty to speak for them; but it appears that instead of doing so, when Miss Sullivan visited her tenants, the hon. member (Mr. Henderson) stayed at home. Why did he not go and consult with her and impress upon her the necessities of the people? His great influence and eloquence would probably have had a magical effect upon her.

Mr. PROVIS.—Mr. Chairman, the majority of the tenantry have lately supported the present Government. If I have gathered anything from the debate, it is this, that the tenantry need not expect much to be accomplished to relieve them from their burdens, during the present Session. If the Government have anything to bring in to relieve the people, why do they not introduce it at once? They tell us that it is better to feel the way as we go along, and not to be too hasty. The hon. member for Belfast (Mr. Davies) has said that we will see what twelve months will bring forth. When another election approaches they will promise to do something. But I can tell the hon. member that the people will not then believe them. Now is the time, and the only time, to do something for the tenantry.

I. OXENHAM, Reporter.

Hon. LEADER OF THE GOVERNMENT.—I did hear how that some of the well-to-do folks in Murray Harbour were not pleased, because Miss Sullivan did not visit them. Why the gentlemen who accompanied her, took her to the poorer classes of her tenants, was what they did not understand, as they were prepared to give her a better reception. But the course adopted was a wise one, as by that means, she could see for herself that many of her tenants were unable to pay their rents. A letter appeared in the Examiner, which stated that when she visited Cavendish, she was taken to the residences of the wealthiest of the people; but whether she went to the poorest or the wealthiest portion of them, is what I cannot say. In driving through Cavendish, probably she saw the best part of her estates. I believe she did not wish to sell. Perhaps it was because of some hidden value which she perceived in the soil which she picked up at Murray Harbour, and which has escaped the notice of the hon. member (Mr. Henderson); she might have seen gold in it, as there must have been something very peculiar in connection with that soil, or it would not have called forth such a glow of eloquence from the hon. member. The Government offered Miss Sullivan a fair price for her land, and I do not see what more they could have done.

R. GUNPOW, Reporter.

Mr. BELL.—I do not wish, Mr. Chairman, to say much on this question; but it appears to me that parties in this House take great pleasure in raking up everything they can against each other. I have taken an active part in politics for some time, in connection with the Liberal party, and I think that they have always been the friends of the tenantry. There is one act of the Conservative party which I would like to notice—that is the bringing of the troops here. I feel pretty sensitive on this subject; it is not a very pleasant thing for a whole country to be branded as rebels. The Government of the day should have advised the people of the dangerous course they were pursuing. I do believe, and always have believed, that some of the members of the Government, then in power, had no other end in view than to bring the Island into Confederation. One prominent member of the Government laid his schemes for that purpose, and he thought that by stigmatising us as rebels, the Home Government would be induced to force us into Confederation. The present party must, however, have the credit of getting the charges for the pay of the troops remitted. There is, also, a great deal of talk about the Land Purchase Act. The fact of the matter is, that this Act is not what it is said to be. If, when this Act first came into operation, the loan Bill had been passed, it might have been different; but the Land Purchase Act, as it is to-day, is a failure. It is worse than paying rent. No active farmer will purchase his farm when he can invest his money to more advantage.

Hon. LEADER OF THE OPPOSITION.—I have certainly been rather amazed with the speaker who has just sat down. He got up to lecture us on political morality, and said that we should not impute motives; but he soon got the fever on him, and he also imputed motives, for he said he believed the late Government got the Tenant League into existence for the purpose of forcing the Island into Confederation. It is not often that the hon. member troubles us, but when he gets up to lecture us on political morality he should be careful not to fall into the error which he condemns. The charge he attempts to sustain is altogether false. He also attempted to lecture the Conservatives because they did not warn the Tenant Leaguers of the dangerous course they were pursuing. The same doctrine fell from the lips of the hon. member for Belfast, who was himself a Tenant Leaguer. All I can say to him is, that the Tenant League, from its first inception, was unconstitutional, if the doctrines which emanated from that League are to be believed. The hon. member said that they were organized merely to form an Association. We know, Sir, that one of the conditions of membership in that Association was, that each member should subscribe for *Rees's Weekly*—a paper that did a vast amount of injury to this Colony. The Tenant Lea-

guess had no confidence in either Conservatives or Liberals, for they passed resolutions condemning both parties. They wished to form a new party of their own. [He here read the Tenants' pledge, and in reference to each member bearing an equal share of the expenses, said:] I believe they paid pretty dearly for it. We go to another meeting and find that they there passed another resolution, which, if carried out, would paralyze the agricultural interests of the community: "Resolved, That we will not traffic with those who are not members of the Tenant League." The hon. member (Mr. Davis) said that his district was free from this canker; but it was both there.

Hon. Mr. DAVIS.—I rise to a point of order. I said that in Belfast there were no Tenant Leaguers.

Hon. LEADER OF THE OPPOSITION.—I thought that the hon. member said from Tea Hill to the White Sands. The hon. member said the late Government had not done its duty; but if he refers to the minutes, he will find that there was a meeting of the Executive Council, and a proclamation issued; and after this proclamation was issued, he subscribed to the funds of the Tenant League.

Hon. Mr. DAVIS.—If you believed this to be an illegal association, why did you not arrest the leaders of it?

Hon. LEADER OF THE OPPOSITION.—Then the hon. member stated that none of the public men of the Conservative party said anything against the League. A Bill was introduced into this House, called a Tenant Loan Bill, providing that if any Leaseholder should purchase his land, at a price not exceeding 16s. 8d. per acre, the Government would loan him half the purchase money; and, on that occasion, I expressed myself in the following manner, respecting the Tenant League movement:—

"They would obtain more benefit by sending their friends to this House, to carry out constitutional measures, such as the one now proposed, than by joining the Tenant League, if we must judge of the principles of that body by the wild and seditious articles published in its organ, *Rose's Weekly*. The principles advanced in that paper, if persisted in, were such as would end in rebellion. The tenantry were greatly deceived, if they imagined that they could obtain redress for their grievances by combining to resist the payment of rents. They might depend upon it, that all the power which Queen Victoria could command, would be exerted to maintain the laws in their integrity. Did they suppose that they would be allowed to ride roughshod over the principles of British law, and the rights of property? If so, and the principle of repudiation were admitted, they would next refuse to pay their shop accounts, and every other lawful debt. A recent number of the acknowledged organ of the Tenant League, argued to the effect that a sheriff was only a "raider," and might be shot down as a dog. Such principles were the same as the doctrines laid down 70 years ago by the Jacobins in the first French Revolution. Resistance to the laws could never be tolerated. If the Government of the day were to refuse to do their duty, it was well known that the representative of Her Majesty would be bound to take the matter up; and provided the civil power in the Colony was not sufficient to enforce respect to the laws, he would be obliged to act according to his instructions, and send for soldiers to Halifax, New Brunswick, or Canada."

I do not think there is anything milk and watery about that, for after having spoken in that manner, an hon. member denounced my speech as rather war-like.

Mr. McNEILL.—I did not expect when this paragraph was brought forward, that it would have caused so much discussion. But as it is a question of so much importance, perhaps it is all for the best. I believe that the majority of the people and the members of the Legislature, do regret this fact; but we cannot expect that the whole population would regret it. There are some very talented men in this House, who hold lucrative positions as agents, and it is not likely that those gentlemen would cut their own throats. But on the other hand, there is another portion of

the population, who are bound down by the proprietary system, and they do regret that their negotiations have failed. This Government, the Opposition tell us, went into office promising the people that they would settle the Land Question at once. In fact, the people have become very impatient, they have waited for many years. I believe the people are very well satisfied that the delegate, Mr. Hensley, did the very best he could. The hon. Leader of the Opposition mentioned to-day that an intelligent community was more easily governed than one that was not intelligent; but he did not say what way they were to be governed. There are two ways of governing—one is by public opinion, and the other by the sword. I believe Socrates preferred public opinion, and I think it is the only way. It is not easy to govern this Colony any other way, it has been tried by the late Government and proved a miserable failure, thanks to the Free Education Act, and has left those who tried the experiment like some characters Milton speaks of, "in a dismal situation, woe and wild." There are two hon. gentlemen on the other side of the House, who seem to be very favorable to having the question settled, but they are associated with others to whom a settlement of the question would be the worm-wood and the gall. This governing of people by the sword has proved a failure, and I hope it will be a warning to other Governments not to try to stifle public opinion. May it be as a beacon on a rock to warn them of the danger. I believe that the force of circumstances will yet cause the remaining proprietors to sell on reasonable terms. Miss Sullivan has been spoken of here to-night. I believe she came out here for the purpose of disposing of her property; but perhaps some of her confederate friends persuaded her to wait until it was known whether we would get the \$300,000 bribe from Canada or not; but "by my sooth she'll wait a wee." Miss Sullivan is, no doubt, a lady of great influence and respectability, but she may yet find that public opinion in a Colony means something. I will now read something, Mr. Chairman, which, if you have not heard, will startle you. It is an extract from Sheriff Dodd's letter, dated 15th August, 1863, addressed to the Colonial Secretary, and published in the journals of this House:—

"I would say in conclusion, that the great difficulty I experience in executing the writs placed in my hands, arises from the active sympathy shown by all the tenants for each other; their ingenious device of giving warning to each other by means of blowing their trumpets, upon the approach of any of my officers, effectually prevents a levy being made before a large number of men are collected, while their system of terrorism, by which they intimidate the well disposed, under threats of burning their premises and taking their lives, is so complete, that it is utterly impossible to look for any assistance outside of the town."

Worse than Sodom and Gomorrah—the cities of the plains. In those cities there were three or four righteous; but here not one. The Government must have been startled themselves. I wonder they did not think of picking up their traps and starting for some other place as quickly as possible. Being the son of one of the oldest natives of Charlottetown now living, I ought to know something about the people of this Island, and I believe there was never a fouler slander published against any people. If it remains on the Journals of this House, it may be the means of causing us to lose our constitution. I put it to both sides of the House, is there a man here who will put his hand on his heart and say he believes it?

Hon. LEADER OF THE OPPOSITION.—All I can say is this, no less than five or six of that hon. member's constituents stated in my office, that through force or terror, they were obliged to subscribe to the funds of the Tenant League.

Mr. McNEILL.—Did you take their affidavits?

Hon. LEADER OF THE OPPOSITION.—No.

Mr. McNEILL.—No, you did not take their affidavits, why did you not do so? If it could be proved that any man threatened to burn his neighbors house, that man should have been punished. But such a state of things never exist.

ed. No, sir, they would rather risk their lives to save their neighbor's house from destruction. [The member for Belfast, (Mr. Duncan) here rose from his seat.] When Mr. McNeill said, "I have not forgotten the ex-Executive Council, that hon. gentleman who pursued that line of policy which robbed the abbotnatives of their pay, and built the barracks, dragged innocent men to jail, but left these at liberty who had threatened to burn their neighbors' houses. Why did they not proceed to the North American Hotel and arrest the leaders of the League; many of them had not even a walking-stick to defend themselves. Why did not the hon. member for Belfast (Mr. Duncan), go there and seize their books, and then he might exercise his splendid talents in finding out how much each man got."

Hon. Mr. DUNCAN.—Let the hon. member tell us how much he got when he bled the tenantry. There is the friend of the fatherless and the widow. Will the hon. member tell us how much he received?

Mr. McNeill.—You will never know, because you missed the golden opportunity of arresting the leaders of the Tenant Union, and seizing their papers. Now you will be forever in the dark.

BALDERSTON, Reporter.

Mr. BRECKEN.—Mr. Chairman, the hon. member has referred to Mr. Dodd, and as that gentleman is one of the most respectable of my constituents, it is my duty to defend him, especially as he has been brought before the public, where he cannot reply to what has been said about him. The hon. member has also referred to the people, and said that they were now satisfied.

Mr. McNeill.—I did not say that the people were satisfied. I said they were patient.

Mr. BRECKEN.—What quieted them? For my part, I am not aware, perhaps the hon. member is. In so far as Mr. Dodd is concerned, I am sure that any person who knows him would not believe that he would put his hand to a statement which he knew to be incorrect, and as to the insinuation thrown out, that the Government and Mr. Dodd concocted this letter between them, it is, I think, too absurd to be seriously entertained by any one. I quite agree with the hon. member for Cavendish, that it is unfortunate that an occasion arose for writing that letter, nor am I going to find fault with him for manifesting strong feeling on the subject, but I know more about the difficulties Mr. Dodd, as Sheriff of the County, had to contend with at that time than the hon. member does. I know that I was unable to get writs from the Supreme Court served at that time which had nothing to do with rents. I know that many such were returned to me by this officer, with the statement that he could not serve them. On one occasion, when I put some documents into his hands to serve, he asked me if I was prepared to furnish him with twenty men, to enable him to do so. I knew that my client was not prepared to do this, and I said no. Then said Mr. Dodd "I cannot serve them." I know that Mr. Dodd would not make a statement he did not believe, and I am certain that he has the true interests of the County as much at heart as the hon. member for Cavendish.

Mr. McNeill.—But the statements are there.

Mr. BRECKEN.—Mr. Dodd was the Sheriff of the County, and had personal experience of the difficulties he had experienced in discharging his official duties, and must have known whether the statements in his letter were true or false; it is therefore absurd for the hon. member to be endeavoring to fasten this charge upon the Government by throwing out the insinuation, that they concocted this letter. In the name of common sense, how can he attempt to do so? When we reflect upon the results of this mischievous agitation, which resulted in putting this country to the cost of building the Barracks, and other large expenditures of public money, we cannot be too strong in our denunciations of it. The hon. member says, that so long as the statement remains on the Journals, that it will be a disgrace to Queen's County and the Colony. It is a pity he did not think of this disgrace when he was encouraging the League. He cannot remove Mr. Dodd's letter from the Journals, and I challenge the hon. member to bring in a Resolution, either to remove or alter it. I tell that hon. member, when that association was at its height, that no man did more to produce those excesses, than did the hon. member for Cavendish. You know, Sir, from what has frequently occurred in the old country, that it is very easy to excite the people to the perpetration of acts of violence which they did not intend committing. On one occasion I sued a man because he would

not pay his rent and Mr. Chairman, he was a constituent of your own. On being questioned, he said he had joined the League, and subscribed to its funds, but said he had not attended any of their meetings, except at one time, when he got them a dollar. I said, you have joined a party which will bring on a dispute that will result in a contest between your proprietor and yourself. He replied by saying that it was very well for me to say so; and that he knew that it was all nonsense, but he knew also that if he got into any difficulty with his cattle, or in any other way, that his neighbors would not help him, and that when he laid his head upon his pillow at night, he could not tell what might happen to him before morning.

Mr. McNeill.—Name him.

Mr. BRECKEN.—I do not recollect his name, if I did I do not think it would be right in me to drag his name before the public. He would not thank me for doing so. I can assure this honourable Committee that the statement is correct. I cannot recall his name. There is another man who was concerned in the disturbance which took place near Bagnall's, and by referring to his name, I think I will be able to get his name, as an indictment was found against him. This man said he would sell the last hoof at his door to prosecute the Leaders of the League. I believe that the men who composed the League were kind-hearted men, and that all the people of this Island are such; but in this case they allowed their political excitement to carry them too far. We have seen what they done in Canada, when they burned down the Parliamentary Buildings. You may, Sir, get men into this House who have been a kind of political fire-brands among the people, but I trust the prudence and good sense of this House will keep them within bounds while here. The hon. member may be anxious to remove from the Journals the statement contained in Mr. Dodd's letter, as he was one of those who took an active part in the Tenant Union, and is therefore on that account much more responsible for its doings and the trouble it brought upon the country, than Mr. Dodd is.

Mr. McNeill.—I said the letter was not written by Mr. Dodd; at least that I did not believe it was, but then suppose this famous man whom the hon. member (Mr. B.) has referred to, had all the dread upon him that the hon. member has said, was that any reason why every man in the county, outside of Charlottetown, should be charged with being ready to perpetrate the highest crimes of which any people could be guilty, without the shadow of proof upon oath or otherwise, to substantiate such a foul charge upon as kind and loyal a people as the British Flag waves over. I throw back the imputation of political fire-brand. Let the hon. member clean his own shirts if he can, for the part he took in placing Mr. Dodd's letter upon the Journals.

Hon. Mr. DUNCAN.—When the hon. member went to Lot 65, did he advise the people to assist the Sheriff in executing his duty on that Township? Will the hon. member say that he advised them to assist the Sheriff?

Mr. McNeill.—I attended a meeting at Lot 65, and will defy the hon. member to say that I gave seditious counsel to the people. The meeting I attended had under their consideration the purchasing of their lands from the proprietor, as had been done by the people on Mr. Haythorne's Estate. This was the subject which on that day engaged their attention.

House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

TUESDAY, March 10, A. M.

House in committee of the whole, resumed the consideration of the draft Address in reply to His Excellency's Speech.

Hon. Mr. Kelly in the chair.

The third paragraph being read, Hon. Mr. Laird moved that it be agreed to.

Mr. HOWAT.—Mr. Chairman, before the question is put, I wish to offer a few remarks. From what has been said it appears that when the proprietors are willing to sell the Government will be prepared to buy. Last Session, on account of the shortness of the time at the disposal of the Government, not much could reasonably have been expected, but now some definite action toward settling the land question has been looked for, and this is the proper time to take action in the matter. I am aware it is expected that an attempt will now be

of this Colony from proprietary bondage; but if we have to wait until all the proprietors are willing to sell, I think the present generation will have passed away before that time will arrive. It has been considered unfair to have extended the benefits of the Land Purchase Act to one part of the country at the common expense, while those in other parts have to pay their rents, but have received no benefits for the extra duties which they have to bear their proportion of, and which this measure has rendered it necessary to impose. I do not think that it would be any injustice to the proprietors to pass a Bill that would compel them to sell at a fair compensation. I believe that such a measure should be brought in. Why should parties in England who are unwilling to sell be allowed to retard the progress of this country? In some parts of the country the people are not able to pay their rents, and will, I believe, have to be assisted in some way by the Government to enable them to obtain seed; and others would rather leave the Island than pay Rent. A Bill should be brought down by the Government by which the proprietors could be made to sell. When the Conservatives were in power the Liberals complained because they had not settled this question, and promised that when they got into power that they would do so. Why then do they not bring forward a measure themselves for settling it?

Hon. LEADER OF THE GOVERNMENT.—Any promises the Liberal party made, were not made in bad faith: nor is it the intention of the Government to overlook this matter.

Mr. HOWATT.—I am happy to hear it. It matters not what promises were made by either party, what the country wish to know is, what action do the Government intend to take in the matter? If the Conservatives went so far as to pass a 15 years' Purchase Bill, which is, to a certain extent, compulsory, and better than nothing, the Liberals should go a step further. The hon. member for Belfast (Mr. Davies) said that such a measure could not be carried unless there were more tenant union men in the House, but this is a mistake, for I cannot see anything unconstitutional in such an Act. We have a precedent set for passing such a measure in what was done in Canada for the abolition of proprietary claims in that Province, and the British Government sanctioned that Act. The same could be done here, at least an effort could be made; if it failed, we would not be in a worse position than we are in at present. The hon. member for Casoumpce (Hon. Mr. Howlan) stated that the Loan was available when required; and when such is the case an Act might be brought in, founded on the principles of the 15 Years' Purchase Bill, or on other equitable principles, by which a fair compensation may be given to the proprietors for their lands, and which they would have to accept, and if any such Bill, founded on those just principles, is brought down by the Government it shall have my support.

Hon. ATTY. GENERAL.—Mr. Chairman, I am sure the Government will coincide with the hon. member for Tryon in his expressions of regret that the proprietors have not consented to sell their estates, and in the disappointment the announcement will occasion to the people of this country. I can assure the hon. member, that the Government have not abandoned the consideration of the settlement of the Land Tenures of this Colony, but have, during the recess of the Legislature, been using every effort in their power to do so in

accordance with the intentions of the Land Purchase Act. I stated last night that on the part of the Government I made an offer to Miss Sullivan for her estates, of five shillings sterling an acre, which would have cost £27,000 currency, and candidly told her, that I was certain that it would be better for her to take that amount for her lands in this Island, rather than to retain them in her own hands. This offer she refused to accept. The Government have also gone further than this, and have made an offer to Lord Melville for his estates. When I was in London I had an interview with his Lordship and ascertained from him that the annual returns from his estates, since Mr. Burke has had the management of them, were £200 sterling. I asked his Lordship if it would not be better for him to accept a sum for his estates which, at the usual rates of investments, would yield an annual income of £200 sterling. His Lordship wrote to Mr. Burke asking him for an account of the rental and arrears of rent on his estates, and desiring him to furnish the Government with an account also, and I received a letter from Mr. Burke containing an account of the number of acres, rent, &c., on his Lordship's estates on this Island, which is published in my report. I had also a conversation with Mr. Burke on the same subject, and found that his account of the rental of the estate as received coincided with his Lordship's statement. The Estates of Lord Melville have been estimated as being worth about £8,500 sterling; but the Government considered it better to offer him £4,000 sterling, which at 5 per cent. would yield an annual income of £200 a year. And this offer I made to him on behalf of the Government as will be seen by the following letter:—

(COPY.)

“ CHARLOTTETOWN,

“ Prince Edward Island,

“ 23rd December, 1867.

“ THE VISCOUNT MELVILLE.

“ MY LORD—I am authorised by the Government of this Island to offer for the purchase of your Lordship's estates in this Island, estimated to contain ten thousand and twenty-three (1023) acres of land on Township No. Twenty-nine, and eleven hundred and eighty-two (1182) acres of land on Township No. Fifty-three, with all arrears of rent and promissory notes and securities for arrears of rents due thereon, the sum of Four thousand pounds sterling (£4,000) payable as follows: £1000 on execution of a sufficient Deed of Conveyance with usual covenants; £1000, with interest at six per cent., in six months from date of purchase; £1000, with interest at same rate, at end of one year from time of purchase and conveyance, and the balance of £1000 and interest at same rate in eighteen months from time.

“ The three last instalments to be secured by Government debentures, and the first instalment to be paid in cash, on execution of the Deeds by the necessary parties to pass the title.

“ The above is at the rate of seven shillings and one penny half-penny (7s. 1½d.) per acre, being two shillings and one penny (2s. 1½d.) in excess of any price yet paid by the Government for any lands purchased by them. At present the law restricts the Government from paying more than five shillings sterling per acre for any estate offered, but in the event of your Lordship accepting the present offer, the Government propose submitting to the Legislature a Bill to authorise the purchase at the above amount. As the Legislature will meet in March, in the

early part of the month, it is particularly desirable that a reply to this offer should, if possible, be received by that time. I request your Lordship to give this proposal consideration and a reply at your earliest convenience.

" I have, &c.,  
 "(Signed) JOSEPH HENSLEY,  
 " Attorney General,  
 " On behalf of the Government."

To which a few days ago I received the following answer:—

" MELVILLE CASTLE,  
 " January 23, 1868.

" Sir;

I have to acknowledge the receipt of your letter of the 23rd ultimo, offering on certain terms to purchase, on the part of the Government, my property in Prince Edward Island. I have thought it right to refer this letter to my land agent; but, in the meanwhile, I may at once inform you that I consider the terms so disadvantageous to myself, that I can hold out no expectation of arriving at any other determination than declining to accept them.

" I have, &c.,  
 "(Signed) MELVILLE.

The Hon. Joseph Hensley."

I cannot but regret that his Lordship has not seen fit to accept to the proposition made to him. Lady Wood and Miss Fanning have also declined selling at a lower rate than twenty years' purchase, with all arrears of back rent; under these circumstances, therefore, I see very little prospect of settling the land question by voluntary purchase, and the Government have, therefore, had under their consideration the propriety of introducing a compulsory measure, and in the meantime are in communication with the Home Government on the subject, and I expect an answer shortly, which will be laid before this House. Legislation of a compulsory nature is not new. In Canada a compulsory measure had been introduced for settling the land question, as was observed by the hon. member for Tryon, and the same principle was adopted for settling the Slave question in the West Indies; and I trust that when the views of the Home Government are obtained on this subject, and laid before this House, that it will be found that they are in accordance with those which have been here expressed. For my own part I believe that where the private rights of any person interfere with the public rights of the country in which they exist, that the private rights should give way to those of the public, more especially when in fact it does not do any private injury. If Lord Melville, for instance, had taken £4000 for his estate he would have received an equivalent, by which he would have been no loser, and a benefit would have been conferred upon the country, in the advantage it would have been to the tenants on these estates. As to the twenty years' purchase with all arrears of rent, it is too perfectly ridiculous to be for one moment entertained. I think the present holders of these estates take a wrong view of the matter, and one, when we consider the manner in which they obtained these lands, which they ought not to entertain, nor do I see why any individual should under such circumstances be allowed to hold property in a way that tends to retard the progress of the country. The land of any country should belong to the inhabitants of that country, and it

is contrary to the interests of this Island that those holders of estates on this Island should have the power of refusing a fair compensation for their claims. I am glad the hon. member referred to the matter, for I am quite satisfied that until this question is settled there will be no peace or happiness in this country, and the fact that it is settled in one part, and not in another of this Island, only makes the discontent the greater in those parts in which it is not settled. As regards the matter referred to in the paragraph, I may state that when the correspondence to which I have referred is laid before the House, it will be seen that the Government are willing to take the matter in hand and have no intention of turning back.

Hon. Mr. McAULAY.—Mr. Chairman, although I am not afflicted with that loathsome disease, called the *ca-coethes loquendi*, I will make a few remarks upon the paragraph before this hon. committee. The fact is, that the land Bill and the loan Bill have too long been made mere stalking horses of for getting men in positions, the duties of which, perhaps, they are not calculated to fulfill. The paragraph before us reads thus:—"Although your Excellency has not, as yet, deemed it advisable to proceed with the Loan" To proceed with the Loan! Where is His Excellency to proceed with the Loan? The statement implies that the Loan has been obtained, but I want to know, Sir, where His Excellency is to proceed with it? Is it to Nova Scotia or Abyssinia? Perhaps they wish His Excellency to proceed to the latter country to fight with his sable Majesty King Theodorus. The confusion and discordance of thought manifest in this expression is eclipsed by the following sentence of the paragraph, in which there is something horrible, something dreadful, Sir. It goes on to say:—"Yet the provisions of the Act authorizing it still remain available in case any proprietor shall hereafter, as we trust they will do," &c. Now, if these words are susceptible of any meaning, they imply, that the proprietor was to be divided into parts—cut into pieces! and each part was to accept a fair price for his land, and thus meet the views of the Government by accepting the price they might offer. Is this the meaning of the paragraph? Perhaps the gentlemen who prepared this Address were not agreed as to which of them was the best philologist. I regret, Sir, that the Government of this Colony should make such a parade of their imbecility as to issue such a document as this. I do not intend to offer any amendment, I shall leave it to the hon. members of the Government to say whether this document shall go forth in its present shape or not. The question, however, intended to be embraced in this paragraph is an important one, and as a member of the Opposition I shall not approach it in a party spirit. With respect to the Loan, you already know my opinion. I am not sorry that it has not been obtained, for I certainly think it is fortunate for the Colony that it has proved a failure. The strongest arguments brought forward last Session by those who supported the measure, were those which were drawn from other Colonies which have effected loans; but in their arguments they overlooked the object for which these Loans were obtained by those Colonies. I shall, sir, with your permission, look to Nova Scotia, because it is the Province with which we are the best acquainted. The Loan obtained by the Government of that Province was expended in public works that have greatly aided the internal improvement of the country,



and thereby the best engineers, artizans and laborers in that Province, have had employment, and the other interests have also been benefited; and the result is, that the improvements thus effected are now yielding such a profitable and permanent revenue to the colony, that the wisdom of those who introduced them is fully justified; but I cannot see in the Loan Bill of last year that anything is there foreshadowed that would lead us to conclude that similar results would follow if a Loan had been obtained here. In the eleventh section of the Loan Bill, I notice that it does not say that the Loan, if obtained, shall be applied to such laudable improvements as it has been applied to in Nova Scotia, but for the "redemption or payments of Treasury Warrants or Debentures, or any part of the public debt of this Colony." From this it is clear that had the Loan been obtained, it would not have benefited the people of this country, as an agent would have had to be employed, whose duty it would have been, as set forth in the tenth section of the Act, to "hold all money raised by virtue of this Act, at the disposal of the Government of this Island, and shall accept and pay bills, remit and pay money, as such agent may, from time to time, be directed by the Lieutenant Governor." Now, Sir, the direct effect of these clauses would be to throw the money of people residing in this country out of use, and to give an undue preference to that of the stranger. Is this statesmanship? Shall we call that statesmanship, the only effect of which can be to drive the holders of money in the Colony into another market? The provisions of the sections of the Act which I have read, would not enable the Government to purchase more land, because the loan, if obtained, would be absorbed in the purchase of Wararuts, Debentures and other public securities. I will now allude to one other delusive idea put forward by the friends of this measure. They said that it would render exchange easier, and thus give a stimulus to commerce, but I think, Sir, if the matter is fairly considered, that the effect would be to render exchange annually more stringent. If, Sir, you were to borrow in England £50,000, £3,000 a year would have to be exported to pay the interest, which, in ten years, would cause £30,000 to be exported from the Colony for interest alone. Is it by making the country £30,000 poorer that you expect to benefit it? Nova Scotia lately obtained a loan of £250,000 at par, but we could not expect to obtain one on such terms; besides there would be a depreciation of probably 2½ per cent. for commission. There is further the ten per cent. which would have to be placed in the sinking fund, to meet the payment of the principle at the expiration of ten years. All these amounts would be withdrawn from circulation in the country, while they would cause an additional increase of taxes, and a greater drain upon the resources of this Island. I give the hon. Atty. General credit for sincerity, but his scheme is hostile to the good of the country throughout. The argument that posterity should pay for it is an unsound one. I blame not the Government for endeavouring to settle this question, but blame them for having brought forward a measure that is not calculated to do this. But, Sir, if they bring in a Bill that will promote the public good, it shall have my support, and that not an hypocritical support, for hypocrisy is foreign to my nature. I conclude these remarks, by stating, that if I succeed by these observations in bringing this delusive Foreign Loan scheme into disfavor more universally, I shall have

the high gratification in lending my aid in saving to the country not less than £30,000, which must be evident to any one who takes the trouble of calculating the Foreign Loan scheme of our present Government.

E. GORDON, Reporter.

Hon. Mr. HENDERSON.—I have been waiting to hear what others would say. I feel no small satisfaction in listening to the sentiments of the Attorney General on this Land question. My opinion has undergone no change, as far as the Loan is concerned. I believe it would be of no benefit to the country. It would be a waste of time to go over the ground which has been so eloquently travelled by the hon. member for Georgetown. Anything that could reasonably be expected to contribute to the settlement of this long-vexed question, would receive my support. A Loan, under our present circumstances, would be extremely impolitic, while so much money in our Banks is awaiting investment. It seems that a correspondence is now going on between the Government and the Imperial authorities, to ascertain what coercive measures would be sanctioned. This is an improvement on former times. The 15 Years' Purchase Bill was a coercive measure, and by it the Tenantry were relieved from a heavy burden. The present Government, in this respect, are following in the steps of the Conservatives. If there are numbers of poor Tenants who are unable to pay rent, how can they be expected to pay for the fee-simple of their farms? Numbers of them have not the least prospect of doing so; and the consequence is, that our young men are leaving their homes for other parts. If the proprietors refuse to take a reasonable offer for their lands, from the Government of this Colony, we may fairly presume that the British Government would not protect them in their failure to accomplish their legitimate ends. This is a hope that should not be forgotten.

Mr. P. SINCLAIR.—Mr. Chairman, as this clause is an important one, I will offer a few remarks upon it. The hon. member for Murray Harbor (Mr. Henderson) has tried to show the great advantages and benefits accruing from the Fifteen Years' Purchase Bill. When the Award failed, the Conservatives brought forward this measure, which, instead of relieving the people of their burdens, has only bound them closer. It will be a bad precedent for all time to come; for they made it appear that the land was really worth fifteen years' purchase. There should be a bill passed to coerce the proprietors, if they will not accept a reasonable price for their lands. Such a bill would be perfectly just and equitable. The Land Question is the most difficult subject with which we have to grapple. The offer made to Lord Melville was honorable and just. The question must be settled by giving the proprietors to understand that they will be compelled to succumb.

Mr. McNAILL.—Mr. Chairman, the Loan was to be procured for the purpose of settling the Land Question. The hon. member for Charlottetown accuses me of holding extreme views on this subject. If I were in his position, perhaps I might think as he does. The Hon. Attorney General made a fair and generous offer to the proprietors, when in England, and it would have conduced to their interests if they had accepted his offer. The Tenant Leaguers offered a higher price than was commonly given. There never will be peace till this troublesome question is settled. There are many reasons why it should be settled. We cannot expect, under our present circumstances, to be able to rely on a

loyal force, in case of invasion. How can we expect loyalty from a people whose rights are trampled on? Men who are thrown into jail because they have not paid their rents, cannot be expected to fight for their oppressors. We cannot expect them to kiss the hand that smote them. The Spy found that there were comparatively few farmers able to pay rent. There is another consideration I will notice, Mr. Chairman, it is this: we cannot have a fair election till this land question is settled. The franchise cannot be properly exercised while men are forced to pay rent at the point of the bayonet. Before elections you will see Writs sent in all directions among the people by my friend Mr. Brecken, and others of his profession, belonging to the proprietary faction; which proves that we cannot have a free representation till the rent system is abolished. It has been proposed here, by hon. members that a compulsory Bill should be passed by the Government. I am glad to see hon. members in favor of such a measure. Those documents which have been sent to England, vilifying the people of this Island, are the only obstacles which would prevent us from receiving the Imperial sanction to a compulsory Act. Let us do our duty to ourselves and to the country. When I think of the manner in which the tenantry of this Island were misrepresented by the members of the late Government, I wonder that they are not ashamed to meet the people in the market place.

I. OXENHAM, Reporter.

TUESDAY, 10th March, a. m.

HON MR DUNCAN.—Mr. Chairman, last year when the Loan Bill was brought forward, I told the Government that I thought they ought not to go abroad for to borrow money, when they could get it at home. But, sir, they drew such a terrible picture of the state of the country, that one would have thought it would have been ruined before this time. They said that if a loan was not obtained, that the banks would have to stop discounting; that there would be no exchange, and that the business of the country could not be carried on. But, Mr. Chairman, the loan has not been obtained, and yet, none of these calamities have come upon us. I did not see last year, why we should send across the water, for to try to obtain a loan, when there were so many thousands lying in our banks waiting investment; and now, Sir, about the beginning of last month, when the statements were drawn out, there was £27,217 of deposits bearing interest, and £31,180 not bearing interest in one Bank, while there was gold and silver to the amount of £20,822, and foreign exchange, and notes of foreign banks to the amount of £25,000 in one bank, and £20,800 in the other; and I may also state, that the Bank of Prince Edward Island had lately declared a bonus of 5 per cent. With these facts before us, was not the idea of going abroad to borrow money, one that ought never to have been entertained, as the only effect it could have upon the country, would be to drive capitalists out of it. The purchase of the Cunard Estates has not injured the country; and if the Government were now to purchase another estate, as large and on the same terms, it would not injure the country, nor seriously affect any interest; nor would they require to go abroad to borrow the money to pay for it; of course, while the tenants would be paying for their land, they would not be able to purchase as many goods as formerly, and

merchants would have to import less of them; but when the farmers would get their lands paid for, they would then be able to purchase double the quantity, and then all classes would feel the benefit of those purchases. I am glad that the Government does not intend to bring in a coercive measure, at least I find such sentiments put forth in the correspondence of the Hon. Atty. General with the Colonial Office. A good deal has been said about the Fifteen Years' Purchase Act not being a compulsory measure; but do they who say so, think that the British Government, will allow them to pass a compulsory measure without consulting the parties concerned? They would not. When they hear the offer that may be made and the objections which have been urged against it, it is possible that the Home Government may allow such a Bill to be passed, but not before. When the correspondence on this subject is laid before the House, we shall be better able to form our opinion upon this subject. It has been said that until the Land Question is settled, a fair election cannot be had in this country. I believe this is true; for so long as an agitation can be kept up on this question, unprincipled men will be found who will endeavor to secure their elections by promising the people to get lands for them for nothing.

HON. MR. HOWLAN.—Mr. Chairman, we have listened to an elaborate statement from the Finance Minister of the Opposition. The hon. member for Belfast (Hon. Mr. Duncan); and, Sir, what does it all amount to? He informs this House that certain amounts of money are now lying in the Banks of this Island waiting for investment, and that it could be employed in the purchase of land in this Island. He has told us that £58,000 are lying idle in our Banks, but he might as well have made it \$78,000. But will the hon. member tell this hon. Committee, that this money can be had for such a purpose? Will he assert that these deposits, which are bearing interest at 5 per cent, can be invested in extending the provisions of the Land Purchase Bill? Some of these deposits belong to children. I know of one family of children who have £4000 so deposited; and another portion of these deposits consist of the savings of different families throughout the Island. Will the hon. member advise the Government to purchase lands with these deposits? As regards the sums not bearing interest, lying in the Banks, every body knows that there are very few good safes on this Island, and gentlemen in business, are in the habit, for greater security, of depositing their money in the Banks, and drawing it out as they may require it. Every man in business knows this. The money, therefore, thus deposited belongs to the legitimate channels of trade, and it would have been as reasonable for the hon. member to have given a statement of the Bills receivable at the Banks, and have said that these could be made available for the purchase of the estates of the Proprietors as these deposits. Supposing that the Government had an offer of 100,000 acres of land, would it be right for them to purchase it, and run the risk of getting the money to pay for it, in the way indicated by the hon. member? I am surprised that the hon. member, as a business man, should have made the statements he has, and I will venture to state, that there is not a merchant in this Town who will endorse his opinion. Last year he said there was plenty of money, but on account of the Tenant Union it could not be obtained. All the Banks in the County are not in the position which the hon. member has stated, for

the Directors of one had in their Annual Report stated, that they were unable to declare a dividend on account of some commercial failures in England which affected them. If money has been found to purchase produce, it was not a reason for saying that there was a floating capital in the country which the Government could have obtained for purchasing land. If Lord Melville or any other proprietor, took money out of this Island, it would have injured the trade of the country, because it would have removed that much working capital out of the country; nor do I think that the commercial affairs of this country are in as good a state as the hon. member would have this House believe, for I have seen lately that two of the ships of the hon. member are not coming back here, and I know that such would not be the case if matters were as prosperous as the hon. member has endeavoured to make this hon. Committee believe. I think the hon. member has not fully considered the subject upon which he has spoken.

**HON. LEADER OF THE OPPOSITION.**—Mr. Chairman, if the hon. member who has last spoken, was surprised at the opinions which were advanced by the hon. member for Belfast, I am equally astonished at those of the hon. member for Tignish. He said that the Directors of one of our Banks, had announced that they were unable to declare a dividend, on account of some commercial failures which occurred in England. I do not know which Bank the hon. member has alluded to.

**HON. MR. HOWLAN.**—I referred to the Summerside Bank.

**HON. LEADER OF THE OPPOSITION.**—As a shareholder, I feel a interest in these statements, and am quite satisfied that the directors of that Bank, when they made that statement, did so to cover their own carelessness. Had they looked after their business, as they should have done, they would not have had any occasion for making such a statement. The reason why they could not declare a dividend was, because they allowed some men in Prince County to have too much credit in that Bank—men who ought not to have had so much credit—but who had unfortunately exercised too much influence in controlling its affairs. Had the business of that Bank been properly managed, no such results would have happened; for we know that in this town the Banks have met all their demands, in addition to ten per cent. on the capital stock; and one has declared a bonus of five per cent. There is one thing, Sir, for which I must congratulate the Government, and that is for the declaration made by the hon. the Attorney General, that the Government have opened up a correspondence with the Home Government, by which, they hope to be able to introduce, and carry a measure which will force the proprietors to sell. I do not intend to express an opinion now, either for or against such a measure; but I think, Sir, that it was always one of the grand doctrines of the party now in power, that under responsible government there would be no necessity to go cap in hand to the Colonial Office, to consult about any measure relating to the local interests of this Island. They were in the habit of saying that under Responsible Government we would have power to pass any such a measure; but it seems now that a change has come over the spirit of their political dreams. I never expected to see the day when the hon. member for Belfast (Hon. Mr. Davies), as a member of the Government, would bow to that. But, Sir, when gentlemen get into power, they

have to submit to a good deal which they would not admit that they would submit to when they are on the political stump. I will abide my time for expressing an opinion on this matter, until I shall see the reply which the Government may receive from the Colonial Office, to which the learned Attorney General referred, and as my learned and hon. friend belongs to the Rifle Brigade, it will be interesting to write the result of his onslaught upon the proprietors; I think, though, that if I could dive into his conscience, I would discern that he thinks such legislation will not go down with the Home Government, no more than with the Proprietors at Home. I would like if the hon. Atty. General would foreshadow the principles of the measure which he proposes to introduce. Does he intend to place those who agreed to the Land Purchase Act upon a level with those who would not submit to it? Is a distinction to be drawn between those resident in the Island and those who are not? Are those who submitted to the appointment of the Land Commission, and those who ask twenty years' purchase, with all back rents to be treated alike? I think a distinction should be drawn between those living here and those who live in England. I should like to know the intention of the Government in these respects, or are they all to be thrown together? Hon. members on the Government side of the House used to be in the habit of asserting that the Fifteen Years' Purchase Bill was of no benefit to the Tenantry. I am the agent for Boughton Island, and had an opportunity lately of ascertaining the views of some of the Tenants from that place, on this subject. A few days ago some of them came into my office to settle for their rents. Merely to see what they would say, I made out their bills, but did not give them credit for the arrears which had accrued up to 1858. They were all great Liberals, but soon enquired why I had charged them with those arrears? I told them that their friends had condemned the Fifteen Years' Purchase Bill as a measure that would not benefit the tenantry. They said that they did not think so, and very readily took advantage of a measure which made a difference of from £15 to £25 in some of their accounts. The fact is, the Fifteen Years' Purchase Bill has been a benefit to men in each County in this Island. I will only now further add, that I hope the Hon. Atty. General will give the House some further information, respecting the nature of the Bill he intends introducing.

**HON. ATTY. GENERAL.**—Mr. Chairman, I am sorry that I cannot comply with the request of my hon. friend, for the simple reason, that I think it would be premature. I would not a very improper part to do so. It will be quite time enough when the matter comes regularly before the House.

**HON. MR. HENDERSON.**—Mr. Chairman, I would like to know if the hon. member for New London, wished this hon. Committee to understand, that the late Government had the despatch from the Colonial Minister, to which he referred, before the passage of the Fifteen years' purchase Bill? I understood him so, but if the hon. member will take the trouble to look, and compare dates, he will find that that despatch was not received until twelve months after the passing of that Bill. If the land purchase Bill is a mischievous one, why do they not wipe it off the Statute Book by repealing it? Assuming that it is an injury, why do they not repeal it at once, while they have the power?

**MR. CAMERON.**—Mr. Chairman, I cannot see the ob-

jectionable features in the Loan Bill, which some hon. members appear to notice. It has been said by several hon. members, that it was the duty of the Government to take into consideration the best way to meet the payments that had to be made on the Cunard Estates. We all know, Sir, that the late Government purchased these Estates, but they left the greater portion of the payments to be made by their successors, and to meet these, the Loan has been brought forward. A good deal has also been said about the Fifteen Years' Purchase Bill. I believe some of the objections are very just. The Bill, in itself, perhaps, may not be so injurious; but the evil arises from the fact, that it was an expression of opinion, by the late Government, of the value of land in this Island, and in this may have done an injury which cannot now be remedied by a repeal of that Act. If that Bill was a benefit to some in the Island, it was because there was no better measure to take its place. I am very happy to find a disposition on the part of the Government and this hon. Committee, to go for a compulsory measure, to force the proprietors to sell. I believe the time has arrived when a fair and just measure of that nature should be passed. Some hon. members in the Opposition look upon me as entertaining extreme views on this question, and they have also denounced me as a Tenant Leaguer; but I take this opportunity to say that I was never a member of that organization. It is true I was at one of their meetings; but, Sir, I am not ashamed of those who did belong to it, for I believe they stand as high in the estimation of an unprejudiced public, as any other men in the country. Some overstepped the law; but where will you find any body of men, who have not had some among them who have not done so? Can you find a large body of men, where none of them have not done evil to any one? The tenants had great reason to complain of the action taken by the late Government on account of the proprietors, when they aided them in their oppressive procedures. The course pursued may have been legal and right, or it may be looked upon as an act of unjust oppression; but it is one the people will not forget.

Progress was reported, and the House adjourned for one hour.

R. GORDON, Reporter.

#### Paragraph on the Loan Bill.

HON. LEADER OF THE GOVERNMENT.—The Hon. Leader of the Opposition has stated that I should have some experience in Legislation. I do happen to have some experience in Legislation, and especially in reference to this Land Question; but we know that the opposite side of the House generally opposes any measure that would tend to settle that question. They used their influence against the "Tenant Compensation Act," and the "Rent-Roll Bill." I believed that these were good Acts when they were passed, and the people are now beginning to see that they were perfectly right and just. I believe we should have obtained the Tenant Compensation Act at the time, only the British Government were afraid that if they passed it, they would be obliged to pass a similar one for Ireland. From the first time I took my seat in this House I was of opinion that coercive measures could not be carried out. I wished to settle the question by moderate measures, and we have done some good in this way. The Land Purchase Bill has relieved the Tenantry to a very great extent. But at this time my opinions begin to change a little. Moderate measures have not effected so much as we anticipated. This "Fifteen Years' Purchase Bill" has hindered the action of the "Land Purchase Bill," for it has fixed a price, and when we ask Proprietors to sell, they say give us 15 years' purchase and we will. I

consider that the Fifteen Years' Purchase Bill is not a fair criterion to go by. That Bill was passed for the benefit of individuals who might choose to purchase their farms, but it was never intended that the Government should pay such a price for land. The proprietors have refused all reasonable offers, and now I think some other course must be pursued. After so much of the land has been purchased under the Land Purchase Bill, the remaining tenantry will not be very well satisfied to pay rent. I hope that some measure similar to that adopted in reference to the Seigniors of Canada will be passed here. We would like it to be settled fairly, but if it cannot be settled without stringent measures, I think it is time that both parties endeavoured to carry them out. The late Government passed the Fifteen Years' Purchase Bill, and many thought that this was to make a final settlement of the question, but it has not done so. The present Government have done all they could to settle the question. We heard a great deal of argument against the Loan Bill. I would ask, if we sent a hundred thousand pounds out of the country, would it not embarrass the Banks and cause a depression of trade? A great many people believe that it is the payment of the money for the Cunard Estate that caused the monetary depression in the Colony. If large Estates are to be purchased, we should get the money from some other place, and not drain the Colony of its floating capital. When Mr. Cunard was here I requested him not to demand all gold in payment of the instalments then due, and he complied with my request. The Government may be censured for not obtaining the Loan, but they never intended to get the money and let it lie idle. Some of the absentee proprietors did not understand our system of payments; for instance, one of them thought that he was not paid because he had only the Debentures of the Island. As the proprietors were not willing to sell, it was not necessary to get the Loan. As far as the financial state of the country is concerned, we are in as good a state as any other place. Our debt does not exceed one year's revenue. We must expect the Opposition will say a great deal against this loan, especially the hon. member from Belfast, (Mr. Duncan) who has taken his place as financier of the House. He always tries to show that the Colony is in a flourishing condition, and this helps the Government. If a loan is required, why should not we get it as well as Nova Scotia and New Brunswick? There is a great deal of money in Nova Scotia, yet, when a large sum is wanted for any purpose, they think it better to get it from some other place. If we had obtained the Loan by selling bonds at 95, we should have been able to sell the gold here at a premium of 2 per cent. Fortunately there was a demand for oats in the British market last season, but had it been otherwise, the Banks would not have been able to get sterling exchange.

HON. LEADER OF THE OPPOSITION.—I believe, Mr. Chairman, it has been said by some celebrated man that you can do anything with figures, and we see this illustrated here every day. A member on the Government side of the House, builds up a great array of figures, and the hon. member from Belfast (Mr. Duncan) tears it all to pieces. The hon. Leader of the Government has not said what would be the effect if we had obtained the Loan. But I do not understand where this 2 per cent is to come from. I think the credit of this Colony is second to none; but it is wrong to go into another country to get money when it can be obtained at home. Government debentures are now eagerly sought for. When the Government purchased the Townshend Estate, these

debentures sold at a premium of two per cent. The Leader of the Government spoke of a person in Halifax who came here to invest his money, but I know a person here who went to New Brunswick to invest money on account of the usury law here. The Savings' Bank has not been mentioned, in which there was a short time ago ten or twelve thousand pounds. The Government are trying to destroy the credit of the Colony by endeavouring to get a Loan. If these debentures were sold in London men of large means here would employ an agent there to buy them up, and thus save a good deal.

**Hon. ATTORNEY GENERAL.**—This matter was discussed a great deal last year, and we might argue about it morning, noon, and night, and not agree upon the question. But it is comparatively a new question, and I may be excused if I take up the time of this Committee in discussing it. It is very well to speak of the affairs of the Banks, and to say that the prosperity of the Island was not materially injured by the payment of so much money for the Cunard Estate, but I cannot agree with that statement. The difficulties which I apprehended were not so great as I thought they would be, and I am glad of it. A great deal has been said about getting the Loan to buy up Treasury warrants. That was not the intention of the Loan, but that provision was made so that in case land could not be obtained, the money should not lie idle. (He then read a portion of the Act) There is nothing there about paying for Treasury Warrants, and no Government would think of raising the money unless for some object similar to that mentioned in the Act. No doubt the previous purchase of the Cunard Estate was taken into consideration, but the Government had no intention of getting the Loan unless they had a chance of purchasing land. The way the returns of the Island were made out had an influence in preventing us from getting this loan. In these returns the money paid for the Cunard Estate was put down as expenses, and a stranger would think that we had expended thirty shillings for every twenty we raised as revenue. For that reason the Duke of Buckingham gave it as his opinion that we should not be able to obtain a loan. I was obliged to make an estimate and explain to him the real facts of the case, but it is not very easy, when you come in contact with business men, to eradicate from their minds the false impressions they may have received from the official returns of a country. With respect to the cost of negotiating the Loan, I may state that at the time I went to England, money was very scarce. Another Colony at the same time offered their bonds at 95. I did not wish to offer our bonds in the market, because I knew that if I did so and they would not sell, it would cause a loss of £500 to the Colony. The state of the money market is now quite different. The Tasmanian Government have since negotiated their loan; and instead of selling their bonds at a discount of five per cent, they have realised a premium of one per cent. Other Governments have also negotiated loans on favorable terms. I was requested, before I left England, to put the Loan in the market, but I thought it would not be well to do so, as the object for which the Loan was to be obtained could not be carried. It is a very strange thing that all the members on one side of the House take one view of any matter; and all on the other side take exactly the opposite view. The country would have been in a better position had it not been called upon to send so much money away as payment for the Cunard Estate. My hon. friend said he did not see how we were going to gain two per cent. on the bills; but if we had to raise the Loan here, we would have to pay the two per cent, so that would make it even. I do not pretend to be a very great judge of these matters but the experience of other Colonies may serve as a guide for us. In purchasing the Cunard Estates, I have no doubt the late Government did what they thought was right. But if the Fifteen Years' Purchase Bill was to settle the whole question, where was the necessity for purchasing the Cunard Estate? It appears that their

work requires the Land Purchase Bill to finish it. However, I wish that all the proprietors would be willing to sell at the same price at which the Cunard Estate was purchased.

**Mr. BRECKEN.**—This debate has taken a very wide range; but I think the question at issue between the Government and the Opposition is a very small one. We have a sincere desire to see the credit of the Colony stand high; but it will easily be seen on which side of the House the arguments were correct last year. The hon. Attorney General is at a loss to understand how the members on one side of the House hold one opinion, and those on the other side quite a different one; but he should be aware by this time that there is such a thing as a political conscience. No sooner did the Government come into power last year than they passed the Loan Bill. This side of the House, assuming that it was for the purpose of purchasing land, said it was time enough to get the Loan when it was known that land could be obtained; but the Government said that was not the only purpose for which it was required. Now, Sir, the Colony has struggled through its difficulty, and I admit that the high price of grain has helped it. But if, as the hon. Attorney General says, it would be for the benefit of the Colony, why not get the Loan yet? I think they dealt with a matter they did not understand. I think it was well for the country that it was the hon. Attorney General who went to England to negotiate the Loan. Suppose that money had been plenty when the hon. Attorney General went home, and he had obtained the Loan, where would the Government be to-day? They would have £50,000 on their hands, for which they would be paying interest, as no proprietors will agree to sell their land; they would be like the man who got a present of a white elephant, and found he had more than he could take care of. My hon. friend says the Government are in the position of a man who has his money in the Bank; but they are in the position of a man who has his note in his pocket, and is offering it at a discount, but cannot find a purchaser. Had my hon. friend, the member for Belfast, been sent home instead of the Attorney General, we should have had the £50,000, and would not know what to do with it. The Banks have £84,000 on hand, including deposits and balances due them. This does not prove that there is money enough in the Island to buy up large tracts of land, but it proves that the Government were wrong when they said that the Loan was wanted to relieve the mercantile depression. I do not represent a Tenant constituency; but a man should legislate for the good of the whole country. In trying to settle the Land Question we may go too far. We must not embarrass the mercantile or mechanical interests of the country, for the sake of settling this question. It would be better for a poor man who settles down on a farm, to continue paying his rent, than borrow money to purchase his farm. I believe that twenty-five per cent. of the rents in this Island are never sued for, and never paid. If you press this question too far you may get rid of the absentee proprietors, and get a number of small ones on the Island. If the Government do negotiate a loan, I hope they will do so on terms advantageous to the country. I am satisfied to leave it in the hands of the Attorney General. If you push this matter too far, what are you going to do with the poorer class of Tenants, who cannot now pay their rent.

BALDWIN, Reporter.

**Mr. PROWSE.**—I will express my views on this subject in a few words. The desirableness of converting the leasehold lands of the Colony into fee simple, is admitted by hon. members on both sides of the House. I have the honor to represent many leaseholders, and I believe that there are many of the poor tenantry who would rather live upon two meals a day than continue to pay rent. They are bound to have free land or to leave the Island. They would rather endure privations and hardships for a time, by paying the instalments

which would be required, than remain under the present leasehold system. In reference to the Loan Bill the Government give the Committee to understand that £95 could be obtained abroad for the Government Bonds. Now, we know that Mr. Scrimigeaur in his answer to the Attorney General, said that "The Loan in its present form would not be taken above £90, if at that." It is more probable that the rate would be three or four per cent. below that figure. I think that those who have money in this Colony should be allowed the same privilege as those who reside in other parts. The loss on the transaction would be about ten or eleven per cent., and the incidental expenses would also be very considerable. Much has been said about the Fifteen Years' Purchase Bill by some hon. members of the Government. They say that it will be a stumbling block to every future Government. Why do they not strike it out of the Statute Book? They say it is a coercive measure, but it is not. It has relieved the tenantry from heavy burdens, which they would otherwise have been required to bear. The hon. member for Cavendish has alluded to the loyalty of the tenantry in very disparaging terms. Perhaps he refers to the Tenant Leaguers. I would like to know if the hon. member had money due him, whether he would apply to the officers of the law to collect it, if he failed otherwise. Would it be tyranny and oppression to commit his debtor to prison if he refused to pay? He says that we cannot rely on men who pay rent to defend the Colony. What can we think of an hon. member who would make such a statement? What a variety of opinions is to be found in the Government ranks? They are, indeed, a happy family!

Mr. McNEILL.—As the hon. member has put a wrong construction upon some of my remarks, I will correct him. What I said was this: that we could not expect loyalty from men, who are taken by the throat, persecuted, and handcuffed, for the non-payment of their rents. As long as men's minds are constituted as they are, they cannot be expected to kiss the hand that smote them. I do not intend to allow the hon. member to flourish his yard-stick over me in that manner. How did the late Government act in regard to this matter? One of the first steps they took was to disarm our Volunteers, on account of the disturbances arising out of the Land Question. The hon. member has not made much out of the subject, although he has rambled over a great deal of ground. I wish to keep up the loyal spirit of the country, by abolishing the leasehold system. He wishes to insinuate that I am unworthy of my position.

Mr. PROWSE.—I did not state that the hon. member was unworthy of a seat in this House.

Mr. P. SINCLAIR.—The hon. member (Mr. Prowse) has stated that the Fifteen Years' Purchase Bill relieved the people of all their back rent. I always understood that they were only relieved of their rents up to the year 1858. He cannot be so ignorant as he seems to be. The sum required by this Bill is so large that it would not pay the people to buy the freeholds of their farms. It would be better for them to lend their money on interest, than to purchase their lands at such a price. The step now taken by the Government is the right one.

Mr. BRECKEN.—Mr. Chairman, I stated that the Fifteen Years' Purchase Bill would relieve the poorer portion of the tenantry on the Cunard Estate. There

was £50,000 of arrears of rent remitted. I believe that one half of the number of leaseholders on the Estate never paid rent. Can this be denied? Is there any reason in saying that we should not have a land purchase Bill, on account of the poverty of the tenantry? I have good reason to believe that capital invested in the soil will yield more than five per cent, and that farming, when properly carried on, will remunerate those who are engaged in it. No Government is warranted in interfering with the commercial interests of a country. If left alone, commerce will take care of itself. More than half the land in this Colony is now held in fee-simple, and we find that the principle of purchasing the proprietary lands, is working well. If the Government obtains the Loan, the proprietors will demand a higher price for their Estates. They will soon raise their prices if they know that the Government have plenty of money to offer them. I do not want to hear any more angry discussion on this subject. The hon. member for Cavendish entertains extreme views on this matter. If the Government are in favor of coercing the proprietors, they have not said so; perhaps it is because they have not yet received instructions from the Imperial Government. The Land Question is beginning to attract the attention of our neighbors. Even the celebrated Statesman, John Bright has condescended to notice the struggles of our people in their efforts to abolish the Leasehold system. If the Irish tenantry enjoyed the same privileges as the tenantry here enjoy, they would be satisfied.

Mr. McNEILL.—I did not say anything about the Irish land tenures.

Mr. BRECKEN.—Why did not the Government say that they intended coercive measures? But no, they wait for the answer of the British Government, before they undertake to remedy the evils of the rent system. Why sit and wait? Why not oppose the proprietors at once? Such political subserviency, as we see here, never was before heard of in any Government in this Colony. The hon. member for Cavendish talked about lawyers receiving the wages of iniquity. Does he mean to say that the services of Attorneys are not required? I wish to know how he would find out the criminal, and clear the innocent, without the aid of lawyers? What would become of our courts of justice, if advocates were not allowed to plead in them? If a man's rights are invaded, a lawyer must be found to advocate them.

Mr. G. SINCLAIR.—I have listened to the long discussion this evening with greater pleasure than I experienced last evening. It must be admitted that the Opposition have entirely failed to offer any amendment to the paragraph under consideration. The principal charge against the Government is that they have a want of spirit. I suppose they mean the want of arbitrary power. Because the Government have not stated what Bills they intend to bring forward, for the approval of the Legislature, they are called cowards. I do not believe in an arbitrary Government. In regard to the Selkirk Estate, they say that the Government ought, at once to state what they intend to do. The arbitrary manner, in which the Conservatives ruled the Colony, brought them to what they now are. While they held the reins of power, the House of Assembly was a mere sham. They, at once, and without due consideration, sanctioned the measures brought forward by their party. I wish to see a subject well discussed before a Bill is brought forward for the sanction of this House. Before employing compulsory legislation, great caution

and prudence are required. We should not do anything hastily. We should first apply to the Imperial authorities, to know how far coercive measures may be carried in this matter. I was glad to hear the hon. member (Mr. Henderson) congratulate the Government on their prospect of settling this difficult question. I agree with him on the despatch which was received from the Colonial Minister, stating that those proprietors who refused to come under the terms of the Commission, might be compelled to accede to its terms. There is every reason to believe that the British Government would sanction a Bill to coerce the remaining proprietors who will not accept a fair price for their estates. The Government have tried, in every way, to accomplish the purchase of these lands and have made preparation to pay for them, in the Loan Bill of last Session. This will show the British Government that we are sincere in our desire to purchase the lands of the Colony. The paragraph does not say that we regret that the Loan was not obtained. The Government have worked through all the difficulties of the past year, and no blame whatever could be attached to them for endeavoring to raise a loan. The country will never prosper till it is freed from Landlordism. The whole proprietary system must be completely swept away.

Mr. McNEILL.—The hon. member for Charlottetown (Mr. Brecken) has asked if it is justifiable for a lawyer to do business for the proprietors. Perhaps my answer will not satisfy him as it may not be given in such rounded periods as are used by him, but I will give it in my own homely way. If there was such a person as a travelling Attorney going about like a Yankee clock-maker and redressing wrongs, it would be justifiable for that individual to do business for them, but for an hon. member who has been brought up in this Colony and who knew that the people did not bring the rent grievance upon themselves, but that it was imposed upon them by the British Government, seems to me inconsistent. There is a sort of sympathy springing up, between the electors of Charlottetown and those in the country districts. The manner, in which the Tenantry were treated by the late Government, opened the eyes of many of the electors of Charlottetown. The question is, why did not those men who were apprehended get a trial? That, at the least, they should have got. If these men had made the least breach of Law, they would have been shot down. I do not thank the hon. member (Mr. Brecken) that they were not treated in that manner.

Mr. BRECKEN.—Mr. Chairman. There is a strong sympathy between the city and the country. A change has taken place; perhaps it may effect me; but that change was not made by the Liberal cause. Confederation has made it. A Liberal, who was an Anti Confederator, united the two interests together, while the Conservatives split upon the question of Confederation, but I do not think the Government feel very proud of their supporter. I do not know what to call him—a Liberal or a Conservative. At the election, some persons said to me; Mr. Brecken, he is our family physician and we cannot vote against him.

Hon. LEADER of the Government. Were you not the family Lawyer?

Mr. BRECKEN.—No, I was not. I am sorry that the town was not better represented. I do not envy the position of that hon. member. When he canvassed Charlottetown, he was in the Government ranks. He

then said, I am a Liberal; I sacrifice all personal interests to serve the country. He fought for the city, as he had a right to do, to obtain a seat in the Executive. Why did not his party do him justice? Is this the change the hon. member (Mr. McNeill) is proud of? Since the Doctor is not here, I will say no more about him. But perhaps Charlottetown is as well represented as Cascumpec. If they had elected my late colleague, as I advised, they would have had a gentleman who understood their interests. I am asked why I do not bring in some new measure. I dare say the Government would like to see my hand busy. My constituents like political consistency and integrity. I ask the hon. member for Cavendish, if it is worthy of him, to stand up here, and say that an advocate is receiving the wages of iniquity. If he states the truth, the proprietors of the land are usurpers. Is he an honest man to sit and look at the state of things which he describes? Would he raise mob tyranny? Did he ever hear what Lord Brougham said? It was this: An attorney should know nothing but the cause of his client.

Mr. McNEILL.—He said something else too.

Mr. BRECKEN.—Mr. Chairman, I must say that the members on the Government side of the House are the most fastidious characters I have ever met. I should like to hear them talk in some of the meetings of their party, to know how polite they are there. Oh, said the hon. member (Mr. McNeill) why did you not go into the country, and hold meetings to advise the people. What was the cry there during the Tenant League excitement? "We do not want your Charlottetown politicians." I would advise the Tenant League representatives not to be so fastidious and thin-skinned. We do not want their stump orators. If they cannot argue with their opponents, they bring the rules of etiquette to bear. They would not allow the Opposition the liberties of this House, if they could in any way prevent their enjoyment of them.

Hon. Mr. HOWLAN.—The hon. member for Charlottetown says that if I could prevent him from enjoying the liberties of the House, I would be satisfied. I will not allow such a rabid statement to pass without contradiction. I have no ill feeling whatever towards him. It is he who is fastidious. He says that at one time no one was safe within twenty miles of Charlottetown, who did not belong to the Tenant League. I need not take the trouble to deny this as every member of this House knows that it was not the case.

Hon. Mr. HOWLAN.—I merely asked for explanations, and stated that the prime object in asking for these money estimates, was to ascertain whether they were correct or not.

Mr. BRECKEN.—If the hon. member will add up the sum now in the vaults of the Banks to the balances in their favor in other parts, he will find the total amount will be £82,000.

Hon. Mr. HOWLAN.—The hon. member will pardon me, if I correct him. Any one may see that the money now in the Banks, is not available for buying lands from the proprietors. He says that there is no reason why the Loan could not to be obtained here. I fail to see how he makes the money in our Banks, and the Balances in their favor amount to £82,000. I hope the hon. member has plenty of money there. Suppose he had sued a man for £500, does he think that he could invest that money, before he had received it. The money in the Banks belongs to the channels of trade, and cannot be called surplus capital. When money in this Colony, readily brings ten per cent. interest, how can there be surplus

commit his property to such a trust, and not to be used as a loan. Mr. Laird will have the same objection all day, in regard to the purchase of the land, and I have imagined that one of these may make a business anything as long as he uses the word "political" in connection with his name. The hon. member for Charlottetown has passed over the Loan Bill in a short time. He says that one part of the community should not be enriched at the expense of another, and that the Loan would have that effect. So it appears that he has committed political suicide, by purchasing the estates of the proprietors at the public expense. I do not admire his consistency. There has been a great deal said about resisting the payment of rent. Many of our people are forced to pay rent which is really a tax imposed upon the Colony by the British Government. This was one of the very principles that caused rebellion against the British Government in the United States, where the people were taxed without their consent. It appears to mean an act of great injustice, which compels the people of this colony to contribute to the Imperial revenue. If that Government had paid its own debts, our lands would now be freehold, instead of paying an annual sum, which is really a tax. It is not a paltry amount, for one lot pays its proprietors £200 sterling per year. I maintain that the tenantry here, have more just cause for resisting the law, than the people of the United States had at the time of the revolution in that country. There is not a nation in the world that would blaspheme if we did so. The hon. member for Charlottetown, has been accused of receiving the wages of iniquity. I believe he has been receiving the wages of injustice. It is shocking to see hon. members vilifying each other, and I hope to hear no more of such work. Is it surprising that people should sympathize with a man who is compelled to pay an unjust debt?

Mr. BAZZAN.—Mr. Chairman, the hon. member for Tryon (Mr. Laird), has stated that I have committed political suicide; that is, that I have contradicted myself. I have not heard the assertion proved. He wishes to prove that a Loan would be a benefit to all classes in the Colony. How, in the name of common sense, can a loan be beneficial to our farmers, while the proprietors are absentees. The heavy interest on the Loan would be paid by the mechanic as well as by the farmer. If the Attorney General could have negotiated the Loan in England, last summer, we should now be burdened with the interest of it, whether it was required or not. If the proprietors sell, they will get their money in England; it will never reach us. I am accused of vilifying the Tenant Leaguers, but I have not done so. I have attacked the greater part of the blame in the leaders, who led the people into mischief and ruin. I suppose the hon. member (Mr. Laird) will not deny that they assisted him into his present position. He wishes us to believe that they were a very respectable body of men. The fact was, that the leaders raised a political influence, and the people were deluded by them.

Hon. ARTHUR GANNETT.—Mr. Chairman, there has been a great deal said this evening, and the hon. members have rambled over a great extent of ground. The hon. member who has just spoken, wonders how the Loan could benefit the mercantile community. Suppose that Miss Sullivan and Lord Melville will both sell their estates, would it not distress the community to take the money out of the Banks to pay them? It might cause a stagnation in the money market of the Island. Parties who apply to the Banks, would be told that they could not get money there, as the Government had made a large purchase of land. The community would be placed in a very serious position. But if the Government had the means for paying those proprietors without the assistance of the Banks, all these injurious effects would be avoided.

Mr. BAZZAN.—Why not pay the Proprietors, in part, with Government Debentures?

Mr. HOWLAND.—Suppose they would not take them.

Mr. BAZZAN.—How can the Government pay them? The proprietors would not ask for gold. The lands of the smaller proprietors might be purchased without a loan. If a loan could have been obtained, we would have had £50,000 unemployed, and for which we should be paying interest. If the Curriers were not afraid to take large sums in Debentures, it is not likely that Miss Sullivan would have refused to do so. If Lord Melville should be induced to sell his Estate for £4,000, would that require a loan? Suppose that Miss Manning and Miss Sullivan were willing to sell their lands, would there be a need of a loan? We should be thankful that the state of the money market in England prevented a loan from being obtained. The Government may thank their stars that money was not so plenty in London as they thought it was. If the Loan had been obtained we should have been so rich that we would not know what to do with our money.

Hon. Mr. DUNCAN.—The hon. member for Tignish (Mr. Howland) has made the discovery that I am wrong, and that every thing has come to pass as he predicted. He told us last year that if the Loan was not procured, the country would become bankrupt.

Hon. Mr. HOWLAND.—I did not.

Hon. Mr. DUNCAN.—I told him we could do without it, and that we would let the matter speak for itself. Time has the truth if he did not. The proprietors know the state of the Colony pretty well, which is shown by their unwillingness to sell their estates. If the Government paid £500 more for Miss Sullivan's estate than it was worth, it would be better than borrowing money at such a high interest. They would have had to pay a premium besides, if they had borrowed the money. Are they right this year, because I was right last year?

Hon. LEADER OF THE GOVERNMENT.—If the proprietors had been inclined to sell, the Government could not have purchased their lands without draining the money from the Banks, which would have had a depressing effect on the commercial interests of the community. I have seen farmers, who had very good security to give, complain that they could not get money to borrow last summer. Therefore, parties who wished to improve their farms, could not obtain money under twenty per cent., for many of those who have money will not lend to leaseholders. We should not injure one portion of the community for the benefit of another. If the Government were to absorb all the floating capital, parties requiring a few hundred pounds, would not be able to obtain the money. The Attorney General had instructions from the Government to borrow no money, unless there was a good prospect of purchasing land. If he had borrowed the money, they could have obtained four per cent. for it in case it was not employed in the purchase of Land. They might have called in the Debentures and Warrants afloat, and used them; but this was no reason against raising a loan. A portion of the loan would have been employed in buying the Debentures, and warrants, which are out. One member has stated, that there were ten thousand pounds already paid from the Currier Estate, and that Miss Sullivan might take debentures for her estate. If we want to buy land cheap, we must pay for them in cash. These Debentures are liable to be sold by those who have money in the Banks. The Government would prefer to have gold in such cases. There is no security that the Debentures would remain in the hands of the proprietors, all they were redeemed by the Government.

I. OXENHAM, Reporter.

Mr. CAMERON.—Mr. Chairman, the hon. member has said that I tried to wash my hands clear of the Tenant question. I can assure the hon. member that I made no statements relative to that matter but what the facts of the case would justify, and that I was prompted by no such desire as that alluded to by the hon. member. I said that I had been accidentally present at one of their



meetings, but that I was not a member of that organization. The hon. member for Belfast (hon. Mr. DUNCAN) has also said, that although he gave me credit for sincerity, that still I had not admitted that I did not get into this house by means of the influence of that body. That some of the tenant union people supported me, I do not deny, nor am I ashamed to acknowledge it; but perhaps I received as much opposition as support from others of that organization in other quarters? I would not reply to the remarks of the hon. member were it not that a sense of justice compels me to do so, as I deem it unjust for hon. members opposite, to attempt to proscribise so large a body of people, many of whom are amongst the most intelligent and respectable in the community. With respect to the Fifteen Years' Purchase Bill, some of the tenants on Lot Twenty-two informed me that they could not purchase their farms to any advantage under its provisions, and that were they even provided with the means to effect a purchase they could otherwise invest their money more profitably. I do not deny but that a few may have taken advantage of the terms which that Bill provides, and to such it may have been a benefit, but to the country generally it has been comparatively of little advantage. The objections to that bill are, that it set too high a value upon the land, and thereby led the proprietors to believe that it was worth this price, or the late Government would not have placed such a value upon it and a repeal of that act now would make no amends. It will be necessary to go a step further, and if possible, divert the minds of the proprietors of the impression that the late Government ever placed upon our statutes any bill as useful and important as the hon. member would have the country believe the Fifteen Years Purchase Bill to be.

Hon. Mr. DUNCAN.—Mr. Chairman, if none of those who objected to the Fifteen Years' Purchase Bill, had taken advantage of its provisions, there would be consistency in the opposition which they have offered to it. The Bill provides that the arrears of rent due on any farm, prior to 1858, are to be struck off, if the tenant purchases, and if he has paid any rent since 1858, it is placed to his credit. I know of some who have bought under that Bill, who had very little to pay for their land when they purchased it. If they repudiated the Bill, and yet took advantage of its provisions, they acted inconsistently. Will the hon. member (Mr. Cameron) admit that before he came here he was aware that the Government could not pass a compulsory measure to force the proprietors to sell their lands?

Mr. CAMERON.—Mr. Chairman, it would be unwise on the part of any individual to make positive assertions beforehand as to what any Government would do. We had, Sir, a precedent of such folly on the part of the late Government, in their insuring success to themselves in their efforts to carry the Award of the Land Commissioners into effect, though, finally, that scheme proved a failure.

Hon. ATTORNEY GENERAL.—Mr. Chairman, in this matter the question has been raised by the hon. member for Belfast (Hon. Mr. Duncan), in a very unbecoming manner. Which, I ask, is the best course to pursue, to bring in a Bill that would excite the people with expectations, which might not be realized, as has frequently been the case, or to ascertain, in the first place, if such a measure would be likely to receive the assent of the Home Government? Would it be wise to waste the time of this House in legislating upon a doubtful measure, which might raise hopes among the people that might not be realized? Which, I ask, is the most fair and honest course to pursue, to first ascertain the views of

the parties who have without doubt to be consulted concerning lands, or to run headlong into legislating upon a matter, that might be disallowed? I know that some have been attached to parties who have brought in bills here, which were afterwards disallowed at Home. It has been said that they did so to awaken an interest in the country to serve their own party political purposes, when they knew, at the time that they were only deceiving the people. The fair and honest way in an important matter like this, is to ascertain the views of the Home Government first, and if objections exist, to ascertain their nature, not only to know, in the first place that the law is right, but to know also that we can put it through to the end. I do not see why the Government should be twitted in the manner that has been attempted by hon. members opposite for the announcement which has been made relative to this matter: such an absurdity as that put forth by my hon. friend, the learned leader of the Opposition, I never heard of. To say that, under Responsible Government, we could pass any measure we choose, and that if Her Majesty should refuse her assent to it, that we could compel her to do so, would be making a most extraordinary assertion: I am really surprised and astonished, when I think that my learned friend should have given utterance to the strange assertions he has made here to-day on this subject. If, Sir, we are not successful, in our application at Home, a strong memorial may be presented by this House to the Home Government, on the subject. In the Imperial Government, as we all know, the proprietors have considerable influence, and it is not at all improbable but that they will oppose any such legislation; and hence the necessity of proceeding in a prudent and cautious manner, in dealing with such an important question. It has been said here to-day that the Fifteen Years' Purchase Bill was compulsory. It is quite clear that the Home Government did not consider it to be such, for to the Hon. Mr. Palmer, and the other concerning proprietors, the question was put, "Do you agree to this?" and not until they knew that every signature of the consenting proprietors was correct, was the late Government allowed to pass that measure. To introduce a Bill in the way indicated by the learned leader of the Opposition, would be to awaken an undue expectation among the people, create a discussion that would be unprofitable, and, perhaps, lead to dissension with the Home Government. Of course, if the Government merely wanted to awaken some popular feeling in their favor, they might introduce and carry such a measure here. But would such a course be an honorable or a justifiable one, for this, or any other Government to pursue? The attention of the country is fixed more upon this question than upon any other, and the minds of all our public men, if they wish to act a true and faithful part toward the people, should be directed toward it also, and party considerations should not prevent any public man from lending his aid to put forward any good measure, for settling this long vexed question; especially should this be the case, when hon. members on both sides are very well aware that the present circumstances, and future prosperity of the country depend so much upon its final settlement. Coming as I do from the old country, there is no question which I would approach with more care, but when I heard my hon. friend (Mr. Laird) say that it was taxation which caused so much trouble in the old country, and when I knew that the rent is considered as a tax here, and is even viewed with more disfavor than any ordinary tax, I could not but feel the justness of his remarks, and a desire that a final settlement of this question was attained. I have always held, that where land is held, as it is in this country, that it is held as it should not be. The soil of a country should be vested in the Government of that country, and when such is the case it is for the benefit of the people of the whole country; but unfortunately such is not the case in Prince Edward Island. When the lands of this Island were given to Lord Melville, and others, in the manner

they were, an injustice was done in this country. What claim had they upon any Irish land? If they had claims upon the Home Government, a great injustice was done to this country when the public lands were given to them in lieu of those claims. The Act of the Imperial Government at that time has been one continuous source of trouble and annoyance in this Island, and the fruitful source of much irritation, it led to our last trouble, which caused our Barracks to be built, and created a state of affairs in the country, that led to other large outlays of money. I know that the late Government were in trouble at that time, and I have no wish to make capital out of their difficulties, and when I think of this, I am the more surprised to hear an hon. member say "Oh! you need to say that under Responsible Government you could bring in any Bill you pleased, and have it carried independently of the Home Government," with other strange and ludicrous assertions, to which I would have thought no hon. member would have given utterance.

Hon. Mr. DUNCAN.—I never for a moment imagined that the Hon. Atty. General or the Government thought so; but I very strongly suspect that some hon. members on the Government side of this House, did.

Hon. ATTORNEY GENERAL.—I do not wish to fix anything upon the hon. member for Belfast, but when I hear hon. members making such a statement and then saying that it was only a political attack, I cannot but say that all such statements amount to an absurdity, because they do not meet the merits of the case. I think this is one of those cases in which the public rights of the people require that private ones should give way, and having seen, in this case, what the value of the private rights is, I think the law has a right to step in, and for a proper compensation, cause the one to give way to the other. It is useless to say that these matters have not created trouble in this Island; they have, and the final settlement of them is an important duty which public men have to meet.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman, I did not say that the course adopted by the Government, which the learned Atty. General has mentioned, was unjust; I said that it was novel. Nor am I aware that such a course has been adopted in any other Colony having Responsible Government. This House was dissolved in 1858 before a Speaker was elected, an event which never took place in England. It may be advisable for the learned Atty. General to adopt the course he has, but I am far from thinking, that it is wise to be going, cap in hand, to Downing street to ask if a measure may be introduced before we introduce it here. If we are really necessitated to do so, then all I can say is, that our situation is different from what I have understood it to be. I know that when Mr. Mooney was in this House he introduced a Bill to compel the proprietors to record their titles, but Lieut. Governor Bannerman sent down a message to say, that the Bill was unconstitutional, and of course the House did not proceed further with it. Thus I do know, that the rule now introduced by the Atty. General was at one time the rule in Ireland, which was known as the Poyning Law, when every measure, before it was announced, had to be sent across the Channel and leave asked for its introduction into the Irish Parliament, before it could be submitted to that body; and we know that the arrangement was very unsatisfactory, and productive of no good. I warn the Government not to set a precedent, which they might be ashamed of afterwards. Although I am a proprietor myself, yet, I admit it, and do so freely, that this question has been made too long a political stalking-horse for public men, and hence has been too long used as a question to enable public men to say this man did wrong, and the other man did wrong, in dealing with this question; and, therefore, the sooner it is settled the better for the peace and prosperity of the country. The hon. member for Tynish (hon. Mr. Howlan) said that I was an enemy to progress; but I can assure him that I am not, nor can it be shown that I ever proposed any measure which I considered would bene-

fit the country; and I believe, it cannot be shown either directly or indirectly, as a representative of the people, as the hon. member says. I never, Sir, introduced business papers, that could not be read, nor opposed any measure I considered a good one; nor have I, as a member of the Bar or of this House, ever allowed my private views to influence me in dealing with public questions, or family considerations to induce me to vote against any measure, if I really considered that it would benefit the Island. When the true Liberals were in power, I was one of the Committee appointed to report upon the Petition praying for the introduction of the Free Education Act. I agreed to that report; and, afterwards, when that Bill was introduced, I gave to it my sincere and honest support, and in that vote did what many others would not have done, supported a measure which placed a burden upon my own father. This the hon. member may contradict if he can. I supported that Bill, when some of my friends considered it their duty to vote against it. I introduced and afterwards succeeded in carrying the Bill which made the Legislative Council elective. When I first brought that measure forward, there were very few in either party who were in favor of it; and, when finally carried, it was in a great measure owing to my endeavors and exertions.

Hon. Mr. DAVIES.—The Legislative Council Bill was suggested by the Duke of Newcastle, and the Tory party went clobbering at it.

Hon. LEADER OF THE OPPOSITION.—Will the hon. member say that the Bill originated with the Duke of Newcastle? He has not the political manliness to acknowledge that it originated with me. The hon. member for Belfast talks about clobbering; there never was a greater political cobbler than the hon. member himself. When the Bill went Home certain matters of detail were objected to, but the principle was approved of; but that Bill, Sir, originated here, and not in Downing street.

Hon. Mr. DAVIES.—The principles of the Bill originated in London.

Hon. LEADER OF THE OPPOSITION.—I am replying to the hon. member for Tynish, but if the hon. member for Belfast, wishes to enter the list, I am prepared to run a tilt with him. I introduced some years ago and succeeded in carrying a clause in the Small Debt Act to prevent imprisonment for debt under a certain amount, which the people afterwards petitioned to have repealed. Surely the hon. member will admit that this was a progressive measure. I also introduced the first Bank Bill, with others which I might name, and merely quote these to show that I have not been an enemy to progress. If the hon. member will take the trouble to look, as he should have done, before he made such a broad assertion, he will find twenty-one Acts among our Statutes which have been introduced by myself, one of these giving facilities to married women to obtain their rights, when deserted by their husbands. I trust when my hon. friend (Mr. Howlan) is in the House as long, that he will be able to point to as many useful measures which he has introduced, and succeeded in carrying. When the hon. member for Cavendish was on his feet he spoke harshly about the lawyers, and when the hon. member for Bedeque (Hon. Mr. Laird) said that all lawyers who took fees from the proprietors, took the wages of iniquity! and the hon. member for Cavendish endorsed his opinion. When I heard the hon. member expressing himself as he did, I thought it was a species of that political clap-net which was brought to bear against the hon. Mr. Longworth at the late elections, and as the hon. member succeeded so well in the case of that gentleman, I suppose he has thought it would do equally well, also, to kill myself, the hon. member for Charlottetown, and my learned friend the Hon. Atty. General.

Hon. Mr. HOWLAN.—Mr. Chairman, a severe attack has been made upon me, because I said the hon. member was an enemy to progress. I am very glad to hear that the hon. member has succeeded in placing so many useful measures among our Statutes, but I am sorry that he did not follow it up when the assimilation of our courts y

with that of the other Provinces was introduced to the notice of the House at the time when the Hon. Daniel Davis was a member of the Legislature. The hon. member for Georgetown, (then Mr. Hamilton) spoke in favor of such a Bill, and was appointed a member of the Committee that had to report on the prayer of the petition; but after having twice months to decide the matter, he destroyed it by moving that the Committee be relieved from reporting. Now, I think this was one of the worst things that could have happened. I would have thought that any man of progress would have used his best efforts in favor of such a measure, especially as the hon. member is such a great admirer of everything in the New Dominion: I am very far from thinking that the hon. member has not given attention to many useful measures, or that his influence has not been exerted at times on the right side. I have frequently listened to the hon. member with pleasure; but still I think that an hon. member who has been twenty years a member of this House, should not have so far forgotten himself and his constituents in matters of progress, about which he has spoken, as he did when he moved that that Committee should be relieved from reporting.

Hon. DANIEL DAVIS (Opposition).—As the hon. member is now a member of the Government he can carry this Bill, if he feels such an interest in it.

Hon. Mr. HOWLAN.—By the time my political education has cost the country as much as that of the hon. member, I may be able to do so.

Hon. Mr. HENDERSON.—Mr. Chairman, if I understood the hon. member for Strathalbyn (Mr. Cameron) correctly, he said that some of the people on Lot 22 told him that they did not understand the principles of the Fifteen Years Purchase Bill, and that others said it was not a measure that could be of any general benefit. I need not tell this hon. Committee the reason of this. After the failure of the Award of the Land Commissioners, the Conservatives used every effort to secure the next best measure for settling this question, and that Bill, was the best they could obtain. The Proprietors do with their lands, pretty much as the merchants do with their goods, they endeavour to obtain as high a price for them as they can, and when the best of them are sold they dispose of the remainder at a lower rate. This will be one of the effects of the 15 Years Purchase Bill too, the wealthiest farmers will purchase their farms under it, this will reduce the value of the remainder, and induce the proprietors to sell at lower rates. In this respect, the effect upon the proprietors will be, to a certain extent, compulsory, and will ultimately force them to sell at much lower rates than is laid down in the Bill, but the present Government party raised such a dust, and to such an extent, against this Bill, that to this day the Tenants do not understand its principles. Were it not for this, there would not have been so many objections to the Bill, and many more would have benefited by it.

Mr. CAMERON.—Mr. Chairman, I have to tell the hon. member for Murray Harbour that the people of Lot 22 were quite well aware of the merits and demerits of the Fifteen Years Purchase Bill, quite as well, sir, I believe, as the hon. member is, some of them have made statements to me on the subject, and they have shown that, if their money was deposited in the Banks upon interest, they would do them more good than to purchase under the provisions. I believe they understood the principles of the Bill quite well, and consequently did not require any explanations.

Hon. Mr. HENDERSON.—If so, then they must have known that there was nothing in the Bill to secure any one to purchase under its provisions.

Hon. Mr. DAVIES.—Mr. Chairman, this Bill has been brought up in this discussion and has been kept before us all day, and we have listened to the hon. member for Murray Harbour very patiently. The hon. member has attacked the Government several times for not accompanying Miss Sullivan in her tours through the country. I should like to know if the hon. member called upon her

himself, and represented to her the principles of this Bill, and the difficulties of the same? As some hon. members had done, Mr. Cameron, Mr. Chairman, the hon. member had oversteered the question. I simply state what have been said to me, my ears has not yet been questioned. Some of those who complained the hon. gave very little support to me at the late election. What they considered unfair was that when this lady travelled through the country and seen it in its best dress and saw it when it could be seen, the best advantage they thought one member of the government, should have accompanied her to have given her to understand what the disadvantages are, which this poor lady is to contend with.

Mr. RAILLY.—Mr. Chairman, I do not rise for the purpose of entering the arena against the principle of taxation of the Opposition, who, for a quarter of a century, has wielded the political mind with much skill and dexterity. My object is simply to reply to one or two points advanced against the Government side of the House by hon. members of the Opposition. Whilst I believe in a healthy Opposition, and consider it necessary to prevent or restrain corruption in a Government, yet, I do not believe that hon. members opposite were justified in day in indulging in so great an extent as they have since the debate commenced, in discursive flights, having little or no bearing upon the subject under consideration; and as I am an economist of time, I do not purpose following them in their wanderings. The paragraph before you, Sir, reads thus:—

Although Your Excellency has not as yet deemed it desirable to proceed with the Loan, yet the provisions of the Act authorizing it will remain available, in case any proprietor shall hereafter, as he trusts they will do, see the advantage and propriety of adopting the views of the Government, by accepting a fair price for their property.

Now, Sir, it is necessary to notice the various objections the Opposition has raised against the Act, this paragraph I have, before now, listened with pleasure in the gallery of this House to the rhetorical flourishings of the hon. leader of the Opposition, and to the generous periods of the hon. member for Georgetown (Mr. Brecken) and then, as now, thought they lacked in logic what they made up in oratory. The Opposition have denied to this side of the House either ability or respectability in the management of the public affairs of the country, and have even charged the Government with sacrificing their principles. But I want to ask you, Sir, if the Government have shown any want of public spirit on the question of Confederation? That, Sir, is an important and vital question, and upon it I think I can say the Government are sound upon the Gauge and will not deceive the people. There is also the question, shall the country be governed by military rule or by public opinion? Shall the country be overrun with soldiers, whose duty it shall be to enforce the behests of those who have labelled the country; or shall we be controlled by a Government representing the views and reflecting the opinions of the people? These are highly important questions which have been practically met and answered by the present Government to the entire satisfaction of the country. When last night, I heard the hon. member for Georgetown reading Mr. Dodd's letter from the Journals, I could appreciate his warmth, for I hesitate not to say, that in that letter the people are unjustly and grossly libelled. While I respect Mr. Dodd as a private individual, I hesitate not to say that he could not have understood the force of the language he employed when he penned such a letter. I do not think that any one will say that there is a Tenant Union man in the district which I have the honor to represent; and I can therefore speak independently on this question. I have the honor to represent a large portion of agriculturalists, a class Sir, whom I am proud to have the honor to represent. I found out long ago, that if the agricultural portion of the community do not do well, I cannot. No matter what the position or occupation of a man in this Colony is, be he a clergyman or a lawyer, a merchant or a mechanic, his success mainly depends upon that of the agricultural classes. I promised not to trespass too much upon your time, but you will allow me Sir, to refer for a moment, to the remarks of the hon. member for Georgetown, who I regret to observe, is not now in his place, but whose criticisms have won for him the honorable appellation of the "Grammarian of the House," and who assumes as much authority in that direction as if he was fully aware of the importance of his self-elevated position. But with deference to such authority, it will be seen that the objections of the hon. member are based upon a grammatical fallacy. The hon. member took exception to

forenoon to the words "proceed with," and wished to know if His Excellency was to proceed to Abyssinia. If the hon. member was present I would ask him if, when he was a lad in school, and his teacher told him to proceed with his lesson, and he went to turn round and say, "do you mean sir, that I should proceed to the United States?" I think Sir, in such cases, he would receive a reply from a birch rod. If the draft address has no greater faults than that, it must have some merit in it. We have spent two days in going through with two paragraphs. I am not very well posted up in parliamentary matters, but I think if hon. members would confine themselves to one or two speeches on each paragraph, we would get along much better; but if each hon. member is to indulge in twelve speeches upon each paragraph, as the hon. member for Murray Harbour, (Mr. Henderson), and the hon. member for Charlottetown, and the hon. leader of the Opposition, who, I think have each spoken that often, have, and if this is to continue upon each paragraph, when will we get through with it? [In 84 days, by an hon. member, (laughter.)] One hon. member of the Opposition has gone back to the days of Aristotle; while another has confined himself to Milton; but had the hon. member who referred to Aristotle, gone back to the days of the noble "Gracchi," of Rome, he would have gone to the days of the very origin of this question, and from the history of that period, might have drawn ideas more appropriate to the Land Question of this Island, than any which he has advanced. Surely the learned leader of the Opposition will not say but that the mission of the hon. Attorney General to England was the means of saving £5,000 to this Country. The Opposition may say, in answer to this, that they memorialized the Imperial Government for a remission of this claim. But, Sir, I say that the Government of which the hon. leader of the Opposition was a member, had agreed to pay the Imperial Government those expenses, at least, so I understand, the despatches. And for them to turn round afterwards and say that they were not prepared to do this, was, to say the least of it, a very cool affair; and I do believe, that had not the Attorney General gone Home, we would have had to pay for the expenses of the troops while employed in this country hunting the tenants, like partridges in our forests. Hon. members have endeavoured to twit the Government for not dealing more promptly with the Land Question, and for not announcing the principles of the measures they intend to bring forward. No doubt Her Majesty's hon. Opposition would like to have this information in advance; but I think it is as well for them to wait until the proper time. I feel an interest in the Land Question, and when I look at the One Ninth Bill, and the Land Purchase Act, both measures of the Liberal party, I am led to the conclusion that the Liberals, have proved themselves better friends of the people than the Conservatives have; but as both parties have endeavoured to induce the absentee proprietors to accept fair terms, and as neither party have met with much success, I am inclined to agree with the learned Attorney General and the hon. member for Tryon, in saying that if the proprietors will not yield to the proposals made to them, that some other means must be resorted to; and I do hope that before the close of this session, if they continue to refuse the fair proposals made, that a coercive measure may be introduced. The Government, I think, would be perfectly justified in bringing forward such a measure. On the other side of the Atlantic, where so much agitation and trouble, has, from time to time, arisen out of the land tenures, and where the rights of property are held so sacred, they have come to the conclusion at last that they will, by legislation, have to interfere with the rights of the proprietors. The lands of this Colony were bestowed upon those who had no just claim upon the soil of the country; and if they refuse a fair price, a coercive measure should be tried. I am no Fenian, Sir, but say so, from a simple sense of the justice and propriety of such a course. I doubt the correctness of the arguments of the hon. the leader of the Opposition, and the hon. member for Belfast (Mr. Duncan), when they state that there is so much money in the Banks which could be had for the purpose of purchasing the estates of the proprietors. They have said that there are £24,000 bearing interest at 4 per cent. in one bank, and £21,000 lying as a deposit in another, which could be had; but will any hon. member say that anything less than £80,000 or £90,000 would do for the purpose for which a loan is required by the Government.

ERRATA.—On page 27, line 14, first column, for "and the incidental expenses would also be very considerable," read "including incidental expenses." In line 19, for "They say it is a coercive measure, but it is not," read "They say it is not a coercive measure, but it is."

HON. LEADER OF THE OPPOSITION.—I never said that there was money enough in this Colony to buy all the estates of the proprietors. I said the Government should not go outside of their own borders to borrow, if they could get money to hire at home.

MR. REILLY.—On this Island a loan of £10,000 or £15,000 might be had for such a purpose, but that sum would not go far toward purchasing out the claims of the Proprietors. When the hon. members placed the sum so large, that could be had here, and put their arguments forward in the strongest manner possible for them to do, I thought they had not properly considered the matter. The hon. member for Belfast (Mr. Duncan) said there was something like £24,000 bearing interest at 4 per cent. and about £30,000 lying in our Banks which is not bearing interest. I know parties myself who have money so deposited, which is bearing no interest, as it must lie there three months before it will commence to bear interest and other deposits have been placed there by the merchants in this Town, and for what purpose? just that they may go down and get exchange. It is no use for the hon. member to be asserting that there is £20,000, £30,000, or £50,000 in the Banks which can be obtained; such arguments do not meet the case. With reference to the 15 years purchase Bill which the hon. member for Murray Harbour (hon. Mr. Henderson) asserts, is to a certain extent a compulsory measure, I can only say, that I am conscientiously of the opinion that that measure has not been of any general benefit to the Country. The Tory Government promised to settle the land question in eight months. The Home Government objected to the Award of the Land Commissioners and submitted for their consideration the principles which were accepted and embodied in the fifteen years purchase Bill. What the people complain of is, as has been said by the hon. member for Strathalbyn (Mr. Cameron), that it sets too high a price upon the land, and that this Bill may at any time be quoted as authority by the proprietors, to show the value which the Representatives of the people and the Government set upon the lands of the proprietors in this Island. These are the only remarks which I intend to make now, as I purpose on some of the other paragraphs to offer some further observations. When the proper time comes, it will be found that this side of the House, will not shirk any vital question which affects the interests of the country. For my part, I will, to the full extent of my power, endeavour faithfully to do my duty to my constituents and to the Country; and the opposition, shall never have to say to me, that to avoid voting on any important question, I skulked into the galleries. If I cannot support the Government in their measures, I will yield to the force of circumstances, and resign my seat.

MR. BRECKEN.—I wish to ask the hon. member one question. If I understood him correctly, he said one objection which he had to the Fifteen Years' Purchase Bill, was that it established the price of the land of the proprietors, and that price was too high. Now as the hon. member is a logical gentleman, I wish to ask him what that had to do with regulating the price of the Cunard Estate, which was purchased for less than half the amount named in that Bill?

MR. REILLY.—The intention of the Bill, Mr. Chairman, was to establish a price as a guide for the absentee Proprietors; and the purchasing of that estate at a lower rate reflects no credit upon the parties who brought in the 15 Years' Purchase Bill, nor does it affect the arguments of the case, although the hon. member may think otherwise.

MR. BRECKEN.—The hon. member says that the purchasing of these estates does not affect the arguments of the case, but I say, Sir, that the effects of that measure were not such as the hon. member has represented them. He said the intention of the Act was to fix a price for the lands of the absentee proprietors. This I do not admit. The fairest way to judge of the intentions of the Act is by the results, and these have not been such as the hon. member has said they were.

MR. REILLY.—The hon. member fancies that I am a logical member; be that as it may, I think it is fair to infer that personal interest has more or less influence with every man; and when I know that the late Government had proprietors and land agents among them, I think it was a logical inference to draw from their conduct. Could any one suppose but that their interest would be to fix the price as high as possible. It is my conviction, and the hon. member will please take notice that I say it is my honest conviction, that it would have been a sort of political suicide in them to have acted otherwise.

MR. BRECKEN.—This may be the present conviction of the hon. member, but will he state who these proprietors were?

MR. REILLY.—The Hon. Messrs. Pope, Yee, and Haviland.

MR. BRECKEN.—While I respect the opinions of the hon.

member for St. Peter's, and have listened to him with pleasure, yet I must tell that hon. member that he is not correct in some of his statements, for my hon. friend, the Leader of the Opposition, was not a proprietor. The hon. member for Belfast was not a proprietor, nor were the Hon. James Yeo or James Pope consenting proprietors. No Sir, the Conservative members and Government, at that time, used the arguments which the Hon. Attorney General and the hon. member for Tryon, have used this evening in favor of settling this question; and to say that the son of the late Mr. Haviland, for the purpose of fixing a price upon the land, influenced those who lent their aid in favor of the Bill, and that it was passed through the Legislature for that object, is to say what no person will believe. The speech of the hon. member was well delivered, and I may say, that the hon. member bids fair to take the place of the late lamented and talented gentleman whose seat he occupies. I have no doubt though but that the hon. member spoke as he thought the Government would like he should, and I have no doubt but that he has very good reasons for supporting them; but when he says that the Tory Government passed the 15 Years' Purchase Bill for the purpose of fixing a price upon the land for the benefit of the absentee proprietors, the hon. member pays a poor compliment to his friend, the hon. member for Tryon, for he supported that Bill. But it is not true that it was passed for any such an object, and in its practical workings so far, the 15 Years' Purchase Bill has had the effect of lowering, rather than of raising, the price of land, and this is quite evident in the purchase of the Cunard property.

**HON. LEADER OF THE OPPOSITION.**—Mr. Chairman, the hon. member for St. Peter's gave a very able address, and in its delivery was as cool as if there was no opposition. He gave a history of the 15 Years' Purchase Bill, and told the House that it had been carried for selfish purposes by the late Government. As the hon. member has been pretty well answered by my learned friend the member for Charlottetown, (Mr. Brecken), I need not detain you, Sir, by reverting to all the remarks of the hon. member. But the hon. member was altogether astray in saying that I was a member of the Government when that Bill was carried. At that time, Sir, I was the Speaker of this House. From the tenor of what the hon. member said, any person unacquainted with the history of the 15 Years' Purchase Bill would have thought that that measure had been concocted here by the late Government, for the benefit of the absentee proprietors. Such was not the case. It was a proposal of the absentee proprietors. I know that my father knew nothing of it until it came here from England. The Proprietors sat in caucus, considered the matter and adopted it on the principle that half a loaf was better than no bread; and as the Land Commission had proved a failure, the Government accepted it as the best that could be obtained. I do not think that all public men discharge their public duties from selfish motives, and I hope that such considerations may not sway the hon. member, when discharging those which devolve upon him.

R. GORDON, Reporter.

**MR. REILLY.**—I trust that the hon. member will give me this credit, that, if I have a good office, I work for my money; and also that I never sought for the office. But I will not allow the hon. member to misrepresent me. I did not say that self interest swayed every man; but I did say that self interest had a great influence on persons. When I point to hon. members of the late government, who had an interest in the lands of this Colony. I cannot be far astray. Will the hon. member say that the hon. James Pope was not a proprietor?

**HON. LEADER OF THE OPPOSITION.**—He was not bound by that Bill.

**MR. REILLY.**—And the present Leader of the Opposition was agent for an estate.

**HON. LEADER OF THE OPPOSITION.**—The people on the estate which I represented did not take my advice on the subject.

**MR. REILLY.**—The hon. Mr. Yeo, was also a proprietor. Why were they not consenting parties to the award? Because they wished to get a higher price for their lands. I think it is no credit to the late Government that the Cunard and other estates were purchased at so high a figure. What was the object of the Fifteen Years' Purchase Bill, unless to fix a price on the lands of the proprietors?

**MR. HOWAR.**—The only difficulty which I see in reference to what the Queen's Printer has said is this, that it brings a charge against all who voted for this resolution. I think it is hardly fair to bring a charge against the whole party. I believe that a considerable portion of those who voted for the Fifteen Years' Purchase Bill did so believing that it was the best that could be got. I should like to see some better measure on the Statute Book before this is so much denounced. I can tell the hon. member from Strathalbyn (Mr. Cameron) that I had a conversation with one of his constituents, and he told me that if we could not get anything better, we were to take the Fifteen Years' Purchase Bill. With reference to the course which is now suggested by the Government, I think it is a very timid policy to propose to ask leave of the Colonial Minister before we legislate on a question. I think the proper method would be to go into the matter, pass a measure, and trust to its getting the Royal assent.

**HON. LEADER OF THE OPPOSITION.**—Before the House rises I wish to make an explanation. The Queen's Printer tried to bring discredit on me, but I was not in the Government from 1862 to 1865.

**HON. MR. HENDERSON.**—The hon. Leader of the Opposition has clearly proved that the Fifteen Years' Purchase Bill did not originate with him. The Bill sent out by the Proprietors was the payment in full of sixteen years purchase with the reservation of Mill streams, &c. The Fifteen Years' Purchase Bill is an improvement on that.

Here followed a discussion between Hon. Mr. Henderson and Mr. P. Sinclair, respecting a meeting at New London. Mr. Henderson stated that a respectable, though not large meeting, held in that place, attended by magistrates, merchants and others, a majority voted in favor of the Fifteen Years' Purchase Bill. Mr. Sinclair contended that it was a sort of caucus meeting, of which proper notice had not been given, and the resolution was carried only by a bare majority. The hon. leader of the Government, also stated that it was at his suggestion the late Government passed the Tenant Loan Bill. Mr. Duncan denied this statement of the hon. leader of the Government.

The third paragraph was then agreed to.

The fourth paragraph was also read and agreed to.

BALDERSTON, Reporter.

WEDNESDAY, March 11.

Morning Session.

House again in Committee on consideration of Address in answer to His Excellency's Speech.

The paragraph relating to the Selkirk Estate was read.

**MR. BRACKEN.**—Do the Government intend to give this paragraph the "go by"? Surely it is worthy of the consideration of this hon. Committee, and if so, it would be well for the Government to state whether they intend to bring in a Bill to relieve the people on the Selkirk Estate, or whether the people will be obliged to put the case in Chancery.

**HON. MR. LAIRD.**—I think something ought to be done to enforce punctuality, for absent members have been called twice.

**MR. BRACKEN.**—I think the hon. member for Be-deque need not be so restless; for, I venture to say, that if the Opposition were to allow this paragraph to pass unnoticed, he would be well pleased.

**HON. LEADER OF THE OPPOSITION.**—According to the statements of the hon. member for Malpeque (Mr. G. Sinclair) we may presume that the Government have nothing ready to be brought before this House; and he says that it was not their duty to have anything ready. We cannot expect that anything will be prepared by them before they meet their supporters in caucus. I

was not a little astonished at the change which has come over the hon. member for Tryon (Mr. Laird) this morning; because the motion to send for absent members is the custom everywhere in Houses of Parliament. Hon. members are more attentive to some matters than to others; and what will interest one hon. member, may not engage the attention of another. The question in this paragraph peculiarly affects the constituents of the hon. members for Belfast, and, of course, it will be one of considerable interest to them. The people of that District wish to know whether they will be obliged to pay more than the cost and expenses of their lands or not. I am sorry that the two hon. members do not work well together; they remind me of two horses pulling in different directions, but I have no doubt they will act together on this question, however widely they may differ on other subjects. As the hon. member, (Mr. Duncan) is absent, it would not be advisable to proceed without his attendance. Some members have a special interest in Education, some in road making, and some in other departments. There was almost a battle royal between an hon. member and a road commissioner, on the best method of making roads. I expected that the Government would have brought forward a measure based upon the opinions of the Crown Law Officers, for the relief of the people on the Selkirk Estate.

Hon. Mr. DAVIES.—Mr. Chairman, I am rather astonished to see the hon. Leader of the Opposition in such a bad temper this morning. It seems that the trouble he complains of is, that there is nothing before the House, as if the paragraph under consideration was not sufficient to engage the attention of the Opposition, independent of any new matter. I am not aware of any ill feeling between myself and my hon. colleague, (Mr. Duncan) as we can always meet each other in a friendly manner, and we hold the same views on many important questions. The paragraph under consideration is very easily understood, and reads thus:—"When the opinion of the Law Officers of the Crown on the subject of the Selkirk Estate shall be laid before us, your Excellency may rely upon our giving the several questions involved in it, our serious and careful attention, and maturing such measures on the subject as may appear just and equitable, upon a full consideration of the whole question." If the hon. members of the Opposition have any objections to offer to this paragraph, let them do so. The Government have considered the whole subject; and well matured measures, which will give satisfaction to the people, will be brought forward at the proper time, for the consideration of this House. There can be no sentiment more reasonable than that which is contained in this paragraph.

Hon. LEADER OF THE OPPOSITION.—I find fault with the Government because they have not given their own views on this important question. They say that a measure will be brought down for the consideration of this House; but why do they not give us their judgment on the matter, and thereby facilitate the business of the Session? They should lead public opinion; but instead of doing so, they run merely with the tide, which shows their weakness, and that they are not a properly constituted Government. It is their business to conduct measures during the recess, and have them prepared; if that was done they would not be so long transacting the business of the Session. Their slow movements show that they have no leading minds among

them. The late Government have been denounced by them as a sham, because they brought down their measures at once before this House to be discussed. I give the hon. member for Malpeque (Mr. G. Sinclair) credit for his great reticence on the working of the various Governments of the present day, but for my part, I always thought it one of the beauties of the British Constitution, that the Government concocted reforms and brought their measures immediately before the Legislature for its consideration. I will not go further at present, as I see the hon. member for Belfast, (Mr. Duncan) is now in his place.

Hon. Mr. DAVIES.—Fifty years ago, when the Imperial Government was composed of the proprietary party, they carried their measures in the arbitrary manner described by the Hon. Leader of the Opposition; and this policy was followed by the late Government. This mode of governing was more suitable to the dark ages than to this enlightened day. No government should submit a measure without first taking the advice of their supporters upon it, so as to act in accordance with the enlightenment of the present age, for the voice of the people must and will be heard.

Hon. LEADER OF THE OPPOSITION.—The hon. member (Mr. Davies) takes under his wing his hon. friend from Tynish. He wants to have two guns firing at me at once. I cannot congratulate him on his last essay on constitutional principles. He has alluded to the mode in which Mr. Disraeli brought forward the Reform Bill in England, and at which unconstitutional proceeding the Liberal party there cried out shame! But there is no similarity whatever in the cases to which he has referred. The present Government have not the moral courage to bring down a Bill to this House, and stand or fall on its merits.

Hon. ATTORNEY GENERAL.—I understood the hon. Leader of the Opposition to convey the idea that there was no use in a caucus or anything of the kind, and that the Government should bring in their measures before the House at once, before consulting their supporters, I believe the late Government sometimes acted upon the principle of which he speaks, but when the proposal to increase the Teachers' salaries came up, the Government did not bring in a Bill till they had consulted their supporters. With regard to the constitutional details, was it not the custom of the late Government to consult their party, before a measure was brought forward? We know that every question must be discussed in this House on its own merits, if a government acts constitutionally; and we have seen the late Government moved in spirit on the Land Purchase Bill, which originated with the Liberal Government. I have given my views on this subject in another capacity, but I may here say, that the Government are fully determined to purchase all the proprietary estates in the Colony, if possible. It ill becomes the Opposition to get up a discussion on this measure too soon, as they may argue on a false basis. An account of the Selkirk Estate has been ordered to be made out in the Land Office, and when this is brought in, the question can be discussed. It is certainly right for this House to assure His Excellency that they will do what is just; but they cannot pass an opinion till the papers on the subject are laid before them.

Mr. G. SINCLAIR.—I think the Hon. Leader of the Opposition misunderstood my remarks relating to constitutional government. He complained that the Gov-

ernment did not state what they intended to do, but I would ask him if he expected the Government to give an intimation of all the measures they intended to bring forward, in the answer to His Excellency's Speech. I found fault with the late Government because they brought in their measures in an arbitrary manner, and then called upon their supporters to bear them out, whether they were right or wrong. When a Bill requires a deliberate discussion the government should take counsel from their supporters previous to its introduction; but the Conservatives stifled all discussion on the measures they brought forward. If the Opposition throw out any useful hints, the Government can take advantage of this, and thereby improve their measures before they are brought in.

Mr. BRECKEN.—I would ask the hon. member for Malpeque, (Mr. G. Sinclair) to tell us the meaning of responsibility in a government? If they do not initiate measures how are they to be responsible for them? I do not believe that the hon. Leader of the Government will echo the sentiments which have just been expressed; but did we not see him stand up the other day and make statements favorable to the views of the Opposition, and afterwards turn round and vote with his party? If he introduces any measure which will benefit the country, and cannot find supporters among his own party, he will find them in the ranks of the Opposition. What is a government? It is a body of men selected from the majority of the House, on account of their agreement on public questions. If every measure is submitted by the Government to their supporters, before it is brought down, how can a want of confidence be brought to bear upon them? It would be impossible. It has been proved by experience that party government is the best government. An allusion has been made to the manner in which the Reform Bill was passed in the British Parliament; that Bill we know was carried through in an ignoble way, and the Liberals doubted Mr. Disraeli's sincerity; for it was plainly to be seen that it was love of office which caused him to bring forward the measure in the way he did.

HON. LEADER OF THE GOVERNMENT.—The choosing of officers for this House is a government measure; and as regards the appointment of Reporters, I thought that reporting for the Legislature was a business for which every person was not qualified; but the school-master has been abroad, and when efficient persons can be found, I make no objection to them on account of their party. Although the ballot box did go round, I cannot see that that mode of proceeding was an objection to the choice. There seems to be a difference of opinion on the constitutional way of bringing in a measure. Could the Opposition expect the Government to bring in the details of a measure during the debate on the draft address in answer to His Excellency's Speech? I think not, as such a course would be very objectionable. The measure alluded to in this paragraph was concocted by the late Government. The main principles of a bill should be submitted by the Government to its supporters; and when brought before this House, they would not divide on mere matters of detail.

HON. Mr. DAYLES.—The hon member for Charlottetown (Mr. Brecken) has not made his point good, and I will not waste much time in giving a reply. If he wants information, I am willing to give any particulars relating to the subject, and I think that the petition which was presented to His Excellency in Council, by the

people on the Selkirk Estate should have been published. The prices fixed by the late Government on these lands were sufficient to pay the first cost of the Estate, with a reserve of 20,000 acres which was kept as a stand by in case the instalments were not all paid by the people. The amount paid in by the settlers amounted to about £13,000 on the first of January last, which was quite sufficient to pay the first cost and working expenses. My constituents have a right to ask the Government to relieve them from the payment of the sums charged over and above the cost and working expenses of their lands, and I believe this House will grant the request. The Land Commissioner states that seven instalments were quite sufficient to cover all expenses; and therefore I think no more than that should be demanded, and that those who have paid more than that number of instalments should have the surplus remitted to them. Why did the late Government require the people to pay ten instalments, when seven would have covered all the costs and expenses? My constituents wish to be released from their engagements with the Government when they have paid a sum sufficient to cover all expenses.

Mr. HOWATT.—I believe the case is simply this: that justice will be done to the petitioners when the papers relating to the estate are laid before the House. How should we understand this question? Does it refer only to the people on the Selkirk Estate, or to those who have purchased Government lands in all parts of the Island? In wiping off the amounts due from that Estate, we may be doing an act of injustice to the settlers on other estates. Some portions of the Colony have large arrears, and why may we not make the surplus on the Selkirk Estate balance that deficiency? The hon. Leader of the Government stated that there would be a loss of £20,000 or £30,000 on the Cunard Estate; therefore I think that what is gained on one estate should be counterbalanced by the loss on another. The Land Purchase Act should be carried out, without loss to the colony, if possible.

HON. ATTORNEY GENERAL.—I think that the view which the hon. member for Tryon (Mr. Howatt) takes of the case is rather a critical one. His opinion is that if one estate be purchased at a bargain, it should assist in making up the loss on another. But I think the people should derive all the advantages of a low rate of purchase from the proprietor, because they should not be placed in a worse position than they were at first. Perhaps the proprietor would have sold his lands to them at a low rate, if the Government had not made the purchase, and thus they would have been placed in as favorable circumstances, as in the case of purchasing from the Government. There is no reason why one estate should make up the loss on another; for, although losses are apprehended on other estates, there may not be any after all. The lands should be priced according to the sum paid for them, and I think that the farmer is entitled, in the present case, to whatever sum is left after the Government is paid.

HON. Mr. DUNCAN.—Mr. Chairman, in reading the paragraph, I was much surprised that there is no promise of a Bill to relieve the people on the Selkirk Estate from the further payment of their instalments; but I hope the Government will yet bring in a bill for that purpose. I thought that as the people had a representative in the Government he would have brought in a Bill to relieve them.

**HON. LEADER OF THE GOVERNMENT.**—To remedy the evils which were inflicted upon the people when the Conservatives were in power.

**HON. MR. DUNCAN.**—When I was a member of the late Government, the Estate had not paid all costs and expenses; but why did not the Opposition of that day point out the injustice done to the people?

**HON. LEADER OF THE GOVERNMENT.**—I did so.

**HON. MR. DUNCAN.**—I believe that it was the first transaction of that kind which the late Government had done, and therefore they did not know how it would pay. If the Government will tell us that they intend to bring in a Bill to relieve the people, I shall feel satisfied, for there ought to be something done to prevent their being forced to put the case in Chancery. From the Attorney General's Report, it seems that the surplus should be remitted; but I am really astonished that my hon. colleague (Mr. Davies) has not brought in a Bill for that purpose; for, if the Government cannot act on the opinion of the Crown Law Officers, it is a curious state of things. I have sent all the information I could obtain on this matter, to the people on the estate.

**HON. MR. DAVIES.**—Mr. Chairman, I did not cast any reflections upon the late Government on account of the way in which they managed the Selkirk Estate. They paid two shillings and four pence sterling per acre, which was a guide to all future transactions of that kind; and the price fixed upon the lands coincided with the rate recommended by the Commissioners who inspected the Estate. The Conservatives did not know, when they went out of power, that the Estate would more than pay the costs and working expenses; and I have no doubt that the present Government will bring in a bill to relieve the people.

**HON. LEADER OF THE GOVERNMENT.**—I do not think the Conservatives should have left the people of Belfast to the mercy of the present Government, for they knew that the amount which the settlers promised to pay was more than sufficient to cover all expenses. The present Government have no better criterion by which to judge than they had, for they knew perfectly well that there was more than enough due from the people. The hon. member (Mr. Duncan) need not be surprised that a Bill has not been brought down to this House to relieve the people, as he never troubled himself about the matter till he got into the Opposition. He now pretends that he did not know that the people had given bonds for the payment of a sum which was more than sufficient to cover all expenses. The Government will take the best means of remedying the evil complained of; but they had no more power of doing so last Session than the Conservatives had before they had resigned their places in the Government. The present Government will do more for the people on the Selkirk Estate than their predecessors have done.

**HON. MR. DUNCAN.**—I am free to admit that I did know there would be an overplus from this estate; but, as the hon. Leader of the Government says that he also did, he is certainly culpable.

**HON. LEADER OF THE GOVERNMENT.**—The late Government ought to have known it.

**HON. MR. DUNCAN.**—Does not the hon. Leader of the Government wish to see a large surplus on the

Worrel Estate? Does he say that the sums due will all be received by the Government? The only difference between the two cases is that the people of Belfast paid up their instalments, and the people on the Worrel Estate did not. According to the valuation of the Cunard Estate, it will pay all costs and expenses; and we know much of it is selling at twelve shillings per acre. The Government have had some experience in purchasing the proprietary estates, and therefore in future they will know better how to manage them. We have discovered that those estates, which have large tracts of cultivated land, will pay better than wilderness lands. I have no doubt that my hon. colleague will do all in his power to relieve the people on the Selkirk Estate.

**HON. ATTORNEY GENERAL.**—The hon. member for Belfast (Mr. Duncan) seems to be dissatisfied with the present Government, but he was quite contented with the state of matters concerning the Selkirk Estate when he was a member of the late Government, and knew whether the estate was self-sustaining or otherwise. If they had carried out the Act according to its true spirit, the people would not have been charged so high a price for their lands, and the estate would merely have been made self-sustaining. This is the first Session of the present Government in which the matter could be brought forward, for they had no information concerning it last Session. The opinion of the Crown Law Officers was not known till about three weeks ago; but satisfaction will be given to all parties in this House, on the matter.

**HON. LEADER OF THE OPPOSITION.**—There appears to be a difference between the hon. Leader of the Government and the hon. Attorney General, upon this subject. The former says that it was the duty of the late Government to have remedied the evil complained of; but does he think that a debt is paid when he sees the account on his books? if so I cannot agree with him on that principle of financiering. He says that he knew there was a balance in favor of the Government; then why did he not, as Leader of the Opposition, when the late Government were in power, bring this to their notice? He must have kept his thoughts within his own breast, and allowed a false report to be sent to England, in order to obtain the proposed Loan, if he knew that the estates purchased under the terms of the Land Purchase Bill would not, on the whole, be self-sustaining. The hon. Attorney General, when trying to negotiate a Loan in England, showed that there would be a balance of £2-000 sterling in favor of the Colony, on the estates which had already been purchased from the proprietors.

**HON. LEADER OF THE GOVERNMENT.**—The hon. Leader of the Opposition has made what he thinks a fair statement, but he knows that when I sat as Leader of the Opposition, I told the late Government that the Selkirk Estate would, at the rate at which the lands were priced, produce a surplus. They had the Books of the Crown Land Office to refer to, which would show this to be the case. To charge ten or twelve shillings per acre for lands which had been purchased at two shillings and four pence sterling, would certainly realize more than the first cost and expenses; but if I could have foreseen this, I would have framed the Land Purchase Bill so as to prevent the Government from fixing too high a price on the public lands, and thereby all this trouble would have been saved. A clause should be inserted in that Bill allowing the Government to charge the people



only what would cover costs and expenses. The present Government had quite sufficient to engage their attention last Session, without enquiring into this matter concerning the Selkirk Estate. I think that the late representatives of the district should have made it their principal business to attend to the interests of their constituents, and to have prevented an overcharge from being made by the late Government. But instead of charging the people only what would cover costs and expenses, they boasted that there would be an overplus from this estate, and that they were making a profit out of the transaction.

Hon. Mr. DUNCAN.—It is quite evident that if the hon. Leader of the Government had foreseen that matters would turn out as they have, he would have framed the Land purchase Bill differently; but neither he nor any other member of this House knew that there would be an overplus from the Selkirk Estate. It appears that he did not understand the subject; if he did, the people did not get the benefit of his knowledge. Whatever faults he may find with my late colleague, I believe that gentleman did not know that there would be a surplus from the estate. If the hon. Leader of the Government knew all this before the hon. Attorney General went to England, and made a Report on the land purchases, which have been made by the Governments of this Colony, he was greatly to blame.

Mr. BRECKEN.—I understood the hon. member for Belfast (Mr. Davies) to say that on the 31st January, 1867, only £240 were due from the estate. If the hon. Leader of the Government knew that, why did he not instruct the Commissioner of Public Lands to take no more money from the people on that estate, than would pay all expenses?

Hon. LEADER OF THE GOVERNMENT.—I had no power to give such instructions.

Mr. BRECKEN.—He had power to do so, as the Estate was only intended to be self-sustaining.

Hon. LEADER OF THE GOVERNMENT.—I should like to know if the farmers who have paid all their instalments should have a part remitted to them.

Mr. BRECKEN.—It was the duty of the hon. Leader of the Government to instruct the Commissioner to cancel the Bonds received from the people, after a sufficient amount had been paid by them. Some of the tenants have paid more than others, and it will now be a hard task to give justice to all parties. Perhaps the richest class of farmers have paid all their instalments, and the poorest have not. I have no doubt that the business qualifications of the hon. member for Belfast will be sufficient to enable him to settle these difficulties satisfactorily.

Hon. Mr. HENDERSON.—I do not intend to consume time just now, as the subject will come in in another shape. The members of the present Government charge the Conservatives with insincerity in their acts in connection with the Land Question, and particularly with overcharging the people of Belfast, which district was looked upon as the very basis of the superstructure of the Conservative party. The very fact that the Selkirk Estate was more than self-sustaining proves that the Conservatives were honest in their endeavors to abolish the rent paying system. They fixed a price which would ensure no loss to the Colony.

Hon. Mr. LAIRD.—If the Conservatives had been honest they would not have demanded more from the people than was required to render the Estate self-sustaining. The hon. member for Murray Harbor (Mr. Henderson) proves by his own words that they were not honest in their intentions to settle the Land Question. It is clear that the abstraction of money from this Colony by the British Government is unjust and unfair, and as long as the cultivators of the soil are forced to pay an unjust debt there will be discontentment and hard feelings towards their oppressors. The only way now open to us to redress the grievances of this much abused Colony, is to enable the tenants to become freeholders by means of the Land Purchase Bill, under the provisions of which the proprietary estates may be purchased. A few of the better class of farmers may succeed in purchasing their farms from the proprietors, but by far the larger number will be unable to do so. If the estates were purchased by the Government, the people would be allowed time to pay the instalments for their farms, and thus could become freeholders. The sooner the estates are purchased the better, for as long as the people believe their rent to be an unjust debt, there will be discontent and uneasiness. The paragraph under discussion says that justice and equity will be given to the people on the Selkirk Estate, and this is all that can reasonably be asked for. The Government would retain the confidence of the people by purchasing the estates of the proprietors, and I believe the tenants will perform whatever they engage to do, in paying the instalments for their farms. The very belief that justice will be done is an assistance to the people and will enable them to succeed and prosper, but the contrary belief discourages them, therefore the payment of an unjust debt has been an injury to this Colony.

Hon. Mr. HENDERSON.—I trust that the hon. member who has sat down does not expect me to agree with him on all points. When the late Government purchased the Selkirk Estate they had the Worrel Estate before their eyes, and we know that it was much more encouraging to the settlers on the former estate to know that it was self-sustaining than otherwise. The Conservatives had an estate before them with a debt of £18,000, bearing interest at six per cent. as a warning, when they purchased the Selkirk Estate, therefore they wished to avoid the errors of the Liberal Government which had preceded them, by fixing the price high enough to make the estate self-sustaining.

Hon. Mr. CALLBECK.—The hon. member for Murray Harbor (Mr. Henderson) says that the people on the Selkirk Estate were encouraged to purchase their farms, but I think the high prices fixed by the late Government upon the lands would discourage them.

Hon. Mr. HENDERSON.—I said that the late Government showed their honesty in making the estate self-sustaining.

Hon. Mr. CALLBECK.—I understood the hon. member to say just what he has said, and I believe that people at times are apt to impose upon their friends. Some years ago the Conservatives contested an election upon the principle of exclusion of government officers from the House of Assembly, and I was called upon for my support. I said that it was not my intention to accept office, but I considered it necessary that there should be some officers on the floor of this House. Although that party obtained a majority they proved unfaithful to their

pledges and several of them accepted office, which shows that men may sometimes impose upon their friends. It appears that the hon. member, when he consented to fix these high prices upon the lands on the Selkirk Estate, thought he would lay a little of other people's burdens upon the Belfasters. The hon. member for Belfast (Mr. Duncan) stated that about 50 per cent, besides costs was required to make an estate self-sustaining, but the people of Belfast were charged more than a hundred per cent. The promise made in the paragraph under discussion, that the people on that estate shall receive justice and equity, is all that can reasonably be asked for. The Government have been taunted by the Opposition with being cowardly; but a man is not a coward because he will not fight with shadows. I do not think there is much substance in the arguments brought forward by the hon. members of the Opposition. The Government are blamed for consulting their supporters before bringing their measures before this House, but before the late Government brought down the Fifteen Years' Purchase Bill they consulted their constituents on the matter. At that time I entertained and expressed the very same opinions on this point as I do at the present time, although I had not the slightest idea of becoming a member of the Government of this Colony. If I were not consulted on a measure introduced by my party I would not support it, for I do not think a man was intended to be moved like a machine, and to be bound to support every measure that is brought forward by his party. The Government can resign if they cannot obtain the support of their party. We hear a great deal said about the unanimity of the late Government, but how was it that they broke up their party. It was because they could not get a sufficient number to form a quorum, on account of the want of unanimity.

HON. LEADER OF THE OPPOSITION.—We are certainly under deep obligations to the hon. member who has spoken last, for his essay on constitutional government.

House adjourned for one hour.

I. OXENHAM, Reporter.

It was moved that the paragraph under consideration be now agreed to.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, I have already expressed my views on the matter, but I should like to hear the opinions of those hon. members who have not spoken on the subject. I do not think the Government of the Colony could enforce payment of the money still due on the Selkirk Estate. They could certainly exact it in a Court of law, but I do not think they could in a Court of equity. We heard a very eloquent speech this morning from a member of the Government, in which he gave a *resume* of the actions of both political parties for the last fifteen or sixteen years. The hon. member stated that he was once a supporter of the Conservative Government, but changed his views because that party had broken their pledges with reference to allowing office-holders on the floor of the House. They only once went to the country saying that they would exclude office-holders from the floor of the House, and in 1863 they candidly acknowledged that principle to be wrong.

HON. ATTORNEY GENERAL.—There has been a good deal of debating, but whether or not it has had any reference to the subject under discussion is another question. I agree with my hon. friend in reference to the actions of the Conservative party—they did not remain true to their pledges. The hon. member for Charlottetown has said a

good deal about vote by ballot. Any person would think from what the hon. member has said that he would never vote in such a way, or have any connection with any person who was in favor of that method of voting. But he belonged to the Political Alliance, and one of its principles was voting by ballot. The arguments in favor of this method of voting were that each man could vote freely, without being swayed by anything but his own convictions. I do not know how hon. members have found out that the present Government do vote by ballot.

HON. LEADER OF THE OPPOSITION.—The hon. Leader of the Government admitted it.

HON. ATTORNEY GENERAL.—The Conservatives broke their pledges with regard to paying the Private Secretary. Then there was the great religious question. It was said that the Liberals were going to take the Bible out of the Schools. The Board of Education made it permissive whether or not the Bible should be read in the Schools, and the law made it permissive also. The hon. member for Charlottetown would not have departed from the principle of vote by ballot unless he found fault with it. But I should like the hon. member to tell us what are his opinions with respect to voting by ballot.

MR. BRECKEN.—The hon. Attorney General would like to get a leaf out of our book. I never advocated vote by ballot although I did belong to the Political Alliance—that principle was never carried out by the Association. It was a very convenient method of voting. Many literary societies voted in this way. Why? Because there might be occasions when they would wish to black-ball a man, and gentlemen would not wish to let their views be known. But while this mode of voting may do very well in private matters, it is a miserable method for a political party to adopt. The Hon. Attorney General has asked for my opinions respecting vote by ballot; and I say that when a Government has to resort to this mode of voting, it is something I cannot understand. The day was when the Hon. Leader of the Government would have kicked the hat out of the House, and I hope he will yet do so.

MR. G. SINCLAIR.—With respect to the paragraph now under consideration, it appears to me that the late Government in fixing the prices of the land on this estate, could not have been aware of the spirit of the Land Purchase Act. If they were, they must have been trying to make profit out of it, and I think this was the case, for I heard one of the members of the Government say at the time, that it was going to be a paying speculation. The Act provided that in case there is a deficiency it is to be made up out of the General Revenue, but it says nothing about what is to be done when there is an excess. It is to be sold to the tenants at as low a price as possible; but it is impossible for any Government to fix a price so that there will be neither loss nor gain. There should have been a provision that in case of an excess the money should be refunded. If this petition be complied with, the Act should be changed, if not, any Commissioner who may hereafter be appointed, would be afraid of setting too high a price on the land. If sufficient money has been paid to cover all expenses, what is to be done with the wilderness land. If the Government are not to make any profit out of the estate, they cannot charge anything for the wilderness land.

MR. McCORMACK.—Mr. Chairman, I sympathise very much with the down-trodden Tenantry of this Island. A part of the district which I have the honor to represent was once under proprietary rule, and in a destitute condition. A man in that district was visited by three persons at different times, each of whom claimed rent from him, and one of them threatened him with legal process unless his claim was settled within twenty-four hours. In such a case as that it was hard to know which of the three was the rightful owner of the soil. However, the three of them went home and no rent was paid. The people of that locality are now free from rent paying, and

they owe their freedom to the Liberal party. I give the hon. member for the second district of Queen's County (Hon. Mr. Callbeck) great credit for leaving the Conservative party and joining the Liberals.

Hon. Mr. CALLBECK.—I think I am right when I state that Mr. Palmer and Mr. Francis Longworth took office when it was contrary to the pledges of their party. I came to town having very little political bias. Although I then gave my vote to the Conservatives, I did not take any prominent part in politics. But when these gentlemen took office, and asked me to support them, I would not do it. Neither do I think it wrong to tell of things that happened in public. Talk about platforms; what platform have the Conservatives had for the last eight years? I read an article not long ago in which the Conservative party was compared to a horse in harness in a boat. He might pull or shove as he liked, but the boat would still go on. If a man has pursued a wrong course it is right for him to change his views and go in the right track. If the Conservatives see that the Land Purchase Bill is the proper method of settling the Land Question, they have a right to take it up. One gentleman said it was a proof of the honesty of the Conservatives that they had charged the settlers on the Selkirk Estate who were their own supporters, a high price for their land.

Hon. Mr. HENDERSON.—I said it was a proof that they were honest in their endeavors to settle the Land Question.

Mr. P. SINCLAIR.—The clause before this hon. Committee is a very important one. The IX. Section of the Land Purchase Act reads as follows:—

"After each purchase of lands effected under this Act and conveyance taken, it shall be the duty of the Commissioner of public lands, within three months to make a report and return of the lands purchased (for each Township a separate report and return) designating particularly the quality, nature, description, and position thereof, and arranging the same into classes; and it shall be lawful for, and the duty of the Lieutenant Governor, by and with the advice and consent of Her Majesty's Executive Council, thereupon to fix upon and determine the price to be charged for the sale of each description of land; the same to be regulated so that a sufficient price be charged in the aggregate to cover all costs, charges and expenses of the purchase, transfer, survey and management of the lands, the purchase money and interest thereon, loss to the general revenue from decrease in the land tax on account of land purchased under this Act, the salary of the Commissioner of Public Lands, and all other expenses attendant upon the working of this Act—it being intended that this Act shall, if possible, be self-sustaining, and that all expenses and outlays shall be paid out of money arising from the sales and rents of lands purchased hereunder, and that the purchase money and interest should also be repaid out of the same fund, without any resort to the general revenue if it can possibly be avoided; but that this object being attained, the lands shall be disposed of to the Tenants and other persons desirous of becoming purchasers, at as low a rate as possible."

It has been said that the late Government were not aware that they had charged too high a price for the land on this Estate; but I see from the Debates of 1866 that they took great credit to themselves for making a good bargain. The law is very explicit here; they must send Commissioners to examine the land, and the Government is to fix the price in accordance with their report. The law should be changed, so that in case there is any surplus it should be refunded to the people. If this is not done it may occasion trouble with other estates as well as this. There is one thing I cannot well understand—if, after all the money has been paid for an estate, there is a deficiency, what is to be done then? The rule should work both ways. I think it is very difficult for any Government, without having that clause amended, to fix the price of the land. I am of the same opinion as the hon. member from Princetown (Mr. G. Sinclair) that if this clause remains in the Act, the Government cannot charge anything for the wilderness land.

Mr. BRUCE.—To whom would the hon. member give the wilderness land?

Mr. P. SINCLAIR.—If it is found that according to the law you cannot charge anything for it, give it to the first who will claim it.

Hon. Mr. MACAULAY.—There is an axiom in mathematics, that all the parts are equal to the whole. The hon. member has only given us a part of the Act. Will he favor this Committee by reading the XX. Section of it.

Mr. Sinclair then read the twentieth section, as follows:—

"For the repayment of all sums of money borrowed under this Act, and the interest thereon, and for the repayment of all sums contracted to be paid under this Act, and expenses incurred thereunder, the money arising from the rents, sales, and profits of land purchased thereunder, and paid into the Treasury, shall, in the first instance, be pledged and rendered liable, and the other public funds, moneys, and securities of this Island, shall be and the same are hereby in the next place pledged and rendered liable."

Hers followed some discussion concerning the word *profit*, which appeared in the foregoing section. It was explained, however, that the words "rents, profits and issues," meant the proceeds of an estate, and not any surplus over and above the cost.

Hon. ATTORNEY GENERAL.—With respect to the clause under consideration, the members on the other side of the House, although they have the opinion of the Crown Law Officers, seem very anxious that the Government should state their views on this subject. I should think that the late Government would have put the same construction on the Act as the Crown Law Officers have now done; but when we see them fixing a price which would yield about £6,000 more than the cost, while they had a large quantity of wilderness land to dispose of, the conclusion is irresistible, that they must have contemplated making a profit out of it. That Government remained in office a great many years after the Selkirk Estate was purchased, but we never heard anything about the people being charged too high a price for their land. I should like to have an opinion from the hon. Leader of the Opposition, stating what his views were on the subject at the time the land was priced. If no excess was contemplated, why was such a price put upon it. It would be difficult now, to adjust the matter properly, as some of the settlers have paid all their instalments. Although I have never thought much of the Conservatives, politically, yet I thought they would have priced the land in accordance with the intention of the Act. I have not heard an hon. member get up and say he disagrees with the opinion of the Crown Law officers. We know that there is a diversity of opinion among lawyers as well as among doctors, and I should like to know if any of the legal gentlemen on the other side of the House, entertains a different opinion. I cannot but think that some other opinion was held when the Estate was priced.

Hon. LEADER OF THE OPPOSITION.—The Hon. Attorney General is very kind to ask for an opinion from this side of the House. Unfortunately, however, he advances doctrines one day, which he disregards the next. Yesterday he laid down the principle, that it was ridiculous for this side of the House to ask the Government side any question, until all documents relating to the question were laid before them. Now he asks this side of the House for an opinion on this subject, when the report of the Crown Law Officers had never been laid before them.

Hon. ATTORNEY GENERAL.—It was brought under debate, and it has been published in the newspapers.

Hon. LEADER OF THE OPPOSITION.—We cannot take everything that appears in print to be genuine. We did see something there, purporting to be over the signature of the Attorney General and Solicitor General; but it has never been officially submitted to us. The Hon. Attorney General was trying to fish out of me, what the

object of the Executive Government was, in fixing the scale of prices so high. I can tell him that I was not Leader of the Government at the time, nor was I a Crown Law Officer, so that I am not responsible for any legal opinions on the subject.

BALDERSTON, Reporter.

Mr. McNEILL.—I did not intend to speak upon this subject, but as the hon. Leader of the Opposition has so much respect for me as to think that I should be a member of his party, I shall offer a remark or two, but as it would be too great a step to go over all at once, I shall decline his invitation for the present, although it is not impossible but that on some future occasion we may meet half way. Belfast seems to have more than ordinary attention paid to it, for it appears that one of the former, as well as the present representatives of that district, take an interest in its affairs. The question which has now arisen on the price set upon that Estate, appears to be one for the investigation of the learned gentlemen of the Bar. No doubt the hon. member (Mr. Davies) feels an interest in the matter, as he considers that his constituents were imposed upon by the late Government, when they set so high a price upon the lands of the Selkirk Estate. I think it would be well to carefully consider the question and divest the Act of all ambiguity, as a change of Government would lead to a change in the legal gentlemen who would have to express an opinion on this subject, the language should therefore be rendered so plain that different opinions could not be drawn from it. The hon. member for Malpeque (Mr. G. Sinclair) said the Law should be revised; this would be the wisest course to pursue, and in addition, it would be well also to adopt the ancient system of putting up sign boards on the public highways, so that "they who run may read."

HON. LEADER OF THE OPPOSITION.—One of them was placed so high that it could not be read.

Mr. McNEILL.—I am aware of that, but that was not right. I think it was unfortunate that this extra sum of money was realized so soon from this Estate, for perhaps it placed funds in the hands of the late Government, which were used for oppressing the people. Probably, were it not for this, the Troops would not have been brought here, and the Barracks would not have been built; and Sir, I do think it is very fortunate that they had no more at their command, for if they had they might have built a wall around this city like Trajans, or Graham's Dyke in Scotland, to keep out those barbarians to whom Mr. Dodd has referred in his letter. Of course the hon. member for Charlottetown (Mr. Brecken) in his allusions, will say in presence of Mr. McNeill, "oh! I did not mean you," but the statements which he has made makes me feel suspicious that he is not sincere in such assertions. The hon. member has said that he was insulted by my hon. friend, Mr. Davies, but he thought nothing of insulting me, and through me my constituents, when he said I was a "firebrand." Is this the compliment the hon. member pays to my constituents? Would as intelligent and respectable a constituency as is on this Island, send a *firebrand* to represent them in this House? No Sir, they would not. I would not blame the hon. member for attempting to justify Mr. Dodd's assertions if he had been certain, from reliable and properly authenticated evidence, that they were true; but when he tells us that he only heard them, and when asked for his authority, declined

to give it, I hesitate not to say, that he ought not to have made such assertions, and I think I shall be able to show that his informant was not from my district.

HON. LEADER OF THE OPPOSITION.—He was from the District represented by the Leader of the Government.

Mr. MACNEILL.—But when I asked the hon. member to name him, he would not do so. Before utterance was given by the hon. member to such a statement, he should have taken the man's oath, and then, had he proceeded against the guilty party, no blame could have been attached to him, but to come here and attempt to fix so foul a slander, from hearsay, upon so large and respectable a community is very unjustifiable.

Mr. BRECKEN.—Mr. Chairman, the hon. member has succeeded in misrepresenting me in this matter. It is true that I spoke of one man with whom I had a conversation, and related what he said to me, and in doing so, simply stated the truth. At one time the League wielded an influence, and exerted a sway over its supporters, which their organ afterwards denounced, and that man told me that their leaders were worse than demagogues. I was not going to take that man's oath; no, I was not going to do anything of the kind. The hon. member has taken exception to the term "Firebrand," but he should not be so sensitive. He should know that it is a common political expression, and that it was in that sense I used it. The hon. member is very well aware, that he, or any one else might succeed in inflaming the minds of the people to so great an extent, that such an expression in its political aspect would be quite correct. The hon. member is very well aware of this, and I tell him that he is not representing the good sense of his constituents when he makes such speeches. In the case to which I referred, I might have collected evidence, for several persons spoke freely to me on the subject, but I had no disposition to do anything of the kind, but I would like that some of these men had been placed at the Bar, then justice would have been done. But I do not say that the hon. member is one of those who should have been placed there. I will say this though for the hon. member, that I believe he has fairly stated his position, but the Government which he supports do not support him, nor are his opinions reflected in the Press of the Queen's Printer, who in his place, has been very reticent upon this question. If I twitted the hon. member, it was upon the score of his supporting a party who do not endorse his opinions. I believe the Conservatives would do as much for him as the Liberals, and therefore he might as well come over and obtain their support. I think that I have not done wrong in coupling the name "Firebrand" with that of the hon. member, and I wish Mr. Dodd was here to defend himself, for I think if he was, the hon. member would not have it all his own way, but I would be sorry to apply the name *firebrand* to every man in the Country who bears his name, nor do I impute personal motives to the hon. member.

Mr. MACNEILL.—I have just got what I wanted to get out of the hon. member; and I wish, through the Reporters, to let my constituents know that the hon. member for Charlottetown called me a "fire-brand." I am glad also to hear him say that he was sorry that Mr. Dodd was not a member of this House. Mr. Dodd was the man who wrote this vile slander against the people of this Colony, and, therefore, I am glad that he is not here. A man who could put upon paper that which

would rob us of our constitution, our good name and reputation, ought not to be here. "He who robs me of my good name, takes that which does not enrich him, while it makes me poor indeed"; and this truth will apply to committees as well as to individuals. The whole of the country outside of this city have been branded as rebels by that gentleman; and yet the hon. member, Mr. (Brecken) is sorry that Mr. Dodd is not his colleague in this House. I always esteemed Mr. Dodd, and was sorry to see that he signed such a document; but, having done so, he should not have been put forward as a candidate to represent the people. I wished to see if the hon. member would express regret for Mr. Dodd's defeat at the last election, and have succeeded to my entire satisfaction. I believe that our late Conservative Government wished, if possible, to induce the Imperial Government to force us into Confederation; but of the folly of such proceedings the British Government have had enough in what has since transpired in Nova Scotia. But notwithstanding the foul libels heaped upon the people of this Colony by the late Government, the Colony has maintained her reputation and her independence.

Mr. BRECKEN.—Mr. Chairman, the hon. member will be surprised when I tell him that I agree with a good deal of what he has said; and I cannot, Sir, but regret, that after we have had Responsible Government for sixteen years, that it was found necessary to send for troops to compel a certain portion of the people to respect the laws, and I do say that a fearful responsibility rests somewhere, with respect to this matter. When a body of men arose in the community, combined together for the purpose of resisting the payment of their rents, it showed that a dangerous element was at work; and that element has done its work, by bringing a lasting disgrace upon the country. That organization did not merely proscribe the proprietors, but every man in the community who would not support them; and when their agents came to public officers in this building, and sought by means of intimidation, to extort subscriptions from them, I say, Sir, that such acts showed a boldness that was unwarrantable, and a recklessness that was deplorable. Mr. Dodd stated that such was the dread on the minds of the people in the country at that time, that his deputy could not find a man outside of this city who would assist him in the execution of his duty. Even in this city their influence was felt to a certain extent, when their organ, *Ross's Weekly*.—that vile paper, which slandered so many of the public men of this country—was looked up to as a guide to so many. Was not the hon. member for Cavendish a member of that association, which was so illegal in its inception, and so unlawful in its action? The hon. member has been reading the Journals. Will he go back a little further and read the Bloody Despatch, in which the Liberals were told, when they accepted office under Responsible Government, that the rights of the proprietors were to be respected? And mark you, Mr. Chairman, that Despatch contained one of the conditions upon which Responsible Government was accepted; and when, in the face of this declaration of Her Majesty, that hon. member went through the country, as an agent of the League, he is ten-fold more guilty than Mr. Dodd is. If ex-Sheriff Dodd has been guilty of a libel upon the community, in all fairness he was entitled to an examination, and should have been put upon his trial, before he was condemned so unceremoniously by the hon. mem-

ber. Let him now demand such an examination, and he will find that Mr. Dodd has nothing to fear. If the Tenant Union was pursuing a right and proper course, why was it that it crumpled up so suddenly, when Her Majesty's troops came here? The men, Sir, whom I blame the most are not the body of the people who united themselves with that organization, but their leaders. Those men knew that Her Majesty's Despatch made it unlawful to resist the just claims of the proprietors. They knew that her troops did not come here to enforce obedience to unlawful demands; and no man, who duly respected the honor and good nature of the country, would have justified the action of that organization at that time. I may be told that I am slandering the Tenant Union; but will the hon. member (Mr. McNeill) rise here, and propose a resolution that will justify the one adopted by that body, which said they would hold no communication, except in cases of necessity, with any person who would not support their organization? Let him bring such a resolution forward, and I will call him a patriot, though a misguided one. Let the hon. member give notice of this on the Order Book, and then we will see where his political manliness rests. I do not glory in the unfortunate state of affairs, which called forth Mr. Dodd's letter; on the contrary, I regret it as much as any man in the country, for I know there is a good deal of truth in what the hon. member has said, but at the same time, had that hon. member and the League with whom he was associated, had their own way at that time, they would have done more to have forced us into Confederation than any Government could. Before Responsible Government was granted to us, it was doubted whether we were able to work it out successfully, and to duly prize the privileges it would confer; but the only time when any portion of the people showed that they did not appreciate it, was when a portion of them were led by that hon. member. Responsible Government was granted on conditions which were binding upon us and upon the Home Government; and at that time the Home Government might justly have said to us, you have not adhered to those conditions; you do not appear to be a law abiding people, and we will wash our hands clear of you by handing you over to Canada! Let the hon. member read the Bloody Despatch as carefully as he has Mr. Dodd's letter, and he will be convinced of the truth of what I say. It was not to support the Liberals that the hon. member was sent here by the League; for if that was their object, why did Mr. Ross oppose the Leader of the Government, after he had accepted office?

Hon. Mr. HOWLAN.—The Tories sent him out.

Mr. BRECKEN.—No; the Tories have, perhaps, done some foolish acts, but they were never so foolish as that. I think, Sir, it would be very well for the hon. member to give notice on the Order Book, that he will ask this House to send for a Parliamentary return of the official procedures of the Tenant Union, with an account of their receipts and disbursements.

Mr. MACNEILL.—The hon. member has missed the golden opportunity for obtaining this information. At one time there were twenty or thirty of the members of that organization who used to assemble monthly in the North American Hotel, and if there was anything wrong going on amongst them, why, after His Excellency's Proclamation was out, was it that they were not then arrested? That was the time when the hon. member could have had their books and papers, and easily have

discovered if there was anything treasonable going on among them. There would have been no difficulty in arresting any of them then, and securing their books and papers too. The hon. member says that the people were deluded by demagogues. Will he go among the people and tell them this? Thanks to the Free Education Act, it is not in the power of the hon. member, or his superiors, to go and delude the people by any such assertions. I have met with a gentleman at a public meeting in the country, who belonged to one of the first families in this Colony, and who could plead the cause of the late Government as ably as ever the hon. member could, but I tell you, Sir, that he made very little of it, and had the hon. member for Charlottetown been there he would have made less of it still. The gentleman to whom I refer was well respected in the settlement, but I tell you that his arguments fell powerless. Public men who will justify the insertion upon our Journals of such a letter as ex-Sheriff Dodd's, are unworthy of the trust or confidence of the people. If the hon. member intends to pay a visit to the District which I have the honor to represent, he had better say as little as possible about that letter. For the opinions contained in it, I hold the hon. member responsible, and challenge him to come into my District and justify them. No, Sir, the hon. member will hardly go there and tell the people that he is sorry that Mr. Dodd has not a seat in this House. For my part, though, I feel quite certain that Mr. Dodd never wrote that letter.

Mr. BRACKEN.—He signed it, and if he put his name to that which was not his own, he could not have been an honest man.

Mr. McNEILL.—The hon. member has, at different times, expressed great sympathy for the tenantry; but if a poor tenant came to him for advice, he would have to feel in his pocket before the hon. member would feel much for him. He has also referred to the despatch, under which they placed a justification for bringing the troops here; but if he goes to the country he will find it necessary to speak of other matters than those of which he has spoken of to-day.

Mr. BRACKEN.—I will, Mr. Chairman, ask the hon. member for Cavendish one question. Can he reconcile the constitution of the Tenant Union, with the principle set forth in the Bloody Despatch, without incurring the displeasure of the Home Government? I am prepared to meet the hon. member in his District, provided I can get a fair hearing.

Mr. MACNEILL.—You shall have that.

Mr. BRACKEN.—Did not the hon. member go against the principles of that despatch, when he united with an organization, which had for one of its objects the resistance of the payment of rent? The hon. member has stood more than once upon the hustings, and is well enough posted up in these matters to know this; and he knew, also, that he was incurring a fearful responsibility, when he was pursuing such a course; but his political ambition was such that he would pursue it, though aware of the consequences. This Island was presided over by the Chief Justice when the troops were sent for, and I am sure he had as much regard for the honor of the country as the hon. member for Cavendish, and I cannot suppose that he would have sanctioned sending for them unless there was a necessity for it. The Chief Justice stands high in this community, although in the estimation of the hon. member he may be all that is bad.

Hon. LEADER OF THE GOVERNMENT.—I think we have had quite enough of this, and if we intend to do any business, we had better confine ourselves to the paragraph before us.

Mr. McLENNAN.—Mr. Chairman, when you, Sir, read the first paragraph, I believe the hon. Leader of the Opposition said that there was nothing in the Address worthy of being discussed; and the hon. Attorney General observed that it was customary to put as little as possible into speeches from the Throne; but I can assure the Government that this was not what was expected from them by the country. Hopes were entertained that something would have been done for the relief of the Tenantry last year, but now in the second Session of this House, we are told, as we were last year, to wait a little longer. The objection to the speech is not so much for what is in it, as for what is left out that ought to have been in it; and I find that wherever it has gone, the same objection is taken. I have just put my hand upon a paper from the District which I represent (the *Sunnerside Progress*) which views the speech precisely in the same way the Opposition do. I think, though, you will agree with me, Mr. Chairman, in saying that if there is nothing in the speech, that it has created a good deal of discussion. I would have addressed this hon. Committee before, only that I do not feel much interested in the matter before us. The most I have heard said to-day has been about rent and Tenant Leaguers. In Prince County that organization did not exist; attempts were made to establish branches, but they were unsuccessful. I was sorry, indeed, to hear so much said about it to-day. It is admitted by all parties that the affair has quieted down, and when such is the case,—when the thing is dead and gone, what is the use of spending so much time in discussing it. I was sorry to hear the hon. member for Cavendish expressing himself so strongly when referring to Mr. Dodd's Letter. I have been acquainted with that gentleman since 1841, and I do not believe that he would write any document he did not believe was true. It has been said that Mr. Dodd did not write that letter, but I do not think that any Government could make him put his hand to a document which he knew was incorrect. You will excuse me, Sir if I do not adhere very closely to the paragraph before us as others have wandered to subjects which have no connection with that under consideration. I hope I may be allowed to reply to some of the matters to which they have referred. The hon. member for Tignish expressed a hope that the hon. Leader of the Opposition would bring in a Bill for the assimilation of the currency.

Hon. Mr. HOWLAN.—We discussed this in the last paragraph.

Mr. McLENNAN.—I am aware of that; but when the hon. member was permitted to make so many speeches, I think he should extend the same courtesy to others.

Hon. LEADER OF THE GOVERNMENT.—We shall never get through with this debate if paragraphs which have been discussed are to be considered over again. I have no wish to prevent the hon. member from speaking, but certainly the course he is pursuing is contrary to the principles upon which debates are conducted.

Mr. McLENNAN.—I believe that so far as this discussion has proceeded the Opposition has had the best

of it, and their arguments on the Loan have been the most correct. In reference to the remission of the claims of what has been overpaid by the settlers on the Selkirk Estate, I may say that I will not object to give them anything the Government can, but there is an Estate in Prince County, and not very far from where I reside, which it has been said, has been more than self-sustaining, and if so, there is just as much reason that those people should have their money refunded to them, as those on the Selkirk Estate. The estate to which I refer is Lot 11, which it has been said paid more than its cost.

HON. LEADER OF THE GOVERNMENT.—The reverse was also said by the hon. Leader of the Opposition.

The Paragraph was then agreed to.

The sixth paragraph being read,

HON. LEADER OF THE OPPOSITION said: I do not know, Mr. Chairman, whether we can raise a discussion on this paragraph equal to that on the one which referred to the Selkirk Estate or not, but I think it would be as well if the hon. Attorney General would inform this hon. Committee whether the Bill which the Government propose introducing is for the purpose of lowering the price of the Government land, or is it the intention to give the privilege of buying larger blocks of land than the Law now allows?

HON. LEADER OF THE GOVERNMENT.—Of course, Mr. Chairman, it is right for the hon. Leader of the Opposition to endeavour to obtain all the information he can on this subject. We know, Sir, there are large tracts of land which have been bought up by the Government that are not being settled as fast as we could wish. We know, too, that many of our young people are leaving the country. They have seen the difficulties their fathers had to contend with, and to avoid the same themselves, they are seeking their fortunes abroad. In purchasing Government Land as the Law now is, parties have to pay 20 per cent. of the purchase money down, and it has been thought that it would be an encouragement to settlers, if the law allowed easier terms, and to effect this object and if possible induce more of the young men of our own country to settle down upon our public Lands, a Bill will be submitted by the Government having that object in view, and to which I dare say, the learned Leader of the Opposition will have no objection. If they were sold, even at a nominal price, it would save the Quit Rent, or if they were sold at a price that would even cover the working expenses of the Land Office it would be better than having them lying idle. Parties settling upon them would be consumers of dutiable articles and producers of articles of export and home consumption; and if we even lost upon the land, it would be more than made up in the improvement of the country.

On motion, the sixth paragraph was then agreed to, and also the seventh.

The eighth paragraph being read,

HON. LEADER OF THE OPPOSITION, rose and said: Mr. Chairman, having no official knowledge of the exact nature of these expenditures, we must take the facts to be as here expressed, but I am very glad that the Bridges which were broken down by the storms last fall, have been paid for. I congratulate the late Government on the very satisfactory manner in which they have performed that service. I am delighted to hear, that not-

withstanding the commercial depression of the past year, and the severe gales by which so much damage was done to our Bridges and Wharves, that all those unusual demands have been met out of the appropriations of last year, and that we shall have a balance in our favor.

HON. LEADER OF THE GOVERNMENT.—This hon. Committee is aware that there was a good deal of outlay on account of the gales last fall.

HON. LEADER OF THE OPPOSITION.—If these repairs were not paid for out of the last years' appropriations, they ought not to be in this paragraph. It would be strange, if after having addressed this reply to His Excellency, it should afterwards be found that these expenses would have yet to be provided for. I would suggest that the phraseology of this paragraph be altered.

HON. ATTORNEY GENERAL.—Mr. Chairman, the answer ought not to introduce a matter that is not in the Speech. His Excellency has not said that these demands have been met by the Government, in the way referred to by the Committee. There was a very great gale last fall, and all the lawyers who had to travel to the Court at that time felt it, and perhaps some of the committee who prepared this address were out under it too; some of the Bridges were down and it was quite difficult to get along. I do not think that this matter should have been introduced into the address, although it may be an interesting report of the state of the Roads at that time, and be recorded as an account of the great gale of 1867.

MR. BRECKEN.—The Opposition, Sir, will not say whether there was a gale or not, nor do we intend holding the Liberal party responsible for any of its consequences, but it would be satisfactory to know if the expenses incurred in the repairing of these damages have, as here stated, been all paid for out of the appropriations of the past year. I think, with the Leader of the Opposition, that the clause ought to be altered to meet the facts of the case.

HON. MR. LAIRD.—The hon. member Charlottetown appears anxious to know if the expenses incurred in repairing the damages done to our Wharves and Bridges last fall, were paid for by the Government out of the appropriations of last year. I may say, that to a certain extent they were, and therefore the Committee in their report have not gone altogether astray.

HON. MR. HOWLAN.—It was well that a good deal of damage was done to the Bridges, and to repair them the Government have been called upon to pay more than they have usually been called upon to pay for, as contingent expenses for this service. The Government took into consideration the representations which were made by the Commissioners of Highways, and to meet this necessary outlay there was more paid out than was provided for in the appropriations of the past year. I hope, Sir, the next time the lawyers go up to the West, that they may have better roads.

MR. BELL.—Mr. Chairman, as a member of the committee who prepared the address in answer to His Excellency's Speech, I may say that I understood there was a good deal of money paid in my own district for this object, and I, of course, considered it as expenditure extraordinary.

HON. LEADER OF THE GOVERNMENT.—It is not usual to introduce matters into the Reply which had not been

alluded to in the Speech, and I think therefore, that as His Excellency, in his speech at the opening of the Legislature, has not referred to this matter, it would be as well to let it be struck out of the paragraph. I therefore move, that all after the word "alluded" in the paragraph before us, be struck out.

The motion was seconded by hon. Mr. Howlan, and agreed to.

On motion, the paragraph as amended was agreed to by the Committee, and after a few further remarks Mr. Speaker took the Chair, progress was reported and the House adjourned until to-morrow.

R. GORDON, Reporter.

THURSDAY, March 12th.

*Afternoon Session.*

The paragraph relating to Education was read, and a motion made for its adoption.

MR. BRECKEN.—As this is a most important subject, Mr. Chairman, I think it would not be advisable to let it pass without some expression of opinion. Very wide and divergent opinions are entertained on this subject, and I think it would be well to hear the views of hon. members on both sides of the House respecting it; but as it does not lie with the Opposition to make any move in the matter, I trust the Government are not waiting to ascertain their sentiments. The fact that such prominence was given to this question in His Excellency's Speech would seem to indicate that some material alteration was contemplated to be made in the whole system; and I do not think it would be taking too much liberty to ask the Government if such is the case, and if so, to give us some idea of the nature of the changes they intend to make. There is one hon. member who is not in his seat at present (I refer to the Queen's Printer) whose views on this subject, I should very much like to hear.

HON. ATTORNEY GENERAL.—Mr. Chairman, the hon. and learned member (Mr. Brecken) is following the course which has been pursued by the Opposition in reference to every paragraph of the Address which has been yet discussed—asking for the details of a Bill on the subject mentioned in the paragraph. If we took up the details of every subject during the debate on the Draft Address, we might as well spend two or three weeks in their discussion, and afterwards, when the measure come before the House in regular order, pass them through without further debate. It has been said that members of the Government made great promises to their constituents on the subject of Education; but in reply to this, I can state that the only promises I made were that I would advocate the payment in full of the teachers salaries out of the Treasury, and do away with the confusion which now surrounds the Education Act. The first has been done, and all that is now required is to simplify the Act so as to make it intelligible, and I hope that in our endeavours to do this, we shall have the assistance of my hon. and learned friend, the member for Charlottetown. The Conservative Party mangled the Education Act by cutting off a part of the teachers salaries, a grievance which was loudly complained of by the people, but which has been removed by the present Government. The question of Education is one of vast importance, for in it are involved the interests of the

rising generation, and it should never be made to subserve political purposes. We have seen some very unseemly discussions on this question in the Legislature, we have seen a sacred and holy book used in a very improper and unbecoming manner; but I hope we shall never see the like again. Education seems, at the present time, to be the all-absorbing topic—all the leading statesmen of England are engaged in discussing it calmly and earnestly, and when we see men of great ability thus bend their minds to the discussion of this matter, it shows that it is a question of vital importance. The Address merely states that the Government will give the subject their calm and careful consideration, and they will do so.

MR. BRECKEN.—There is no doubt, Mr. Chairman, but that this is a subject of paramount importance, and one which should not be approached in a party spirit. The hon. Attorney General has referred to unseemly discussions which formerly occurred on this subject, and I may say that it is not my intention to revive sectarian strife, the country have had enough of that. But does the hon. Attorney General mean to say that making some slight alterations in unimportant particulars means altering the system of education? If the Government intend altering the system of education why do they not say so? Was the hon. member from Tignish (Mr. Howlan) right when he said that the speech was a foreshadowing of the policy of the Government.

HON. MR. HOWLAN.—If you could see it.

MR. BRECKEN.—Is it a liberal policy to couch their intentions in such ambiguous terms that they cannot be understood? Last year the Government had some excuse for not taking up this question as they had been but a very short time in office; but now a whole year has elapsed since they assumed the reins of power, yet all we can find out concerning their policy on this subject is, that the Crown Law Officers are scribbling away as fast as they can to put two Acts into one. It appears that the Government have this subject under their consideration, but, true to their composite character, they cannot agree upon it—some of them wish to have it changed in one particular, and some in another. Any amendments which may be introduced, which will be beneficial in their operation, shall have the concurrence of the Opposition. There was an amendment introduced a few years ago to compel the people to pay a part of the teachers salary, but I do not think this was mutilating the Act: it is a sound principal to tax parents for part of the cost of educating their children. In no country except this is the whole cost of education defrayed out of the general revenue. In Canada where there is a good system of education, the people last year contributed nearly a million dollars to supplement the amount paid out of the public funds. The prime consideration with a man who is blessed with a family should be to see his children qualified to take their proper position in society, and I do not think it is a hardship to compel him to pay something for their education. As the country progressed you will have to pay teachers higher salaries, for sixty or seventy pounds a year will not be sufficient to induce a man to make a business of teaching, and if the whole amount be paid from the Treasury, it will absorb all the revenue. The Conservatives introduced the true system, and it will have to be adopted sooner or later, for the principle is a correct one.



**Hon. LEADER OF THE GOVERNMENT.**—Does the hon. member for Charlottetown so far forget constitutional principles, that he thinks the Government is going to lay down the details of any Bill during this debate? Such a course would be altogether unprecedented. The main principle of the Free Education Act was, that every man might have all his children educated without paying anything directly for it. The first Free Education Act, though deficient in a few details, was a simple one; but when the Conservatives came into power, they introduced a great many amendments which make the Act so mysterious that it would almost puzzle a lawyer. The main object of the Free Education Act was to have every child on the Island educated.

**Mr. BRACKEN.**—What was the practical working of it?

**Hon. LEADER OF THE GOVERNMENT.**—I am aware that a great many persons in the country do not sufficiently appreciate the advantages of education; but I would ask the hon. member, if the amendment introduced by the Conservatives effected any improvement in that respect. The hon. member speaks of an alteration in the system of Education, but what alteration does he want? Does he want a secular system of education, or does he wish to have the present free system abolished? If we only simplify the Act, it will be making a great and beneficial alteration, for as it is now Trustees of Schools find great difficulty in understanding it. It is impossible to make a perfect Act, but I contend that the main principle in the Free Education Act was perfect. Reference has been made to Canada, but the system there is just like the one we formerly had on this Island; and I believe that all the neighbouring provinces look with envy on our present system. I once said that if the country was plunged a hundred thousand pounds in debt for the purpose of educating the children of the Colony, it would be money well expended; but the Free Education Act has been carried out without saddling the country with debt. There may be some alteration required with reference to the time of attendance at the Normal School. Under the Liberal Government, the time was three months, but the Conservatives raised it to five; and I think it is a hardship to compel any young man, no matter how well educated he may be, to spend five months in that institution before he can become a teacher. When the Normal School was established, it was the intention that Stowe's System of Education should be carried out, and a sum of money was placed at the disposal of the Government for the purpose of purchasing books, that the same kind should be used in all the Schools of the Island. The Irish National School Books were used; but the Conservatives introduced a book compiled by a gentleman who was a great friend of their party. It has been said that when the Liberals were in power, they were so anxious to get the Education Act perfected, that they left nothing to be done afterwards either by themselves or the other party; and this would appear to be true, for, although the Conservatives were in power eight years, I do not think they can point to a single measure they introduced in reference to this matter except the establishment of the Prince of Wales College; and this, I think, does not give more general satisfaction than the old Academy. There is some intermediate school required to supplement the College, for boys from the common schools are not sufficiently advanced to enter upon a College course.

**Mr. BRACKEN.**—The hon. Leader of the Government seems to think that the Conservatives have done nothing to advance the interests of education. We will admit for the sake of argument that such is the case, and at present confine ourselves to a point. The hon. Leader of the Government admits that the benefits derived from the present system of education are not commensurate with the cost; but does he imagine that consolidating and amending the Act in certain particulars will make them so. To secure the education of the rising generation is a duty which no Government can consistently shirk; and the system which will ensure the attainment of this object at the smallest cost is the one that should be adopted. In Massachusetts they have one of the best systems of education in the world, and there they impose a direct tax on the parents for the education of their children. I may say in reference to the Prince of Wales College, that it has sent forth young men who are a credit to the Colony, but if an intermediate school is required to make it more efficient, let us have it.

**Hon. Mr. LAIRD.**—The paragraph under consideration states that the subject is of paramount importance, an opinion with which I heartily coincide. It also states that the Education Act will be amended, and I do not think it would be hard to point out portions of it which require amendment. That part which relates to the building of new School-houses is differently understood—in some districts each of the householders is assessed an equal amount; in others the amount is varied according to the wealth of the person, his distance from the school-house and other circumstances. I think the law should be made explicit on this point, so that there should be no misunderstanding on the subject. The hon. member for Charlottetown stated that he did not know any country except this where the whole amount of the teachers salaries was paid out of the treasury; but I think if other countries were to try this method, they would find it to be the best. After a youth arrives at the age of twenty-one, he is not the property of his parents but of the Colony, and a Colony has a right to see that all its people are educated, for an uneducated population is a drag on any country. I, some time since, had an interview with the Trustees of the College, and as they had petitioned to have an assistant teacher in the College, I asked what necessity there was for it, and they said that youths coming from the common schools were not sufficiently advanced to enter upon a College course. I find as a general rule that the best educated persons are most apt to neglect education. I have always thought that educated men were the best qualified to represent the people in the Legislature, but if I find such men do not use their influence to forward the cause of education, I shall probably change my mind. The wish of the country people generally is to have reduced taxation and reduced expenditure, but they would submit to increased taxation to forward the cause of education. I do not think that compelling the people to pay a part of the teacher's salaries would make them take a greater interest in the cause of education.

**Mr. HOWATT.**—I am glad, Mr. Chairman, that there is a disposition on the part of the Government to advance the interests of education. There is one point, however, which I should like to bring to their notice, *s. e.*, that some schools are overcrowded while others have not a sufficient number of scholars, and I think something should be done to remedy this. The hon. member for

Charlottetown argued that when parents were obliged to pay a part of the teachers salary, they took a greater interest in the education of their children. I have no objection to let the people of Charlottetown try this method, if they think it preferable to the present system. Although some trifling alterations are required in the present Education Act, yet I think its general principles are good. In reference to what my hon. colleague has said respecting increased taxation, I think the present revenue is sufficient to meet the requirements of the case.

Hon. Mr. LAIRD.—I did not say that taxation was going to be increased, but that the people would rather submit to additional taxation than allow the interests of education to suffer.

Mr. G. SINCLAIR.—Mr. Chairman, the hon. member for Charlottetown (Mr. Brecken) seems to be dissatisfied with the present system of education.

Mr. BRECKEN.—I did not find fault with the system, but with the Government for not showing what they were going to do.

Mr. G. SINCLAIR.—I think the hon. member did find fault with the system, for he spoke in favour of paying a part of the teachers salary out of the Treasury. I think the Free System is the one that can be carried out at the least expense. Under it every one is paying for the education of the children of the Colony, and a young man who is now bearing part of the expense, will be looking forward to time when he will have children of his own and then the burden will not fall so heavily on him. There are many parts of the Education Act which are very ambiguous, especially that in reference to the building of new school houses: It is not surprising that Trustees of Schools do not understand this part, for I find that members of the Legislature entertain very different opinions upon it—some think that trustees should have a discretionary power in assessing the householders in a district, others, that all should be assessed equally.

Hon. Mr. HENDERSON.—Mr Chairman, I cannot agree with the remarks of the last speaker, in reference to the ambiguity of the Education Act. I never found any part of it that I could not understand; and I do not think trustees in general, experience much difficulty in interpreting it. I believe there was some difficulty respecting a school that was not exactly of the district school stamp; but I think, in general, the Act is perfectly intelligible. I agree, however, with what has been said respecting the equity of assessing all parties equally for the support of Education; for every one participates in its benefits. If all the schools of the Colony were abolished for eight or ten years, the increased expenses for jails, &c., would be more than what we now pay for Education. The hon. Leader of the Government stated that the object of the Free Education Act was that the man who sent a large number of children to school should only incur the same expense as he who only sent one. This statement is not strictly correct. It is correct as far as the payment of the teachers' salary is concerned; but not in reference to school books, and other incidental expenses. The hon. member from Tryon (Mr. Laird) said he found that well educated persons were the least favourably disposed to the progress of Education. I trust that the number of educated men of that description are few;

and I would class them with certain parties we read of, whose maxim was that ignorance was the mother of devotion. We might look at the practical benefits derived from Education. A hundred years ago it was thought a wonderful advancement to travel from Edinburgh to London in ten days, now the same distance is travelled by the iron horse in ten hours. We might also refer to the steamship, that walks the ocean like a thing of life. The best efforts of the people and the Government will be required to perfect the system. Even in a Governmental point of view, education is one of the most pleasing weapons which any Government can use to preserve the peace of the community. The hon. Attorney General is smiling—he, no doubt, is thinking of the red-coats; but necessity has no laws. To prevent the recurrence of such events let us educate the people. It has been said that the Normal School has been a failure; but failures should be made a stepping stone to success. There should be some intermediate school between the College and the common schools. I believe there should also be grades of schools, especially in the towns. Education should not be made a party question. (The hon. member here referred to a number of individuals of the the humbler classes who had distinguished themselves in literature, and said that Education was as free now as ever it was, to all who chose to avail themselves of its advantages.

BALDERSTON, Reporter.

DR. JENKINS.—Mr. Chairman, I was glad to hear that the hon. Attorney General looked upon this subject as one of vital importance to this Colony, and that it will not be treated as a mere party question; but in the latter part of his speech I did not hear anything of consequence. I had hoped that he would give us a bird's eye view of the intentions of the Government on this matter, for we require some reliable information on the working of the "Free Education Act" before we legislate upon the subject. Every one admits that the free system of education should be carried out in this Colony, but we hear from all parts of the country that the Act as it now stands, does not work satisfactorily. There must be a great deal in the details which is faulty, and I have been endeavoring to find out where the fault lies. This question came up last year with the Visitor's Reports, and I then took occasion to make a few remarks on the working of our educational system, and especially on the working of some of the schools. I said that the Visitor for the Eastern Section was utterly incapable of performing his duty, owing to his inability and lack of energy. I ask whether any person can get a knowledge of the working of the schools in that section of the country from his Report. When I read the paragraph in the address in answer to His Excellency's Speech last Session, I expected that the Government would then have made some very necessary amendments to the Act, and that they would have dismissed this incompetent School Visitor, who was appointed by the late Government solely on account of his being an extreme partizan. The very fact that the Leader of the late Government declined at one time to have one of these Reports published, was a proof of this Visitor's inability and incompetency. Why did not the Government discharge him last year and appoint a gentleman capable of discharging the onerous and responsible duties of that office? The political sentiments of the present incum-

ment were strong, and he never gave the present Government any support, therefore, considering this, and his neglect of duty, I am surprised that they have retained him in office. If there was an active and efficient man in that position, I should be far from wishing to displace him on account of his political opinions; but the present officer has nothing to recommend him. Something has been said by the Attorney General about the Normal School. Complaints have been made from time to time on account of the law compelling students to attend that institution five months before they can receive a license from the Board of Education to teach a District School, and therefore I think some information concerning the working of that School should be laid before us to enable us to find out whether it is properly conducted or otherwise. The examination of candidates by the Board of Education is a mere nominal affair, for we know that the course which a student has passed through is a better criterion by which to judge of his qualification for the office of Teacher. The mere examination is looked upon in Collegiate institutions as comparatively a trifling matter, and I believe that the examination as it is generally conducted by the Board, is little better than a farce. With regard to the College, I may state that I am one of the Trustees, and I do not covet the office. The institution does not work well, and therefore I should like to see a Commission appointed by the Government to investigate the working of the establishment. One of the Professors says that he has not time to teach students all the branches required in his department; but when I went to school the teacher divided his time as best he could, and his pupils were obliged to learn under his rules and method of teaching. We should know the reason why the College gives such general dissatisfaction to all parties. Very few young men are turned out from that institution who give much promise of great attainments, and therefore there must be something radically wrong. There is a school in this town attended by Catholic children alone, and I should like to know whether there are many such schools in the Colony. Are the Government prepared to place such schools under the supervision of Catholic clergymen, or not? This is a question with which we must grapple, and the sooner the better. I know something about St. Dunstan's College, and I must say that it is a credit to the Colony, and more particularly so, to those who sustain it. The students there are thoroughly taught all the branches necessary in a sound and complete education. As I look upon myself as an Independent Member, I have had a slap at the Government, and now I will have another at my hon. colleague, the hon. member for Charlottetown. The late Government completely negatived the "Free Education Act" when they taxed the people with a part of the Teachers' salary. But we are not called upon to go into the details at present.

Mr. BRECKEN.—Mr. Chairman, I would like to ask my hon. colleague whether the Education system is really free, because it is not sustained directly by the people, without the aid of Government? Every individual in the Colony is taxed, and specially taxed, for the support of our Education system. Every time we eat, drink, or cough, we pay a tax for that purpose. Will my hon. colleague point out where and how it is free? Are we sure that we are right in sustaining our Education system from the general

Revenue, and that all other communities are wrong in not doing so? I am glad that my hon. colleague has turned out to be an independent member, for the Government have given him the "go by." He has good and sound reasons for not sticking closely to them, and his fellow-citizens will appreciate the step he has taken.

Dr. JENKINS.—I would remind my hon. colleague of the statements of one of the hon. members from Murray Harbor, which was, that the man who sends one child to school is obliged to pay as much as the man who sends twelve. This proves that the system is really free. Suppose that a man has no children?

Mr. BRECKEN.—Then according to our present system of taxation, he ought to pay for the education of other men's children.

Dr. JENKINS.—That is exactly what I mean to say.

HON. ATTORNEY GENERAL.—I am glad to hear that the hon. member for Charlottetown agrees with my remarks, to a certain extent. He believes that the Education system should work free of all parties; but I think him a little inconsistent when he said the School Visitor for the Easter Section was appointed to that office solely because he was an extreme partizan. When the hon. member talks of the necessity of a Commission to investigate the working of our Education system, he forgets that we have already a Board of Education to report on these matters. As this subject is constantly brought before us every session, I cannot see that a Commission is necessary; but if this House desire it, the Government would feel bound to carry out that plan. With respect to our Educational Institutions, I think there are many faults which the Trustees could remedy if they properly attended to their duties; and the Government should look to them for information on the working of our Schools. When there is a Board of Education and School Trustees, there are a number of modes by which the Government can ascertain the position of these matters. But because Committees have been appointed to inquire into the state of our Roads, Bridges, &c., we naturally look for a Committee on Education, forgetting that we already have the means of obtaining information on the subject. The Government are certainly under an obligation to the hon. member for Murray Harbor (Mr. Henderson) for his information, when he tells us that that which is great should be subject to that which is great. Can any hon. member tell the meaning of that statement?

Hon. Mr. HENDERSON.—I will tell him when he has done.

HON. ATTORNEY GENERAL.—The hon. member has stated that the paragraph under consideration is vague; but the fact is that his own statements are so vague that few hon. members can get at his meaning. In regard to the intentions of the Government on this subject, I may say that I shall be most happy to introduce a Bill to consolidate and amend the present Education Act. With respect to the statement that Scotchmen are adventurous, I freely admit that to be the case; but the hon. member has too much clanishness, for we know that Englishmen and Irishmen are equally so, and that they are not one whit behind his countrymen. I quite agree with the learned Doctor Jenkins that the late Government completely crippled the Free Education Act. But if there is any fault in the Draft Address, he is partly to blame for it, as he was one of

the Committee who prepared it, therefore, he should not have made such an onslaught upon the Government, on account of this paragraph relating to Education. I trust that he will modify some of the remarks he has made.

**Dr. JENKINS.**—I will begin with the end of the hon. Attorney General's speech. Although I was one of the Committee appointed to prepare the Draft Address, I never agreed with any thing contained in it. I looked over a part of it, and strongly objected to one paragraph which I afterwards found was struck out, and substituted by another. As to the Prince of Wales College, I must confess that I know very little more about it than I hear out of doors, and I am very much astonished to find that there has been no Committee appointed to investigate the working of it and all matters connected with it. There are Committees to inquire into all important subjects except Education, which is more important than any other. The hon. Attorney General has not said a word about the retention of Mr. Arbuckle in office.

**Mr. BRECKEN.**—I do not think the hon. Attorney General is right in reflecting upon my hon. colleague, for the Doctor did not find fault with the Address, but with the Government. My hon. colleague also said that the benefits derived from the College were not commensurate with the cost, which we know is quite correct. He has not been at all inconsistent in his remarks just made, for he does not find fault with his own work, but with the want of action in the Government.

**Mr. PROWSE.**—Mr. Chairman, a good deal of time has been consumed in debating on this subject, but very little information has been given on the working of our Education system. The Free system as it was first introduced has been lauded very highly by some hon. members, but I think it was very defective, and when the late Government brought it in the amendment I was in favor of it, because the people did value their privileges. If the people had been obliged to contribute a fixed amount from the time the present system was introduced, they would have appreciated it more highly than they now do. The principal inconvenience under the Amendment was in collecting the money from the people, for the School-master. I believe that not one half the number of children in the Colony are receiving the benefits which should flow from the Free Education Act. The people do not send their children regularly to school, and the consequence is, there is almost an impossibility of getting the average attendance required by Law. There should be some arrangements made which would stimulate both parents and children to take advantage of the privileges offered them in the Free Schools of the Colony. It has been stated here, that the Prince of Wales College is no better than the old Academy was; if this is so, let the Government put the College upon a good basis, so as to confer greater benefits upon the community, and the people will not object to any reasonable sum appropriated for that purpose. I will not express an opinion in reference to the Catholic Schools till the Bill, which has been promised by the Attorney General, is brought in. Dr. Jenkins complains that no Commission has been appointed by the Government to investigate the working of Prince of Wales College, but he should remember that he is one of the Trustees of that institution, and should therefore be prepared to

give the House some information on that subject. Although he is an independent member, the Government have given him an office of responsibility.

I. OXENHAM, Reporter.

**Mr. BELL.**—Mr. Chairman, I think that the hon. member for Charlottetown (Dr. Jenkins) is not the only independent member in this hon. House, and a good deal of this discussion is, in my opinion, premature, but I have listened patiently, hoping that some hon. members would refer to that part of the law which defines the duties of Trustees, with respect to the building of new school houses, and suggest some improvement in the law as it now stands. I believe that where a new school house is to be built in any District, that it would be an improvement on the law, as it now is, to allow Trustees to tax the inhabitants of the district, according to their ability to pay. We all know that in every District some are poor, others are in more comfortable circumstances, while a few may be comparatively wealthy; and, therefore, I consider that it is but right that they should be assessed according to their circumstances; but as the law now stands, a good deal of difficulty has been experienced in finding out what the law does mean. One part of the Act says that the Building Committee shall lay such assessment upon the householders as they may think proper, while other sections are understood to read differently, and as a consequence disputes and lawsuits arise which produce angry feelings among neighbors, which might be avoided by having the law more clearly defined. Where I reside (in Alberton), when they built their new school house, parties were taxed as they were supposed to be able to pay, which is, I consider, the proper course to pursue. I think the hon. Leader of the Opposition should enlighten us upon this point, by throwing out some suggestions that might be useful. I also expected to hear something from the hon. member for Murray Harbor.

**HON. LEADER OF THE OPPOSITION.**—Mr. Chairman, I regret that indisposition will prevent me from making many remarks to-night upon the subject under consideration, but I cannot allow this paragraph to pass without making a few observations upon it. Judging from the remarks of the hon. Leader of the Government, which I heard on entering this House to-night, I think that he was referring to the doings of his Government in days gone by, and I was surprised to find that we were at the clause in the address which relates to education, and that he was only now finding out some of the difficulties attending the subject. I have also listened with surprise and astonishment to the remarks of the hon. member who has just sat down (Mr. Bell.) He expressed his surprise that the Opposition have not given their opinions on this subject, and considers that they should express their views on this question. The hon. member ought not to suppose that the Opposition are to lay down their principles upon education, or any other important matter, before they hear those of the Government. If the hon. member really expects what he has stated from this side of the House, I can assure him that he is expecting something that is new in politics. When the Government lay their measures before us, then we, as Her Majesty's Opposition, (for be it remembered Her Majesty has an Opposition as well as a Government,) have to criticise them and see if they are just and reasonable, and ascertain whether the country require

them or not. This hon. Committee has been favoured with the views of one hon. member on this subject. I allude to the hon. member who styles himself independent, which is not consistent while he continues to hold a Government Office, but who, I must confess, has expressed his views pretty strongly, especially as regards the course he would pursue in those districts where the people are chiefly Catholics. He had also condemned the Government for keeping in a man as School Visitor who was a supporter of the Opposition. It is not my duty to say anything about the abilities of Mr. Arbuckle, but when the hon. member is so fastidious on this question, I do not see how a few days ago he could have given his vote for turning out a young man from the situation of a Reporter to this House, who had voted for him and who proved himself to be an able Reporter, and to appoint others who were not so efficient. If the hon. member would be as particular in criticising the sheets of the Parliamentary Reporter, as he had been the School Visitor's Report, he would find sufficient matter for criticism also. The question of education is an important one. It was at one time considered that without education a man could not get very well through the walks of life, but it appears that we do not require that in the present day. We know, sir, that one of our poets in the reign of Queen Anne said, that "a little learning was a dangerous thing," but this is not, speaking seriously, the case, for we know that it is better for a man to know something than nothing, although in considering the subject it is better not to go as high in the air as the hon. member for Murray Harbour has gone. If a sound and well framed measure on education come down, no matter from what side, I shall give it my support. The hon. member for Cascumpee should not have expressed surprise because the Opposition have not given their opinions upon the Education Act, for we all know that last year from what appeared in His Excellency's Speech, at the opening of the Legislature, that it was expected that important alterations in the Education Act would be introduced this year. I have just cut a slip from the *Herald* newspaper of last May, wherein the Editor commenting upon the Speech, made some remarks which are very good, I will read them:—

"We have long been of opinion that our whole Educational System requires to be revived, and placed upon a footing which will give general satisfaction, and answer the designs which the christian parent or state contemplates in providing the means for educating children—namely, to make them intelligent and useful members of society."

These were the views of the present Queen's Printer last year, when viewing the subject in its general aspect. He then proceeds to say:—

"Before the question comes up again, which we have been given to understand, will be next session, we shall endeavour, in these columns, to give an idea of the amendments required in this colony in our Education Laws. In doing so, we hope to avail ourselves of the experience of other Countries, to guide us to a sound conclusion, and of gentlemen who have had the means of comparing various systems, and judging which is best."

Therefore it is conclusive from the tenor of these remarks in the *Herald* that something more was expected by some of the party, than the consolidation of the acts with some trifling amendments. I do not see why the Country should be put to the expense of publishing a consolidated Act now, when a short Bill would include all the contemplated alterations, especially as in 1861 this

was done, and the only alteration since was in 1863, an act was passed to compel the people to pay a part of the Teacher's salaries, an experiment which did not prove successful, and which was repealed last year. I endorse the sentiment of the hon. member for this City, that fuller statistical information is required, but is this the clause relating to the appointment of Trustees, and the defining of their duties, with that affecting the Normal School the only alterations which are required? During the recess of the Legislature, hon. members have been attending to their private duties and are not in a position to deal with this question properly, without fuller information being laid before them, and after what was said last year, I think the government should have availed themselves during the recess of information for to be laid before the House on this question. They have a good system of Education in Prussia and other Countries in Europe, from the published records of which much valuable information could be derived; In upper Canada also, and Nova Scotia, since 1852, excellent systems of Education have been introduced, but the best system of a non-sectarian education ever established on this Continent, was that which was established by the Pilgrim Fathers. When those noble men landed in the now State of Massachusetts, and when they had barely acquired a foot of ground which they could call their own, they made it one of their first duties to build a College, and the results of that wise step, and of the excellent principles of their system of education, are visible in that country to-day. I know that there are some important and radical defects in their constitution, one of which is, that so long as a cabinet minister, or public salaried officer, cannot have a seat in the senate or congress, they can never in its full and legitimate sense be a free people. But their system of education has been such that it has led them to take more interest in arts, science, literature, and other important kindred pursuits, than have many of the nations of Europe, and I maintain that the Government should avail themselves of the information to be derived from these countries before they undertake the task of amending and consolidating our present Laws on Education, lest that by hasty legislation they make the law worse than it now is. If, as has been stated, the Prince of Wales College has been a failure, I would be indeed sorry, for I know that no country can become properly educated unless it is supplied with educational institutions of a higher order than Common Schools. Our Educational system to be complete, requires a greater number of intermediate schools, from which our Colleges could be supplied; but our system would be incomplete without our College. It may not be right to say it, but I give it as my opinion, that our school masters require to be better trained than the majority of them appear to be. They go too quickly into the profession, and generally are mere boys when they take it up, and then make it a stepping stone to reach some higher attainment. Again, they have not sufficient remuneration, and should be better paid. When teachers devoted their years and spent their strength in training our future Merchants, members of both branches of the Legislature, our Ministers of Religion, our Lawyers, and, Sir, our Doctors, when they have trained the generation which shall succeed us, they should have a fund upon which they could rely. All I will say is that if the Government of the Colony will bring down a fair and well considered measure, I will offer to it no factious opposition.

Mr. McNEILL.—Mr. Chairman, it has been generally admitted that the subject of education was an important one, and Sir, it is true, for an education is required to fit a man for filling properly any position in society. Without education a man cannot succeed very well or become a useful or truly enlightend member of society. The hon. member for Murray Harbor (Mr. Henderson) has told us of many men who have risen from an humble position in life, to a high standing in society, but this they could

not have done had they been uneducated. Among those mentioned by the hon. member, was the author of the "Cottars Saturday Night," but I never could agree with that talented man when he said:—

"Give me a spark o' nature's fire  
Its all the learning I desire."

The hon. and learned Leader of the Opposition said that a "little education was a dangerous thing!" Had the hon. member said that a little law was a dangerous thing, he would have been much more correct. With respect to the "Free Education Act," which is as free as we can make it (and on this point, I suppose there will be no dispute with the hon. member) it might be interesting to enquire, what in all probability would have been the condition of this country to-day, but for this Act? The wealthy settlements might have teachers, but the great mass of the people would be growing up in ignorance, but for that wise measure of the Liberals. I agree with some of the observations of the hon. member, (Mr. Henderson) and it is not impossible, but that when the Bill is brought down, some of his ideas may be found incorporated therein. There seems to be a want of confidence in the "Free Education Act." (Not from Opposition members.) Well, perhaps not, but I know when the Bill was first introduced, to lay an additional tax upon land, to aid in carrying out the measure, that I saw a petition against it, which was signed by many wealthy persons in this community; but I do not say that any of the hon. members in the Opposition put their hands to it, but in this debate I notice something of the old feeling cropping out, at least I infer so from what has been said by the hon. member for Murray Harbor. I do not say but that there may be something wrong in the manner in which Teachers enter upon and discharge their public duties, but in proportion to the pay they receive, I think they are as efficient and as faithful in the discharge of their public duties as they are in any other country; our clergymen, too, I believe, of all denominations, in summer's heat and winter's cold, are as diligent in the discharge of their public duties as they are in other countries, but if that state of things exist in the country which ex-Sheriff Dodd states in his letter, I do not know whether to charge it to the ministers of religion or to the school-masters; but this I would not have referred to, but for the remarks of the hon. member for Murray Harbor. I trust though, that when the Bill is brought down, that if anything is wrong in it, that it may be set right, by giving an impartial consideration as to its details.

Mr. BRECKEN.—Mr. Chairman, the hon. member for Cavendish, should not attempt to put off from his own shoulders, on to those of the clergymen, burdens which should be borne by himself. We all know that the clergymen of this Island are in no way responsible for that state of affairs which called forth ex-Sheriff Dodd's letter. We know, too, that education, in its true and legitimate sense, is not confined merely to the teaching of reading and figures. Education, Sir, has a higher, a nobler aim than that—it includes the teaching of principle. Why, Mr. Dodd's letter is respectable when compared with the Resolution of the Tenant Union.

Mr. McNEILL.—Read it.

Mr. BRECKEN.—I will, this is it:—"Resolved, that we will not traffic with any person that does not cordially sympathise with the Tenant Union, even though we should suffer loss thereby."

Dr. JENKINS.—I think this is all out of order.

Mr. BRECKEN.—That is the proscribing part of the Resolution. The legal part of it reads thus:—"except in cases where it is absolutely necessary," and the reason, I presume of this reservation, was because they thought they might require the services of a lawyer or a doctor; but let me tell that hon. member that a better education is required to prevent people from thus disgracing themselves, and to prevent a recurrence of the state of affairs which then existed. Let the hon. member place this Resolution beside Mr. Dodd's letter, and he will find that the statements in the one is but the natural results of the other.

Mr. MACNEILL.—If that is the letter the hon. member intends to take to the country, when he visit it, I think its advocacy will not add much to its popularity. I remember having seen the hon. member once at Wheatly River, when he was in the morning of life, and the blossoms were on the trees, and in so far as the Tailor and the Barber were concerned, his appearance was all that could be desired. At that time all that the Liberals had ever done was wrong, and for a salaried officer to have a seat on the floor of the legislature, was the greatest corruption, and in attempting to prove his point, he twisted his arguments into all kinds of shapes. His political friends afterwards got up a question in connection with this, which produced an agitation which set man against man and friend against friend; but this cannot be said of the Tenant Union, for on the other hand, an immense deal of good was done by it, as it had the effect of allaying those angry feelings which the Conservative party had created, and united the people together in good will and harmony. The hon. member says that he will come to my District again and bring ex-Sheriff Dodd's letter with him, and that he will convince the people that I was wrong in joining that organization, but as the hon. member is a little older, and perhaps a little wiser than when he was there before, I think when he does come, that he will not bring Mr. Dodd's letter along with him. No doubt the hon. member would be well received, as would any gentleman with his education and polish, especially when he would be speaking, for there is music in his voice; but I must confess when he was there before, that I never heard any one say so much and prove so little, as he did on that occasion.

Dr. JENKINS.—Mr. Chairman, if I understood the learned Leader of the Opposition correctly, he said that I was fastidious when speaking of Mr. Arbuckle's power to write.

HON. LEADER OF THE OPPOSITION.—I referred to what the hon. member said about his capabilities for composition.

Dr. JENKINS.—I understood the hon. member to say that I was fastidious, and that his capabilities —

HON. LEADER OF THE OPPOSITION.—I did not express myself about the capabilities of Mr. Arbuckle.

Dr. JENKINS.—I will take the hon. members own words, he said that I was fastidious respecting Mr. Arbuckle's ability for composition. What I complained of was that his statistical summary was so incomplete that it was perfectly useless for any of the purposes for which it was intended, and if any hon. member can get a grain of information from it I will be willing to let him have the situation as long as the hon. member

wishes. As to the Reporters, I have not read the sheets yet, but if they are not competent I will be willing to let the box go round again. To show that I am not fastidious, I have never said a word against Mr. Backerfield, because, I believe he is a hard working man, and although I believe a School Visitors' Education and ability should vote pretty high, yet if I saw that Mr. Arbuckle was trying to give the information required of him, I would not have said a word.

Hon. Mr. HOWLAN.—Mr. Chairman, I am rather surprised that the hon. Leader of the Opposition has been so long in making the discovery that education has so much to do with the good of the country. The late Conservative Government undertook the task of amending the Free Education Act, but they were incompetent for the task and, as a consequence, blundered over it, pretty much in the same style as they did with the Land Question, and the effect of their amendment was such that it caused some of our most efficient teachers to quit the field, but as soon as the Liberals got in power again and the hon. the Leader of the Government was again in his former position, the Salaries of the Teachers were immediately raised to what they formerly were. An improved measure will be brought down by the Government which I have no doubt will receive the support of the hon. Leader of the Opposition. This paragraph has been pretty well discussed and I now think we may allow it to pass.

R. GORDON, Reporter.

Hon. Mr. DAVIES.—The hon. members of the Opposition want something new and extraordinary—some measure which will almost revolutionize the country, and they seem to be labouring under a little aberration of mind or some troublesome disease. When the Conservatives were in power they compelled the people to pay a part of the Teachers' salary and thereby crippled the "Free Education Act;" but the people protested against the pretended Amendment, and displaced the man who framed it. The hon. member for Murray Harbor (Mr. Prowse) has told us that the sum demanded from the people could not be collected. Why was this the case? Simply because the people wished the Teachers' salary to be paid out of the Treasury, as it was when the Free Education system was first introduced. There have been so many amendments made to the Act, that it has lately been almost impossible for the Trustees of our District Schools to understand it; this has been clearly shown by the hon. Leader of the Opposition, in his remarks on this subject. If a man has a very valuable fruit tree in his orchard containing a good many dead shoots, he will be careful to lop away all the dead wood without injuring the parent tree. He will also remove all the suckers which are absorbing the sap without benefiting the tree. So too, in the Education Act; we do not want to destroy the system, but to consolidate it, and make it simple and easy to be understood. I was surprised to hear the hon. member for Charlottetown (Dr. Jenkins) striking right and left at our Free Education system, which is one of the noblest monuments of the Liberal Government, and an honor to the Colony. I do not care the worth of a straw for the statements of a few newspaper scribblers who are striving to poison the minds of my constituents; they shall not cause me to deviate one step from my course. If I have contested several elections I think I should now

know the wishes of the people in regard to the Free Education system. We will remove the suckers from the Educational tree, and it will bring forth good fruit, which the youth of our Island may pluck and make use of. The Government will pay the teachers as much as the Colony can afford, and no more than that will be demanded by the people. We require a larger number of Grammar Schools to train our young men and boys for College, and therefore that class of schools must be encouraged and liberally provided for. With all their representations and great pretences, the Conservatives have not made the least improvement in our popular system of Education.

Hon. Mr. HENDERSON.—The Liberal and independent member for Charlottetown (Dr. Jenkins) somewhat surprised me by his remarks, some of which I am at a loss to understand, although we can generally understand each other's meaning when we meet elsewhere. He has been wounding right and left, expecting I suppose, that I would follow with a blister to remove the pain he has inflicted. The office of Trustees of the College is a most important and responsible one, for a large measure of the success of that institution depends on the exertions of the gentlemen who occupy that position. He has touched upon the subject of sectarian Schools, but had no idea of proposing separate schools. He has been trying to open up this matter, and yet he has been feeling his way cautiously and carefully, saying to himself "I am doing it in one way but not in another," that is, he is trying to bring up the question, but takes care not to advance his own opinions on the subject. I wish to see him act in a straight forward manner, without any hums and ha's about it. I hope he will give this Committee some stronger reasons than he has yet urged for the strange manner in which he has acted. He has attacked the School Visitor in a very unceremonious manner, and without provocation; for we know that that gentleman has forwarded the educational interests of this Colony not a little. His services for many years past has been directed in this channel, and he is perfectly competent to fulfil the duties pertaining to his office.

Dr. JENKINS.—I am glad to find that the School Visitor has a champion here to speak for him, for I do not wish to injure him as a private gentleman; it is in his public capacity as Inspector of Schools that I find fault with him. I wished to know why the present Government retained him in office, and as he has a defender here, I will ask him what his antecedents are, and what he has done to induce the Government to retain him in his present position. I believe he has been kept in office to appease the party to which he belongs, but for my own part, I could not conscientiously lend Mr. Arbuckle a helping hand. If the Government will state their reasons for retaining him in office, I shall be better satisfied than in hearing the hon. member for Murray Harbor defending him. He has been proved to be inefficient, not altogether from want of capacity, but chiefly from his great lack of energy. When the hon. member undertook to defend this incompetent Visitor he put his foot in it. He has attacked me for not promoting and encouraging reforms, because I was in a position to do so in my capacity of Trustee of the College; but I can assure him that nothing is easier than to be out voted by a majority. He is just as responsible for the actions of this hon. House as I am for the doings of the Trustees of Prince of Wales College. I wish to know whether the hon. Leader of

the Opposition accuses me of a lack of independence in holding office under the Government.

Hon. LEADER OF THE OPPOSITION.—I say it is a novel proceeding for an hon. member, to style himself an Independent member of this House while he holds an office under the Government.

Dr. JENKINS.—Although I am a nominee of the Government I do not receive a single sixpence from them, for the office which I hold is a mere nominal one. I can prove my independence notwithstanding the insinuations of the hon. Leader of the Opposition; but Mr. Chairman, we should stick to the question under consideration.

Hon. LEADER OF THE GOVERNMENT.—Now that these disputes have been settled, let us attend to the clause.

Hon. Mr. DUNCAN.—Mr. Chairman, my hon. Colleague stated that the people were in favor of paying the salaries of the teachers in full from the treasury. Now, Sir, I represent Belfast, which is one of the most intelligent communities on this Island, and I find that the majority of the people there, do not hold that opinion. I held meetings among them, and told them that the reason the late amendment was made, was, that parents did not take sufficient interest in the education of their children to keep up the daily average attendance required by law. I found by inquiry, that in Belfast, in five schools there were not children sufficient to form three schools. The people had seen the working of the amendment for a year, and even then, one half of them were in favor of it. I was surprised, for I was at that time, myself in favor of paying the whole of the teachers' salaries from the Treasury. I think the hon. member for Murray Harbor (Mr. Prowse) was right, and that my hon. colleague is wrong. The Government have rung their claims, and made a great noise about the Free Education Act; but I should rather see some improvements made than hear so much said about what has been already done. The teachers are at present very poorly paid, and I hope the Government will do something for them, for the revenue is much larger than when the Free Education Act was first introduced.

Hon. Mr. HOWLAN.—The hon. member for Belfast (Mr. Duncan) is very fond of advising the Government to do this and that; but he did not try to effect these improvements when he was a member of the late Government. What did that Government do when they were in power? They raised the taxes and increased the peoples' burdens, but accomplished nothing of importance for the good of the Colony. The hon. member thinks he is the best educated man in this country, and therefore, acts as "figure man" to the Opposition.

Hon. Mr. HENDERSON.—I would remind the hon. member for Charlottetown (Dr. Jenkins) that neither a Government nor an individual should be whipped on the back of another party. Every man should have an opportunity of defending himself.

Dr. JENKINS.—I gave the Visitor no more than he deserved.

Hon. Mr. DAVIES.—In my remarks concerning the Teachers' salaries, I spoke of the wishes of the people at the present time. The hon. members (Messrs. Prowse and Duncan) have stated that the people approve of the so-called amendment in the Education Act, which was made by the Conservatives. In all my intercourse with the people of Belfast, I never heard them express themselves in favor of it; but on the contrary, I have always

heard the Free Education Act, as introduced by the Liberal party, highly spoken of in all parts of the country. I believe that politicians on both sides of this House are satisfied that that Act is one of the greatest blessings enjoyed by this Colony, and that there is no system of Education in the other Colonies to be compared with it.

Mr. McLENNAN.—The paragraph under discussion is one of the most important in the Address. It must be admitted that there is great need of amendment in the Education Act, and I would have been better pleased if the Government had promised us something more definite on this subject. But, Sir, we have been left in the dark in this, as well as in many other important matters, and are obliged to wait sometimes one day and sometimes two, for the Government to bring forward quite a trifling matter. If they will bring in a Bill to amend the Education Act, I will be as well pleased as if they had promised it in the Address. I was told by no less a person than the "Finance Minister," that I was out of order, when I asked what the intentions of the Government were, in regard to the Act. There is one member of this House who turns every matter into one channel. I refer to the hon. member for Cavendish. Whatever the subject under consideration may be, the Tenant League comes in for a share of his remarks.

Mr. McNEILL.—I rise to a point of order. The statement just made by the hon. member is incorrect. The representative of a mere handful of electors, need not attempt to browbeat me in that manner. The district which I represent is one of the most populous and intelligent on the Island; therefore, it ill becomes him to act in the way he has done.

Mr. McLENNAN.—I have no desire to have an altercation with the hon. member. If the district which I represent is not very extensive, my constituents make up in intelligence what they want in numbers. Supposing I was returned by a small majority, if he went there he would not get half as many. The proper time to take up the details of our Education system is when the long talked of Bill comes before us. The allusion which the hon. member for Charlottetown (Dr. Jenkins) made to one of the School Visitors is foreign to the subject. If the Government do not consider the said Visitor to be efficient, they should dismiss him without so many remarks on his incompetency.

Mr. P. SINCLAIR.—The subject before the Committee is a very important one, and it is well to have it well ventilated before a Bill to amend the present Act is brought in. The amendment made last session gave general satisfaction so far as it went; but as that session was very short, there was not time to enter more fully into the subject. I understand from the Attorney General's remarks that no very material alteration will be made in the Act this year, but that it will be simplified and consolidated. I shall be happy to give the Government all the assistance I can, for this is a subject in which the country has great interest.

Dr. JENKINS.—I regret having to occupy so much of the time of this hon. House. The hon. member for Murray Harbor says that if I take up a matter I am inclined to shirk it afterwards, but I can prove that this is not the case. I was informed that certain schools in this Island were attended by Catholic children alone, and I wished the Government to inform this hon. House if such was the case; for I was prepared to give my vote to have these schools placed under the superintend-



ence of the Catholic Clergyman of the District in which they are situated. The hon. Leader of the Opposition says that he agrees with me on this matter, and that the Government should have made inquiry about these schools; but he turns round and says hear, hear, to the hon. member for Summerside when he opposes these opinions. I will defend any action I have done.

HON. LEADER OF THE OPPOSITION.—The hon. member should not be so thin-skinned, for he should remember that public men are public property. If he comes into this House and boasts of his independence he must expect to hear remarks not very flattering to him. I simply said that it was a novel axiom in politics for an hon. member to style himself independent, and at the same time to hold a Government office.

Dr. JENKINS.—I think I can explain this matter. My office is connected with my profession, and has nothing to do with the action of this House. I do not receive a salary from the Treasury, and if I had not been a member of the Legislature, I should have held office just as I do now.

Mr. BRECKEN.—My hon. colleague is a little austere. When I heard that he came out as a Liberal candidate for a seat in this House, I was not hard upon him, for I knew he would have trouble enough otherwise. I could tell him what he promised upon the hustings.

Dr. JENKINS.—I should be happy to hear it.

Mr. BRECKEN.—When the election was held it was agreed that he was to be a member of the Executive Council, but he found after his election that he was shut out from that position. He struggled with the party to which he belonged for ten long days to obtain a seat in the Government, but he found that they would not trust him. It matters not to him now whether his party is right or wrong; if he had not been a Liberal he would not have been appointed to the office at present occupied by him. As he belongs to that party, he is politically entitled to his office; but if there were other Liberals who were medical men, he would not hold his office long. The straightforward men who sent him here expect him to be able to answer all the charges brought against him. Why does he not, as one of the members for Charlottetown, hold a seat in the Government? He is, as one of the members of the city, entitled to it. When it was known that he was elected a member of this House the Liberals were in ecstasies; even the old women exclaimed in transports of joy, "the dear Doctor is in, the dear Doctor is in."

Dr. JENKINS.—My hon. colleague has occupied a seat in this House for six years, and I ask if he has brought forward a single measure for the benefit of his constituents. He cannot, consistently, twit me about my constituents till he does something for them. He always had a glib tongue, and could smooth a person with one hand, and when he had an opportunity would strike him with the other. Perhaps I am too thin-skinned; but I am not convinced that it was fair to attack me in my absence. As regards my office, I may now state that it is to inspect vessels when they arrive in port.

Mr. BRECKEN.—Will the hon. member press the question as to what I have done for my constituents.

Dr. JENKINS.—I was told that I had done more for my constituents in one year than he had done in four.

Mr. BRECKEN.—I do not set up my opinion against the judgement of this House, and it cannot be said of me that I squandered several hundreds of pounds in

making roads worse than they were before. There is no use in a man's working for mere work's sake; and since we have a highly intelligent constituency, when the people want anything they will ask for it. I did induce the late Government to give me a thousand pounds to build a new Market House for Charlottetown, and in asking for that grant I adopted the log-rolling system, first helping this member and then that, till I got help myself. I do not wish to boast of what I have done, but I succeeded in obtaining a grant from the late Government to build a Market House which is a credit to the Colony. This is more than the Doctor has done. He thinks he is a very unselfish man, and does not care for anybody or anything; but Dame Rumor says he applied for the office of Surgeon to the Lunatic Asylum.

Dr. JENKINS.—Dame Rumor told lies then.

Mr. BRECKEN.—I have been told that I will not be returned to this House at the next election. Perhaps so; but it is consoling to know that if that is the case, I will have company in my affliction.

Dr. JENKINS.—My hon. colleague has accused me of squandering the public money; to which I will only answer that I did my best in making good use of the sum appropriated, and time will tell whether I succeeded or not. At one time five hundred pounds were voted by this House for his District, but he and his late colleague laid out only two hundred, and did not take the trouble to find out where the money was most wanted, or how much was granted.

Mr. BRECKEN.—I will explain why that money was not at all expended, at another time.

Dr. JENKINS.—If I did my best to lay out the sum entrusted to me, to the advantage of my constituents, my hon. colleague is at least as guilty in that respect as I am, and has therefore no right to say that I squandered it. With respect to the statement that I applied for the office of Surgeon to the Lunatic Asylum, I distinctly deny doing such a thing; and he is mistaken here again, for the salary of the Surgeon is not paid by the Government, but by the Trustees of the Asylum, and therefore there was nothing to prevent me from holding that office, and at the same time retain my seat in this House. But I never had a greed for office; and besides that there is an old man holding that office whom I did not wish to displace. I was appointed Health Officer long before I took my seat in this House.

Mr. BRECKEN.—The hon. member has twitted me with having neglected the Road Appropriations. I took a little interest in making roads that I left the matter entirely in the hands of my late colleague, for I did not understand it. I said that the Doctor did not apply the money appropriated last year, to the best advantage.

HON. LEADER OF THE GOVERNMENT.—It is time to drop this matter.

Mr. REILLY.—Mr. Chairman, I should like to know what the Lunatic Asylum and all the other matters, just spoken of by the two hon. members for Charlottetown, have to do with the paragraph before us. I will not detain the Committee this evening as I am an economist of time. When the Education Bill comes down, I shall be prepared to give an independent vote upon it, but I shall not at present offer any remarks upon this subject. Although there are other subjects of importance to be brought before this House, I have come to the conclusion that this one surpasses them all, for it dives down to the very foundations of all human society. I reserve my remarks until the Bill is submitted to us.

The ninth paragraph of the Address was then adopted. The paragraph relating to the system of Road making was then read and agreed to. The eleventh paragraph was also read and agreed to.

The next paragraph, on Agriculture, was now read. Mr. HOWATT—Mr. Chairman, you are aware sir, that King's and Prince Counties were entirely neglected last year, in the appropriation for improved Stock. I hope that these counties will receive justice this year.

HON. LEADER OF THE GOVERNMENT.—This department did not receive a large grant last year as a part of the sum usually granted was appropriated for the purpose of holding an Exhibition for the whole Island. But the object of the Government was not fully carried out on account of a storm, which prevented the steamer from conveying the productions of the other two counties to Charlottetown.

HON. LEADER OF THE OPPOSITION.—Surely we shall have a speech from my hon. friend from the West (Mr. Laird) before this paragraph is carried through. I should like to know what state the Model Farm is in, and whether we shot many of the Stock at the Rifle competition last year.

HON. MR. LAIRD.—The Volunteers must have made a most effectual charge if the effect is yet to be seen. I know nothing whatever about the present state of the Farm, for the Report of the Committee has not yet been laid before us. After to-morrow I may let the hon. Leader of the Opposition know something about it.

HON. LEADER OF THE GOVERNMENT.—I do not think a single member of the community will complain of the grant given last year for the Exhibition.

The paragraph was then adopted.

The paragraph on the Local Exhibition was read.

HON. LEADER OF THE GOVERNMENT.—The other Colonies have annual Exhibitions and why should we not have them also. I believe that every one was well pleased with our Exhibition of last Autumn, and that it will stimulate all classes of our industrial population, and especially our farmers. The Drill shed was turned to good account; and we can turn the Drill sheds of the other Counties into Exhibition buildings also. People of all classes took a deep interest in the last year's Exhibition; and it is to be hoped that the next will be still more successful.

MR. MCLENNAN.—I agree with the hon. member for Tryon (Mr. Howatt), who is always on the look out for the interests of Prince County, that justice was not done for it last year. If the storm had not prevented, that County would have sent much to the Exhibition, and very probably would have carried off some of the first prizes. I hope the Government will be liberal to Prince County this year and that they will grant a sum of money for the purpose of holding an Exhibition there. When the Report comes up we will know more about the Exhibition of last year.

MR. REILLY.—As one of the members for King's County I must say that I quite agree with the hon. members from Prince County, for I know there was a great deal of dissatisfaction in King's County because there was not a Local Exhibition for that part of the country. It is to be hoped that the Government will do justice to the whole Island next time.

MR. HOWATT.—I wish to draw the attention of the Government to an Exhibition which was held in Crapaud last fall. Lady Hauning, the proprietor of that District granted a sum of money to enable her tenants to hold a Local Exhibition which I attended. It was a very

creditable affair and I believe if it was encouraged by a Government grant and extended to a wide range embracing all the adjacent townships that it would be the means of stimulating the industry of that part of the country. An exhibition could be held there annually at a small expense to the Government.

MR. CAMERON.—The Exhibition held in Crapaud last autumn was very creditable to the people of that district. I should be happy to see it extended to the whole of Prince County by assisting it with a grant from the Revenue.

The last paragraph was then passed. The Committee rose and the Chairman reported the Address as amended, agreed to.

House adjourned.

I. OXENHAM, Reporter.

FRIDAY, March 13th.

At 4. 15, p. m., the members of the Legislature waited on His Excellency with the Address, and on their return, the Hon. the Speaker read the reply, which is as follows:—

*Mr. Speaker and Gentlemen of the House of Assembly:—*

I thank you for your Address, and for the assurance which it affords me that you will give your careful consideration to the subjects to which I have alluded at the commencement of this Session.

The Leader of the Government delivered a message from His Excellency, transmitting certain despatches, and moved that the said documents be now read. The despatches were then read by the Clerk.

It was moved that the House do now adjourn.

The Hon. Leader of the Opposition said that before adjourning, he would like to call the attention of the House to the state of the Parliamentary Reporter. The sheets which were issued contained a great many errors. Members of the Government contended that all reporters were liable to make mistakes, and those who were inexperienced in the matter and unacquainted with parliamentary phraseology could hardly be expected to report everything correctly. Members of the Government expressed their desire, to see the speeches of members of the Opposition correctly reported. During the debate Mr. Brecken charged Hon. Mr. Davies with having denounced the late Reporters for not acting impartially. Hon. Mr. Davies said, in reply, that he would take the present opportunity to state, that when speaking on the appointment of reporters some days ago, he had inadvertently pronounced Mr. Laird a partial reporter. He had done so not with the view of injuring Mr. Laird, but to defend Mr. Gordon from the charge of incompetency urged against him by hon. members of the Opposition. He some time ago received a communication from Mr. Gordon, stating that he had, as reporter, handed in to Mr. Laird several speeches which were not published, and that one of these contained his (Mr. Davies's) opinions spoken in Committee on the Land Purchase Bill, and as he was aware that his opinions on the Tenant League question were also omitted, he thought the conduct of Mr. Laird was open to reflection. He would leave the matter to be settled by the reporters, Mr. Laird and Mr. Gordon, and would lay Mr. Gordon's complaints before Mr. Laird, when called upon to do so. Under the circumstances, he would withdraw the charge of partiality which he had preferred against the late reporters.

House adjourned.

MONDAY, March, 16th

*Morning Session.*

The Hon. Attorney General presented a petition from the Settlers on the Selkirk Estate, and also the opinion of the Crown Law Officers thereon, and moved that they be now read.

The petition was then read by the Clerk.

The Hon. Leader of the Opposition suggested that there was no necessity for reading the Crown Law Officers' Report, as it had appeared in print.

Said documents were then laid on the table.

Hon. ATTORNEY GENERAL presented a Bill to amend the Land Purchase Bill. The provisions of this Bill are, that when a Government shall ascertain, by reference to the Land Commissioner's accounts, that a sufficient amount has been paid to make any estate self-sustaining, they shall instruct the Commissioner of Public Lands not to demand the instalments due from those who have paid a sum equal to their full share of the amount required to make the estate self-sustaining; and also to make a return to those who have paid more than their full share. Those who have not yet paid their full share, are to continue paying their instalments until such amount shall be paid. The Government is also to have full control of the Wilderness land. This Act refers to Estates which are or shall hereafter be purchased.

Received, read, and ordered to be read a second time to-morrow.

Hon. ATTORNEY GENERAL gave notice that to-morrow he would move for a supply to Her Majesty.

Hon. ATTORNEY GENERAL introduced a Bill to repeal the Act now in force regulating the rate of interest, and remarked:—This Bill has been brought before the House every year for the last three years, and on each occasion it has been thrown out by the upper branch of the Legislature. In England, the Australian Colonies, and various other places, no laws exist for regulating the rate of interest, and I do not see why there should be any on this Island. It is hard that persons will not be allowed to take more than a certain rate of interest when money is as much an article of barter as anything else. The effect of a Usury Law is to drive capital out of the country, for capitalists will take their money to a place where there are no such restrictions.

Ordered, that the said Bill be read a second time to-morrow.

House adjourned for one hour.

*Afternoon Session.*

Hon. LEADER OF THE GOVERNMENT submitted the Report of the Commissioners appointed to carry into effect the intentions of the Legislature with respect to the Industrial Exhibition.

Read and laid on the table.

Mr. HOWATT introduced a Bill to amend the Militia Law, and moved that it be now read the first time. He gave as a reason for introducing this Bill, that persons in the country were subjected to great inconvenience on account of being called out to drill in harvest time and other busy seasons of the year.

Hon. LEADER OF THE OPPOSITION said: he had never heard of a Militia Bill being introduced by a member of

the Opposition, or a member on the independent benches.

Hon. ATTORNEY GENERAL.—Although the Government generally introduce such Bills, yet there is no positive rule that members on the opposite side of the House should not do so. With the sentiments expressed by the hon. member for Tryon (Mr. Howatt) I entirely coincide. Drilling should be performed with as little inconvenience to the people as possible.

Hon. ATTORNEY GENERAL.—Pursuant to notice in the order book, I wish to introduce a Bill to settle the salary of the Attorney General and Solicitor General. It was always understood that the £350 which the Attorney General received as his salary, was all that he could claim for services performed by him in his official capacity. Last year a claim was made by an ex-Attorney General for work performed by him in drawing plans for Bridges, Wharves, &c. The Court decided that such work was not included in the official duties of an Attorney General, and gave a verdict in accordance with that decision. I maintain, and others maintain, that the construction put upon that Statute by the Court was not correct. I have always been of opinion, and the practice of fifteen years has confirmed me in that opinion, that the Attorney General should not claim anything over £350. When the Act was passed I believe it was the intention of the Legislature that that sum was to be the full amount claimed for all services performed. The object of this Bill is to remove any doubt on this subject. The late Government were never called upon to put any construction on this Act; but had they been called upon to do so, I think they would have put the same construction on it that the present Government have. In order to allow the House to express an opinion on this subject, I beg leave to move that this Bill be now read a first time.

Mr. BRECKEN.—I entirely agree with what has fallen from the Attorney General. It is absolutely necessary that all doubt on this subject should be removed.

The Bill was then read by the Clerk, and ordered to be read a second time on Wednesday.

Hon. ATTORNEY GENERAL presented the Report of the Committee appointed to enquire into the purchase, classification, results of sale, &c., of the Selkirk Estate. From the Report, it appears that the Estate cost the Government £9918 0s. 9d., and that it was priced to realize £21890 7s. 8d., including 20 per cent on the arrears of rent. It was afterwards priced to realize £15145 2s. 6d. independently of what would be obtained from 20,000 acres of wilderness land. On the 31st January, 1867, the amount paid to the Commissioner of Public Lands by the settlers on that Estate was £11889 17s. 10d. The Report recommends that only seven of the ten instalments be exacted from each purchaser, and that those who have paid more than that amount should have the surplus refunded. More liberal terms should also be given to persons who would purchase wilderness lands now in possession of the Government.

TUESDAY, March 17,

*Morning Session.*

Mr. HOWATT.—I do not know whether it is exactly in order, but I wish to ask the Government a question in reference to some petitions that were sent in from Crapaud. The people are very desirous of having a

public place—large quantities of produce are annually shipped there.

Hon. LEADER OF THE GOVERNMENT.—This is not the proper time for the hon. member to make a speech on the subject. He rose to ask a question.

Mr. Howatt then gave notice that he would ask the Government for information respecting this matter.

Mr. G. SINCLAIR.—I think the hon. member is a little too fast in asking a question of this kind at the present time. He should wait until the Government bring down the Estimates for the current year, and then ask them what they had done in reference to this matter.

Mr. HOWATT.—I disagree with the remarks of the hon. member from Princetown (Mr. Sinclair). When the Estimates come down it may be too late—perhaps they cannot be changed.

Hon. LEADER OF THE GOVERNMENT.—The hon. Attorney General gave notice that he would to-day move for a supply to Her Majesty. As he is unwell and unable to attend, I would therefore move for this supply.

The question being put by the Speaker was carried.

The Hon. Leader of the Government presented the Classified Accounts for the past year:—

Receipts of the past year,	£78025	18	9
Expenditure,	73962	15	10

Balance,	4063	2	11
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The receipts of the year 1866 exceeded those of 1867 by £17416 18s. 4d; but even a greater decrease was expected when the Government made up the Estimates. There is a deficiency in the Impost duty of £13971 16s. 5d.; and in the receipts of the Land Office of £2941 12s. 11d. The revenue derived from other sources is nearly the same as it was last year.

Ordered that these Accounts be referred to the Committee of Public Accounts.

Hon. LEADER OF THE GOVERNMENT remarked that as the Bills which were to be brought before the House to-day, were introduced by the hon. Attorney General, it would not be well to have them discussed in his absence.

House adjourned.

WEDNESDAY, March 18.

Morning Session.

Mr. P. Sinclair moved for leave to introduce a Bill to amend the Act now in force for the due observance of the Lord's Day. In the Act now in force there is a provision that fresh fish may be offered for sale during certain hours of the Sabbath. As undue advantage might be taken of this provision, he thought it expedient to bring in a Bill to prevent fresh fish from being offered for sale at any time on the Lord's Day. Received and read.

Ordered to be read a second time on Monday next.

Hon. Mr. Howlan asked leave to introduce a Bill to alter and amend the Act regulating the sale of wilderness land, and remarked: It appears that the Government have at the present time 130,000 acres of wilderness land, and according to the provisions of the Act, any person purchasing such land is obliged to pay down twenty per cent. of the purchase money. When the lands were in the hands of the proprietors they induced people to settle by letting them have farms free of rent

for some years, and the Government would do well to follow their example in this respect. When a poor man has to pay down twenty per cent. of the purchase money of his farm, and provide sustenance for himself and his family, he is left without means to make improvements on his farm. If these lands were all occupied, the Government would have a large number of consumers, and thus the revenue would be greatly increased. The Government bought these lands, not for the purpose of retaining possession of them, but of transferring them to the people to whom they originally belonged. A man spends twenty or thirty years on a farm, and he has to support and educate his family out of the proceeds of it. He may have five or six boys, and he is then obliged to procure farms for them, and the money which should be employed in enriching his own farm, is taken for that purpose. We find that a great many young men leave our Island, and seek employment elsewhere; but when we have so much unoccupied land, some means should be employed to induce them to settle here. In some places farms are subdivided or split up into lots of twenty-five or fifty acres each. This Bill will also have the effect of inducing persons from other places to settle here. The Bill provides that the settlers shall have the land free for seven years, and afterwards pay the amount in ten yearly instalments. The Bill further provides that each settler shall build a house of the value of at least twenty pounds; and clear at least one acre a year for the first seven years. If these conditions are not complied with, the Government is again to take possession of the farm. There might be cases where parties would take up this land for the purpose of speculating upon it. They might take a farm, strip it of its timber, and then leave it, and this provision is to prevent them from doing so. In the western portion of the Island, there is a great deal of timber land, and if this land was stripped of its timber, it would be comparatively useless to the settlers, for on this they have to depend in a great measure for several years for subsistence.

Bill received and read.

Ordered to be read a second time on Friday.

Hon. Mr. Kelly presented a petition from certain inhabitants of Lots 35, 36 and 37, showing that they suffered great loss by the repeal of the Act for the protection of the Alewives fishery, and praying that this Act be renewed. The following persons were appointed a Committee to report on this petition:—

Hons. G. Howlan and F. Kelly, Messrs. Reilly, McNeill and McCormack.

The Hon. Attorney General presented a counter-petition on the same subject, which was ordered to be referred to the same Committee.

On motion of the Hon. Attorney General, the third order of the day was taken up, viz: the second reading of the "Bill to amend the Laws establishing the salaries of the Attorney and Solicitor General," and the House resolved itself into a Committee of the whole on the subject.

Hon. Mr. McAULAY.—This Bill has just been read a second time, and you are now going into a Committee of the whole House upon it, thus leaving no time for any member to recommend any changes in the Bill if he should think proper to do so. This motion conflicts with the 26th standing order of the House.

Hon. ATTORNEY GENERAL.—Did the hon. member

for Georgetown, when occupying the Chair, enforce this rule. It has been the practice in this House to move for a second reading, and then go into Committee at once. I hope the hon. member will withdraw his objections, unless he wishes to change some clause of the Bill.

Hon Mr. McAULAY.—I merely wish to draw your attention to the matter at issue. What is the use of having a standing order if we disregard it. In the event of any member wishing to add a clause to that Bill, he would not have an opportunity of doing so, if the House went into Committee at once on the question.

Hon. LEADER OF THE OPPOSITION.—There is no doubt but that the principle laid down is a correct one; but it has been the practice in this House to go into Committee immediately. When a Bill is under consideration of a Committee, it may be changed, and on this account a Bill never receives a name until it comes to the third reading. That Bill might possibly come out of the hands of the Committee, with quite a different name. It is right that twenty-four hours notice should be given, so that you may not take any member by surprise.

Hon. ATTORNEY GENERAL.—It certainly would be a very inconvenient practice to carry into effect, and unless the hon. member has some amendment to move, I must express my surprise at the objection which he takes to this motion, for a few days ago he was complaining that there was nothing to do. It has been the practice here, that immediately after a Bill has been read a second time, the House should go into Committee on it. It is very well that this rule to which the hon. member has referred, should be strictly adhered to in the House of Commons of England, but in a small House like this, there is no necessity for it.

Hon. Mr. McAULAY.—The observation of the hon. Attorney General, seems to favor the idea that it is better to do evil than be idle. Now, Sir, the impediment which stands in the way of your putting that question, is the 26th standing Order, and the only way to get over the difficulty is to suspend that order. I do not intend to impede the Bill. It is well known that lawyers are very fond of money, and it is well to have the law so strict, that the Attorney General cannot claim more than he is entitled to. It is an Act of generosity, on the part of the Attorney General to move this Bill, but it is as much as to say, that he cannot trust to his own integrity. (Laughter.)

On motion of the Hon. Attorney General, the twenty-sixth standing Order was then suspended, and the House went into Committee on the question.

BALDERSTON, Reporter.

#### Afternoon Session.

House went in Committee of the whole on the Bill to amend the Law relating to the salaries payable to the Attorney and Solicitor General. Mr. G. Sinclair in the Chair.

The Bill was read clause by clause, when Mr. Speaker took the chair, and the Chairman reported the Bill agreed to.

#### LAND PURCHASE ACT.

On motion the title of the Bill to explain the Land Purchase Act was read, when,

Hon. ATTORNEY GENERAL remarked, that as several hon. members who felt an interest in the Bill were absent, he would move that it be made the order of the day for to-morrow.

Hon. LEADER OF THE OPPOSITION.—Before this question is considered, Mr. Speaker, I will merely say, that the motion has taken me by surprise, for I certainly think that a Bill of this nature which will effect the purchasers of the Worrell, Cunard and other estates, as much perhaps as those on the Selkirk property, ought not to be brought forward so hastily. It is an important measure, and one that is, perhaps going to give quite a different construction to the whole of the Land Purchase Act, than the one usually given to it, and, therefore, I thought it would be allowed to remain over for some time; of course this is the proper and constitutional time according to the contemplated action of the Government, to go into its consideration.

Hon. ATTORNEY GENERAL.—I am willing to extend the time, if the learned Leader of the Opposition desires it.

Hon. LEADER OF THE OPPOSITION.—No, I do not say that I am opposed to going into the consideration of the Bill at the time mentioned by the Hon. Atty. General, nor am I going to say that I am opposed to the constitutional principles of the Bill; but, I believe much might be said about the construction of that clause which relates to the self-sustaining principles of the Act, and I am of opinion also that a very strong argument could be advanced to shew that the Government might with propriety, open a debtor and credit account with each estate, in which an account of the sales and receipts of each should be kept, and that what would be gained on one purchase, might be placed to the credit of another. As regards the construction of that section of the Act which relates to its self-sustaining principle, and which appears to be one of the principal points that is disputed, a good deal could be said by professional men on both sides. I do not say that the published opinion of the Atty. General is wrong, but, I believe that as strong an opinion on the opposite side could be advanced. It might be said, for instance, that one estate was bought at a price which would render it impossible for the Government to make it self-sustaining; and we know that such has been the case with the Worrell Estate, while another might be purchased so low, that without imposing a high price upon it, it could be easily made to yield a considerable sum more than it cost. In such a case, would it be wrong that the gain from the one estate should go to the other, and thus make not one estate, but the Bill a self-sustaining measure? I merely mention this to shew that the arguments are not all on one side, nor will it do to take the meaning of the Act from any other section, but from the four corners of the Bill; and there are doubts on my mind, too, whether it was not the original intention that the Bill as a whole should be self-sustaining, but I do not intend to oppose the measure, or object going into committee on the Bill.

Hon. LEADER OF THE GOVERNMENT.—I am of the opinion, Sir, that it would be very difficult for any Government to manage matters, so that the Bill as a whole would at all times be self-sustaining. I am satisfied, it

would be impossible to do so. It would also be a difficult task for any Government to keep the accounts arranged in the way indicated by the hon. member, as such a mode of doing business would keep the Land Office in one continuous round of trouble; and, therefore, I think, it is much better to allow each estate to stand by itself, than to adopt the plan indicated by the hon. and learned Leader of the Opposition. One estate might be bought at so high a price that it would be utterly impossible to make it cover the cost and other expenses, and in such a case, I think, it would be better to let the loss be borne by the Colony, than to place it upon an estate bought under more favourable circumstances, and as this is the first time any difficulty has arisen under the Land Purchase Bill, I consider it better to settle the point in dispute now, and thereby avoid similar mistakes in the future.

**HON. ATTORNEY GENERAL.**—With respect, Sir, to the principle, that the Land Purchase Act as a whole should be made self-sustaining, I believe, it is a rule that could not be made to work advantageously. It would, no doubt, apply to the Selkirk Estate, as it was purchased at a much more reasonable price than some others, but the moment you commence to apply this principle to all estates purchased under the provisions of the Bill, you will begin to create untold, and numerous difficulties that will ultimately quite defeat the chief object of the measure. Suppose, for the sake of argument, that the Selkirk Estate was purchased first, and that three weeks afterwards another estate was bought at a much higher rate, would it be just or reasonable that the estate which was bought a few weeks before the other, should be made to pay the loss incurred in the purchase of the last? I cannot see that there would be any reason or justice in any Law which would require, that an estate that was bought lower than another should be priced higher than it cost, in order to meet the deficiencies on one that could not be made self-sustaining. The Government might purchase an estate upon which a loss of £500 might be sustained, and if so, would it be right to turn over this probable loss to an estate which had been purchased for a lower sum, and thus make the self-sustaining purchase meet the deficiencies of the non-paying one? If the Act as a whole is to be made self-sustaining, then there must of necessity be a re-pricing of all the estates which have been purchased under its provisions. In laying down a rule like this, a good deal would have to be considered. The Selkirk Estate was bought at a price, which, as resold to the Tenants, would yield more than it cost, and it does appear to me, as fairer and much more reasonable to remit the overplus to the people, than to place it to the credit of some other estate. Again on one estate the land might be sold to the people for ten shillings an acre, but in order to make the Bill self-sustaining the price would probably have to be raised to fifteen shillings; now if this would have to be done, or by law could be exacted, then where would be the benefit of the purchase by the Government to the people on the former estate?

**HON. LEADER OF THE OPPOSITION.**—I did not say that the opinion of the hon. Attorney General was wrong.

**HON. ATTORNEY GENERAL.**—The more the arguments of my learned friend are considered, the more inconvenient they will be found to be. The Government has no wish to provoke litigation on this subject; and, therefore, introduce these amend-

ments. It is the duty of the Government to see that the people are secured and protected in their rights, and to attain that object this measure is now introduced. I differ entirely from the opinion of the hon. Leader of the Opposition, for I think that any other principle than the one we have adopted, namely, that each estate be kept by itself, with the understanding that when it cannot be sold at a price which will cover cost and charges, that the loss must be charged to the Colony and not to another estate. Any other course would be unjust, and any other rule of action would render the Land Purchase Act of no benefit to the country. To adopt the plan suggested by my learned friend, would require the estates to be priced over every three months and lead to endless difficulties. There may be a difference of opinion, and doubtless there is on this point, or the question would not have arisen.

**HON. LEADER OF THE OPPOSITION.**—If a certain number of words had, in the first place, been inserted in the ninth clause of the Act, the amendments now introduced would not have been required. Had the words, "Each of the estates purchased shall be made self-sustaining," no difficulty would have arisen respecting the meaning of the Act.

**HON. MR. DAVIES.**—Sir, this Bill is brought in to meet a difficulty that has arisen out of the construction of the Land Purchase Bill, as the meaning of the Act is not as clearly defined as it is desirable that it should be. When the Bill was brought in the first instance, there were several who entertained the idea that Escheat should be pressed upon the Legislature, with the object of establishing a Court of Escheat where the titles of the Proprietors should be tested, and it was in consideration of bringing in this measure that these opinions were abandoned. It was considered that, as Escheat was regarded by so many as impracticable, that this Bill would be very generally accepted by the people in lieu of it, as it was thought that under its provisions a compensation could be given to the Proprietors, and an opportunity afforded to the people to purchase their farms on fair and equitable terms. It was understood that the Government would step in as an agent for the people and buy up the estates from the proprietors, and re-sell them on fair terms to the people, and that each estate purchased should, as near as possible, be made self-sustaining, and no more; nor do I think that any one then thought that the Government was to attempt to make money by these purchases out of any portion of the people. It would be wrong to do so. Now, Sir, I stand here as an agent for my constituents, and this House is an agent, so to speak, for the whole Island to see that even-handed justice is extended to every part of it, and the amendments now introduced is intended to see that this is done to all parts of the country. It is unnecessary for me to enter fully into this matter, as this is so fully done in the published opinion of my learned friend, the Attorney General, which I am sure will give very general satisfaction to my constituents, and to the country generally; but I will, Sir, briefly refer to the opinions held by the Escheat party at the time this Bill was first introduced, which were, that such estate should be made self-sustaining, without entailing a loss upon the Colony; but I, for one, never thought that this could be done. If, for instance, to maintain the peace and happiness of the country the Government should at any time deem it advisable to buy out an estate at a very high price, would it not be much better

to do so than to send for troops to maintain law and order, at a cost that would purchase thousands of acres? Would it not be better to pay, in some instances, a high price than to be expending thousands of pounds in the erection of a useless Barracks? And if an estate was thus purchased, I do not think it would be just that those people living upon it should be made to pay this large price, in order that the estate might be made to realize what it cost. Would it not be much better, and more for the permanent interests of the whole country, to sell it at a reasonable price to the people, and charge the loss to the Colony? I believe that if, under any circumstances, the land should, unfortunately, happen to be purchased by the Government at too high a price, that it would be the duty of that same, or any succeeding Government to sell it at a lower rate than it cost, on the principle that it is wrong to make one man pay for the bad bargains of another. The terms upon which the Selkirk Estate were sold to the people, if enforced, will make that property yield considerably more than the cost and working expenses, and these amendments are introduced to enable the Government, as the true and faithful stewards of the people, to remit to the purchasers the amounts they may pay over and above the whole cost to the Government for their lands; and when the affairs of an estate are wound up, and it is ascertained that an overplus is to the credit of that estate, that the Government may have power to refund it to the several parties by whom it was paid in, and I am happy to hear the learned Leader of the Opposition say that he is not going to oppose the measure.

Mr. HOWATT—I do not agree, Sir, with the sentiments expressed in all the speeches just uttered, hon. members speak about the equity of the principle contended for, but Sir, in arriving at an opinion, we must not confine ourselves to the results of one estate. The intention of the Law was that the Act should be self-sustaining, as was said by the hon. Leader of the Opposition, and not that one portion of the people should be made to bear the burdens of another. How is it to be on an Estate where the Proprietor will not sell? Are these people to continue to pay rent, and also to bear their full share of the loss incurred by the Government on estates upon which a loss may take place? The Selkirk Estate must be rather a happy place to live in just now, for there seems to be a great many who feel an interest in it; but is there no wilderness land in that part of the country? If the law means that the whole estate is not to pay more than it cost, how is the government to ascertain this until the wilderness land on it is all disposed of, and the pay received? I must hear some further arguments, and have fuller information on this subject, before I can decide how to vote in the matter.

Hon. Mr. HENDERSON.—The hon. member for Crapaud enquires, how the affairs of an estate can be wound up until it is all sold and the money received? But Sir, if the settlement of this question is to be left open until this is accomplished it will lead to other and more serious difficulties. It would in my opinion, do more injury to suspend the final pricing of the land until the whole is sold, than to put a fixed price upon it at once. To wait until the whole is sold would lead to many difficulties; therefore it is much better to settle the matter now, that is, so far as this can be done by safe and just legislation, than to defer the matter any longer.

On motion it was agreed that the Bill be submitted,

to a committee of the whole House to-morrow. When House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

THURSDAY, March 19.

*Morning Session.*

Hon. Attorney General moved that the first order of the day be taken up, viz: the second reading of the "Bill to amend the Acts now in force, regulating the rate of interest, and to make some provisions on the same subject," and remarked: As the law now stands persons cannot take more than six per cent., when security is given on real estate. It was formerly the law that no more should be taken on any security; but the provisions of the law were relaxed with respect to all other securities, except those on real estate. I am quite sure that hon. members are very well aware that the law is evaded in every shape and form, and it is almost null and void. Various opinions are entertained on the subject, whether the rate of interest should be regulated by statute or not. Of course, if the Usury Law is abolished, any rate of interest may be taken, and I think it is right that it should be so, when persons are allowed to charge what percentage they think proper on every other description of goods. The rate of interest varied from time to time. In the reign of Henry VIII. the rate fixed by law was ten per cent. Then again in the reign of Edward VI. another statute was passed, and it has a very strong Preamble, which it may be well to read, to show the opinions which the people of that time held upon this subject:—

"The Act against usury, 5 & 6 Edward VI., cap. 20, referring to the preceding Act of Henry VIII., states in the preamble 'The which Act was not meant or intended for the maintenance and allowance of usury, as divers persons, blinded with inordinate love for themselves, have and do mistake the same, but rather was made and witnessed against all sorts and kinds of usury, as a thing unlawful, as by the title and preamble of the said Act it doth plainly appear; and yet, nevertheless, the same was, by the said Act, permitted for the avoiding of more evil and inconvenience, that before that time was used and exercised:—But forasmuch as usury is by the word of God utterly prohibited as a vice most odious and detestable, as in divers places of the Holy Scripture it is evident to be seen, which thing, by no godly teachings and persuasions can sink into the hearts of divers greedy, uncharitable, and covetous persons of this realm, nor by any terrible threatenings of God's wrath and vengeance, that justly hangeth over this realm, for the great and open usurie therein daily used and practised, they will forsake such filthy gain and lucre, unless some temporal punishment be provided and ordained in that behalf.' The Act, therefore, proceeding upon this accurate and judicious view of the subject, prohibits, under any pain of imprisonment, fine, and ransom, the taking of any interest whatever."

Thus we see that in the reign of Edward VI. they took what they thought the scriptural view of the case, and they thought that the heart of man was so perverse that nothing but pains and penalties would prevent him from taking interest. But it was found "that this Act had not done so much good as it was hoped it should," and therefore, the Act was repealed, and the prohibition of 37 Henry VIII. against taking more than ten per cent was revived. The rate of interest was subsequently reduced to six and from that to five per cent. Usury is a very harsh term. It was laid down by Lord Commissioner Eyre that "usury is taking more than the law allows

upon a loan." But then arises the question whether or not the law should put any restrictions upon it? If interest is to be taken at all, should the State interfere with it, or leave it to be settled between the parties? The Usury Law has been repealed in England, Canada, Nova Scotia, New Brunswick, and other places. We know that a high rate of interest attracts capital to a country; but if we have a lower rate of interest than our neighbors, instead of a capital flowing into the country, the reverse will be the case—the capitalists of our country will go elsewhere to invest their money. I can see no good reason to make any difference between landed security and any other kind of contracts. The question is whether this matter should not be left like all other kinds of mercantile transactions to be settled between man and man. A man buys a barrel of flour and puts what profit he likes on it, and why should he not be allowed the same freedom in trading with his money? It seems to be the general idea now that all restrictions should be done away with, and parties left to make their own bargains.

**HON. LEADER OF THE OPPOSITION.**—I rise, Mr. Speaker, to second the motion of the hon. Attorney General, and I must say I congratulate him on the able manner in which he has out-generated my hon. friend from Tryon (Mr. Howatt)—the Bill has been read a second time without a dissenting voice. I fully agree with all that has fallen from the lips of the hon. Attorney General on this subject, for I believe that money should not be shackled and tied down any more than a bale of cloth on a shopkeeper's shelf. I never could see the reason why a capitalist should not get the same profit for his £100 of gold, as if he invested the same money in any other business. I had the honor, Mr. Speaker, of putting in the small end of the wedge to overturn the Usury Law when, some twelve or thirteen years ago I introduced a Bill to provide that more than six per cent. could be claimed on personal contracts, where the time did not exceed twelve months; and afterwards the time was extended to three years. In England, Sir, you are aware the Usury Law has been wiped off the Statute Book, and money is there as free as any other article of merchandiss. We are aware that many persons look upon the paying of usury as something morally wrong. There was a school of Divines that promulgated the opinion that no interest should be taken for money. The Jews were forbidden to take interest from one of their own nation, but there was an express provision in their law that usury might be taken from strangers, thus showing that the restriction was made on political grounds only, for had it been morally wrong to receive usury, it would have been just as bad for them to take it from a Philistine, as from one of their own countrymen. It has been laid down by Aristotle, as an argument against taking usury, that money is barren, it can not be made to fructify; but you might say the same of a barrel of flour. It seems to be the spirit of the age to take away every obstacle from commerce. A great many persons who are unwilling to charge a higher rate of interest than the law allows, will not let their money on landed securities at all; and this leaves a monopoly in the hands of a few, whereas if the law was left open, it would bring a great many more into the market, and money would be obtained at a cheaper rate than it is at the present time, and farmers, who are the principal

borrowers, would have greater facilities for getting loans without giving their notes at three months in the Bank, a practice which they find to be very inconvenient, and I do not think the money lenders would ask more than the present Bank rates for their money. But I suppose we shall have opposition to this Bill, as I see my hon. friend from Tryon (Mr. Howatt) is getting buttoned up for the battle.

**Mr. HOWATT.**—I suppose, Mr. Speaker, if we are going to war we had better be at it. I am one of those who differ from the hon. Attorney General and also from the hon. Leader of the Opposition. The argument of the last speaker appears to be that under the present Act persons can get a higher rate of interest than six per cent. Now, I would ask, if this be so what more is wanted? I cannot see the necessity for any more legislation on the subject. I understood the hon. Leader of the Opposition to say that there was every facility for evading the law; if so, then why do they persevere year after year in trying to get it repealed.

**HON. Mr. KELLY.**—The Hon. Attorney General has been pleased to inform us, Sir, of the salutary pains and penalties enacted by the Statutes of King Henry VIII., and others who succeeded him, against usury and extortion in all its phases, and which I have been much pleased in hearing, as it would seem he (Henry VIII.) was then in his sober senses, and is said to have been both a Scripturalist and a Theologian. But the hon. Leader of the Opposition wishes us to believe that the taking of usury has not been forbidden in the Old Testament except by the Jews from their brethren. I am willing to admit that the hon. and learned member's judgment is very good on most difficult matters, but it does not appear to be so on the Sacred Scriptures. I think, Sir, it will be found in both the Old and New Testaments, that usury and extortion, which are nearly synonymous terms, are in many places strongly condemned, and shown to be wholly irreconcilable with the laws of God. When our forefathers, a century ago, deemed it expedient to enact penalties against this evil, I think we have every right to respect their wisdom on that score. It has been stated that this Bill will very much benefit farmers in the country, by enabling them to raise money on their farms by mortgage, at seven and a half per cent. I can assure you Sir, that the number of money lenders who charge only seven and a half per cent. is very small; a far greater number will be found to charge twenty or thirty per cent., and when a farmer gets his farm encumbered with a mortgage bearing interest at that rate, he will never be able to redeem it in ninety-nine cases out of a hundred.

**HON. Mr. LAIRD.**—I think that the principle laid down by the hon. Attorney General is a sound one—that money has a perfect right to rise and fall in value like anything else. If a man does not think money is worth a certain percentage, he is not obliged to take it. If there never had been any law regulating the rate of interest it would have been perfectly right; but as such a law has been in force, it might inconvenience to have it repealed at once. I would therefore, move that a clause be inserted in the Bill, that the law do not come into effect for twelve months from the passing thereof.

**HON. Mr. HENDERSON.**—Mr. Speaker, as I am one who had to deal with this question in the other branch



of the Legislature, I may be allowed to speak a few words on the subject. When the Bill was brought before the Legislative Council, I opposed it, not so much as a question of principle, but as a question of time, particularly with reference to the tenantry. At that time a measure was brought in to supplement the Fifteen Years' Purchase Bill. This Bill authorized the Government to lend half the purchase money to any tenant who would purchase his farm at a price not exceeding 16s 8d per acre; but it did not authorize the Government to lend any portion of the purchase money if the price exceeded that amount. It appeared to me, therefore, that to pass such a law at that time would be virtually to relieve the tenantry, on the one hand, from the leasehold system, and on the other hand to give them over to the money lenders, that it would give the money-lenders a decided advantage over the tenantry. But as a general rule, I very much agree with the opinions of the hon. member from Bedeque (Mr. Laird),—that if it be not permitted to come into operation for twelve months, it will give all parties an opportunity of settling up their affairs. The theological aspect of the question has been referred to by members on both sides of the House. I may remark that under the Jewish dispensation, the creditor was not only allowed to take possession of the lands of his neighbors, but he was actually permitted to take his person as a slave. I believe the intention was to keep the people from making to free with their property, and oblige them to obey the maxim, "Owe no man anything."

Mr. PROWSE.—I do not, Mr. Speaker, object to the principles of the Bill, for I believe that money, like any other commodity, should be left unrestricted. I agree with what the hon. member for Bedeque has said, that some time should be allowed before the Act comes into operation; but I think it would be better to extend the time to two years. There is another thing in connection with lending money on landed security that has not been referred to, and it is this, if a man borrows £100 and gives security on his property, he is obliged to pay three or four pounds for writing and recording the necessary legal documents, so that in reality, he has to pay nine or ten pounds instead of six, for the loan of a hundred. I think that while this question is before the House, something might be done to lessen these costs. When money is borrowed from a Bank there is no expense in this respect.

Mr. P. SINCLAIR.—The question before us is one which concerns us all, as it refers to money matters. A great many money-lenders at the present day, take as much for their money as they think proper, and those who are too scrupulous to charge more than the legal interest, send their money abroad. You know, Mr. Speaker, that money will find its level, and restrictive laws with respect to it will have no beneficial effect. If this law be passed, it will have the effect of keeping capital in the country, for those who now send their money abroad, would, when the restrictions are removed, be able to invest it here to advantage. I think, however, that as hon. members have said, a limited time should be allowed before it comes into operation, and if this be the case, I do not think it will be injurious to the country.

Mr. MCNEILL.—I consider that the Bill introduced by the hon. Attorney General is founded on the princi-

ple of Free Trade. But, Sir, I think that in the present state of affairs, when so much land has been purchased, it would be as well to let the matter remain as it is for some time. It is a question which I have not thought much about, but I see that my hon. friend, the Attorney General, and the leader of the Opposition quite agree upon it, and when the lawyers on both sides of the House agree upon any question, we country members are apt to have our suspicions aroused.

Hon. Mr. DAVIES.—It is all nonsense to talk about borrowing money at six per cent. I should like to know where there is a man who lends it at this rate? I wish to show that the tendency of the Usury Law, is to exclude borrowers from the first sources for obtaining money. There are persons who borrow money from large capitalists, merely for the purpose of letting it out again at a higher rate of interest. When a man wishes to borrow £300 or £400, he has to go to those second rate men, and pay nine or ten per cent. for it, whereas if the restrictions were removed, persons might obtain it from the capitalists themselves, and at a much cheaper rate than they do at present.

Mr. HOWATT.—I rise to answer a question. The hon. member wishes to know where there was a man who lent money at six per cent. I have lent money at six per cent.; and what is more, I never charged a higher rate.

Hon. Mr. DAVIES.—The law allows the Banks to charge 7½ per cent., and as the shareholders are required to pay up only one-third of the amount of their shares, they actually receive twenty-two and-a-half per cent. for the money invested. Now, here is one law on our Statute Book allowing the Banks to charge 22½ per cent., and another forbidding any person to take more than six per cent. Such a law is a restriction to trade, and a benefit only to those second and third rate men, who lend money at fifteen and twenty per cent.

Mr. BRACKEN.—I have been in the habit of lending money for others, and six per cent. is all I have ever taken for it. Our present Usury Law has this effect, that it prevents men from lending money who would otherwise do so. Hon. members need not be afraid of a high rate of interest, money will regulate itself. No man in this country is able as a general rule to pay more than ten per cent. Men who have money to lend, like to lend to those who will pay punctually, and they know that those who pay a high per centage, are not the most punctual in paying the principal. Last December I lent a man £250 to purchase a farm. Three months afterwards he sold the farm, and made £100 by the speculation, and all my client received for the use of his money was £3 15s. Now, I wonder if it would have been anything wrong in that case, for my client to have taken eight or ten pounds. When a man goes into a business which is not safe, he wishes to have a large profit, and so it is in reference to a man who lends money to a person who is not good security—he takes into consideration the risk he runs and charges higher accordingly. I have lent a great deal of money on landed security, and I have never foreclosed three mortgages in my life. I believe if this Act was passed it would lower the rate of interest, I have always thought that the difficulty of getting money was on account of the restrictions which was placed upon it. When restrictions are placed upon one article, while others are allowed to find their own level, commercial men will

not deal in that article, therefore, I think no restrictions should be put upon money.

BALDERSTON, Reporter.

HON. LEADER OF THE GOVERNMENT.—This Bill is now before us for the third time, for it has been rejected by the Legislative Council on two former occasions. It was thought that it would be the means of oppressing the poor man who is obliged to borrow money for a term of years. There is certainly a difference between lending money at three months, and lending it at three years. Those who lend money and take security on land, know that such security can be depended upon, and that they are sure of being repaid; but many persons prefer buying up Government Debentures, rather than lend money out on promissory notes. It is time that the restrictions placed on the lending of money should be removed, and that lender and borrower be allowed to make what bargain they choose; but the Bill should not go into operation before three months, to allow money lenders and borrowers time to prepare themselves for the change.

HON. LEADER OF THE OPPOSITION.—There can be no objection to the suggestion of the hon. Leader of the Government, and I think the arguments which have been used by some hon. members in favor of the Bill, are unanswerable, and that those who think the Bill would prove an injury, labor under a delusion. Instead of driving money out of the country, it will be the means of an influx of capital. The restrictions placed upon lending money by fixing the rate of interest, have been the means of a flow of capital from this Colony to the sister Provinces, where there is no law regulating the rate of interest. All persons of sound commercial and political principles are in favor of the passage of this Bill. In fact, the arguments in its favor are unanswerable, and have been put better by one hon. member (Mr. P. Sinclair), than by any other. Hundreds of pounds have been borrowed from capitalists by farmers at six per cent., to lend to their poorer neighbors at fifteen and twenty per cent. on promissory notes. It is high time to amend our Usury laws, and therefore I will support the Bill.

HON. ATTORNEY GENERAL.—I have often thought that we should have some measure of this sort, but I will not take up more time with remarks on the subject.

The House then divided on the amendment that the Bill be read this day three months, as follows:—

For the amendment.—Messrs Howatt, Kichham, McIlmorkack, and Hon. Mr. Kelly—4.

Against it.—Hons Attorney General, Henderson, Duncan, McAnay, Davies, Colonial Secretary, Haveland, Laird, Callbeck, Messrs. McLennan, Prowse, Owen, Ramsay, Brecken, Cameron, P. Sinclair, McNeill, G. Sinclair, Arsenault—19.

The Bill was accordingly committed to a Committee of the whole House. Mr. McNeill in the Chair.

The first clause was read and agreed to.

The second clause was then read.

HON. ATTORNEY GENERAL.—This clause fixes the interest in business transactions at six per cent., except in cases where there is a special agreement. If there is a written agreement between parties, as to the interest, it shall stand.

All but the last clause were then read and agreed to. The last clause was read.

Mr. Howatt moved that the Bill go into operation at the expiration of two years from the date of receiving His Excellency's assent, and said: One year is too short notice for the Bill to come into operation, and therefore it will be better to give a little more time. I wish to make the Bill as perfect as possible.

Mr. Prowse.—I think two years' notice for the Bill to come into operation will be quite sufficient; by that time the country will be able to judge whether it is sound legislation or not.

HON. Mr. LAIRD.—I think twelve months would be quite sufficient notice. I did not expect opposition to the Bill; the time has been extended farther than I intended.

HON. LEADER OF THE OPPOSITION.—Let a particular day be fixed for this bill to come into operation, for it is necessary in such an important measure.

HON. ATTORNEY GENERAL.—I move that the fifteenth day of April, 1870, be the day on which this Bill shall come into operation.

Said amendment was carried. The Speaker took the Chair, and the Bill was reported agreed to by the Chairman, and ordered to be engrossed.

HON. Mr. HENDERSON presented a petition from the inhabitants of Lots 33 and 34, relating to the procuring of Kelp and Seaweed below high water mark, and said: It is well known that Seaweed and other valuable manures are becoming more valuable every year, and therefore the agricultural interests of the Colony would be materially advanced if greater facilities were afforded farmers in securing and collecting sea manures. The petitioners represent that after storms, large quantities of seaweed are to be found on the shore in some parts of the Island; and while they do not dispute the private rights of individuals, they complain that certain parties under whose shore fronts seaweed lodged, set up an exclusive right to it, whether it lodged within or outside their boundaries, and prevented their neighbors from collecting and hauling the manure found outside the said boundaries, and consequently large quantities were carried out to sea by the action of the tide, and lost to all parties. What the petitioners consider to be necessary and important is, that the manure which is left outside an individual's boundaries by the action of the sea, should be open to the public, and that access to it may be had by a road or otherwise. If a Bill should be introduced to remedy the evil complained of, it would be one of general interest, involving matters worthy of the consideration of this hon. House. If Commissioners were appointed similar to our Fence Viewers, to whom questions in dispute could be referred, they could decide for or against, without much expense to the Colony. This mode of settling the difficulty might set this troublesome question at rest. The people are now becoming alive to their interests in matters relating to manures, and if the Legislature should refuse to pay attention to the subject, the people's feelings will only become more intensified, and new disputes will arise which will disturb the harmony of many communities. Hoping that this hon. House will duly consider the matter, I beg leave to move that this petition be now read.

The petition was then read.

**Hon. Mr. Henderson.**—I move that a Committee be appointed to act upon it.

**Hon. Leader of the Opposition.**—I cannot congratulate my hon. friend (Mr. Henderson) on the difficult matter which he has introduced for it will be a troublesome subject to legislate upon. The right desired by the petitioners has been a subject of agitation for many years in the neighboring Republic, but the statesmen there have never succeeded in passing a law which has settled the question. They have left the primary rights of the owner of a farm fronting on the shore, to be defined by the principles of the common law. As the law now stands, the deposit of seaweed by an ordinary tide belongs to the party whose land fronts upon the shore, but if the deposit is left by a storm, he has a still greater claim to it. It is a difficult matter to legislate upon, and the only plan that can be satisfactorily carried out, is to allow the seaweed to belong to the individual whose farm fronts upon the shore on which it is driven.

**Mr. Howatt.**—The hon. member should remember that the subject is of great importance. Seaweed brought in from the sea by the action of storms, is more apt to be driven up high on the shore, and consequently, the owner of a shore farm in such cases will have the larger part of it. The petitioners wish to have the privilege of securing the weed which lays outside of an individual's boundary, without interfering with his private rights. There are many persons dissatisfied with the decision of the Courts, because men are given claims outside their boundaries. If the same rule were carried out, the farmer would be entitled to the mussel beds in front of his farm; and therefore, I cannot see any reason why a person should claim all the seaweed which is cast upon the shore, outside the boundaries of his farm. I do not wish to see the claims of farmers owning shore farms, taken away inside the ordinary tide mark. Let them enjoy the sole right to manure inside that mark, but others should have free access to what is left on the outside of it. I have known cases where men have been driven away when they were taking seaweed a good way outside the ordinary tide mark. It is therefore necessary that these matters should be regulated, in order to have peace and harmony.

**Hon. Attorney General.**—The petition is vague and incomplete, and therefore it is difficult to understand what the petitioners really want. The law as laid down by the hon. Leader of the Opposition, is correct. The claims of the owner of a farm only extend to its boundary line; beyond that any person can take the seaweed and make use of it, but there are some farms that run out to low water mark, and thus the owners can claim all the manure washed on their shores.

**Mr. Howatt.**—What I wish to draw attention to, is the waste of manure, for some men will neither use it themselves, nor allow their neighbors to use it, and of course it is carried back again to sea, and lost.

**Mr. McNeill.**—I have often been surprised that something has not been done to remedy the trouble complained of, for the question is becoming more deeply interesting every day. I do not see why the taking of seaweed should not be regulated by law, so as to do justice to all parties concerned. The hon. Leader of the Opposition goes back to the old feudal laws of the lord of the manor; but he should remember that many laws which suit the old country would not work well here. The boundaries of farms on the shore where seaweed is deposited should

be well defined, for sometimes large quantities of seaweed are driven in upon the shore, which a single individual is not able to make use of. But custom has made a law that a man may take sea-manure wherever he can find it. Wherever the public have a right of way, the weed should be free to all; but that right of way should be clearly defined. Questions will at times arise in cases of obstruction of the road to these deposits of manure, by interested parties; but the people should have free access to the manure deposits, when private rights are not infringed upon.

**Mr. KICKHAM.**—Parties having large shore farms have advantages over those having inland farms, and they should not be allowed to have an exclusive right to the manures which are deposited outside the boundaries of their farms, to the injury of their poorer neighbors. If a man should happen to be on unfriendly terms with his neighbor, the latter might be prevented from having access to the seaweed, and thus suffer loss. I consider that it would be unjust to prevent neighbors from taking manure outside the boundaries of a farm where seaweed is deposited.

**Mr. BRACKEN.**—A shore farm is bounded by ordinary high water mark, and the space inside that mark is the property of the owner of the farm, as much as any space enclosed by his fences. The manure which rests between high and low water mark is common property; but it must be remembered there are cases where the boundaries of farms have extended to low water mark. When the sea has gradually encroached upon a farm, and carried away a part of it, the ground so carried away is a total loss to the owner of the farm, and he has no right to exclude others from the manure which may be cast upon it by the sea, between high and low water mark. A farm may be so situated that no one except the owner can get at the manure in front of it, without trespassing upon private property. Where a very large quantity of seaweed lodges in such cases, some regulations might be made by which neighbors might have access to it. Many disputes, concerning the rights of parties to sea-manures, have come under my own observation, which arose from differences of opinion as to the rights of parties owning shore farms.

**Hon. Mr. Henderson.**—The hon. Attorney General considered the language of the petition rather vague. There may be good reason for that assertion; but the people did not profess to use strict legal phraseology. They stated their grievances, and asked for redress, as clearly as they could. What they contend against is "the dog in the manger" principle of some persons who own shore farms. Some men will neither make use of the manure themselves nor allow their neighbors to use it. The petitioners only wish to have the privilege of taking the seaweed outside of high water mark, where there is an open road to it.

**Mr. P. SINCLAIR.**—The prayer of the petitioners is not easily understood, for it is couched in obscure language. The common belief is that the ordinary tide mark is the boundary of a shore farm; but if that were established by law it would not settle the affair. The subject is a difficult one, but it might be regulated by an Act framed for that purpose, which might allow the man who could first get the manure to take it, and thereby nothing would be lost. If a man could prove that his farm extended farther than it now does, he should be allowed to retain possession of that part, the soil of which had been washed away. Although the subject is a difficult one, it might be partly regulated by law; and, therefore, it should be attended to, as it is every year becoming more important.

**Mr. BRACKEN.**—That part of a shore farm which is washed away by the sea is a total loss to the owner; but, if a part of a farm be destroyed by a convulsion of nature, the owner may rebuild it. I cannot, therefore, agree with the hon. member (Mr. P. Sinclair) in regard to the shore boundary of a farm. Islands which suddenly make their appearance belong to the Crown.

Hon. Mr. LAIRD.—Notwithstanding the opinion of the hon. and learned member for Charlottetown (Mr. Brecken), I believe that if the owner of a shore farm can find the stake at the back of it, he can claim his compliment of land, whether a part of it is washed away or not. If there is only a bank of sand left the owner can claim it, and has a right to it. Supposing there was a valuable kind of stone laid bare by the action of the sea on a man's farm, could others come and take it away against his will? A case of this kind occurred in my own neighborhood, and the owner of the farm claimed the stone and kept it in his own possession, although some persons endeavored to take it away without his consent. According to the opinion of the hon. member, if a stream carried away the bank, the owner could not claim the stone which is left.

Mr. BRECKEN.—Where the land is gradually washed away, the owner loses, where it gradually increases, he gains. When a part of a farm is destroyed by a convulsion of nature, he can repair the damage done, and consequently reclaim his property. If the sea does not permanently encroach upon a farm, the owner does not lose his land, and can claim his compliment.

Hon. Mr. McAULAY.—It is very clear that ordinary high water mark is the boundary of a shore farm on the side facing the sea; and, therefore, I cannot see any good that can be done by further discussing the matter.

On motion, it was ordered that the petition be referred to the following Committee, to report thereon, viz:—Hons. Hensley, Henderson; Messrs. Brecken, P. Sinclair, Cameron.

The Act relating to the salaries of the Attorney General and the Solicitor General, was read a third time and passed.

House adjourned for one hour.

I. OXENHAM, Reporter.

#### Afternoon Session.

House resumed. Some reports being received, and general business disposed of, Mr. Howatt moved that the House do now resolve itself into a Committee of the whole, on the Bill to amend the Law relating to the Militia and Volunteer Forces.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I am at a loss to hear the hon. member make this motion, and not explain the principles of the Bill. So far the hon. member has been looked upon not only as an independent member, but as master of the situation, yet, notwithstanding these advantages, it is unusual for any hon. member to introduce a measure without first entering into its merits and explaining its principles. No doubt the hon. member may be here in the capacity of a second Atlas, yet as he has introduced a measure which should have emanated from the Government, and as it is one which affects so many of the interests of the country, and it may be of our foreign relations also. I do think the hon. member should not press the matter further until he explains the principles of the measure.

Mr. HOWATT.—I explained the objects of the measure when it was first introduced.

Hon. LEADER OF THE OPPOSITION.—I think there is a kind of conspiracy between the learned Attorney General and the hon. member for Tryon, on this question.

Mr. HOWATT.—No. The hon. member need not be the least alarmed. The object of the Bill, Sir, is to prevent the people of the country from being called out to drill in the middle of their harvest, and at other unreasonable times in the year. The intention is to amend the Act so that no cause may hereafter be given for the

numerous objections which are now taken to the Militia Bill. In the report of the L. F. O. M., I think the principles of the measure I am now introducing are approved of and recommended; but if the hon. Leader of the Opposition desires to throw obstacles in the way of it becoming law, I suppose it is because he considers it to be his duty to oppose every measure that is not introduced by the Opposition, as he once expressed himself.

Hon. LEADER OF THE OPPOSITION.—I only oppose the Government. I do not oppose everything that is brought forward.

Mr. HOWATT.—Then if that is the case, this measure should have the support of the hon. Leader of the Opposition.

Hon. ATTORNEY GENERAL.—Mr. Speaker, there is no doubt, Sir, as has been said by the learned and hon. Leader of the Opposition but that the position of the hon. member for Tryon is anomalous; but, still, as the rules of this hon. House are the same as they formerly were, except in so far as the initiation of Bills relating to money grants are concerned, the hon. member is at liberty to introduce any other matter without consulting the Government. When the hon. member brought forward this measure, I understood him to say that his object was to protect the people from the imposition of being unnecessarily called upon to perform militia duty in time of harvest, and, as I thought, it was a ground for complaint, if men in the country were thus called upon, I made enquiries but have been unable to ascertain that such has been the case. It may be an oversight, and quite unintentional on the part of the hon. member for Tryon, but still the Bill does convey a reflection upon the Field Officer of Militia if he called out men to drill at such times. I know it was said that such was the case at the East Point, but on enquiring into the matter I found that the report was not correct. I hope the hon. member will not press the Bill too hastily, as the Government would like time to consider the matter and make further enquiries.

Mr. HOWATT.—I say positively that they were called out to drill in the settlement on the east side of Tryon River. Why, Sir, the notices were served upon the men in the field where I was working myself, and they had to leave their stacks of grain half built. This was considered a great hardship, and I have given them my word that I would do all in my power to prevent the like happening again, and this Bill will do that if the House will agree to it.

Hon. LEADER OF THE GOVERNMENT.—It may, Mr. Speaker, be a relief to some people to know that they cannot be called out to drill in time of harvest, and who would prefer being drilled in July; while there are others who are as busy in July as in any month of the year. I would not like that those on whom devolved the duty of calling out men to perform militia duty, should do so at such times, and in the way referred to by the hon. member for Tryon; nor do I think that any officer, after what has now been said, would do so again, and what has happened must have been a mistake. In the winter many would not like to be called out on account of the snow; indeed you could not fix upon any time that would suit every body. No doubt it is a loss and inconvenience, and found to be such; but in all countries the militia has to undergo a military training, to a greater or less extent, and to this general rule we

cannot expect to form an exception. We know that a few years ago, when the British Government were made aware that there was no militia law in this colony, that a despatch was sent here calling attention to our peculiar position, and the late Government introduced a Bill to remove this ground of complaint. I think the hon. member has already effected his object by calling attention to the subject, and has thereby done good, and such being the case, he had better allow the law to stand as it is, with the understanding that the F. O. M. shall not call the people out at improper and inconvenient seasons. I have not had time to give the Bill that consideration which I would like to bestow upon it, but I am inclined to believe that if the Militia was done away with altogether as some desire, it would not be as beneficial for the volunteers as the present arrangement. If the hon. member is anxious to push the Bill through, we may have to vote against it.

Mr. HOWATT.—I have no wish to do so.

Mr. PROWSE.—Mr. Speaker, I know that the time and manner in which the Militia were called out in my district last fall, was very generally complained of. It was in the middle of the shipping season, when the farmers and merchants were all alike busy shipping their produce. I know that the necessary papers were served upon officers who refused to serve at that unfavorable and inconvenient season of the year; but that made no difference to the people, as others were appointed. A more unsuitable time could not have been chosen. I myself was loading a vessel at the time, and as I was liable to pay a heavy demurrage, I found it a loss and an inconvenience, owing to the difficulty I had to get men to help to load, and many others were put to loss and trouble also by the arrangement.

Hon. LEADER OF THE OPPOSITION.—Sir, This Bill does not provide a remedy for all the complaints referred to by the hon. member for Murray Harbour, if it does it must be like a piece of Indian rubber which can be twisted into any shape, I think we will be better without this act. The objections which have been made can easily be remedied by the Government, or Commander in Chief, for whose acts the Executive is responsible. The Bill has been pretty well aired, and as all will admit, that our best interests, are identified with those of the agriculturist, I am sure no Government would willingly adopt any arrangement, detrimental to so important a branch of our industry, I consider it much better to let the law stand as it now is, and leave the matter entirely in the hands of the Government, who in this matter can have no interest in inconveniencing any of the people. No Government would like to be tied down, for a time might arise when our hearths would be invaded, and the Militia required to be called out. I therefore move that the hon. member have leave to introduce this Bill, this day three months.

Hon. ATTORNEY GENERAL.—Mr. Speaker, I second the motion of the hon. the leader of the Opposition, and in doing so, will merely say, that the inconveniences alluded to by the hon. member for Murray Harbour were brought to the notice of the Government, who immediately laid them before the proper authorities, and from what has fallen from the hon. member (Mr. Prowse) care must be had to see that such does not occur again. I disapprove of having the hands of those who have to attend to this duty, tied down too stringently, but I mean no discourtesy to the hon. member who introduced this Bill.

Mr. HOWATT.—I think this is too short a way of dealing with this question. The hon. leader of the Opposition, said that a time might come, when our homes would be invaded, but the law as it now stands makes provision for any such emergency, and this Bill does not alter this. The inconveniences which have already occurred, may happen again, and when such is the case, a law should be passed to prevent them. This subject was discussed here last session, and any amount of promises made, but what have they amounted to? we shall take a division on it.

Mr. PROWSE.—After what I have heard from the Atty. General, I do not feel disposed to provoke a division.

Hon. Mr. LAIRD.—Mr. Speaker, you are very well aware sir, that it does not require a lawyer to perceive the many inconveniences which may arise to the country by allowing the law to stand as it is at present. No doubt the Government could prevent them from arising, if aware of the difficulties beforehand, but they may occur and the Government know nothing about them, nor should they be held responsible for these acts. Why it seems, that notwithstanding all that was said last year, annoyances have arisen which called forth this debate.

Mr. RIKLILY.—Mr. Speaker, as the Government assure us, that the rules which were adopted last year, will not be enforced again, I for one, do not wish to press the matter any further, but if I thought they would be again enforced I would support the bill, for I am aware that the people on Lot sixty-six, were called out to drill at a very inconvenient season, and very likely when there was no real necessity for it. My opinion is, that if the Militia could be called out simultaneously in March or April it would effect every interest required by that service, as the Atty. General has said that the Government will see that grounds for such complaints do not again occur, I shall not oppose the amendment.

Mr. HOWATT.—Mr. Speaker, the assurance of the Atty. General is no positive assurance that the like may not happen again (Laughter). The Government, Sir, may be broken up and then we would be as bad off as ever.

Hon. Mr. DAVIES.—I believe Mr. Speaker, that there is a necessity for the amendments proposed to be brought in by the hon. member, for I happen to know that the arrangements of last year created a great deal of discontent in several parts of the country. Last September my Shipyard was completely cleared of every man for one whole week, and I know it had as injurious an effect upon other interests also. The commander-in-chief, or whoever has to carry out the law in this matter, has to be governed by the law, and may therefore be compelled to do what would greatly inconvenience the people. The Bill only requires to state that the Militia cannot be called out at certain seasons, except in case of an emergency, and holding these opinions I feel bound to support the Bill.

Mr. BRECKEN.—Some good, Sir, has been done by introducing this measure, as thereby the complaints which have arisen, have been brought to the notice of the Government, therefore I think the hon. member should have confidence enough in the Executive to believe that they will see that no cause for any further complaints of a like nature will arise. If I understand the matter correctly, the officers in the country are the persons who are to blame. I know in this city the officer in command was careful in making enquiries, and chose the time that was most convenient for the men. The hon. member for Tryon

has I consider, effected the object intended by introducing the matter to the notice of this hon. House, and therefore it is unnecessary to press the matter further. I know the excellent Colonel under whom we serve in this City was careful to choose the most convenient time for those most interested, and I think Officers in the country would be equally well disposed to do the same. I hope after the assurance which the hon. Atty. General has given, that the Bill will be allowed to be withdrawn. When the measure was first introduced I approved of it, but after the explanations which have been made, and what has been said, I would not wish to see it go any further.

Hon. Mr. HOWLAN.—Mr. Speaker, the Government cannot interfere with the Statute Law of the Island, which compels the Commander-in-Chief to call the militia out, as is now done, and, therefore, I shall support the Bill, because I have no wish that the country should even continue to run the risk of being put to so much loss and inconvenience, in having so many men called from their employment at unreasonable and unseasonable times of the year, when there is no necessity for it. When we were threatened with a Fenian invasion, there was some propriety, perhaps, for such precaution; but at present we have nothing to fear from enemies abroad or foes at home. I think the hon. member deserves credit for bringing this matter to the notice of this hon. House; and in so far as I am concerned I shall support the measure.

Mr. McNEILL.—Mr. Speaker, I am of the opinion that this Bill is required, for I consider that it should not be left in the power of any man to call out the people to perform militia duty when he pleases. Should an invasion take place, or an emergency arise, the Law makes provision for such; but this Island was never invaded but once, when the Americans in 1775 entered this harbor with two armed vessels and carried off the Governor and some others to Washington; but that was a mistake on the part of the officers of these ships, which Washington and the American Government honorably rectified. This Island, it is true, was lately invaded by troops, brought here by the enemies of the people, to trample down the rights of the country, contrary to all law, right, or justice. But we shall not soon see the like of that again.

Mr. P. SINCLAIR.—Mr. Speaker, the amendment proposed to be brought forward by the hon. member for Tryon, is, I have no doubt, such as will meet the wishes of the country; but I am not sure but that it may effect the views of other parties unfavorably, as it provides that the militia can only be called out during two months in the year. Of course, we all know that the whole affair is a mere sham, kept up to please the Home Government; but then it is true also, that we owe much to Great Britain, and therefore it most unquestionably is our duty to respect the wishes of the Imperial Authorities. Were it not for these considerations, I would go for pitching the whole affair. As the staff of Officers is small, I think it would also be difficult for them to call the whole force of the colony out in one month; and when the Government has promised that occasion for these complaints shall not again take place, I think it is hardly worth the while of the hon. member to press the matter any further.

Mr. PROWSE.—Had members of the Government all spoken in the same strain, there would be sufficient rea-

son for following the course suggested by the hon. member for New London. But the hon. members for Belfast and Tighish have not expressed themselves as the hon. Attorney General did; and I consider that unless we have some further guarantee, it will be necessary to place the matter on the Statute Book.

Dr. JENKINS.—Mr. Speaker, I would be glad to give my support to the hon. member for Tryon, if I thought it would give general satisfaction, and meet all the difficulties in the case; but, as my views coincide with those of the hon. member for New London, I fear it would be unwise to pass this Bill. I know, too, that the present Staff of Officers is not large enough to enable the Commander-in-Chief, or F. O. M., to have this duty attended to within the time proposed by this Bill. I believe, Sir, that no good farmer can have any idle days during the whole year, and, therefore, it must be a great loss to them to be called away from their farms. If the drilling was to make them soldiers, it would be different; but to say that ten days drilling will do this, is a farce. When the matter was under consideration last year, I moved an amendment to the effect that it should be lawful to appoint substitutes; and, I believe had that amendment been carried, the Militia force of this Island would be in a better position than it is; for it is quite certain that if substitutes were allowed to be taken, and if they were paid, they would be more efficient than their principals, because a willing man is more likely to be a useful man than one who is forced to act. I would also go for amending the Statute; so that such substitutes should be liable to be examined by the I. F. O. M. Such men could be had, and I am satisfied that if this plan was adopted, it would be found to be a relief to many in the country, and in every respect be better than the present practice.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, in rising to support the motion, I may say that I did not understand the reason why the hon. member for Tighish should support the Bill. If I correctly heard the reason given, it was this: that as the Law now stands, the Commander-in-Chief is bound to call out the militia, at those times in which they were called out last year. If that is the reason why the hon. member intends to support the Bill, it amounts to no reason at all; for the Law does not say that they shall be so called out—it does not name any particular time; that is left to the discretion of the Commander-in-Chief, for whose acts the Executive is accountable. It may, Sir, be a matter of opinion, whether there is any necessity at all for the militia; but when we reflect upon the small portion of time required of us for this service, compared with that demanded in some of the other Colonies, we ought not to complain, or pretend to be wiser than other people. The hon. member for New London may be correct in saying that the amount of drilling received does not tend to lead us to attach much value to the service; but it is a part of the system of the Mother Country, which is maintained wherever her flag waves, and to that policy it is undoubtedly our duty to yield a cheerful compliance. As was stated by the hon. Leader of the Government, when the Home Government ascertained that our militia laws were a dead letter, the Imperial Authorities immediately made stringent objections to such a state of affairs; and shall we, as loyal subjects, with the aegis of Britain's protection floating over us, at an expense of one guinea a day to each individual of that nation, who extends this grand protection

to her subjects all over the world, refuse cheerful compliance with the wishes of the British Empire? No, I am sure no hon. member of this hon. House would, for a moment, do so. Indeed, Sir, to say that we will go back to our former position, after the expressed wish of the Home Government on this subject, would be decidedly wrong, nor can I for a moment suppose that George Dundas, Esq., or any one else, would call the people out at improper, and inconvenient seasons of the year. Is it not much better to leave this matter entirely to the discretion of the Executive, who for the time being may be in power? To say that the Government ought not to be held responsible for the actions of the commander-in-chief for the manner in which this service is performed, as the hon. member for Bedeque has said, is a mistake, you might say it was wrong for the Queen to declare war; but would you say that her constitutional advisers were not responsible for all her official acts? and it is so in this case, and all others affecting the public interests, for so long as we have a Government, it is and must be responsible for the official acts of the Lieutenant Governor whether these are civil or military. If the Lieut. Governor, as such, or as Commander-in-Chief, acts in either of these offices in opposition to the wishes of the Executive Board, they have their remedy, in resigning, and would be perfectly justified in doing so.

Hon. Mr. DUNCAN.—I have Mr. Speaker, just had a conversation with Col. Smith who tells me that no Regiment of Militia was called out to drill, without consulting the Colonels. I think therefore, that I was wrong in seconding the motion of the hon. member for Tryon, and as the matter has now been so publicly brought to notice, I prefer leaving it in the hands of the Government.

ROBERT GORDON, Reporter.

Hon. Mr. LAIRD.—The hon. Leader of the Opposition need not be afraid, as there might be a change in the present Government. The militia were not called out by the Lieutenant Governor in Council, but by the Administrator of the Government, and when the Government were informed of it, they remonstrated. I am not particular about the proposed amendment, but there is room for improvement; and, therefore, there can be no harm done in going into Committee on the subject.

Mr. P. SINCLAIR.—I will support the motion of the hon. member for Tryon (Mr. Laird,) that the House go into Committee, for there ought to be restrictions in the calling out of the militia. Some hon. members are of the opinion that the object of the Bill would be obtained by bringing the subject to the notice of His Excellency the Lieutenant Governor; and others think that this House should fix the times at which the militia should be called out. It would be hard to find a season of the year when men are not busy, but there are certain seasons when they should not be called out, particularly at planting and harvest times. There should be some restrictions on the Officers, to prevent them from calling out their men at these seasons.

Hon. Mr. CALLECK.—Many persons wish to see the militia system abolished altogether, but it would be wrong to do this, for we should assist in our own defence, and the British Government expect us to do so. In case of invasion, we would look to the Mother Country for assistance; therefore, it is but reasonable that we should do something towards raising an efficient militia force. The Bill that has been introduced on this subject appears to be too binding on the Officers. A very small number of Drill Sergeants have been employed by the Government at a fixed salary, and consequently they must be employed at one place or another to drill all the Companies in the la-

land within the year. Now if they were bound down to a particular time, a very large staff of Officers would be required to perform the labor required. While the country people are engaged in harvest work the towns people are not so busy, and could then spare time to drill. It has been stated that the Government are responsible for the militia force. They are certainly responsible to a certain extent to the Commander-in-Chief. If the Militia Officers are inattentive to their duties, they can be removed and others appointed in their places, who will carry out the orders of the Commander-in-Chief. Certain periods of the year might be suggested for the calling out of the militia suitable to the conveniences of the people.

The debate on the Bill was then adjourned till to-morrow.

House adjourned.

I. OXENHAM, Reporter.

FRIDAY, March 20th.

Morning Session.

TENANT UNION

Hon. Mr. DAVIES moved the following resolution:—That a Committee of three members be appointed to enquire into certain charges made by Mr. ex-Sheriff Dodd to the Colonial Secretary, implicating the loyalty of the inhabitants of Queen's County, the said charges being attached to the Journals of this House, for the year 1866, with power to send for persons, papers and records.

In moving this resolution, Mr. Speaker, I may say that it is not a very pleasant duty. I believe that Mr. Dodd was sincere in what he stated; but can the statements be substantiated by facts? Was the Colony in such a state that not a man outside of the City could be depended on to assist the Sheriff in the performance of his duty. Mr. Sheriff Dodd states that persons throughout the country, who were otherwise well disposed, were under such terror on account of the threats of the Tenant Leaguers, to burn their houses and take their lives, that they were afraid to render him any assistance. I do not wish to charge Mr. Dodd with wilfully misrepresenting the people, I believe a good deal of provocation was given him, and he believed that the whole country was imbued with the same spirit of hostility to him; but, Sir, those charges were of too serious a nature to be endorsed by this House without examining them to ascertain whether or not they were true. It was the duty of the Government, before taking action on the matter to have instituted an enquiry and found out whether or not the statements were correct; but I do not see anything to induce me to think that they adopted such a course. On this account, I felt it to be my duty to bring this matter before the House, for as long as we sit here without expressing our opinions that these statements are not correct, we are endorsing them. I cannot believe that such a state of things existed in the country. I should not have been the least afraid, at any time, to have gone into the country to assist the Sheriff. It is important that steps should be taken to ascertain the truth about this matter; for, upon this statement of Mr. Dodd, the late Government justify themselves in bringing the troops into the Colony. If these statements are correct, then the Government were justified in bringing the soldiers to the Colony; but if untrue, they were to blame. The expenses of the troops was twenty-one thousand pounds, and I think it would be well to have the matter thoroughly investigated, and ascertain whether or not the Government of the day were justified in so lavish an expenditure of the public money. But something more than Sheriff Dodd's letter was required to make the Colonial Minister believe that the Colony was in such a state; and nearly a hundred respectable farmers were brought before the Court, charged with the crime of threatening those who would assist in carrying out the laws. But what was the decision of that Court? No such charges were sub-

stantiated against them. I think when the Court dismissed the people, it is the duty of this House to have the matter thoroughly investigated. I might say, I believe that the object in bringing the troops here was not to force the people to pay rent, but to bring us into disrepute with the British Government, and thus get us coerced into Confederation. I do not make this charge against the whole of the late Government; but I believe some of their number had this object in view; for if we were in such a state as this, we would be unworthy of having a constitution, and thus a strong argument would be brought forward for annexing us to Canada. As long as this remains on the Journal, I am desirous that some expression of opinion should be given by this House, showing that we are not what is there represented, and that we are still entitled to our constitution.

Mr. McNEILL.—I second the motion of the hon. member for Belfast; and I do so because I believe the statements in Mr. Dodd's letter are unfounded. I believe I was the first who brought this matter before the House; and I did so, not because I had any hard feeling against Mr. Dodd, but because it is a duty which I owe to my constituents and my country. When I see such a charge made against the people of this Colony, I feel it to be my duty to stand up and defend their reputation; and I may say, I believe a greater injustice was never done to any people than was done to the people of this Colony, by putting such a record on the Journals of this House. I believe it was part of a systematic attempt to deprive us of our constitution. I should like to know what proof is brought forward that such a state of things existed. I believe that the people of this Colony have been harassed as much as those of any other place. I have seen the last cow a man owned driven from his door to pay an unjust rent, and yet he offered no resistance. And even when the troops were here, and innocent people were dragged off to jail, they made no resistance. Some hon. members may say I should feel thankful that it was no worse. I do feel thankful, but I do not thank the late Government. I thank the Free Education Act; for the intelligence diffused through the country has taught the people, if not to respect their oppressors, at least to respect themselves. Look at the position which His Excellency holds with respect to a great many of the people of this Colony. If these statements are true, I do not think it is a very great honor to be ruling over them. I can hardly think that any person who has mingled so much with the people as Mr. Dodd has, should believe such a statement, or that the representatives of the people should endorse it. It is a libel upon the whole community; it is a libel upon the parents who gave us birth, and instructed us in what was right and wrong. Small credit are we to them, if such is the state of affairs in the country. If we like to go into the matter, we can bring respectable people to show that no fear existed in the very place where Mr. Dodd was. It is a strange thing that people did not complain to the magistrates, and have those persons, who threatened to burn their houses, arrested and punished. I say, that while this statement remains upon our Journals, that we have a stain fastened upon us, we are disgraced and degraded in the eyes of the world; and, what makes the matter worse, is, that it comes, not from those upon whom we have no claims, but from those who should vindicate our reputation, from those whose duty it is to exonerate us from any false charge that may be brought against us. Those very men have allowed this foul blot to be placed upon our Journals. The people will not soon forget it. They may say in words of the immortal Homer:

"We made them tyrants, gave them power to wrong;  
Even us, we feel it, and shall feel it long."

It will not be long before the people will have an opportunity of returning representatives who will vindicate their reputation. Before last election this matter was not generally known; but this will bring it to their notice.

I hope when the report of this Committee comes before this House, it will show that these charges were utterly false.

Mr. BUSCKEN.—Mr. Speaker, I hardly expected, though I saw the notice on the Order Book, that the hon. member for Belfast would press this motion. I may say that this letter never came under my notice until it was brought before this House. I was not on the Island at the time these disturbances took place; therefore, I cannot be accused of being a *particeps criminis* in this matter. The hon. member from Cavendish, says that he feels himself called upon to vindicate the rights of the people. I hope that every hon. member on the floor of this House has the same feeling; but I believe, Sir, from the very fact of the hon. member from Belfast being the mover, and the hon. member from Cavendish being the seconder of this resolution, that it has not been brought forward at the request of those not associated with the Tenant League. Whether the hon. member from Belfast was a member of this association or not, I cannot say; but he was a munificent subscriber to its funds, and he was looked upon, by the people of Charlottetown, as the patron of that institution. I believe the hon. member from Cavendish was an active travelling official of that association. Now, I believe these two hon. members are coming forward as champions of men who sought not to be recognized, (at the present time whatever) as defenders of the injured innocence of Queen's County. The hon. member, Mr. McNeill, has said that it was not well known in the country, that such a letter was published; and if this be the case, the people cannot be indignant at it. When the League broke out, the late Mr. Whelan, in the columns of the *Examiner*, denounced it as seditious, and said that as much as he was opposed to the Tories, yet they had done right in bringing the troops here.

Mr. MacNEILL.—He was in favor of Confederation.

Mr. BRECKEN.—I will not detain this House now, but I will produce articles written by that journalist, wherein he denounced the League as one of the most unprincipled, one of the maddest schemes ever set on foot. But, oh! says my friend, Mr. Davies, my seat is too hot for me, I cannot rest while this remains on the Journals.

Mr. DAVIES.—True.

Mr. BRECKEN read an extract from the *Examiner* and remarked: I can give other passages stronger than that, and I will ask what was the hon. members (Mr. Davies') political action in reference to this same gentleman? It is well known to all the country, and it must be known to those sapient gentlemen who came to this hon. member to redress their grievances. When the Conservative Government broke up on account of divisions in their own camp, and a general election was held, and the Liberal Party returned to power, that man, whose paper, from the month of June to the end of the year 1865, teemed with denunciations against the League, received one of the most lucrative offices in the gift of the Government. Who gave it to him? Mr. Davies. I twitted the hon. member with this once before, and he said he was not in the Executive at the time of Mr. Whelan's appointment.

Mr. DAVIES.—I did not say so.

Mr. BRECKEN.—Mr. Whelan who said much more than my friend Mr. Dodd ever said, brought down the opprobrium of the Tenant Leaguers upon him for the honest course he pursued, and the hon. member, Mr. Davies rewarded him for it. It was his bounden duty to have washed his hands clear of the appointment of a man who was a foul libeller of the country. The hon. member says it is a foul slander, then Mr. Whelan must have been a foul slanderer, for he exhausted the vocabulary to heap opprobrium upon them. And afterwards when this gentleman was defeated at the polls, and there was a good pretext for depriving him of his office, he was allowed to retain it, and this action was endorsed by my friend, Mr. Davies. My hon. friend, Mr. Davies, will, I suppose, be Chairman of this



Committee, and Mr. McNeill will be a member of it, and I protest against the appointment of such a Committee. This committee will be a tribunal where judgment will be given on this matter. It is a principle of British law that a judge who is to give a decision on any case must be perfectly unbiassed. There was a suit between two men in Prince County some fifteen or twenty years ago, and both judges had some connection with the affair. When the case came before them the present hon. Attorney General was appointed temporary judge, as neither of the others would have anything to do with it. I ask, what kind of judges would my hon. friends, Messrs. Davies and McNeill be in this matter. But, Mr. Davies is a member of the Executive Board, and the Government will have to take their share of the responsibility in this matter. Mr. Davies said that that letter was not true, and that a pretext for bringing the troops here was founded on the statements contained in it. If you acknowledge this, you must censure, not only Mr. Dodd, but the whole Executive Government of the day. And who are you going to implicate in this matter? Our Venerable Chief Justice; who was at the head of the Executive at that time, for he was temporary Administrator of the Government. Mr. Dodd must have been a most unprincipled scoundrel if he put his name to such a letter believing it to be false. I tell the Government, I will follow this matter up, I will not allow my friend Mr. Dodd to be made a scape-goat in this matter. I protest in the name of British justice against those two gentlemen (Mr. Davies and Mr. MacNeill) sitting as judges on this Tenant League Question. It was a degrading and humiliating necessity to be obliged to send for troops, but, under the circumstances, I think it was the best and most merciful course to pursue, not a drop of blood has been shed, not a bone has been broken; but if the civil force had been called out, rashness might have characterized their acts and you might have to-day, had it not been for the presence of the Red-coats, feuds between neighbours that would never have died out till they would have gone to their graves. The hon. member said that the Government wished to drag this country into Confederation, wished to take away its character, and place it so low in the estimation of the British Government, that they would think it unworthy of a constitution and hang it on to Canada. I believe that this hon. gentleman and his colleagues did more to bring us into Confederation than the most ardent unionists in the Colony, they encouraged an organization that was very nearly depriving us of our constitution. When I saw this notice in the Order Book, I turned to the columns of the *Examiner*, and I see, by that paper, that at Tracadie, a day or two after some writs were served, several barns were burnt under very suspicious circumstances; but, I do not say that these barns were burnt down at the instigation of the League. I should like to see the men who instructed the hon. member to bring this matter forward; I should like to see their names appended to a petition. Mr. Whelan did a great service to the country when he penned these articles; and he was not bidding for the favor of the Conservative party, it came from the honesty of his own heart. I recollect many years ago, when, unfortunately there was a disturbance in the constituency which he now represents, the hon. member (Mr. Davies) belonged to a Cavalry regiment, and he buckled on his armor, mounted his mettlesome charger, and went down to assist in quelling the disturbance. Let him now go to the sons of the men who were the rioters on that occasion, and ask them what they think of the treatment their fathers received, and they will say, they were very harshly treated. These men made a mistake, and the Leaguers have done the same. When this Committee sends for papers and records, these men (Messrs. McNeill and Davies) should come before that Committee as witnesses; but they should not be allowed to act as members of the Committee. I would also recommend this Committee to take into consideration the financial affairs of the League. Some of my constituents before they were aware of the dangerous nature of this association, contributed to its

funds, and they have never seen any satisfactory statement of the way in which this money was expended. Let these Tenant Leaguers repent of their evil deeds, and live down the stain that has been cast upon their characters.

BALDWIN, Reporter.

Mr. Brecken moved in amendment that Mr. Davies be given leave to withdraw his Resolution, which motion was seconded by hon. Mr. McAulay.

Hon. Mr. HENDERSON.—I do not intend to detain this hon. House with many remarks on the movements of the Tenant Leaguers, nor on the action of the late Government in reference thereto. I wish to know on what principle of equity the hon. member for Belfast (Mr. Davies) claims to be Chairman of a Committee for the trial of parties, upon whom he has already pronounced judgement. The troops were sent for, as has been eloquently remarked by the hon. member for Charlottetown (Mr. Brecken) because it was the paramount duty of the Government to protect life and property. I have the interests of the people at heart as much as the hon. member for Belfast ever had; and I deplored the doings of the Tenant Leaguers, and the stain thereby made upon the people of this Colony. If I had not assisted the Government in employing the most efficient means in the suppression of these disturbances, I should have been an object of disgust and contempt to every loyal person in the Colony.

Hon. Mr. DAVIES.—Nothing but the statement made by Sheriff Dodd could be adduced by the late Government, with the least shadow of excuse, for bringing Her Majesty's troops to this Colony.

Hon. Mr. HENDERSON.—The troops were retained in Charlottetown from seven to eight weeks before they were sent into the country upon duty, that the Leaguers might have time to see the folly of their proceedings, and become quiet and peaceable members of society. Does that imply that there was an itching desire on the part of the late Government to arouse the people to acts of violence? I was the first person who suggested to the Administrator of the Government the course to be pursued under the extraordinary circumstances in which we were placed; and I was told that Her Majesty's Government would not send troops to maintain order in this Colony. I knew all about mobs and such things, and therefore knew the Government would act in a justifiable manner in sending for troops. But, when the troops actually arrived here, it was thought that the people would come to their senses, so far as to allow Her Majesty's writs to be served by the officers of the law. What was the next announcement of the leaders of the Tenant League? They said that although the Government had brought the troops to Charlottetown, they had not the power to send them into the country to assist the Sheriff and constables in the execution of the law. I went among the people and talked with and advised them till my head was giddy and my heart was sick. I told them of the danger we were in of being forced into Confederation, if they persisted in breaking the laws; but they were excited to the utmost pitch, and, therefore, could not reason on the subject. Men were actually seen to assemble in hundreds to stone parties who were travelling Her Majesty's highway! And who were they going to stone? No less than two Tenant League men from Orapaud, who were mistaken for constables, and if some persons who knew better had not interfered, these travellers would have been stoned. Indeed the people's feeling were so intensified that their reason was almost unhinged, and they could not think calmly on the subject. A multitude turned out at Bagnall's to stone the Deputy Sheriff, and not till then were the troops sent out into the country. I will give an instance of the inconsistency of the leader of the Tenant League. At a public meeting at Murray Harbor, previous to the late election, while I was canvassing that district, I met the gentleman who wrote in *Ross's Weekly* under the signature of "Next Week." In that stronghold of the Tenant League, I produced articles which were written by that gentleman. He was asked who would

make the best member of the Legislature, my humble self, or my hon. colleague; he replied that I would make the best member. I then turned up one of his letters, signed "Next Week," where he characterizes the late Government as the sworn enemies of the people. Now, as I was a member of that Government, these statements referred to me, as well as the other members of that Government. I then said to the people assembled at that meeting: You now see the inconsistency of the man who seeks your suffrages; and remember it is not in the heat of debate that the statements about the late Government have been made, but in a newspaper. The effect produced upon the people by my exposure of that gentleman's want of principle, was such, that I had a majority of electors in my favor at that meeting.

Hon. Mr. DAVIES.—I wish to know whether I was at that meeting or not.

Hon. Mr. HENDERSON.—The hon. member was not there. The people in that locality had been led astray by the gentleman who styled himself "Next Week," and were brought into trouble. Excitement leads the people into extremes, and thus they act a part which they never intended; and before they are aware of it, they are imposed upon by artful and designing men. I can assure this hon. House that I am as sincerely desirous of removing the stain brought upon the people of this Colony by the Tenant League as any hon. member, if it is done in a judicious and constitutional manner.

Hon. ATTORNEY GENERAL.—I must say that this affair came up quite unexpectedly, for I thought that it would have been delayed at least some days later. I have listened to the arguments on both sides of this House, and I have come to the conclusion that the course proposed, of having a Committee to enquire into this matter, with power to call in an unlimited number of witnesses, and all the parties connected with it, would be a very inconvenient one for this House to adopt. If the Committee entered into all the matters connected with the Tenant League movement, they would have an endless task, and after all it could not be productive of any benefit to the people of this Colony. Although the statement made by Mr. Dodd was entirely incorrect, there is no doubt on my mind that he believed it to be true at the time he penned it. The address sent to the Home Government by Mr. Stewart, in which were statements to the effect that the people's oaths could not be taken on any matter, and that it was almost impossible to get a jury, was a greater charge than that brought against the people by ex-Sheriff Dodd. These statements have also been placed in the Journals of the House, and have never been expunged. No good could be done by investigating these matters; but I do not say that no Bill brought before this House would answer the purposes desired, namely, to remove that which excludes those who took part in the Tenant League movement from holding a Government office. Although the people were excited, troops were not required if the government had been firm and vigorous in maintaining order with the resources they had at command. But I can see no good which the proposed Committee could accomplish by stirring up a matter which should be buried; they would only create unpleasant feelings between the parties implicated. I should have strong objections to act as one of that Committee, and therefore I shall support the amendment.

Hon. Mr. DUNCAN.—I am very sorry to hear that this resolution is all that my hon. colleague has to offer for the people's benefit. Is this getting them free land without money and without price? The ex-Sheriff did not mean to say that the people were disloyal, but that they were not law-abiding people. Would it have been wise in the late Government to have called out the Volunteers to crush the Tenant League movement, instead of sending for the troops? Any person of common sense knows that it would not have been the proper course to pursue, under the circumstances in which the Government were

placed. Is this resolution submitted to this House only for the purpose of bringing up and censuring ex-Sheriff Dodd's letter? Is this all the hon. members (Messrs. Davies and McNeill) intend to do for the people? Their big promises are all forgotten in the great idea of sitting in judgment on that letter. I am sorry that my hon. colleague has been so mixed up in this affair, but perhaps he has been dragged into it by interested parties. Is this all the hon. member for Cavendish is going to give the people for paying him ten shillings per day? He came off better than my hon. colleague, who contributed to the funds of the League, but received no benefit from it. For my part, I am disposed to let these gentlemen try what they can do in the Committee asked for.

Mr. PROWSE.—It seems strange to me that the hon. member for Belfast did not introduce this resolution last year, for he says that every day we sit here without protesting against Mr. Dodd's letter, we endorse it. Does not this show that he is not so sincere as he pretends to be? The people want redress for their grievances, and have no desire to see the Tenant League disturbances harrowed up again. They have no particular desire to make Mr. Dodd's letter a "scape goat." The hon. member would have us believe that the principles of the Tenant League were constitutional and just. If this is the case why do not the Government adopt these principles and carry them out? They may get a Committee appointed, but if they think that this will satisfy the people, they will be miserably disappointed. I believe there is trouble in the Government camp, and that some of them are allowed to blow off in the manner we have heard, but it will not have much effect. It has been stated on the Government side of the House, that the troops were brought here for the purpose of exasperating the people, and irritating them to commit acts of violence, thereby giving the British Government a pretext to drive us into Confederation. The Government know well that this statement is incorrect. If the Tenant Leaguers had not been checked, this Colony would soon have been placed in the same position that Jamaica was some time ago. But if the two hon. members (Messrs. Davies and McNeill) believe that the Tenant League was right, and that the late Government was wrong, why do they not introduce measures in conformity with these views, instead of appealing to the Colonial Office for leave to use compulsory legislation to convert the lands of the Colony into freehold. I will support the amendment.

Hon. Mr. LAIRD.—Although I hold as strong views as any other member of this House against the injustice of exacting large sums of money from this Colony in the shape of rent, I cannot see any good that can arise from raking up the Tenant League matters afresh. Let bygones be bygones. Disturbances in other parts of the world pass away; by letting them alone they died out the sooner. I will therefore support the amendment.

Hon. LEADER OF THE GOVERNMENT.—I do not see any good that can result from merely contradicting ex-Sheriff Dodd's letter. If a Committee were appointed to investigate these matters, they would only bring up old disturbances which would cause unpleasant feelings. If the character of the people requires to be cleared from false charges, a resolution of this House would be quite sufficient for that purpose. There were, no doubt, hundreds of persons outside of Charlottetown, who would have assisted the Sheriff in the execution of the law. Very few persons could be found who would say that Mr. Dodd's statement was correct. No doubt he was much annoyed at the time because few persons were willing to assist him in the collection of rent. The only way in which he could obtain much assistance, was to call out the inhabitants as the law directs. But the question is now pretty well worn out, and hon. members on both sides of this House have ventilated the matter quite sufficiently. I had hoped that the hon. members (Messrs. Davies and McNeill) would be free to admit that their

friends had gone too far; and that it is better not to rake up these disagreeable matters again. The character of the people should be cleared up, and they should be entitled to all the rights and privileges of British subjects; but the way to accomplish this would not be to investigate these matters through a Committee. I trust that the hon. member for Belfast will see that an investigating committee would not accomplish the desired object. We all admit that the Tenant Leaguers went too far; but if the late Government had taken a firm and determined stand the troops would not have been required, and all the consequent trouble would have been spared. Mr. Dodd, himself, told me a short time ago, that he believed if a sufficient force of constables had been employed, the troops would not have been required, and he regretted that the late Government were so hasty in sending for them. I should now like to see the same regret on the part of the Tenant Leaguers generally, for the conduct of some of their members who violated the law. This would do more to remove the stigma than the proposed investigating committee could do. But as all these troubles have passed away, and as the Tenant League is not now in existence, these people should be allowed to enjoy all the rights and privileges of British subjects. Until these rights are restored they are not eligible to any public office in the Colony. We know that Her Majesty's representative does not feel himself in a position to appoint them to fill any public office, after issuing a proclamation against their proceedings with which they did not comply. He could not place men in office who were banded together to resist the laws, in the face of that proclamation. A large majority of the people do not wish to see the matter raked up again, and do not care much about their ineligibility to public offices. As time passes on, all this will be forgotten, and their connection with the Tenant League will not be thought of. I made inquiry about the supposed act of incendiarism, and found that the fire was a mere accidental one, and not caused by any member of the League.

Mr. P. SINCLAIR.—An investigation of this matter by a Committee would only bring up unpleasant feelings which would be disagreeable, and could not possibly do any good. It would lead to the examination of a large number of persons, not upon oath, and consequently would not prove anything. The hon. member for Murray Harbor stated, that if the Tenant League had gone a little farther, our constitution would have been taken from us. I do not believe anything of the kind, for that could not be done without our consent. We are wasting a great deal of precious time on a subject which would be better left in oblivion. I will support the amendment.

Hon. Mr. CALLBECK.—I believe that I am one of the five members named Tenant League-men. Although I never joined that association, I sympathised with those who belonged to it, and I do so still. It has been stated here by one hon. member, that we made the members of the League large promises. This is incorrect, if applied to me; for I never made a single promise except what I knew I could fulfil, if elected. I invariably stated that the Government were bound to maintain order and to carry out the law; but I do not intend to justify the course which the late Government pursued in the suppression of the Tenant League. I believe, if Mr. Dodd had travelled through the District of which I am the representative, even when the Tenant League excitement was at its greatest height, he would have been unmolested. The principal cause of that excitement, was the insulting language of the Deputy Sheriff and his officers. The resentment showed by the people was owing to the insulting and disgraceful treatment they received from these men. If such language had been used towards me, in my own house, I should have flogged the guilty parties in a summary manner. I was one of the jury who brought in a bill of indictment against those who were brought to trial. This bill was founded on the testimony given us; but perhaps that testimony was one-sided. During the

trial the officers of the law themselves were implicated, and we made a presentment against the Deputy Sheriff for stopping men on the highway, searching their pockets, presenting his pistol at them, and holding them prisoners for a length of time, without any reason for doing so. The most obscene language had been used by the Deputy Sheriff and his officers in serving writs upon the people—language which would provoke the most loyal and sober men to violate the law. Such conduct from the officers of the law, made the people feel that they were oppressed, and of course, they became excited, and when they were fairly aroused in self-defence, it was hard to check them. The inhabitants of the District which I represent are a law-abiding people, and if some of them were driven to extremes, it would be unfair to charge the whole population with disloyalty. If Mr. Dodd grounded his statements on the reports of his officers, which he very probably did, he was incorrectly informed on the whole matter. But I do not think any good will be done by bringing up all these troubles again, before an investigating Committee. I wish to let bygones be bygones, and I feel it my duty to support the amendment. If the late Government had taken the proper course, the law would not have been violated, and the troops would never have been sent for.

Hon. Mr. DAVIES.—Before the question is put, I claim the privilege of making a reply.

Hon. LEADER OF THE OPPOSITION.—The hon. member for Belfast has no right to reply when a new motion has superseded his.

Hon. Mr. DAVIES.—I consider that I have a right to reply, as I intend to speak on the amendment. I will hastily run over the principal objections to the Committee which I have proposed. It is not my intention to injure Mr. Dodd, for I believe he was fully persuaded in his own mind that he made a truthful statement. My object in submitting the resolution, was to clear the character of the people from false charges; and surely the people in the country hold their character as dear as the people of Charlottetown do theirs. The people of Queen's County are as honorable, consistent and loyal, as the people of any country; and they are always willing and glad to carry out the law, but not to be trampled on and ill-treated. The hon. member for Charlottetown quoted from the *Examiner*, the late editor of which opposed the Tenant League. Is that any reason why the people should not enjoy all the rights of British subjects, and have their character cleared from the false charges made against them? Although the deceased editor of that paper and I were friends and colleagues for years, I do not think his opinion infallible. We know he believed that it would be a gain to this Colony to enter Confederation, but few in this Colony are of that opinion. I opposed him consistently in that case, and I have the same right to oppose his writings in the present. The hon. members would try to make us believe that the proposed Committee would have all the powers of a Court, and that they might stigmatize Mr. Dodd's character; but we know that is not the case. We wish to gather information to prove that the misrepresentations of one man, who has placed a foul stain on the character of the people of this Colony, are incorrect, and utterly false. If the statement of that individual is allowed to go uncontradicted, every day we sit here we assent to it, which would be an act in opposition to the good judgment of this House. The opinions of the Committee would be subject to the approval or disapproval of this House. The object of the Tenant League was to buy up the lands of the proprietors, at a fair valuation, and if the latter refused the full value of their lands, the people refused to pay rent till they were willing to sell. I believe in some cases the proprietors were offered a higher price than ever before, and if they refused to sell at these prices, the Legislature should have compelled them to accept them. Hon. members should recollect that I was the first person to step in when the people broke the laws, and show them the consequences of their actions. But few of them went so far, and why should

the many suffer for the few? I believe the people of Queen's County exceed those of the other two Counties, both in intelligence and numbers, therefore their interests should be attended to, and their character vindicated by wiping out the stain which a single individual has thrown upon it.

The debate was then adjourned.

I. OKENHAM, Reporter.

*Afternoon Session.*

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I am sorry I was not in my place in the forenoon, when the motion was made for a Committee to consider the statements in Mr. Dodd's letter.

Hon. Mr. DAVIES.—I wish, Sir, to know if the amendment of the hon. member for Charlottetown is withdrawn.

Hon. LEADER OF THE OPPOSITION.—It is not. When the motion was made in the morning, an amendment was made by the hon. member, (Mr. Brecken) which is the question now before the House. In consequence of my absence, I am not made acquainted with the nature of the arguments made use of by the hon. member who introduced the motion. I regret this, because it is a resolution of a very serious nature,—one which the dignity and honor of this House require that it should be discussed as free from party political bias as possible, because, if carried, it will place this House before the bar of public opinion in the neighboring Provinces, and in Great Britain, in a very peculiar manner. In so far as I can gather from the Resolution, the intention is, that this House shall form itself into a judicial committee, to investigate the letter written by Mr. Dodd, as Sheriff of Queen's County, in 1865, wherein he states that he could not serve writs, in consequence of an illegal association, then known as the Tenant League. Now, I humbly submit, that if this resolution is carried, we shall be taking upon us powers which do not belong to this hon. House. I submit that this House cannot constitutionally adopt the power asked for in this Resolution. I never wish to see this House place itself in a false position, by assuming powers it cannot exercise. If we attempt to carry out what is here asked for, we will place ourselves in a ridiculous position, because we cannot compel Mr. Dodd to appear here to account for his doings while Sheriff of Queen's County. This House cannot send the Sergeant-at-Arms for Mr. Dodd, because were he to attempt to bring him here, he would be a trespasser himself. Lords Brougham, Campbell, and others, versed in Constitutional Law, have made this plain; while all those who have given close attention to such matters, know that the power of the Imperial Parliament, in these respects, is not the growth of law, but of usage. Here it cannot be acted upon, as we have no power but that of making laws. When a difficulty arises, some may think that we have a right to exercise those judicial functions, but we have not; and I appeal to the learned Attorney General for confirmation of this, or to the Warren's Act case, subsequently tried, wherein this principle is indubitably laid down; and, therefore, as we have not the power sought for in the resolution of the hon. member, we shall be only stultifying ourselves if we appoint a committee to send for persons, papers and records. But assume that this House could bring Mr. Dodd here, and the willing witnesses which the hon. members, Messrs. Davies and MacNeill, would, no doubt, be able to pro-

cure, still the committee could not carry out the views of the hon. members, because it could not administer an oath, or exercise the power of an ordinary Justice of the Peace. There is no Colonial Legislature that has the power now asked for, unless given to it by Statute. Again, we have to bear in mind, that it is a recognized principle of jurisprudence, that a man cannot be a judge in his own case. Now, one of the extraordinary circumstances brought out in this case is, that two of the men who would, according to the usage of this House, be on this Committee, have expressed strong sympathy with the League, and who, too, according to another principle of jurisprudence, ought not to sit as judges, because they have already expressed an opinion on this question, by condemning Mr. Dodd's letter in strong terms. Only think how low this hon. House would fall, if the majority of the people's representatives would consent to such an ungodly and unrighteous resolution. As I before said, according to the ordinary rule of this House, these two hon. members would be on the Committee, and no matter what the views of the third member might be, we know what the blood-stained report would be. The hon. member for Belfast, (Mr. Davies) said this morning that he did not wish to injure Mr. Dodd, an expression which may well remind us of the French Statesman, Tallyrone, who said that words were given us to conceal our ideas. I think the hon. member must have been studying the precept of that statesman. One would think the hon. member thought that he was not speaking to sensible men, but to Theodorus, the Abyssinian tyrant, when he said he did not intend to injure Mr. Dodd; for, if such a committee was appointed, I can entertain no doubt as to what that report would be, for two of those who would compose that committee have delivered their judgement before going into committee, and, Sir, under these circumstances, even if we had this power, it would be wrong to place it in the hands of such persons. True, the report might say that the House would not be bound by it, but still such a procedure would be wrong, for those to whom the hon. member for Cavendish referred, are like Lucifer when he fell, and finding themselves now in a position in which they would not be placed had they never touched the tarred stick of the Tenant Union, they wish to get this House to come to their rescue. It would, indeed, be a model procedure on the part of this House, to investigate a matter which dates back to 1865. It is proper for one House of Assembly, if it thinks proper, to rescind a resolution of a previous House; but from all my constitutional reading, either in the historical works which I have read on such subjects, or in the Journals of the House of Commons, or of any other country, I have never read of a committee being appointed to investigate the doings under the jurisdiction of an officer over whom they had no control. No doubt, the hon. members would like to white-wash this letter, or erase it, if they could, from the Journals; but they cannot, and there it stands, and will continue to stand, as a communication from a public officer, over whom this House, or the Executive Government, has no control, condemnatory of that association which was the means of calling it forth. No doubt, they feel indignant to have it placed on record, that the Sheriff could not find any one who would aid him in serving a writ, or levying an execution. But what are the statements of Mr. Dodd, when placed beside the strong ones made by the late Mr. Whelan, a gentleman who had no love for the Tory party, and whose interest it was to break it up, in order that the

Liberals might get into power, and himself into office? Yet, notwithstanding all these temptations, he, as an honest man and true patriot, could not support them, because had he done so, he would, as a member of this House, have had to do what the hon. member is now attempting. If Mr. Dodd is to be condemned this year, the hon. Mr. Whelan should have been condemned during the last Session; but instead of this, do we not all know, that when the late Government was overthrown, that the best office in the gift of the present party was given to Mr. Whelan. The hon. member for Belfast could not have been ignorant of the articles in the *Examiner*, for they did not appear as correspondence, but as leading articles, for which the publisher is always held responsible. In the *Examiner* of 16th October, 1865, he thus speaks:—

[The Reporter regrets that he has not been able to obtain this paper, or the extract read.]

In this article the Government is justified for bringing the troops here, and blamed for not having done so sooner, and when Mr. Whelan is in his grave, we find the men who gave their vote to place him in the office of Queen's Printer now rising to condemn conduct which he approved of! If that talented man, Sir, was alive this resolution would never have been offered. The proper time to have done so was last year. They ought not to have waited until he was in his grave and unable to appear here to defend his conduct. Sir, it is a cowardly resolution, and a cowardly act to try to condemn Mr. Dodd, for we all know that that gentleman would not have signed this letter did he not know that he was putting his hand to that which was true. Mr. Whelan had the Royal Arms placed over him, although in such strong terms he denounced the demagogues who were then leading on the people to those illegal acts. Mr. Whelan is not here now, for he has gone to that "Bourne from whence no traveller can return," to tell us to whom he referred, but we can see who those were whom he called "demagogues." Of the Tenant Union men, I cannot say who the cap fits, but I say that this resolution savors of much that looks like Tenant Unionism, but if this House passes it, it can do no good. (The hon. member here again quoted from, and commented on statements in the *Examiner* Reporter.) I ask you, Mr. Speaker, if there is anything in Mr. Dodd's letter as strong as these statements, wherein Mr. Whelan charges a large number of the people of this country as being guilty of rebellion? and we know that when a people are so represented it includes all public reproach. If Mr. Dodd has been guilty of libel, the learned Attorney General is aware, and I am sure, will tell you that the proper tribunal is the Executive Council. Let the hon. member for Belfast bring forward his charge and show upon evidence that Mr. Dodd is guilty of libel, and having done so his proper course would then be to bring an action in the Supreme Court, when twenty-four jurors can pass an opinion upon the evidence, and if they have *prima facie* evidence of his guilt, they can then place him before a Jury of his country; but for this House to do so, would be to place itself in a miserable and contemptible position. In 1830 when the reform agitation ran so high, much higher than it did last year, we know that in Bristol it was considered that the then Mayor had not discharged his duty, but when the question came up for consideration, the impeaching of Mr. Paine was never once thought of, or suggested to the Chairman of the Committee. No, but they took

the more sensible course, and sent the case to a Jury. They did not think of doing in England in 1830, what the hon. member thirty-eight years afterwards wishes to do here. Talk of the Spanish Inquisition, why, Sir, the powers and danger of the Court the hon. member would establish is such, that he would give it a jurisdiction that would render that of the Inquisition mere child's play when compared with it. I feel convinced, Sir, that before many hours, and from this night, that we shall never hear more of this famous resolution. Why find fault with Mr. Dodd's letter? for many in this town are aware that in July 1865, the Sheriff was driven from a settlement in Queen's County, and those who done so, came riding past this building and through some of the principal streets, when justice was sitting and holding the scales of equity in her hands. Will the hon. member say there was nothing wrong in the association? Why his hon. colleague in the Government (Mr. Callbeck) who in one minute grows hot and cold on the subject, and when what he did say appears in print, I think all the old women in the country will not understand him; but the hon. member did admit that some of his constituents violated the law, and if so, that would justify Mr. Dodd in saying that writs and executions in his hands could not be served. That the people were justified in the course they pursued, is, I think, doubtful. The hon. member said that the Tenant Union purchased an Estate, but with that question we have nothing to do. The matter before us now is the constitutional power of this House to appoint the Committee asked for in the resolution of the hon. member, and to bring witnesses here; but if we should do so, would it be a legal and British tribunal, when two of the judges are subscribers and sympathizers of the Tenant Union, and men who have beforehand pronounced Mr. Dodd's letter a libel. I am sorry that my hon. friend the member for Charlottetown took the course he did; but the matter came up so hastily there was no time for consultation, for I think it would have been much better to have moved an amendment, saying that this House could not bring Mr. Dodd before it, or administer an oath. The hon. member is leading the country to believe that he can bring Mr. Dodd here, but to this he will not get this House to agree, but if he could, and would summon the hon. member (Mr. Callbeck) here, and if the evidence of the hon. member (Mr. Davies) was also taken, who was foreman of the jury who brought in a true Bill against the parties belonging to the Tenant Union who were brought to Court, and who also helped to place a man like Mr. Whelan in such an important office. When these matters would be considered and placed in the balance, I think it would appear that Mr. Dodd would be in a much more enviable position, than the hon. member for Belfast.

Mr. BRACKEN.—Mr. Speaker, I believe I have a reply to make, but I need not say much, as the good sense of this hon. House is on the right side in considering the question brought to its notice. The hon. member for Belfast (Mr. Davies) said he had the highest respect for Mr. Dodd, but while he said this, he also argues that his letter cast a foul stain upon the Colony, and that until it is wiped away, this slander will remain upon the country. I believe that socially the hon. member does respect Mr. Dodd, as I myself do the hon. member; but politically, I do not respect him, for I abhor and detest his political principles. I look upon this as one of the most lamentable discussions that ever took place

in this hon. House. Why does the hon. member bring in a resolution here, that can only aid in keeping up this sore among the people? The colleagues of the hon. member, in the Government, who have stood up here to speak to this resolution, have not supported him in his views, but they have taken the hon. member up in their arms, and laid him down as easily as possible on a bed of feathers. The hon. the Leader of the Government was very mild, but the late Queen's Printer denounced the League and its authors in the strongest terms to be found in the English language, and said that every patriot should come out and denounce the organization. Sir, after such an exhibition as we have had to-day. I do not expect to see the Hon. Mr. Davies another day a member of the Executive Government of this Island, for he has come forward with a very important resolution, and his associates in the Government have refused to sanction it. The hon. member had better ask to have his desk moved into the middle of the house, and lend his aid in the formation of a third party. He came here to support the party in power, but they do not support him; his views and theirs seem not to agree. Why, an hon. member who has condemned the Fifteen Years' Purchase Bill, and who holds the opinions he does, should come in here now with such a resolution, after having supported the late Queen's Printer in obtaining the appointment, is what I do not understand. I stated to-day, that Mr. Whelan as a public journalist, denounced the Tenant Unionists as a body of rebels. There was no strong epithet in our language which he did not use against them, and close beside these articles you will find him using equally strong language against the late Government, yet the hon. member aided in placing him in one of the best offices in the gift of the Government, and only when his telling eloquence is now silenced forever, it is, that the hon. and plucky member comes forward in his place in this House to denounce Mr. Dodd. Can anything be more unmanly than this resolution? As was said by the hon. Leader of the Opposition, if the hon. Mr. Whelan was alive, this resolution would not have been talked of to-day. The late Mr. Whelan had great influence, and I believe, raised himself greatly in the estimation of the country, by the course he pursued in this matter. If the hon. member is sincere, he should not have waited until he was dead before moving in this matter. It may perhaps be said, that in discussing this question, we are but wasting the time of this hon. House; but the question has come up and it had to be dealt with, and if the hon. member retains his seat another day in the Executive Council, I shall not think so much of the Government or him as I have. I know that in the Old Country, men have given up their seats on a much smaller matter than this. It is true the hon. member says that the report of the Committee must be submitted to this House, but Sir, we need not go into this mockery. It is a perfect caricature, one which this Colony, even in its political infancy, never witnessed before.

Mr. McNEILL — Mr. Speaker, it has been said that the prejudices of education and the force of habit, is so great that after men have been in a certain line of business for some time, they become so attached to it, that no matter in what department of life they may be placed afterwards, it is hard to get them to lay aside either the one or the other; and I suppose it would be the same with ourselves. We have heard a good deal about the

views of other people, and have had articles quoted from the paper of the late Mr. Whelan, which have given matter for remark by the learned Leader of the Opposition, who has also given us some information about the Law tribunals, and constitutional powers of this House; but neither he nor the hon. member for Charlottetown, have said that the Executive Government of 1865 had affidavits upon which to found so grave a slander upon the people. The Government did not even ask Mr. Dodd if he had any real cause for such a serious charge. Mr. Dodd may have thought that every man in the country who had a tin trumpet, the sound of which so terribly frightened him, was prepared to kill or to injure him; but you, Sir, and every other man in the country knows there was no grounds for such apprehensions. As to what the hon. Mr. Whelan said, who does not know that he said some things at one time, which he contradicted at another, and other men have done the same. He at one time said some things about a meeting which he compared to Donnybrooke Fair, and many of those to whom he then referred have not yet forgotten them; indeed, the wonder is that there was not a rebellion at that time, and perhaps there would, could the same purpose have been then served. Before Mr. Whelan went to Canada his published views on some questions, were different from those he published after his return. Before he was appointed as a Delegate to Canada, he said the troops ought not to have been brought here, but after his return he wrote the articles which were read by the hon. Leader of the Opposition. Whether Confederation had anything to do with this change of opinion I cannot say. I do not deny but that some men who belonged to the Tenant Union did act contrary to the rules of the Society, but is it not the same in other organizations also? Do not men who are members even in Christian Churches, act sometimes very wrongly, and would you say that this was a reproach upon the principles of the Christian religion? But the hon. member for Charlottetown (Mr. Brecken) says he is surprised because my hon. friend Mr. Davies and myself, are endeavouring to have this foul libel upon the good name of the country removed from the Journals of this hon. House. This letter of Mr. Dodd's goes far to show that there was a systematic attempt to take away our constitution, for what other motive could have induced any Government to have called out the *Posse Comitatus*, or have led any men in such respectable positions, to have made such a childish and foolish display? It is unreasonable to think that any men would have done so, were there not some motive like that in contemplation, for the ex-Sheriff a few days ago told me, that it was his deputy that could not serve writs; had he gone himself into the country, he said he would have served every document that was put into his hands—a statement that conclusively proves that Mr. Dodd was not justified in making the statements contained in that letter. It shows also that the troops were not required, and had the deputy Sheriff taken security as he should, and as the people believed he was bound to do, the Curdsville affair would not have happened. Officers of the law should not unnecessarily provoke the people, when discharging their duty, when there is no occasion for it; but I do not blame Mr. Dodd for all that is contained in that letter; perhaps he was but acting for other parties. If I understood the hon. member for Charlottetown correctly, he hinted that in sending for the troops, a battle was anticipated, for he said the

people were prepared for this, and were anxious to resist.

Mr. BRECKEN.—I rise to a point of order. I never said anything of the kind. I spoke of Mr. Whelan's influence throughout.

Mr. MACNEILL.—I understood the hon. member, and if he expects to get the thanks of the country for what he has said, he will be mistaken, for no man who endorses all that is in Mr. Dodd's letter, need ever expect to be much thought of by the people of this Island; and after what has been brought to their knowledge about the true state of affairs, how can any man do so? Any man who, knowing the people of this country, and the facts as they occurred, who will approve of such statements, deserves to go to his grave unwept, unhonored and unsung. As to what was said by the hon. member (Mr. Duncan), I need only say, that his insinuations are unworthy of notice.

Hon. Mr. DUNCAN.—I only stated facts which the hon. member cannot contradict.

Mr. MACNEILL.—I make no attacks where nothing is to be gained; I might say that the hon. member associated all his life with the most respectable classes in society, or I might say the reverse, but such assertions would be no evidence of their truthfulness.

R. GORDON, Reporter.

Mr. Prowse presented a petition from the inhabitants of Lot 59, praying for the establishment of a Wharf.

Hon. Leader of the Government stated that as this petition was praying for a grant of money it could not now be received.

Mr. Howatt moved that the third order of the day be now read, namely the further consideration of the Bill to amend the Militia Law. The Speaker put the motion from the Chair, and the House divided as follows:—

For the motion—Messrs. Howatt, Kickham, MacCormack, Prowse, Reilly, G. Sinclair, Arsenault, P. Sinclair, McNeill, Cameron, Hons. Henderson, Howlan, Coles, Kelly, Davies, Laird, Callbeck—17.

Against it—Hons. Haviland, Hensley, Macaulay, Duncan, Messrs. Brecken, Owen—6.

Hon. Mr. HOWLAN.—I expressed my views on this subject yesterday, but since that time, I have had a conversation with Colonel Smith, and he told me that the Commander-in-Chief can call out the people at any time. Now if the Commander-in-Chief has power over this matter, the Government might advise him not to call the people out at unseasonable times. Although I moved that the hon. member have leave to withdraw his Bill, yet, as he seems willing to have it amended in certain particulars, I think it would not be amiss to have it passed.

Hon. LEADER OF THE OPPOSITION.—Yesterday I moved that the Bill be read a second time this day three months.

Mr. HOWATT.—Hon. members may disagree with me regarding some of the details of the Bill, but I am willing to make amendments if necessary. I think there is a necessity for this Bill. I believe that it is the prerogative of this House to define the time for calling out the militia as well as the number of days during which they shall drill. What is the Legislature for, but to pass laws to regulate the affairs of the Colony.

Hon. Mr. DUNCAN.—I second Mr. Howatt's motion to bring this Bill before the House.

Mr. McLENNAN.—I feel inclined to support the motion of the hon. member from Tryon to go into Committee on this Bill. I think he was perfectly justified in bringing this matter to the notice of the House and of the Government. I am aware that there are loud complaints amongst the people, for being called out to drill at unsuitable seasons of the year. I would go even further than the hon. member from Tryon, I would do away with the whole affair. The money might be better expended in something else. We have commanders in the militia who know nothing of military tactics.

Mr. KICKHAM.—I have heard a great many complaints in the country about men being called from their work to attend drill in the month of July. I think it would be an advantage if people were called out at six o'clock in the evening instead of the morning. When people have to travel a long distance to attend drill in the early part of the day, they are too tired to do anything that day.

Mr. PROWSE.—I am not convinced but that the motion of the hon. member from Tryon is correct, and I will support it. It has been said that orders were issued by the Council, not to have men called out at improper times, but these orders were disregarded, therefore I think there is a necessity for some law with respect to this matter.

Hon. Mr. HENDERSON.—On this important question I take pretty much the same view as my hon. colleague. I know that in the neighbourhood where I live parties preferred to work at their harvest rather than go to drill, though they were liable to a fine for so doing. There is a necessity for the present law being amended so that people shall not be called out in harvest time.

Hon. Mr. MACAULAY.—We know that the militia force is a force provided by the Government to preserve order in the community, some hon. members may feel themselves restricted on account of their military position, from expressing themselves freely on this question, but I am not restrained in this way, not having the honor of being even a common private. I should like to hear the opinions of the hon. Attorney General on this subject.

Hon. ATTORNEY GENERAL.—I think the hon. member might have known my opinion on the subject, for when the hon. Leader of the Opposition moved that the Bill be read a second time this day three months, I seconded his motion. A great deal has been said about the right of the Government to bring in this Bill, but I do not know of any rule to prevent a member of the Opposition from introducing a Bill of that nature. If there had been any such rule, I think my hon. friend from Georgetown, who is so fond of hunting up old rusty rules, would have found it. It is not an unusual course to pursue. I think that some seventeen or eighteen years ago a member of this House, who was not a member of the Government, brought in a Bill of the same nature. My hon. colleague said the people were dissatisfied with being called out in the long days of July, but complaints have been made about being called out at other times as well. I think it would be the best way to leave it in the hands of the Commander-in-Chief, for I do not think that officers would do anything to harass the people. I have heard that in the district which the hon. member from Tryon represents, the matter was left to the Colonel who lives,

in the district, and should have known what time it would be convenient for the people to attend drill. There is another objection if you limit the days, you will have the whole Island out at once, and you would require a large number of drill instructors.

Hon. Mr. MACAULAY.—The hon. member has said that I have been hunting up old fusty rules. If the rules are fusty the member who brought them in must be fusty also. The rule to which I alluded was brought in by the Attorney General, and, if the premises are correct, he must be a fusty old gentleman. I think it is an invasion of the prerogative of the Government for any other member to take this matter in hand.

Mr. P. SINCLAIR.—I believe that both the Conservative and the Liberal Government supported this Bill on account of the pressure brought to bear upon them by the Imperial Parliament. If you introduce this amendment it will be destroying the whole affair. It would be better to leave it in the hands of the Government.

Hon. LEADER OF THE GOVERNMENT.—A good deal has been said about calling out the people in spring time and harvest, but I think the law might be amended to prevent this. If the House cannot agree upon this matter, the Government will not be likely to do so either.

Mr. CAMERON.—It appears to me that there is a necessity for something like the amendment submitted by the hon. member for Tryon, but I think that amendment is open to objection on account of the time being too short. But if the hon. member is willing to modify it, I think we should have no objection to it.

The House then divided on the amendment, that the Bill be read a second time this day three months.

For the amendment—Hons. Haviland, Hensley, Duncan, Macaulay, Howland, Messrs. Owen, Brecken, Jenkins—8.

Against it—Hons. Coles, Callbeck, Laird, Kelly, Henderson, Messrs. Howatt, Arsenault, P. Sinclair, G. Sinclair, Reilly, Kiockham, McCormack, Cameron, Ramsay, Prowse, McLennan—16.

House in Committee on the second reading of the Bill. Dr. Jenkins in the Chair.

Mr. HOWATT.—I introduced this Bill to test the views of hon. members. If any hon. member moves any amendment and shows reasonable ground for it, I am willing to coincide with his views.

Mr. P. SINCLAIR then moved an amendment that all persons be exempt from militia duty from the First day of May till the Fifteenth day of June, and from the First day of August till the First day of December.

Hon. LEADER OF THE GOVERNMENT.—I think the latter part of June is about the busiest season of the year, it would be better to extend the time till the First of July.

Hon. Mr. MACAULAY.—I should be sorry to cast any reflection on the Government, that they are incompetent to manage this matter and would rather leave the whole affair in their hands. It is impossible to fix a time that will not be inconvenient to farmers, they are busy at all seasons of the year.

BALDERSTON, Reporter.

Mr. G. SINCLAIR.—It would be pretty hard for this hon. House to fix a time for calling out the militia for

drill, which would suit the conveniences of the people, for some have one thing to do, and some another, which requires particular attention. We know very well that farmers are busy the whole year round, but if they were exempted during seed time and harvest that is all that could be required. There would then be nine months in which they might be called out.

Hon. Mr. MACAULAY.—I cannot see the force of the hon. members arguments at all, he may be fortified within his own impregnable wall, but, Sir, we know that is not the case with this Island. If any invasion should take place in the month of May, and the militia were exempted during that month what could then be done? If we heard the sound of invasion from a distance, the militia would need a little time to prepare for the emergency. If the whole matter under consideration were left at the option of the Government, I believe they would advise the Commander-in-Chief to call out the men at the most convenient season of the year.

Hon. Mr. HENDERSON.—I cannot agree with the hon. member for Georgetown (Mr. MacAulay) on this point. It has been stated that a Colonel in a country district, who was supposed to know all that is necessary about Agriculture and such matters, took upon himself to call out his men at a most inconvenient season of the year. Now if that be the case in the country, what are we to expect from the Commander-in-Chief, what are we to expect from the Instructor of Drill? What is to protect the farmer against the caprices of the Militia Officers if that statement is correct? If the Government do not step in and prevent these officers from calling out the men at an improper season, the farmer will be imposed upon. All this shows the necessity for some law to let the officers of militia feel their responsibility to the people, and to the Crown.

Mr. HOWATT.—It would not be an easy matter for the Government to ascertain when the people are most busy, for the people do not all reap their crops at the same time. Instead of throwing the burden of attending to this matter on the Government, this Bill would relieve them of it. I am glad to see that the hon. Leader of the Government is willing to listen to any suggestion calculated to do the country good, and in supporting this measure he will show the people that he is willing to relieve them as far as possible. It would not be well to allow the farmer too short a time to perform his spring and harvest labours, for a few days would often make a vast difference to him. When the proper time is fixed and the Bill becomes law, the Officers of Militia will be guided by it, and thus there can be no mistake in calling out the men who are liable to serve in the militia force.

Hon. Mr. MACAULAY.—I am astonished to hear the observations which have fallen from my hon. friend here. If that be the case he must alter the Bill to suit all parties, and then it would be inapplicable and absolutely useless.

Mr. MCNEILL.—There are hundreds of men engaged in fishing as well as farming, and the Bill would give them notice of the time they must turn out for drill, so that they would not be taken surprise. It would not do to exempt farmers in any other season than in planting and harvest time.

Mr. PROWSE.—Hon. members on this side of the House wants to leave the matter with the Government,



while those on the other side are trying to prove that the Government cannot do anything to suit all classes. I cannot see anything to prevent this Bill from doing good service to the country generally, if a proper time is fixed by this House for calling out the militia. I believe that in many parts of the Island the people would rather be subject to drill in the planting season than in October and November, for it does not take a very large number of people to do the planting. The best time for calling out the men would be after the navigation has closed, and before there is any depth of snow on the ground. If the navigation keeps open later in one year than another, the men might be called out a few days later. The winter season is the most convenient one for both farmers and fishermen.

Hon. Mr. LAIRD.—The amendment is that all militia-men shall be exempt from the First of May till the 15th June, and from the First of August till the First of October. Some farmers may be busy at other times, but the periods of exemption include the busiest part of the year. As the Drill Instructors are employed by the year, it would be hard to drill all the men in two short months after the navigation has closed, but this proposed regulation would relieve the agricultural classes, and, therefore, I shall support the amendment.

Hon. LEADER OF THE GOVERNMENT.—To call out the farmers after the 15th June would put them to great inconvenience, for they are then employed in sowing their turnip seed, and if the principal working man on a farm is taken away the land cannot be prepared for that valuable crop. I think it would after all be better to leave the matter to the discretion of the Commanding Officers. In some parts of the Colony the time proposed might be convenient, and in other places inconvenient. It would be a hard matter to fix a time which would suit all parties. Instead of having a few hours training, let the men be drilled a whole day at a time. It may appear to some that an hour or two is not of much importance, but an hour or two of drill each day will often put men to great trouble and inconvenience. As far as the people near Charlottetown are concerned, I know they should not be called out in the month of June.

Hon. Mr. HOWLAN.—There is an act already in existence which exempts fishermen during the fishing season. We cannot make a law that will suit all parties at the same time, for instance, in Charlottetown, mechanics can attend drill at almost any time, while fishermen and farmers require to be exempted at certain periods. If a Militia Officer should call out his men to drill at a time which would be inconvenient to them, he would soon make himself unpopular, and there are ways and means of preventing him from repeating it. The Captains and Commanders of regiments in the country would be in a position to decide when it would be convenient for the men to attend drill. The Militia Officers in the country could advise with the Commander-in-Chief on the matter. One hon. member says that the calling out of the militia at a certain season will interfere with the sowing of turnip seed, and another says it will interfere with the fishing business, and so on, but I do not think the framers of the Act intended to call out the men from their farms in the month of May, for if that was done the militia could not be kept up. The whole matter should be left in the hands of the Commander-in-Chief who can consult his officers as to the most convenient season for calling out the men to drill.

Mr. PROWSE.—The Act at present in operation only effects those fishermen who have a written agreement, and consequently does not effect one man in Murray Harbor.

Hon. Mr. HOWLAN.—This law effects all fishermen during the fishing season. If a man is engaged in fishing he can go to a magistrate and state the facts on oath, then all would be correct and there could be no mistake about it. The magistrate would be justified in giving a certificate of exemption in such cases.

Mr. PROWSE.—To fulfil the conditions of the Act, a fisherman must have a written agreement.

Hon. Mr. HOWLAN.—I never heard of a man making a written agreement with himself. If a man is engaged in fishing on his own account, he can go before a magistrate and make an affidavit to that effect.

Mr. McNEILL.—What the hon. member for Tignish (Mr. Howlan) has said, inclines me to believe that there is need for amendment. I should turn out my Company at the time they were liable to drill.

Hon. Mr. HENDERSON.—If the period of exemption were extended to the 25th day of June, it would be more convenient to the farmers, for in some parts turnip raising is an important branch of Agriculture. I should think that this discussion will have an effect upon the militia officers.

Mr. P. SINCLAIR.—I have not been very anxious about this bill from the first, for I think it would be as well to leave the matter in the hands of the Commander-in-Chief. I believe the amendment will only make matters worse than they are at present, therefore I move that the bill be read this day three months.

Hon. ATTORNEY GENERAL.—I will support the resolution of the hon. member (Mr. Sinclair,) for I think it would be far better to leave this matter to the discretion of the Commander-in-Chief and his officers. I believe they would never call out the men at an improper time. I have a sufficient knowledge of farming to be able to state that any man who puts in his turnips before the 25th day of June, is not necessarily a bad farmer. The officers might have license to call out their men for drill after the 15th June, for the turnip sowing ought to be over at that date. With all due respect to the hon. member who introduced this Bill, it only increases the difficulty, for what may do one year may not do the next. I had some experience of the inconvenience caused by calling out farmers to drill at the busy season of the year. One year I had one of my most valuable men called away to drill when I required him the most. If the militia officers interfere with the interests of the country by calling out the men at an improper season, they can be censured for their conduct. But if the officers are confined to a very short time, we should be obliged to employ a Drill Sergeant for every regiment in the country, which would entail a considerable expense. To reduce the number of days for drill lays is in the power of the Legislature.

Mr. BRECKEN.—I think it would be a most extraordinary thing for this House to interfere with the officers who ought to know the most suitable time for calling out their men; and even if this Bill were passed, it would not remedy the evil complained of. I had my office emptied of students to attend drill. Surely the Government can be entrusted to instruct the War Department not to call out the men to drill in busy times. I think the hon. member for New London (Mr. P. SINCLAIR) deserves credit for the resolution he has brought forward. If officers are to be entrusted with the command of a regiment, surely they can be entrusted with this matter. I should be willing to see the days of drill reduced from ten to six, by drilling the men a whole day at a time. It is a most extraordinary thing that the Legislature should be taken up with

such a trifling matter as this, for so long a time. I think the interests of the people are safe in the keeping of their Colonels and other officers of Militia, and therefore, I do not see that a Bill is necessary to remedy the evil complained of. I will support the motion that the Speaker take the Chair.

Hon. Mr. HENDERSON.—The mistakes that have been made in calling out the men, should be a warning to the officers to be more careful in future, for if more mistakes occur, it will be a matter worthy of the representatives of the people to legislate upon next year, if required.

Mr. HOWATT.—I agree with the amendment, and believe that the Bill will yet be carried through, if not, I have the satisfaction of knowing that I have done my duty.

Hon. Mr. DUNCAN.—I think the matter has been sufficiently ventilated to let the whole country know all about it, and I think the Government will take sufficient precaution, that the men liable to serve in the Militia force shall not be called out at an unseasonable time.

Hon. LEADER OF THE GOVERNMENT.—I think it would be a great inconvenience for the people to be called out before the 25th of June or first of July, for it would be impossible for them to get on with the work of their farms.

It was then moved that the Speaker take the Chair; and when the question was put, the House divided as follows:—

For the motion—Hons. Attorney General, Col. Secretary, Haviland Henderson, Duncan, McAulay, Howlan, Callbeck, Messrs. Brecken, Prowse, P. Sinclair, Green.—12.

Against it—Hons. Laird, Kelly, Messrs. Howatt, G. Sinclair, McNeill, Kickham, Cameron, McCormack—8.

The question being carried, the Committee rose without reporting.

Hon. Mr. HOWLAN presented petitions relating to new lines of Roads, which were referred to the following Committee, viz:—

Hon. Mr. Kelly, Messrs. Owen, G. Sinclair.

Hon. Col. Secretary presented the Report of the Postmaster-General, also that officer's Account with the Government, and with the General Post Office, London, during the past year.

The said documents were laid on the table.

House adjourned.

I. OXENHAM, Reporter.

SATURDAY, March 21.

Morning Session.

Hon. Mr. Laird presented a Petition asking for an Act of Incorporation for an Agricultural Society, established at Summerside, to be called the Prince County Agricultural Society

Hon. Mr. HOWLAN.—Mr. Speaker, I think this Society ought not to be allowed to take the name it asks for, for there is a Society in Prince County, which, at one time, formed a branch of the Royal Agricultural Society, and dates back for nigh thirty years. They have an Agricultural Society in Tryon, St. Peter's, Georgetown, and other parts of the Island; but none of these have assumed exclusively the name of either of the Counties. The Society in Cascumpec is the oldest in this country, and is still in existence. This year the Committee imported one hundred bushels of seed wheat, and the Society has a considerable stock on hand. I have no objection to grant the Act of Incorporation asked for, but I do object to the name embodied in the petition.

Hon. Mr. LAIRD.—Mr. Speaker, I cannot see any reason for the objections of the hon. member. If the Society intended to monopolize the funds of the County,

then there might be some grounds for objection; but at present I do not see any.

After a few further remarks, a Committee of three was appointed to bring in a Bill. The House then went into a Committee of Supply. Mr. Reilly in the Chair.

Hon. Attorney General moved that a sum of £5,000 be appropriated for the road service.

Hon. Mr. McAULAY.—Mr. Chairman, this Committee has been asked to go into the granting of a supply, but we have not decided that we shall do so. The legislative function of the Committee now is, to consider if we shall grant the Government a supply. If our confidence last year had not been abused, then our duty is not to refuse a supply this year. Our present duty is not to grant a supply, but to consider whether we shall do so or not. There was a small sum of £130 placed at the disposal of the Government by this House of Assembly, for the purpose of building a wharf, which, in so far as I am aware, has not been so expended, and I wish to know the reason of this. I wish to know why the money granted for building a ferry wharf on the Cardigan river has not been so appropriated?

Hon. Mr. HOWLAN.—Mr. Chairman, I am not aware that any complaints were made respecting the manner in which the supply granted last year has been appropriated. Some hon. members undertook to expend their portion of the road money themselves; and complaints have been made about the way in which it has been appropriated, and in so far as I am aware, these are the only complaints made during the last year.

Hon. Mr. McAULAY.—Mr. Chairman, I believe the country received as much benefit from the expenditure of the past year, as that of any previous one; but, the matter to which I refer, is altogether different from that noticed by the hon. member for Fighish. I do not bring a charge of peculation against the Government. I would be sorry to do so; but I have brought the motion now before the Committee to your notice, to shew what the legitimate functions of this Committee are, which, as the matter now stands, are not to grant a supply, but to consider whether we should do so or not.

Mr. SPEAKER.—Mr. Chairman, it has been said that the money granted for the wharf at the ferry mentioned by the hon. member for Georgetown, was not expended; but I have understood that the reason of this was because a site could not be agreed upon. I have spoken to the Road Commissioner, and he said that he had placed the money in the hands of parties there, who, as soon as a site can be agreed upon, will sell the building of the wharf.

Hon. ATTORNEY GENERAL.—Mr. Chairman, with regard to the first point taken up by my hon. friend for Georgetown, who affirms that this Resolution cannot be entertained as it now comes before this Committee. With all due deference to the opinion of the hon. member, I must say that I think he is wrong. I do not believe he thinks so himself, but that will not alter the fact. His real and only objection is about the £130, which have not, as yet, been used for the purpose for which they were granted; but if the hon. member cannot show that this money has been expended on any other road or wharf, he can have but little cause for complaint. I have no doubt but that some good reason can be given to shew why this money was not expended, and had the hon. member put the question in the proper way, by inserting a notice in the Order Book, an answer

would easily been given; but to bring the matter forward here, is, at least, a most unusual mode of asking for information. With respect to the money laid out on the roads near Georgetown, I have no doubt but that my hon. friend has had it judiciously expended; but the system of hon. members laying out money in this way is not satisfactory, as there is no way of getting proper returns, to enable the Government to have the accounts properly audited.

**Mr. McLENNAN**—Mr. Chairman, as some may, perhaps, think that the remarks of the hon. Attorney General might apply to myself, I wish to inform this hon. Committee that the cap does not fit me. I spent a good deal of time the year before last in attending to this duty, but last year I positively said I would not do so again; but I believe the money has been well and judiciously laid out.

**Hon. Mr. McAULAY**—This is not a Committee for granting a supply. Look to the Journal and see if the House has agreed to dispose of a supply.

**Hon. ATTORNEY GENERAL**—I think the hon. member is altogether wrong; for, when the question was before the House some days ago, it was agreed, that on a future day, the House would take into consideration the details of supply, so that the question is already settled. If the hon. member would prove his assertion, there would be some reliance to be placed in his objections, and I think he should do so, for every day he is finding out something which he considers wrong, and is only taking up the time of the House, when there is no occasion for it; but, Mr. Chairman, although you are but a young man, I submit the question to you, and ask you to put it to the Committee.

**Hon. Mr. McAULAY**—Had I authority here, I would soon show you, Mr. Chairman, that the rules of the House of Commons are such as I have told you. The motion before the Committee is to consider shall a supply be granted, and it is no use for any one to say otherwise; but the question which has been submitted is a resolution granting a supply, and, therefore, it is one which cannot be considered until the House decide that a supply shall be granted. There is no question in the Imperial Parliament which is considered with more care, or which is guarded with more jealousy, than the granting of a supply to her Majesty; and, as we are getting older we should be getting wiser, and not be jumbling up one matter with another. It is not with a view of throwing any obstacles in the way of the Government that I have made these remarks, but to show the beauty of the powers which allow us to legislate.

**Hon. Mr. DAVIES**—Mr. Chairman, it is very well for the hon. member, holding the views he does, to make these statements; but he must be aware that it has been agreed to grant a supply, and it is unnecessary to be referring to old rules of Parliament, to endeavor to find out proof to substantiate his statements.

**Hon. Mr. McAULAY**—I will, Sir, settle it now. A gentleman has this moment put into my hand, as if by accident, a work, from which I will read an extract. It is from the pen of John Shaw Lefevre, who, on account of his Parliamentary wisdom, has been made a Peer. Here is an extract:—

"The order of the day being read for the House to resolve itself into a Committee, to consider the motion, that a supply be granted to Her Majesty, Her Majesty's most gracious speech to both Houses of Parliament is ordered to be referred to the Committee. Then the House resolves itself into the Committee, and the Queen's speech being read, the

Committee resolves that a supply be granted to Her Majesty, which resolution is ordered to be reported."

Am I right now, Mr. Chairman.

**Hon. ATTORNEY GENERAL**—Example is always before precept, and we know that the rule read by the hon. member has not been the practice of this House. When the hon. member was Speaker of this House he did not act upon his own precept. But suppose it was the rule of this House, of what use would it be, for it would be like appealing from Cæsar to Cæsar. It is, therefore, better to rely upon the immemorial practice of this hon. House.

**Hon. Mr. McAULAY**—The hon. Attorney General has graciously alluded to the time when I was the Speaker of this House, but, Sir, at that time no question of this kind was brought up. Had such a question been brought to my notice, when I was in the chair, I would have soon set the House right upon it. I have no wish to find fault or impede the progress of the business of this House, but the Speaker brought me to book because I did not get that Wharf built, and I have provoked the discussion to show that the fault did not rest with me, and if the hon. and learned Attorney General will, in conducting the business of this House, be guided by John Shaw Lefevre, he will have good authority to rest his opinions upon.

**Mr. PROWSE**—Mr. Chairman, I am surprised that this resolution is to be passed in this way, for last year the understanding was, as I understood it, that the whole system of the road service was to be revised; but this resolution is precisely the same as the one passed last year. In reference to this debate, I begin to see the necessity that exists for giving closer attention to our interests, for I notice a disposition on the Government side of the House to suppress any claim from the Opposition, unless it is in accordance with the rules of the House, while such strictness is not enforced to all alike; for, on Saturday, when I asked leave to present a petition, the hon. member for Belfast said I was out of order; but, if so, he was also out of order himself on a former occasion, when he made a motion under similar circumstances.

**Hon. THE LEADER OF THE GOVERNMENT**—The petition which the hon. member (Mr. Prowse) wished to present, was one asking for a grant of money, and therefore this House could not receive it unless it had come down from the Government.

**Hon. Mr. HENDERSON**—The attempt on the part of my hon. colleague was to try to have it submitted. I think there is a tendency to rule out of order what comes from this side of the House.

**Hon. Mr. HOWLAN**—These two hon. members from Murray Harbor are always complaining. I have now petitions in my desk for four days, and have been waiting for an opportunity to present them. These hon. members must remember that there are other districts represented in this House besides Murray Harbor. For the hon. member for Murray Harbor (Mr. Henderson) to say there is a disposition to do injustice to any hon. member is not correct; and that hon. member, from his experience, should have known better than to make such a groundless assertion.

**Hon. Mr. HENDERSON**—The members for Murray Harbor wished to show their constituents that they should send in their petitions at the proper time.

After some further discussion, the motion was agreed to, when the Speaker took the chair, progress reported, several resolutions of supply agreed to, and leave granted to sit again.

**Hon. ATTORNEY GENERAL**—Mr. Speaker, as there are several hon. members who wish to attend the funeral of the late Edward Thornton, a former Speaker of this House, I move that the House, in now rising, do stand adjourned until three o'clock on Monday.

House adjourned accordingly.

R. GORDON, Reporter.

MONDAY, March 23rd.

*Afternoon Session.*

Hon. LEADER OF THE GOVERNMENT laid before the House the Report of the Joint Committee of the House of Assembly and the Legislative Council, appointed to enquire into the best means of improving the Highways. Report read.

Hon. LEADER OF THE GOVERNMENT presented the Report of the Commissioner appointed to survey a contemplated new road on Lots 20 and 21.

Ordered to be referred to the Committee on the opening of new roads.

Hon. ATTORNEY GENERAL presented the Reports of the Visitors of Schools and the Minutes of the Board of Education respecting said Reports.

Laid on the table.

Mr. P. SINCLAIR moved that the third Order of the day be now read, viz, the second reading of the Bill to amend the Act for the due observance of the Lord's Day, and said:—The reason I have asked leave to introduce this Bill as I before stated, is, that there is a provision in the Act allowing persons to sell fish on the Lord's Day, before the hour of 9 o'clock, a. m., and also after the hour of 5 p. m. The Bill is to amend the Act in this particular, and I think there will be no objection to it. I move that the House go into Committee on the subject.

Mr. REILLY.—I would like to ask the hon. member where this violation of the Lord's Day has taken place.

Mr. P. SINCLAIR.—I was told last autumn that, on the North Shore, fishing had been carried on pretty much the same on the Sabbath as on other days. I do not think any hon. member can object to the Bill being passed. Milk is also mentioned in the Act, but as that is an article that cannot be done without very well, and it may be impossible to procure a sufficient supply on the previous day, it may be necessary to permit its sale on the Sabbath Day.

Hon. Mr. HOWLAN.—As I live on the North side of the Island, and have been engaged in the Fishery myself, I may say, I have never known fish to be sold on the Sabbath; but, if the like has been done, it would be well to have the law amended.

Mr. McNEILL.—As reference has been made to the North Side, and I belong to that part of the country, I may be expected to give some opinion on the subject. I have never known a native of that place to sell fish on the Sabbath; but a foreigner once came to live there, who was accustomed to go out fishing on the Sabbath. He gave as a reason, that he was poor and could not get a living without working on that day.

Hon. ATTORNEY GENERAL.—I happen also to represent a portion of the North side of the Island, and I may say, that as far as my knowledge extends, no violation of the Sabbath day in this respect, has taken place in the Eastern portion of the Island, which I represent. This law is a copy of an old Act that has been in force in England for a long time, but I think there is no occasion that a license should be given for the sale of fish on the Sabbath, any more than anything else. With regard to the sale of milk, you cannot make cows give a double quantity on Saturday, so there seems to be a necessity for having it supplied on the Lord's Day. It has been said that some persons were so poor that they were obliged to work on the Sabbath; but I think any man will be a loser rather than a gainer, by failing to observe that day which all are commanded to keep holy. I think the man spoken of would have been richer, had he refrained from fishing on the Sabbath.

Mr. McNEILL.—I forgot to say that he soon after ran away.

Hon. Mr. McAULAY.—The question should not be whether advantage has been taken of the law or not; but

is it right to have such a law on our Statute book? The principle of the Act, as it now stands, is not such as should be sanctioned in a Christian community, as it permits the desecration of the Lord's Day. Is it rational that people who believe in the authenticity of the command "Remember the Sabbath Day to keep it holy," should pass a law to permit of its violation? In view of this, I do not see how any member can have any objection to the amendment proposed by the hon. member for New London.

The House then resolved itself into a Committee of the whole on the Bill.

Mr. Cameron in the Chair.

Mr. P. SINCLAIR.—There is a provision in the Act as it now stands, which permits people to desecrate the Sabbath Day, and I consider that an amendment of this nature is necessary. I believe that the people of this Island, as a general rule, would observe the Sabbath without a law to compel them to do so; but I do not think it right to legalize the action of any who might be disposed to desecrate it.

Hon. LEADER OF THE OPPOSITION.—There is one thing with respect to this Act, it did not originate with the Legislators of this Island. It is a compound of two Acts—one passed in the reign of George II., and the other passed in the reign of William III. I do not see why special permission should be given for the sale of fresh fish, and not for the sale of fresh meat. In the old Statutes to which I referred, it is mackerel that is mentioned, and, as we know that of all the fish that is caught, it is the most easily tainted, this may have been the reason why it was allowed to be sold on the Sabbath. I will support the Bill of the hon. member for New London.

Hon. Mr. HENDERSON.—It is somewhat surprising that such a law should have been imported into this Colony, or transferred to our Statute Book, and it is more surprising that it should have remained so long on the British Statute Book. It is bad enough where the absence of Christian principle causes the Sabbath to be disregarded, but it is a disgrace that this law has remained so long on our Statute Book un repealed. I am not prepared to say in what localities the sacredness of the Sabbath has been violated; but I have heard persons who live on the North Shore, state that fishing has been carried on by some parties on the Lord's Day. This fact should induce the members of the Legislature, to carry through very cheerfully, any Bill that would prevent this violation of the Sabbath. I believe that the people of this Colony are not the most inclined to desecrate the Sabbath; but there is none of the Colonies, where there are so many foreigners, many of whom have not the fear of God before their eyes, and there should be a law so impose a restraint upon those. I will give the amendment my hearty support.

Hon. Mr. KELLY.—A large portion of the district which I represent fronts on the Shore, and fishing is carried on there to a large extent, but I never heard of any violation of the Lord's Day, by any person engaged in the fishing business there. However, I should be very sorry to offer any opposition to the amendment proposed. I might remark that the member who last spoke belonged to a Government that was said to be God-fearing, and yet they never looked into this matter all the time they were in power.

Mr. McLENNAN.—I do hope and expect that every hon. member on both sides of the House, will favor the due observance of the Lord's Day. There is an exception in that Bill, however with which I do not agree. If I understood the hon. member right, he made an exception in regard to the sale of milk, but it might be just as necessary to sell fish on the Lord's Day as to sell milk. It seems that every hon. member who has spoken on the subject, wishes to make it appear, that no violation of the Sabbath, in this respect, has occurred in his district, and I

can say the same of my district, it must be in Charlotte-town it has happened

Hon. Mr. HENDERSON.—The hon. member who has spoken last but one (Mr. Kelly), has thrown out a sneer about God-fearing Governments; but whether parties assume to themselves to be such, or whether it is thrown up to them as a sneer, it will always be found that those who fear God, will never throw any obstacles in the way of anything which will tend to the due observance of the Lord's Day.

Mr. McLENNAN.—I have been in town on the Sabbath morning, and heard milk-men make more noise going round from house to house, ringing bells, &c., than fisher-men would do.

Mr. P. SINCLAIR.—If hon. members wish to have a provision in the Bill against the sale of milk also, I have no objection.

Mr. BRECKEN.—In answer to what has been said by one hon. member, I may say, that I never knew any person in Charlottetown to go fishing on the Sabbath. There is no necessity in this country for fish to be supplied on the Lord's Day, but in reference to milk, it would be a great inconvenience not to have it supplied on Sunday, and as most people contract with the milk-men to supply them for a certain length of time, there is no necessity to pay for it on that day.

Mr. McCORMACK.—I represent a portion of the country which borders on the shore, and I never heard of fish being sold there on the Sabbath Day; but if it has been done in any part of the country, it should be prevented.

The Committee then rose and the Chairman reported the Bill agreed to.

Hon. ATTORNEY GENERAL presented the Account of the Public Land Office.

Laid on the table.

The House resolved itself into a Committee of the whole, to take into consideration the supply to Her Majesty.

Mr. Reilly in the Chair.

Hon. Attorney General also moved the following:—

Model and Stock Farm,	£600	0	0
Encouragement of Agricultural Local Industry £100 for each County, under the management of a Committee to be appointed by the Government	300	0	0
Cascumpec Agricultural Society	10	0	0

In the resolution which I now submit, there are two or three matters well worthy the attention of the House. In regard to the grant for the encouragement of Local Industry, I may say last year £200 was granted for a General Exhibition, but it was found to be insufficient. As a General Exhibition every year would cost more than the country could afford, it was thought better to give a small grant to each County, and at stated intervals to have a General Exhibition for the whole Island. I think that this House will always be willing to give as much as possible to encourage things of this nature. With regard to the first item of £600 for the Model Farm, there are members who can speak better on this subject than I can.

BALDERSTON, Reporter.

Hon. LEADER OF THE OPPOSITION.—I am astonished that a resolution of so much consequence was carried so easily, for I expected that the members of the Stock Farm Committee would have told us how the Farm was progressing before we voted money for its management, and for new stock. No Report has yet been laid before us.

Dr. JENKINS.—The Report has been drawn out, and will be brought in in a few minutes.

Mr. HOWARD.—There was a very creditable exhibition held in St. John's last year, the price for which was given by Lady Fanning to the settlers on her estate, to encourage local industry. I do not think there would be

the slightest objection if a small sum were granted from the public revenue to assist in extending the benefits to be derived from an annual exhibition in that locality. If the people on the several Lots of which the estate is composed were united in carrying out the object of the proprietor, they would have an exhibition worthy of the attention of the Legislature.

Dr. JENKINS.—I regret that the Report of the Stock Farm Committee, which was adopted by them a few days ago, is not before this House. I cannot from memory give an idea of its contents, but before this debate closes the Report will be brought in. The reason why it is not brought in is, that I did not know that this subject would come up before the House this evening. I may remark, in the meantime, that the Farm is in a very neglected state, and that things are not going on as well as they should, owing to bad management. We ought to have a better man to look after it, for the present manager is not educated sufficiently for the post he occupies. The Farm should be a Model, as well as a Stock Farm. We have some very fine horses, and there will be two to send to the other counties this year. The sheep imported from England have never done well here; but I have no doubt that after a while there will be an improvement. 350 ewes have been sent to the ram last year, which will be of very great service to the country. I sent some myself; the stock produced was excellent, and I believe many farmers who sent ewes there could say the same.

The Report was then received by Dr. Jenkins, who said: Mr. Chairman, here is the Report—I move that it be read.

Hon. LEADER OF THE GOVERNMENT.—It is improper to move for the reading of a Report in a Committee of the whole House.

On motion, the Speaker took the Chair, the Chairman reported progress, and obtained leave to sit again.

The Report of the Stock Farm Committee was received, read, and laid on the table.

The House then went into Committee of Supply—Mr. Reilly in the Chair.

Hon. Mr. LAIRD.—Mr. Chairman, I have never visited the Stock Farm, but I will support the grant for the importation of stock to improve the stock of the colony. Those hon. members who are practically acquainted with the working of the Farm know that it would require considerable capital to sustain it, and to import stock from England. The stock at present on the farm is small indeed. We find only nine horned cattle and eighteen breeding ewes, besides a few horses. This stock is altogether inadequate to the requirements of the Colony. It was very unwise in the late Government to enter into the business without counting the cost. The Farm at least should be put in a position to become self-sustaining, if not profitable. Breeding ewes will each cost a considerable sum, but it will be much better to import them than to purchase them in the country. All things considered, I do not think the Stock Farm was the most advisable speculation for the Government to enter into. If we buy our stock on the Island, our farmers would be able to raise better stock than the Stock Farm, therefore the breeding stock should be imported. To improve stock, the breed must be crossed by pure bred stock. If the

Colony could afford to allow a thousand pounds for this Farm, that sum would be required to support it properly. A liberal grant is absolutely necessary, therefore, I think, six hundred pounds should be granted. In regard to the suggestion thrown out by the hon. member for Charlotte-town, (Dr. Jenkins), that the Stock Farm should be a Model Farm also, I beg to differ from him, for the managers have already more than they can do. We should work on as well as we can for a few years, and no doubt it will improve and become more profitable.

Mr. POWERS.—To receive the report of the Agricultural Society of Cascumpec at the present time would be contrary

to the rules of this House, and, therefore, I think the Government are beginning at the wrong end of this matter. If parties binding themselves together for certain purposes can get a grant from the Legislature, without showing what they have done to advance the interests of the country, any other parties can do the same and thereby obtain a grant also. Every farmer with his wife and family may be constituted an Agricultural Society on the same principle. Other Societies should have the same privileges as the Cascumpec Society; and, therefore, to grant the latter a sum of money is doing an act of injustice to other portions of the Colony which do not receive the benefit of a grant. To give grants to societies of which we know nothing is beginning at the wrong end of the question.

Hon. Mr. HOWLAN.—The hon. member for Murray Harbor is ignorant of the capabilities and progress of Cascumpec, or he would not speak of it in the manner he does. If he was a little better educated in the matters which relate to Agriculture of this Colony, he would find that the Cascumpec Agricultural Society is a branch of the Royal Agricultural Society of this Island, and has been in existence twenty years. The people of Cascumpec reside eighty miles from Charlottetown, and contribute largely to the Revenue, but get comparatively little in return. If an Exhibition is held in Charlottetown nearly all parts of the Colony receive the benefit of it, but Cascumpec cannot. The Agricultural Society has done a great deal of good there, and have given prizes for entire horses and other valuable stock to encourage farmers to attend to these matters. Only some eight or ten pounds have been asked for, and I think the Government should at least take the same interest in that community as the Messrs. Cunard did. The Society has all kinds of seed and winter wheat to distribute amongst the farmers, which will, no doubt do much good. I should vote for a grant to any other Agricultural Society placed in the same circumstances as the one in question, for the object is laudable and worthy of encouragement. The gentlemen who manage the Stock Farm near Charlottetown are doing all they can, but people residing eighty miles away do not receive the benefits from it which those who live near do. For these reasons I think the Cascumpec Agricultural Society is entitled to the trifling sum asked for.

Mr. PROWSE.—The hon. member for Tignish (Mr. Howlan) has taunted me with being ignorant, but he has not shown himself to be possessed of much education. The people of Murray Harbour are in a poor poverty stricken condition according to his account; but they have received no grants from the Legislature by favoritism. He thinks that the Cascumpec Society should have a grant this year because they received one last year, but that is no reason at all, and as I consider it unjust, I move that it be struck off the list.

Hon. Mr. HOWLAN.—If the hon. member for Murray Harbor (Mr. Prowse) refers to my speech on this subject last session he will find that I then explained the whole matter. He may yet organize an Agricultural Society in his own district and obtain a grant for it.

Hon. Mr. HENDERSON.—Although I am young in politics, I know that whenever a Chairman or Speaker permits any member to travel beyond the bounds of any question he cannot constitutionally refuse to hear a reply. I have no desire to place any obstacle in the way of a reasonable grant to any society which is calculated to forward the agricultural interests of the Colony. But, for the hon. member for Tignish (Mr. Howlan) to refer to another country, and to sneer at its people in the way he has done, ill becomes him. I understand that the object in giving the grant is to encourage those who are behind hand in agricultural matters, but according to the logic of the hon. member, people who are poor should never be encouraged. Such sneering allusions do not add to the dignity of this hon. House, and therefore should not be practiced by any hon. member. I desire that there should be fair play in granting money to societies,

but I do not pretend to say that there is none in this instance.

Hon. Mr. DAVIES.—I am surprised to hear an hon. member rise in his place and dictate to a Chairman about law and order.

Hon. Mr. HENDERSON.—I did not censure the Chairman. He is a young member yet, and consequently a gentle hint will do him no harm.

Hon. Mr. DAVIES.—The hon. member has tried to justify that kind of disorder which he at one time wished this House not to allow. The principle which he has laid down is unsound, and if carried out, would cause confusion. I think we should stick to the question before the Committee. I passed some years in the country, but I do not profess to know much about agriculture and the raising of stock. Last year a friend of mine visited me, and I took him out to see the Stock Farm, expecting to have some gratification in pointing out some of the advantages which this farm possessed, and its superiority over the farms of private persons throughout the country, but I found nothing to show him. The cattle were not in good order, and when we came to view the sheep, we found eighteen or twenty little miserable things, not to be compared with a good private farm stock. His honor, the Speaker can show three times as good stock on his own farm. We found a number of buildings in bad repair, and all about them was in disorder; but the fences were good and up to the mark. This farm is one of those evils on which a good deal of money has been spent, therefore some think it will not do to throw it overboard. My own opinion is that it would be better to abandon it altogether, for it will yet cost a large sum to sustain it properly, perhaps £800 or £1000 a year. If the money granted annually to this farm were divided equally between the three Counties, for the purchase of stock of the best breeds, it would be spent to better advantage, and the Colony would receive greater benefits than under the present system.

Dr. JENKINS.—The hon. member for Belfast (Mr. Davies) has, by his remarks on this subject, let us know that he knows nothing about the raising of stock. The quality of the sheep at present on the Stock Farm is very superior, and every one who saw them and knew anything about stock, said that they saw no stock to be compared with them. They are far superior to any stock of that kind which have been imported.

Hon. Mr. DAVIES.—I spoke of the flock which I saw on the farm last winter twelvemonths.

Dr. JENKINS.—It is the same flock, but the farm had only been in the care of a farmer a few months at that time, and therefore much could not then be looked for. My hon. friend from Bed.que said that the Committee should undertake more than they do at present; but its members have their own occupations to attend to, and of course they cannot devote much of their time to the improvement of the farm. I agree with him that the farm should be improved, and that its operations should be more perfectly carried on. It should be a model farm as well as a stock farm, and there should be a competent farmer to manage it, one in whom the Committee could have perfect confidence. If stock were imported from Canada, they would suit this country much better than those imported from England, and therefore a person should be sent to Canada to select some of the best stock, particularly a Canadian blood horse. It does not matter much in these days what a horse is like, if he has speed, for such horses are in great demand. As a large number of sheep are exported, we should not neglect a breed of which has been the means of bringing so much money into the Colony.

Mr. PROWSE.—The hon. member for Tignish (Mr. Howlan) has stated that he expected an answer from the

sumpec Agricultural Society last Session; but I can find no report of his speech in the Parliamentary Reporter of last year.

Hon. Mr. HOWLAN.—The hon. member for Murray Harbor (Mr. Prouse) is getting very nice lately. He feels very sour because the petition which he presented to this House was not received. I explained the objects of the Society last year; but I do not remember whether my speech on the subject was long or short.

Hon. LEADER OF THE GOVERNMENT.—The Cascumpec Agricultural Society was a branch of the old Agricultural Society, and has always been encouraged by the Government. A grant was given it last year on the ground that Messrs. Cunard had always given a sum on certain conditions, to support it. If other agricultural societies are formed with the same object in view, and reach the standard to which this one has attained, I should be happy to vote for a grant to assist them, which would enable them to purchase seed grain and agricultural implements. I believe that the old Agricultural Society is almost defunct, and the Secretary is anxious to spend his remaining days in lecturing throughout the country on agricultural chemistry. He thinks that he would be of service to farmers generally, in showing what parts of the mussel mud are adapted to particular crops of grain and other farm productions. Perhaps it would be well to employ him, for agricultural chemistry should be studied by our farmers, as it would assist them in the proper cultivation

of the soil. Sometimes manures are used by farmers which are of little benefit, owing to their misapplication, and, therefore we should have some way of testing them. The farmers of Great Britain ascertain what manures should be applied to the different soils, and why should not our farmers do the same? We should know more about the mussel mud which is now so much used as a manure in this Island, for it may be suitable to some soils, and injurious to others. If the Secretary of the Agricultural Society can give our farmers information on this matter, it would be well for the Government to employ him to travel about from place to place to lecture on agricultural chemistry. It is a great pity that the Royal Agricultural Society went down, as it encouraged the growth of turnips, which have proved to be a great addition to the products of the farm. Like a good many other valuable institutions, it dwindled away, the cause being the resignation of the officers, who, when they could not altogether have their own way, resigned. When some persons set their minds on the accomplishment of a favorite object, they carry it out vigorously. But when they cannot have it all their own way, they leave it to fall to the ground. The farm having been neglected for some years, became very weedy, and is not now worth as much as it was by a thousand pounds. A great deal of money has been spent in repairing the buildings and putting up fences, and if the same amount had been granted annually, the farm might now be a Model as well as a Stock Farm. If it is to be kept up at all, it must be supported every year by a grant from the Legislature. It is easier to find fault with an institution, than to carry it on satisfactorily and it would be difficult to find a number of gentlemen who would manage the farm as well as the present Committee are doing. All that is at present required from the farm is to supply our farmers with pure breeding stock, and no pure bred stock can be kept up in any country without crossing the breed with fresh stock. We should keep the stock as pure as possible, therefore, it will not do to keep a cross breed upon the farm. I hope the two hon. members who have made some remarks on the Agricultural Society of Cascumpec have fired off all their small shot. If the people of Murray Harbor are not rich farmers, let them organize an Agricultural Society for mutual improvement in agricultural matters and we will assist them,

for a grant given for such a purpose would be money well spent.

Dr. JENKINS.—The hon. Leader of the Government has lost sight of the fact that we can get ewes in this Island as well bred as those imported from England. It would be better to import rams from the old country. The object now is to increase the stock more rapidly, for a good many have died, and there are a good many half breeds which must be displaced by pure bred stock. The sheep imported from England have not done well here, they dwindle away, and the half of them do not breed. If a number of fresh pure bred stock are imported, I, as one of the members of the Committee will do all I can to forward the objects of the Society.

Mr. P. SINCLAIR.—According to the resolution, six hundred pounds are set down for the Stock Farm, although according to the calculations before us, we find that there are about a thousand pounds required to manage the institution as it should be. But if we allow a thousand pounds sterling every two years, it will be better to do so, than to have no place to keep the imported stock after being landed. I am of the opinion that the farm will never be self-sustaining as long as it is managed as it now is. It is a sinking affair, as we might expect, for Government contracts are always more expensive than private ones. If, after care and good management, it should not be found to be a paying speculation, it should be given up. There is a better way of managing it than that now carried out. As regards the Annual Exhibition, I would say that it would be better to hold it in rotation in the different Counties, for it will be found that one hundred pounds is a small sum for each County. But, if the Exhibition is held in each County in rotation, that sum would be sufficient. As Lady Fanning has expended so much money for an Exhibition, to encourage the farmers on her Estate, it would be well for the Government to assist the undertaking by a grant, and I understand from the Attorney General, that a small sum will be given for that purpose.

Dr. JENKINS.—The hon. member for New London (Mr. P. Sinclair) thinks the money for the Stock Farm might be better expended, and I agree with him, for stock can be purchased at a lower price in Canada, than in England where we have to compete with others at almost fabulous prices. We wish the stock to be distributed throughout the Island, and therefore the Farm cannot be self-sustaining. Several horses were lost on the passage from England, and consequently, if they could be bred here, we would gain a great point, and save a great deal of trouble and expense. We have only commenced this Stock Farm, for the oldest animal bred upon it is only two years old, so we cannot look for great results yet.

The resolution was then carried.

The Hon. ATTORNEY GENERAL submitted the following Resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services, viz:—

Amount of verdict obtained by the Hon. Edward Halmer, for services in drawing Bonds and contracts, &c., when Attorney General, £70 5 2

Amount of verdict obtained by James Jenkins and Thomas Heuson, for building Powder magazine, 40 14 0

Hon. ATTORNEY GENERAL—I do not know that I need offer any remarks on this subject, as we are all pretty well acquainted with it. The late Attorney General obtained a verdict in his favor in the supreme Court for the

amount named in the resolution, on account of services in drawing Bonds and Contracts, when in office. The other item is for extra services performed on the Powder Magazine, as this House must provide for losses on public works. The matter has been investigated in the usual way. I move that the resolution be adopted.

HON. LEADER OF THE GOVERNMENT.—I think it is a pity that the late Attorney General had not furnished his accounts to the Government that employed him; for the accounts date back three years, and no Government officer should allow his accounts to remain so long unfurnished. He must have doubted whether the late Government would accept them, or not. If he had a just claim for the sum which he demands, he had little confidence in the Government that appointed him. He must have suspected that they would not pay him, or he would have furnished them with his accounts, and therefore, I contend that he had no right to send in his accounts to the present Government.

HON. MR. HENDERSON.—No doubt the late Attorney General could give good and sufficient reasons for his conduct in that matter. He might not have come to a decision in his own mind whether he was right or wrong, before the resignation of the late Government, but he well knew the powers of the Government as well as those of the Supreme Court. It appears that he had no greater cause for confidence in the present Government than he had in his own.

MR. McNEILL.—There is no use in spending much time on that resolution as the Attorney General has guarded against such an occurrence in future by bringing in a Bill for regulating the salary of that officer. But the present demand does appear like an imposition, for the late Attorney General received his salary under the Conservative Government. The amount is a large one to be paid to an officer for supposed extra services, and would pay a schoolmaster for a whole year's work.

The resolution was agreed to.

The Hon. Attorney General moved the following resolution:—

Resolved, That the following sums of money be granted and placed at the disposal of the Government for the following services, viz:—

Repairs of Colonial Building, and improvement of Square,	£150 0 0
Contingent expenses of Legislative Council, a sum sufficient,	
Protection of Revenue if required,	200 0 0
Steamboat inspection,	60 0 0
Ferries,	60 0 0
Hospital,	100 0 0
Assessors under Education Act,	25 0 0

I. OZENHAM, Reporter.

HON. ATTORNEY GENERAL.—In moving that £100 be granted for the salary of the Private Secretary, said:—The Government have received a despatch respecting the Governor's Salary, which the Government will be prepared to deal with at the proper time. This resolution, therefore, is not intended specially for His Excellency's Private Secretary, for it is expected if His Excellency leaves, that he will take his Secretary with him; but this resolution is introduced on the supposition that things will remain as they are.

#### LIGHT HOUSES.

HON. ATTORNEY GENERAL said: the Government found it necessary to provide for the erection of a few more lights in some of the Harbors of this Island; one of these was intended to be placed at Saint Andrew's Point, near Georgetown, one at Murray Harbor, and

another at New London; to each of which the Government proposes a grant of £15.

HON. LEADER OF THE GOVERNMENT said: Georgetown was a place of some importance, and in addition to the Beacon Lights, stood much in need of another. He said that the Speaker had kindly given a site, and thought the least the Government could do, would be to put up a light. The ground had been given last year, in addition to a subscription, to which this year a grant had been applied for. The hon. member said that he hoped that other places requiring Lights would do the same, but which had not yet been done in Murray Harbor and New London.

MR. PROWSE was glad that the Government had taken up this matter, and agreed to put up a light at Murray Harbor, but thought that unless there were two lights it would not be of much service. One of the objects aimed at in putting lights there, would be for the benefit of the Fishermen, several of whom fish Ling; and if there were two lights, they could come in by them at night.

MR. HOWATT, thought a Light was also required at Crapaud. He believed a petition had been sent in asking for a grant of £10 for that object.

HON. LEADER OF THE GOVERNMENT, did not know that it was desirable to place a light at every small Harbor. If there was one at Crapaud, vessels could not go in by it at night, and therefore it would be of no use, besides it might be seen at sea, and lead vessels astray.

MR. P. SINCLAIR said, that before a light could be placed at Crapaud, as it would not be on any of the Charts, it would have to be advertised in several of the papers in the other Provinces, which would cost more perhaps than the Government would be willing to allow.

Some further remarks were made, in which Mr. McLennan, Hon. Mr. Howlan, Henderson, MacNeill, severally expressed opinions.

HON. ATTORNEY GENERAL said, that with respect to Crapaud, any light that would show as much in the Gulf as the hon. member for New London had said this one would, if erected, would have first to be generally advertised or serious accidents might happen. He said there was no desire on the part of the Government to withhold a light if it can be shown that it will not show in the Gulf. This is the reason why the objection is taken to place one there. He was not sure that the petition was sent in; it was spoken of, but he thought there had been no application.

HON. LEADER OF THE GOVERNMENT was afraid if a light was placed at Crapaud, that it might be mistaken for Point Prim, and cause accidents similar to those which have already occurred in making Charlottetown Harbor.

MR. SPEAKER then took the Chair, when several Resolutions were ordered to be reported agreed to.

On motion of the Attorney General, the House then resolved itself into a Committee of the whole, on the 4th order of the day.

MR. G. SINCLAIR in the Chair.

HON. ATTORNEY GENERAL said: if my hon. friend for Georgetown means to take the same objection which he did on Saturday, I shall move that it be made the order of the day for to-morrow.



Hon. Mr. McAULAY.—As the hon. Attorney General, Sir, has graciously left it to my discretion, I shall not raise any objection; my learned and hon. friend may proceed.

The order being then read by the Chairman, Hon. Mr. Howlan said: this Act is to prevent the improper use of barrels by persons who bring fish into this Island. Parties come here from Newfoundland and other places, with fish in barrels, which do not contain 200 pounds of fish. Herring, for instance, are thus brought here and sold, and we have found some of these brauded for 200 lbs, which, on examination, did not contain that quantity; now, as the law requires that our own people have their fish inspected, and the proper quantity in each barrel, it is only right that parties coming here with fish, should be subject to the same regulations that our own people are, not only here, but when they go to other ports with their fish also. Mr. Speaker, I am not aware why the former Act was not continued, but for the last two years we have been imposed on by parties who brought fish here that was deficient in weight and quality. Last Fall a lot was brought to Montague Bridge, and parties who bought and paid for them, when they came to examine them, found they were short of their quantity; but they had no remedy, and if they did not like them, they had to go without. I know several poor people who were thus imposed upon, after paying 25s a barrel for them. I think the Act should be renewed. If we send a barrel from here to Halifax, and it does not turn out to have the proper quantity, it comes back and we have to bear the expenses, and other people should have to do the same here. I hope the Bill will receive the support of this Hon. Committee.

On motion, Mr. Speaker took the Chair, the Bill reported agreed to, without any amendment, when

House adjourned until 10 o'clock to-morrow.

R. GORDON, Reporter.

TUESDAY, March 24.

#### *Morning Session.*

On motion of hon. Attorney General, the Bill to revive and continue an Act therein mentioned, was read a third time and passed.

On motion of hon. Mr. Howlan, the Bill to encourage the settlement and cultivation of wilderness land, was read a second time, ordered to be referred to a Committee of the whole House to-morrow.

Hon. Mr. Laird presented a Bill for the Incorporation of Prince County Agricultural Society, which was read a first time, and ordered to be read a second time to-morrow.

Hon. Mr. Laird presented a Bill for the Incorporation of an Agricultural Society at St. Peter's, which was read a first time and ordered to be read a second time to-morrow.

#### JAIL LIMIT BILL.

Mr. BRECKEN.—In pursuance with a notice in the Order Book, I beg leave to introduce a Bill to amend the Act relating to the limits and rules of Jails in this Island. As the law now stands, a man may take the benefit of the Limit Act, and, at the same time, have money enough in his pocket to pay his debt. There was a case in the Supreme Court, where just before a verdict was given,

the man sold his property, pocketed the money, and now keeps his creditors at arm's length. This Bill provides that if at any time it appears that a man possesses money, he shall not be entitled to take the benefit of the Limits; and, if a man has obtained his liberty, and his creditor believes that he is possessed of property, he may demand an examination, and have power to confine the man in jail, until he is willing to submit to such an examination.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker, I never heard of such a tyrannical Bill being introduced into this House. What is the object of the Limit Law, but to allow a man to get a living; but here is a Bill which interferes with our Limit Law, which has acted beneficially for many years. This Bill is to take the last penny from a man. If he happens to have five pounds, or five shillings, in his pocket to support his wife and family, he must lie in jail unless he gives it up.

Mr. BRECKEN.—There is nothing tyrannical in the Bill. I may say that I brought in this Bill at the request of one of my constituents, who is at the present moment smarting on account of the present law. Whatever a man is entitled to retain under the laws now in force, this Bill does not interfere with. There are, perhaps, some details of the Bill of which I do not approve; but the principle of the Bill is correct.

Ordered that the Bill be read a second time to-morrow.

On motion of the hon. Attorney General the third order of the day was read, viz: resolutions of supply.

Hon. Attorney General presented a petition of the Stockholders of the Summerside Bank, praying for an extension of time to pay up the third instalment of their capital.

Hon. Mr. DAVIES.—I should like to know something more about this matter. It appears to me that the Summerside Bank must have got into some difficulty, and if we give them more time perhaps it will only increase their trouble. In England a Bank would have to go to the Bankrupt Act for relief, in a case of this kind.

HON. ATTORNEY GENERAL.—I think the hon. member has misunderstood this matter. According to the Act, their capital must be paid up within two years, or the Bank forfeits its Charter. They merely ask the House to extend that time, to enable them to arrive at a period when it might be less inconvenient to call in the amount. In England it is left discretionary with the Banks to make calls as they think proper, because they find that if the Banks can carry on their business without calling in the money, it is only an injury to the mercantile community to have so much specie lying idle in their vaults. If the prayer of this petition is complied with, I do not think it would be any injury, because the issue of the Banks is based on the amount of capital actually paid up.

Hon. Attorney General, hon. Leader of the Opposition, and Mr. Green, were appointed a Committee to report on the petition.

Hon. Attorney General moved that the House do now take up the first Order of the day, viz: the Bill further to explain the Land Purchase Bill, and stated that as he had gone very fully into the purport of the Bill at its second reading, there was no necessity of rehearsing the matter. The House then went into a Committee of the whole, to take this Bill into consideration.

Mr. Callbeck in the Chair.

The first clause was read.

Mr. Howatt said there seemed to be some hardship in making some of the poorest of the settlers pay up their instalments, while the richer ones, who had paid the whole amount, were to have some of the money refunded.

Hon Attorney General explained that this was a law for the relief of all. If there were any poor person unable to pay, such cases were left to the discretion of the Government; but it would be unsafe to make any provision for such in the Act, as unprincipled persons might take advantage of it.

The first, second, third, and fourth clauses were then severally read and agreed to.

The Committee then reported progress, and obtained leave to sit again.

A message was received from the Legislative Council, desiring a conference on the Bill to regulate the salaries of the Attorney and Solicitor Generals.

Hon. Attorney General, hon. Mr. Laird, and Messrs. Brecken and P. Sinclair, were appointed managers of said Conference.

Hon. Mr. Howland presented the Report of Edward Boyd, Civil Engineer, on the present condition and proposed improvements of Big Tignish Run, and also the report of that place.

Report read.

House adjourned one hour.

BALDERSTON, Reporter.

*Afternoon Session.*

Mr. Speaker in the Chair.

Mr. RAMSAY asked leave to present a petition for a Post Office in a part of his district, and said that although it was a petition praying for money, yet to grant the prayer, it would not impose any tax upon the country, as he had no doubt but that it would be more than self-sustaining.

Mr. Prowse also asked leave to present a similar petition, which he supported with similar arguments.

Hon Leader of the Government, said that as the petitions were praying for money, it would be contrary to the rules of the House to receive them.

Hon Attorney General, considered the arguments of the hon. member for Port Hill, ingenious, and that both he and the hon. member for Murray Harbor, deserved credit for their efforts, but that for the reasons assigned by the hon. Leader of the Government, they could not be received.

On motion, the House went into Committee of Supply.

Mr. Reilly in the Chair, when hon. Attorney General moved the following resolution:—

1. "Resolved, That the following sums be granted and placed at the disposal of the Government, for the following service":—

Steam and Packet communication between Georgetown, Souris, Pictou, Murray Harbor and Charlottetown £700, 9s. 0d., and said, Mr. Chairman, this resolution proposes giving the same sum as was given last year to Georgetown, while the sum upon the whole service is increased one hundred pounds. The experiment was

tried last year, of increasing Steam Communication to that part of the country, and I would like if hon. members from that part of the country would let us know the results. The resolution provided, that if Steam Communication cannot be obtained, a sailing packet may be employed.

Mr. Prowse. — In so far as Murray Harbor is concerned, satisfaction was not given, this was owing in a measure to the fact, that there was no wharf to which the Boat could come up. A petition is now before the Government, asking for money to build one, which I hope may be granted. The way in which the Steamboat acted last year, was very unsatisfactory. Sometimes she would call, and at other times she would not, and as a consequence there was no trade. If there was a wharf, and the Boat to call regularly, a good deal of business would spring up. On one occasion when the Boat was expected, eleven persons were waiting to go to Pictou, but as she did not call, they had to make other arrangements. Another person had goods coming in the Boat from Charlottetown, and was ready with a scow, and a sufficient number of men to bring the goods ashore, but the Boat passed by, and he had to get his goods home at considerable expense by another conveyance.

Mr. SPEAKER. — It is, Mr. Chairman, to be regretted that the Boat did not come up to the expectations of the people. At Souris and other places, she would merely enter, discharge her freight, and leave immediately. I would sooner see a Boat plying from Murray Harbor to Pictou, but the one on this route last year was not fit for the service; at one time she made an attempt to get into Souris, but could not enter. The grant now proposed is creditable to the Government, and as large as can be expected, and if a suitable Boat cannot be had, we shall have to apply for a sailing vessel. There is now a considerable amount of trade in that part of the Island, and I believe a proper Boat would command a fair share of freight.

Mr. OWEN. — Mr. Chairman, I cannot say that the Boat placed upon the route last year was the most suitable. A large one cannot be placed upon the route, on account of the Harbor at Souris. I believe people were so frequently disappointed last year, that they considered it quite useless to attempt to keep the run of the Boat.

Hon. Mr. HENDERSON.—The trade has been interrupted for want of regularity on the part of the Boat, and those in trade know what a loss such disappointments entail, and certainly in so far as Murray Harbor was concerned, the complaints were general.

The resolution was then agreed to.

Hon. Attorney General then moved "That the following sums be granted and placed at the disposal of the Government for the following purposes:—

Teacher Belfast Grammar School	£15	0	0
Indian Teacher, Lennox Island, Books and Stationery included	75	0	0
Repairs to School House, Georgetown	50	0	0
Repairs to Court House, Georgetown, and fencing ground around same	100	0	0
Charlottetown City department	50	0	0

Hon. Mr. McAULAY said, that before the resolution was put he would like some further information about the grant to the Belfast Grammar School.

The hon. the LEADER OF THE GOVERNMENT said a Grammar School had been established in that locality by the late Government, and in addition to the £100 allowed by law for the salary of the Teacher, £30 had been added with the view, he understood, of obtaining the services of an assistant, but the Government having ascertained that none is employed, reduced the grant to fifteen pounds.

Mr. PROWSE called attention to the want of accommodation for the public in the Georgetown Court House, which the hon. Attorney General said, he had no doubt would be attended to in due time by the Government.

R. GORDON, Reporter.

HON. LEADER OF THE OPPOSITION.—It seems to me rather a novel proceeding to submit a resolution relating to the Belfast Grammar School and Lennox Island School before the Education Bill is sent in. This looks very much like putting the cart before the horse. I understood that the Government intend to remodel and consolidate the Free Education Act. I observe, Sir, an omission in that resolution of a grant which has been given ever since I can remember, to the Georgetown Infant School. A large number of children attend this school every day without distinction of creed or country. Although it is so popular and attended so well in this resolution it is omitted. It is as much as the unfortunate teacher can do to make both ends meet; therefore, without a grant that School must cease to exist. Lennox Island has received assistance, and why does not Georgetown Infant School also receive a grant. I cannot understand why it should be refused.

HON. ATTORNEY GENERAL.—I think the hon. Leader of the Opposition will reserve his remarks till we come to sum up smaller matters. There are many trifling sums which will be included in the supplementary estimates when the other resolutions of supply have been submitted. The Government will then answer any remarks made upon the subject.

HON. LEADER OF THE OPPOSITION.—I contend that I am not premature in my remarks. When the Government came down with the estimates for the year, it was seen that from the beginning to the end there was no estimate made for the Georgetown Infant School. I am not too soon in putting this question, if things are to be put in their proper place, why does the Hon. Attorney General not put the estimates in order. Surely he will put all the Georgetown votes together. We know nothing about the supplementary estimates and I shall say nothing about them. The contingent sum includes things which they did anticipate—something they were not aware of when the votes were made out. However, I will be quite content to get the sum in the supplementary estimates.

Mr. PROWSE.—I should like to know something about the grant to Lennox Island School, for the sum granted is much larger than School teachers generally receive. I wish to know whether it is to be placed under the supervision of the School Visitor as other common schools are, or under the superintendence of a private individual. Very probably it will be like a good many other acts of the Government are, the entering of the wedge.

HON. LEADER OF THE GOVERNMENT.—The Indian teacher who asks for this grant qualified himself, and

has been teaching the Indians on Lennox Island. He offers to find a school-room and books, if the Government will compensate him for his labour. We must take into consideration the fact that the Indians get very little attention from the Government; and that it would be very well to encourage this Indian to teach his brother Indians. It will be right to give him a trial for one year at least, and if it does not work well it may be discontinued. We have yet to learn that the school is sectarian. We can hardly bring the Indians under the Free Education Act, but they must not be neglected. The few who are educated are far superior in manners and everything else, to their fellows. This school is a mere experiment.

HON. Mr. HENDERSON.—If it were consistent with the general principles of the Free Education system, I should like to encourage the poor Indian. I wish to know if the School is to be placed under the superintendence of the Indian alone, or under another individual.

HON. LEADER OF THE GOVERNMENT.—It is under the superintendence of the Indian alone, who will be responsible to the Government. He will instruct his pupils in the Indian language as well as in English.

HON. Mr. HENDERSON.—I should like to know what kind of books are to be used. The Government should know something about the school; and they are entitled to know all about it, before the grant is voted. There are troubles enough without adding to the number.

HON. ATTORNEY GENERAL.—Mr. Chairman, the hon. member for Murray Harbor (Mr. Henderson) is entitled to all the information that can be obtained on this subject. The Government had received an offer from an educated Indian to teach the people on Lennox Island, and to find a school house and books. They thought it advisable to employ one of the Indian race as an experiment, therefore the matter was brought before the Board of Education, who made a free issue of books for the use of this Indian School, to be made use of in their own way. It is intended to give the Indians some education, as they have been long neglected. The school will be under the control of the Government; and the School Visitor will report upon it from time to time, to let us see how the teacher gets along. If it proves a success, the Government will be asked to continue the grant. As regards the Bog School allowance, &c., it is not the custom to include these small sums in the Government grants at all. The principal votes are tabled, and many circumstances may arise which would cause the Government to include a trifling matter. The hon. member (Mr. Henderson) is also entitled to information concerning the Infant School.

HON. LEADER OF THE OPPOSITION.—The Hon Attorney General states, that as the sum required for the Infant School is a small amount, he has not laid it before the House. The Georgetown School was not worthy of a grant; but smaller matters like Lennox Island School and the Bog School are brought down in the estimates. It is not my intention to vote against the sum wanted for the Belfast Grammar School or Lennox Island School. We are reminded of

"The poor Indian whose untutored mind, &c.

Mr. McNEILL.—I think the poor Indian should be made an exception to other classes of people, for we know that the people of that race have not had a chance to maintain themselves in this Colony. They have been

cooped up in a little Island, without any advantages; but, as they are now willing to educate themselves, it is right and necessary that they should be encouraged. We know the race is dying out fast, and will entirely disappear before the Anglo-Saxon race. We should not hinder them in any way, but rather give them every facilitation for educating themselves, which, perhaps, may soothe their feelings towards their superiors. Any Government that would not assist them in their education would deserve censure.

Hon. Mr. HENDERSON.—I merely wished to know on what principle the grant is given, I am quite willing to aid the poor Indians.

Hon. ATTORNEY GENERAL.—Since speaking on the subject, I have seen the Indian Commissioner, who says that the grant will give the Indians great satisfaction and pleasure, and that it will be a very great benefit to them.

Mr. PROWSE.—I am quite satisfied with the explanation given by the hon. Attorney General. This House should know the principle on which the money is to be spent, and whether the Government have any control over the school or not.

Hon. Mr. HOWLAN.—I am very glad that the Indian Commissioner has taken such an interest in the school. I understand that it was the desire of the Indians to have a Commissioner appointed, who would reside near them, and thus be better able to look after them; but I think the present Commissioner has done as much as can be expected.

The resolution was then agreed to.

#### VOLUNTEER AND MILITIA GRANT.

Hon. ATTORNEY GENERAL submitted the following Resolution, viz:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services, viz:

Volunteer Militia, under Act of 1866, a sum not exceeding	£1500 0 0
Cost of Military Belts furnished by Imperial Government,	218 0 0

Hon. ATTORNEY GENERAL.—The grant to the Volunteer and Militia Force is smaller than the sum given last year by a thousand pounds; and, of course, the force will not be sustained as well as it was. But, looking at the other grants, the Government cannot give a larger sum. The other sum granted in connection with this is for the belts supplied by the British Government. This is payment for a debt which was contracted some time ago.

Hon. LEADER OF THE OPPOSITION.—I am not going to move any alteration on that vote, because the Government have the responsibility of the defence of the Colony upon their own shoulders, and if they are satisfied with this grant it is all right. I differ from them, but I will not waste time by a war of words. I should like to know how this money is to be expended, and whether the salary of the present keeper of the Victoria Barracks is to be paid out of it or not.

Hon. ATTORNEY GENERAL.—The grant is for the Volunteer Militia only.

The resolution was agreed to.

Hon. ATTORNEY GENERAL submitted two Resolutions which were agreed to without amendment, and then moved the following Resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following purposes:—

Dredging on Charlottetown Ferry,	£650 0 0
Ferry Wharf and Floaters, Charlottetown,	300 0 0
To open Inlet at Point Du Roche,	5 0 0

Hon. Mr. DAVIES.—As it was found that there was not a sufficient depth of water on the Southport side of the Ferry to allow the boat to reach the wharf at low tides, and that the Ferry Boat did not give satisfaction, a resolution was passed last session, by a Committee of the whole House, with a view of putting the Ferry in as good condition as possible. In accordance with this resolution the Executive Council appointed a Committee, of which I was Chairman, to inquire into this subject, and to make arrangements for improving the state of the Ferry, &c. Now although these recommendations have not all been carried out, the matter has taken up a great deal of my time, on account of the difficulties connected with it. The Committee took into consideration the cost of providing a new boat, and found that it would be so expensive that they abandoned the idea altogether. The contractors would provide a new boat for the sum of four thousand pounds, and they would rather do this or sell out their contract than to have things remain as they were. We got the dredging done at a very reasonable cost, namely, £650, and when we consider the advantages to be derived from it, we must allow that it will confer a greater benefit upon the community than many other sums which are laid out in public improvements. I am of the opinion that the contractor will cut a channel which will give great satisfaction.

Dr. JENKINS.—The hon. member thinks that when these improvements are completed the Ferry will be up to the demands of the public, but it will not till we have two good boats. The boat we now have does not come up to the present requirements, but some improvements have been effected. She runs oftener, because the contractors are inclined to behave liberally. They have made proposals to the Government on the subject, and I think the papers should be laid before us. Their present agreement extends to twenty years, but they are willing to forego their present contract and undertake a new one. I move that their proposal be laid before the House.

Hon. Mr. DAVIES.—The hon. member stated that two boats were necessary, and that the old boat was worn out.

Dr. JENKINS.—I did not say she was worn out.

Hon. Mr. DAVIES.—I never heard the remark that she was behind the age till now. She runs two trips for every one she made before. I think she is doing very well, and that there is no necessity for a new boat. What better position would the Government be in if they undertook a new contract, such as the Doctor has described? Can he show any additional accommodation that could be got from two boats which would be any advantage to the public? Until this is done I think the time is taken up without any reason.

Hon. ATTORNEY GENERAL.—Perhaps it is unnecessary to enter into the matter at present. The Committee should have all the information on the subject laid before them. The papers relating to the proposed improvements will be brought in. The grant includes the keeping in repair the floating boxes and other things. The other sum is granted for deepening the water between the two wharves on both sides.

Mr. OWEN.—I think the Committee were renewing the work they did last year instead of making the wharf wider. It was too narrow at first, and therefore the side-walks were to be built on the outside of the wharf.

Hon. Mr. DAVIES.—That work would cost too large a sum. We have left sufficient room for carriages to pass up and down.

The resolution was agreed to.

Hon. ATTORNEY GENERAL moved a resolution granting a sum of £40 to Pierce Doyle for extra work on Summerside Drill Shed.

Mr. McLENNAN.—What is that £40 for? Is it for work performed since the Drill Shed was built? I should like to know something about this matter, as I never heard anything about it before.

**Hon. Mr. HOWLAN.**—There was extra work performed on the Drill Shed by Doyle after he had finished his first contract. Two competent men valued the extra work at £75, of which sum £20 had been paid, leaving £55 still due to the Contractor, who compromised with the Government to accept £40 as payment in full. Papers can be produced which will prove these statements.

**Hon. LEADER OF THE GOVERNMENT.**—The experience of the last Court shows that Juries look with favor on the side of persons who sue the Government. It was not thought worth while to go to a suit with this person, as it is a troublesome matter to be sued. Extra work should be paid for.

**Hon. LEADER OF THE OPPOSITION.**—Whenever a contractor wants pay for extra work, the Government would rather pay for it than go to law with him. The Government should pay a little more in some instances when the Commissioner of Public Works is of the opinion that the contractors should be paid for extra work. The Government, in this case, have established a dangerous precedent, and the amount is large. I do not agree with the hon. Leader of the Government when he says that Courts of Law generally go against the Government in their decisions. If the Government have not a legal leg to stand upon they must expect to lose. They lost a suit in the Magazine case, owing to a defect in the plan of the Superintendent of Public Works.

**Hon. ATTORNEY GENERAL.**—It is going too far to say that the Government would pay all claims against them, without distinction. I am not of the opinion that Juries would decide against the contractor, whether he was right or wrong. In the case under consideration the larger sum was claimed, and parties on both sides agreed to settle the dispute, not because they were forced to do so, but because it was thought fair and just. It was equally the duty of the Government not to press parties into a Court of Law when they have a reasonable claim for payment.

**Mr. McLENNAN.**—I understood that all the Contractor asked for was £40. Now, it appears, that he got more than he asked for.

**Hon. Mr. HOWLAN.**—The Contractor had a Specification of the contract, and took two competent first-class mechanics to examine the work performed. The latter valued it at £75.

The Resolution was then agreed to by the Committee, which then rose and reported, with leave to sit again.

**Hon. LEADER OF THE GOVERNMENT** then submitted the report of J. E. Boyd, Esq., Civil Engineer, on the West Point Wharf and the Breakwater at Victoria Harbour, Wood Islands.

The Report was then read.

**Hon. LEADER OF THE GOVERNMENT.**—A great mistake was made in building the West Point Wharf 260 feet from the shore. We must know that if a strong wind blew off shore hardly any structure could stand the force of the ice in winter or spring. The outer block of that wharf was carried away last winter. Just as the work was finished, a telegram was received here that a storm had carried away the wharf. It is a place very much exposed, and of course was liable to be carried away by any gale. It was built out upon the sand a great way, and could not resist the force of the storms on that account. The question now is, whether it is advisable to go on with the work or drop it. To build a strong and suitable wharf there, would cost two thousand two hundred pounds. It is almost impossible for vessels to lay there at all; but the inhabitants are very anxious to get wharf accommodation. The wharf is liable to sand up, or be carried away by the Gulf ice. In reference to the Breakwater at Victoria Harbor, I think 1750 feet a great length to build.

**Hon. Mr. DAVIES.**—Victoria Harbor was not made without due consideration. Mr. Boyd's services were obtained to examine the practicability of the scheme, and I am

happy to hear that the report which has been read would justify the Government in expending a large sum in finishing it. There is a necessity for carrying out the plan of the Harbor. Situated as it is half way between Pinette and Murray Harbor, it will afford great advantages to the community. I am happy to hear that Mr. Boyd has pronounced the scheme practicable, and I have no doubt that it will be completed before long. There will then be no great danger in a vessel entering the harbor.

Ordered that the Report be laid on the table.

**Mr. RAMSAY** presented a petition from the inhabitants of the Western Shore, concerning the wharf at West Point, and said, I do not see any reason why this petition should not be received. As the wharf was not ballasted properly we could not expect that it would stand the force of the terrible storms to which it is exposed. When the ice broke up it carried away the wood work of the wharf along with it, because there was nothing to keep the material in their places. The wharf was left by the Contractor in a very insecure state, and the consequence was as might have been expected.

The petition was then read.

**Mr. RAMSAY.**—The erection of this Wharf is necessary for the accommodation of the inhabitants of that section of the Island, and I hope the Legislature will prosecute the work till it is completed. There was a sum appropriated for that purpose which may still be employed in carrying it on.

The petition was laid on the table.

**Hon. ATTORNEY GENERAL** introduced a Bill to amend and consolidate the Savings' Bank Act, which was received and read.

*Resolved*, that it be read a second time to-morrow.

House adjourned.

I. OXENHAM, Reporter.

WEDNESDAY, March 25th.

*Morning Session.*

On motion of the Hon. Mr. Laird, the second and third Orders of the day, viz: Bills for the Incorporation of Agricultural Societies in Prince County and at St. Peter's were discharged, to be referred to the Committee on Private Bills.

On motion of Mr. P. Sinclair, the Bill to amend the Act for the due observance of the Lord's Day was read a third time and passed.

On motion of the hon. Leader of the Government the road petitions, not provided by special grants, were ordered to be referred to the several members for the several districts.

**Mr. PROWSE.**—I would like to make one observation in reference to a petition that was received last evening. This petition was for the erection of a wharf which would involve an expence of about £2000, and it was received, while a petition that I presented a few days ago would not be received. I think an undue preference is given to one part of the Island over another.

**Hon. LEADER OF THE GOVERNMENT.**—A large amount of money has gone to the part of the country which the hon. member (Mr. Prowse) represents. A large amount will be required this year to repair damages, occasioned by the storms last fall, and it was therefore deemed advisable that all sums under £50 should be provided for out of the grants for the districts. It would require nine or ten thousand pounds for all the special grants that are asked for this year.

On motion of the Hon. Attorney General, the House resolved itself into a Committee of the whole, to take into further consideration the amendment to the Land Purchase Bill.

The clause was read, providing that in case any settler should have paid more than his full share to make the estate self-sustaining, such surplus should be refunded to him, or his legal representatives.

Hon. LEADER OF THE OPPOSITION.—This clause seems to require some additional words to make it intelligible. It might be a nice question who were a man's legal representatives—the Executors of his Will, or his nearest relatives. I think it would be well to strike out the words "legal representatives" and insert the words "Executors or Administrators."

Hon. Mr. HENDERSON.—There may be cases where parties, after having paid one or two instalments, have sold their interest in the lands to others. Now, when any surplus money is refunded, there might be some difficulty in determining who was the party entitled to receive it. This matter should be considered, and the clause so worded as to prevent any litigation on the subject. It might also be necessary to define by the Act whether this money should be considered personal or real estate.

Hon. ATTORNEY GENERAL.—That is the very question raised by the Hon. Leader of the Opposition, and the amendment which he proposed, and with which I coincide, settles the question. It is personal and not real estate. If a man sells a farm before it is paid for, the purchaser will have to pay remaining instalments. If a man purchased a farm after all the instalments were paid, any surplus money would belong to the former owner. There is one man on the Selkirk Estate, who paid up his instalments two years ago, and last year he sold his farm. Now when this case comes to be settled, this man will be entitled to three instalments of the money, and if he is not living, it will belong to his heirs. The man who actually pays for the freehold is the man who is to be reimbursed out of the public chest.

The words "legal representatives" were then erased and the words "executors or administrators" inserted, and the clause, as amended, agreed to.

The next clause was also agreed to.

The Committee then rose and reported the Bill, as amended, agreed to. Ordered to be engrossed.

Hon. Mr. HOWLAN gave notice that he was making up the pauper list, so that any members who wished to have any names on it could now attend to it.

#### SAVINGS' BANK BILL.

Hon. ATTORNEY GENERAL moved that the sixth Order of the day be now read, namely: "A Bill to amend certain Acts therein mentioned, relating to the Savings' Bank," and remarked—This Bill makes no material alteration in the Savings' Bank Act, it only alters the time for making up the accounts, so as to render it more convenient for the Treasurer. Three Acts have been passed in reference to this matter, and this Bill is to consolidate the three into one.

Ordered that the House go into Committee on this Bill to-morrow.

Mr. BRECKEN moved that the fourth Order of the day be now read, namely—the second reading of a Bill to amend the Act relating to the rules and limits of Jails in this Island, and said—I alluded to the principle of the Bill at its first reading. It is to prevent a man from claiming the benefit of the limit law, when he has money enough in his pocket to pay his debt, or a considerable portion of it. As the law now stands, judgment may be obtained against a debtor, but he may take the benefit of the limits, and thus cheat his creditor out of his just dues. The case I mentioned the other day was one of this nature.

Hon. LEADER OF THE GOVERNMENT.—There may be an individual case which appears hard, where a man is inclined to act roguishly, and take the benefit of the limits, when he is able to pay his debt; but I think it is just as great a hardship to confine an honest man in jail until he is able to prove that he has no property. The case to which the hon. member (Mr. Brecken) alluded may be a very hard one, but it is one of rare occurrence, and it is not right to make ninety-nine men suffer for the benefit of one. I should like to see the law worked so that creditors

should get their just dues, but it is now considered barbarous to imprison a man for debts which he is unable to pay. If people were more cautious about giving credit, it would save a great deal of trouble on this score. We have a limit law to enable a poor man, who cannot pay his debts, to gain a living for his family, and I think it is more benefit to society to have him thus employed, than lying idle in Jail. We should seriously consider the matter before passing such a sweeping measure as this. I move that the House go into the order of the day on this Bill this day three months.

Hon. Mr. KELLY.—I think the hon. member who introduced this Bill might as well have made a motion to abolish the Limit Act entirely. If a man is kept in jail until he can show that he has no property, he may be left there a long time.

Hon. Mr. HOWLAN.—I must differ from the hon. Leader of the Government on this question. It seems hard, Sir, that if a man owes you or me a thousand pounds, he should be allowed to sell his property, pocket the money, and come into town and carry on business in another person's name, and while he chooses to keep within the limits his creditor should be unable to get anything from him. If the law allowed a man's horse or his cow to be taken for debt, why not allow his money to be taken also? Of course it would not do to let a creditor knock a man down in the street and take the money out of his pocket, but when it could be proved that a debtor has money in his possession, he should be obliged to pay his debts or remain in jail. I think it would be well to go into Committee on this Bill.

Hon. LEADER OF THE OPPOSITION.—I may say, Mr. Speaker, that I have no interest in the Bill before the House, but, at the same time, I cannot vote for the amendment of the hon. Leader of the Government to read the Bill this day three months, because I think the matter contained in the Bill is worthy the serious consideration of the House. Our laws relating to debtor and creditor are in a very unsatisfactory state at present. There is nothing unreasonable in the Bill, though there may be objections to some of its details; but if the principle of the Bill is sound, it is the duty of the House to go into committee on the subject. I do not think, Sir, that the question assumes such an aspect as the hon. Leader of the Government is under the impression that it does, that this Bill is simply to crush the honest debtor. I think the object of the Bill is the very reverse—it is to incarcerate the fraudulent, while it does not interfere with an honest debtor. I think that so long as we acknowledge the principle of imprisonment for debt, there is nothing wrong in such a Bill as this. It is not right that, when a man is being sued for debt, before the creditor obtains judgment, he should be permitted to sell his property and put the money in his pocket, so that when the creditor obtains judgment there is nothing for him to take but the man's body. If it can be proved that the creditor has money, he should be made give it up before he could take the benefit of the limits. The Limit Act is very little benefit to persons living far from the towns. The case is even worse than it was represented by a hon. member from Cascumpes (Mr. Howlan.) A man who has sold his property and taken the benefit of the limits, may do any amount of business in his own name, and his creditor can never issue another execution against him. This Bill will not prevent the man who has no property from taking the benefit of the limits, and this is the only man who should be allowed to do so. A man will take the benefit of the limits, as he does now, but if his creditor subsequently finds out that he has money or property, his limit bond will be cancelled.

Hon. ATTORNEY GENERAL.—I shall support the motion to go into committee on this Bill, although I do not pledge myself to vote for all the details. The question of imprisonment for debt does not come up in this matter, for the only hardship is to keep a man in jail who has no property, and this Bill does not interfere with such. A

few years ago I brought an action against Mr. W. B. Dawson, who, at that time resided in this City, for a Mr. Reid, and after a long trial judgment was obtained against him, but notwithstanding the large business he carried on he remained seven or eight years on the limits, and while he lived in the first style and had plenty of money, his creditor actually became insolvent. If a man is able to pay his debts he should be made to do it.

Hon. Mr. DAVIES.—Mr. Speaker, I am not prepared to support this Bill, as I think it is not an impartial one. It does not say *creditors*, but *creditor*, so that one rapacious man could compel a debtor to give him all his property, and prevent all others from getting anything. A man who is in debt generally has several creditors, and I think some law should be enacted to make an equal division of a man's property among his creditors. I will support the motion to have the Bill read this day three months.

Mr. PROWSE.—I am a little surprised at the sentiments expressed by the hon. member for Belfast. I should have supposed that he, being a merchant, would have been in favor of the principle on which this Bill is based. He objects to this Bill because it is not general, because it does not provide that each creditor shall have an equal share; but what does his argument amount to? Simply this, that if each creditor cannot get an equal share, no one of them should be paid at all. I think this Bill would have a beneficial effect. As the law now stands, suppose a man goes to England, buys £10,000 worth of goods, sells them and pockets the money, all the satisfaction his creditor can get is to put him on the limits in Charlottetown. Now, while such a law is in force, is it likely that men will be able to obtain goods on credit?

BALDERSTON, Reporter.

WEDNESDAY, March 27.

HON. LEADER OF THE GOVERNMENT.—Hon. members of the Opposition seem to think that the Jail is the proper place for a man who cannot pay his creditors. But a man may be pushed into Jail without a week's notice to look around, and consequently cannot meet the demands which are made upon him. Let the creditors take security when the debt is contracted, then they will be safe. If this Bill passes it would do away with the limits altogether; and a man may swear out under the Insolvent Debtor Act. I should be sorry to see such a sweeping measure as this pass. This bill would bring in plenty of fees to the lawyers, at every move the poor man would make, after which one creditor would get everything. If a man is to be wound up in his business, surely every creditor should share alike.

Mr. HOWATT.—Mr. Speaker, it appears to me that there is some need of a law being passed to regulate these matters, but this bill would give all a man has to one creditor. How do the people of the United States, which is one of the greatest business countries in the world, do? There is no imprisonment for debt there. How do their creditors act?

Mr. BRECKEN.—The Hon. Leader of the Government need not be afraid of the Lawyer's lining their pockets in an insolvent debtor's case. The United States have laws which we have not. If a creditor finds that his debtor has laid away his property, he can come in and seize everything at once. But I am not particular about this Bill, Mr. Speaker. Imprisonment for debt exists here, but it is a question whether a creditor should be

allowed to imprison a debtor, unless he finds that he is going to leave the country. The effect of this Bill is merely where a debtor has the means of paying his creditors. If a man has judgment taken against him, he is on the limits, and if the creditor supposes that the man has property, the debtor is brought before the judge and is submitted to an examination. If he has money this bill would step in and send him to jail, unless he gives it up to his creditor. About two months before this Legislature met, I suggested the necessity of sending to the United States for a copy of their laws on the subject. Since I have looked into the matter, strange to say, I find that two or three years ago, a bill was passed in New Brunswick just the same as that now asked for, but which has been repealed, and there is now no substitute for it. I think the principle of the bill is sound, but there are one or two clauses in it, which require amendment. I know of a nice case where a judgment was obtained against a man, when he pulled out a roll of money amounting to three hundred pounds, and said to his creditor, I did not intend to pay you anything. I believe he doubled the money in trading, but whether he paid his debt or not I do not know.

Mr. McNEILL.—I have heard nothing yet in this Bill which would cause me to support it. Cases of the kind described by the hon. member for Charlottetown (Mr. Brecken) will occur often, if creditors do not take the proper security. If they will play this game of chance, they will meet with losses. There is rather too much of this credit system in the country. If a man gives credit to parties of whom he is doubtful and expects to get it from their securities, by force of law, he is not acting on an honest principle. This bill is not founded on just principles, because it gives the preference to one creditor. All creditors should be served alike, that is, a debtor's property should be divided equally among his creditors. I am surprised to hear the hon. member for Bedeque say that the bill was founded on just principles. If a man has not enough to pay all his creditors, by this bill the first would take all he had, and the others would get nothing. Notwithstanding what the hon. member (Mr. Brecken) said about the man with the notes, I cannot agree with him.

The amendment was then put, that the Bill be read this day three months, which was lost on the following division:

For the amendment—Hons. Col. Secretary, Kelly, Davies, Callbeck; Messrs. Cameron, McCormack, Green, Arsensault, McNeill and Kickham—10.

Against it—Hons. McAulay, Haviland, Henderson, Howlan, Attorney General, Laird; Messrs. Brecken, Prowse, Reilly, P. Sinclair, Owen, G. Sinclair—12.

The main question being put, it was resolved in the affirmative.

The Bill to amend the Act relating to limits and rules of Jails was moved to be read a second time.

A message was received from the Legislative Council, stating that that body agree to a conference on the Bill to regulate the salaries payable to the Attorney and Solicitor Generals.

Mr. BRECKEN moved that the House go into com-

mitter of the whole on the Bill relating to the limits and rates of Jails.

Hon. LEADER OF THE GOVERNMENT.—I cannot agree with this Bill, because it takes the last pound of flesh from the poor man. It enables the creditor to keep a man in jail and to sell his property before he is let out, all for the benefit of one creditor. I move that the Bill be read this day three months.

Mr. REILLY.—Although I have no sympathy with dishonesty, it appears to me that the Bill now before us is a most extraordinary one. We have authority for saying that it is better to let ten guilty men go unpunished than that one innocent man should suffer. I am one of those who cannot support the provisions of that Bill, especially as a bankruptcy law will be introduced during the present session. I move that the Bill be published for general information, and that it be read this day three months. I contend that there is no occasion for it.

Hon. ATTORNEY GENERAL.—This Bill would affect a man who has plenty of property and will not pay his debts, he would rather bother his creditor a little, and for that reason I must say that I am in favor of it. The Bankruptcy Act will not meet the cases to which this Bill refers. Persons who pass through an English Bankruptcy Court get a certificate of discharge throughout all Her Majesty's dominions. This Bill would just extend the limits to the whole area of this Island. If a man went off the Island to the Provinces, he could immediately be incarcerated there, for the very same debt. If hon. members will refer to the laws of Nova Scotia and New Brunswick, they will find that the Bankruptcy laws are more stringent there than here. That matter is under the consideration of a Committee, and will be in before the end of this session. It will be founded on a Bill which was passed in New Brunswick some years ago, but was repealed. It is much more soothing to a public man to legislate in favor of the poor, but we must legislate justly.

Hon. Mr. HOWLAN.—I move that this House go into Committee on the Bill. With all deference to my hon. friend, the Attorney General, I noticed that at the last sitting of the Imperial Parliament, immediately after its meeting, Hon. Mr. Gray would bring in the old Bankruptcy Act of Canada. We find that they have the same Act all through the neighboring Republic. As there is a very large amount of business transacted between England and the United States, this law works well, and therefore we should be behind them if we do not act in this matter. I think, in the view of the last twenty years of the history of this country, we should do something in favor of a Bankruptcy Law, similar to that of the neighboring Provinces. The introducer of this Bill may put all the provisions and requirements of the Bankruptcy Law of Canada in it. I think this Island has lost some of the best commercial talent in it, on account of the want of good laws on this subject. If a man is unfortunate in trade, why should he run away? Why not divide his remaining property among his creditors? I do not see why we should not have the same Bankruptcy Law as they have in Canada and the United States. We are no wiser than the people of these parts are, and therefore I do hope that the committee will bring forward a transcript of that Act. I will vote against the present Bill.

A message was received from the Legislative Council stating that the Bill to regulate the Salaries of the Attorney General and Solicitor General had been agreed to by that branch of the Legislature.

Hon. LEADER OF THE OPPOSITION.—I was going to make a few observations, as I find that some hon. members have altered their views on this question. Supposing we had a Bankruptcy Law to-morrow, there would still be a need of the ordinary law of debtor and creditor. It would still be necessary for Bankrupts to cross the "Herring Pond," to go through the Bankruptcy Court of Great Britain, and get a certificate which would apply to all Her Majesty's dominions.

Hon. Mr. HOWLAN.—If we passed a law the same as that of the Dominion, would not that suit our case?

Hon. LEADER OF THE OPPOSITION.—If a Bankruptcy Law were passed here, our certificates would be of no avail in Nova Scotia or any other country. When this is known it will create a great deal of disappointment among those who are under the false impression that a Bankruptcy Law will discharge their debts wherever they have been contracted. They shall still have to go to England to get a certificate to have freedom from their debts wherever the British flag waves.

Hon. Mr. HOWLAN.—If there were six months allowed a Bankrupt, and he were after that to proceed to England, the Bankrupt Law would not then assist him.

Hon. LEADER OF THE OPPOSITION.—We can only pass a law which will give a discharge for debts contracted in P. E. Island, and which would be of no avail in other countries. Hon. members who are very anxious about this law are under a false impression in regard to it. To say that Prince Edward Island could pass a law which would affect all the Provinces is quite ridiculous. The statement that we shall have a Bankruptcy Law is no argument against the Bill at present under consideration.

Mr. REILLY.—If a debtor give up his property, is he discharged from the limits under this Bill?

Hon. LEADER OF THE OPPOSITION.—This Bill will not deprive an honest man of his liberty. I shall support the motion that this House go into Committee on the whole, to take the Bill into consideration.

*Resolved*, That the Debate be now adjourned.

House adjourned.

I. OXENHAM, Reporter.

#### Afternoon Session.

On motion of the hon. Attorney General the House went into Committee for the further consideration of supply. Mr. Reilly in the Chair.

The hon. Attorney General submitted the following resolution:—

*Resolved*, That the following sums be granted and placed at the disposal of the Government for the following services:—

Special grant for macadamizing Main Post Road within Royalty of Charlottetown, at the disposal of the Government,	£250 0 0
Special grant for macadamizing Main Post Roads at Georgetown and Royalty and at Summerside, each £100, at the disposal of the Government,	200 0 0



Mr. Chairman, last year and the year before last, the amount of the special grants for Summerside was placed at the disposal of the members for the district, and there seems to be a difference of opinion, whether we should adopt the same plan this year. The objection arises from the fact that in following this course, there is no way for having a proper return of these expenditures, and this produces difficulties in making out the returns. I have no doubt but that the Commissioner of Roads in this district will always be willing to receive the advice of the members of the Legislature residing there. Therefore, I consider it better to leave these matters in the hands of the Road Commissioners.

Mr. MACLENNAN.—Mr. Chairman, before the question is put, I will merely say I have no fault to find with the Government for the course about to be adopted; but I rise to express my regret that a larger sum was not given for Summerside. The soil in the vicinity of that town is soft and requires a great deal of labour to make good roads. When the present party came into power, from the interest expressed by some for Summerside, it was expected that more than £100 would be granted for this service. Georgetown has had much more done for it than even Summerside had, and is now, I certainly think, entitled to a larger grant than Georgetown. It is true the revenue has fallen off some, but still I am of the opinion that the Government could appropriate more than £100, if so disposed, for that locality, nor do I think it would, in the least reflect upon the Government if the present grant was reconsidered. The resolution was then read and agreed to, and is as follows:

*Resolved*, That the following sums be granted and placed at the disposal of the Government for the following services, viz:

Keeper of Bonded Warehouse at Charlotte-town,	£50	0	0
Deaf and Dumb Institution, Halifax,	50	0	0
Public Surveys and Commissioners disbursements in connection with the Land Office,	400	0	0
Interest on Public Debt.	9000	0	0

The following resolution was then read:—

*Resolved*, That the following sums be granted and placed at the disposal of the Government for the following services, viz:—

Public printing and stationery,	£1000	0	0
Incidental expenses of Lunatic Asylum in addition to allowance by statute,	1000	0	0
Management of Savings Bank,	150	0	0
Public Land Office,	330	0	0
Collector of Customs and Navigation Laws, and Collectors of Impost and Excise for outports (except Georgetown and Summerside,)	300	0	0
Additional Clerk in Excise Office,	125	0	0
Third Clerk in Post Office,	100	0	0

Hon. LEADER OF THE OPPOSITION asked for information respecting the amount set opposite the Land Office.

The hon. Attorney General explained by saying that the amount paid for salaries in the Public Lands' Office was precisely what it was under the late Government, although the arrangement was different, that the additional grant now asked for was for the purpose of enabling the Government to effect the necessary surveys, which the provisions of the Wilderness Land Bill would render necessary.

Resolution was agreed to, when, Mr. Speaker resumed the Chair, the resolutions were reported agreed to, and leave granted to the Committee to sit again. When the debate on the "Act relating to the limits and rules of Jails in this Island" was resumed.

Hon. Mr. DAVIES.—Mr. Speaker, I have no further reasons to urge against the Bill than those I put forward this morning. The principle embodied in it appears to me to be altogether in favor of one creditor, and gives him the privilege of taking all from the creditors who may be abroad. This I consider wrong and unjust. No creditor in this Island should have any undue advantage over one in England or elsewhere of this Island, and such legislation must sooner or later bring this colony into disrepute. I regard our present Act sufficiently stringent, for if any creditor believes a debtor is defrauding him, the law allows him to take his body and put him in jail; but the object of this Bill is, if I understand it correctly, to force him to surrender any money he may be supposed to have retained after all his visible property has been given up, and to still retain him in custody. The Act of last year allows the creditor to seize any money the debtor may have, and to put his hands into his pockets to find it. As I said in the forenoon, it was hard to say that since the matter of a bankrupt law was mentioned here in 1852 or 1853, no action was since taken to have such a Law placed upon our statutes. At that time a bill was brought in, and to prevent hasty legislation, it was sent to the country, and surely now after the lapse of so many years a bill of that nature might be brought forward. With respect to the Insolvency Act it would not release the debtor from the creditor abroad, but if such a court was established here, and it was shewn that the estate of the debtor would only realize three or four shillings to the pound, is it likely that any gentleman in Great Britain, the United States or the Colonies would refuse a dividend? I mention this to shew that although the law could not release the debtor from the creditors abroad, yet they would likely accept a dividend and release the debtor; but under this bill the creditor in this Island could take all a man had to the detriment of those abroad. As a creditor, myself, if a debtor of mine fell behind, I would not like to take more from him than my share. I would like to see the hon. Attorney General and the learned Leader of the Opposition unite in bringing in a good Bankruptcy Act, and were they to do so, I have such confidence in their integrity that I would promise them before I seen the Act to give it my support.

Mr. BRECKEN.—I do not think the hon. member for Belfast has read the Bill of last session carefully, for if he had he could have found that the objections which he has taken to it do not exist, as the Act of last session does not allow an Officer of the Law to take money out of any man's pocket, it merely allows him to seize money when exhibited to his view. The meaning of the present Bill is, that after a man is arrested for debt, and takes the benefit of the limits, if it should afterwards be discovered he had property, then the creditor who detained him, and he may be his only creditor, may summon him before a judge, and if upon examination it is found that he has property, then he will be forced to give it up. There may be some minor details which may require amendment, but I assure the hon. member that it

is not an instalment of the Insolvent Act. Of the Committee appointed last year to bring in an Insolvent Debtors Bill, I am the only member from this side of the House as I before stated. I mentioned the matter to the Attorney General who with another gentleman from the other end of this building are on the committee, stating that I was aware several persons felt an interest in the matter, and that we would have to consider the matter and I hope we will soon have a Bill prepared that may do as an instalment of a more extensive measure, but as to a knowledge of much necessity to be considered in framing such a measure, I think mercantile men are better able to give information than are members of the bar. I consider the proper way would be for the Government to take it up, especially as the matter is one which affects so many interests; and were a measure of this kind thus brought in, I presume no opposition would be given to it. The Bill now before us does not affect the position to the foreign creditor, nor is it an oppressive measure. It is simply intended to meet the case of a man who has property, and who puts it into money or deeds it away with the intention of preventing a debtor from getting it. I think if the hon. member will read the Bill carefully through he will have no particular objection to it.

Hon. Mr. MACAULAY.—I apprehend, Sir, the hon. member for Belfast desires fuller information than he has obtained from reading the Bill, and the better way to obtain this is to send it down to committee. For my own part, I must be more intimately acquainted with the measure before I can say whether I will support it or not.

Hon. Mr. HENDERSON.—So far the time has not been thrown away, for we have obtained legal information which laymen do not otherwise get so cheaply; but as there are other certain matters connected with the subject, which I as a layman do not understand, I would like the Bill to go into Committee.

Mr. PROWSE.—Mr. Speaker, nothing that I have yet heard has convinced me that it is a just measure, but when it is considered in Committee, if I find anything in it of which I approve, I will give it my support, while on the other hand if I find in the Bill that of which I disapprove, I will oppose it. I think it is not correct to say that this Bill gives an undue advantage to the creditors on this Island over those abroad. I think the sooner the matter is discussed in Committee the better.

Mr. P. SINCLAIR.—Mr. Speaker, I voted for the Bill being read, as I thought it might be a benefit to have such a law, but judging now from what I have heard, and taking it as a whole, I believe it will not be an advantage to the country in its present shape. The hon. member for Murray Harbor says we may get some information by sending the Bill to Committee, but I would prefer voting it down at once, to wasting time in discussing it.

After some further discussion, the motion that the Bill be now committed to a Committee of the whole House was made, to which an amendment was moved that it be "committed this day three months." The amendment was carried on the following division:—

YEAS.—Hons. Colonial Secretary, Kelly, Howland, Davies, Callbeck, Messrs. Reilly, Howatt, McCormack, Green, MacLennan, P. Sinclair, Arsenault, MacNeill.—13.

NAYS.—Hons. MacAulay, Attorney General, Laird,

Henderson, Haviland, Messrs. Yeo, Ramsay, Prowse, Owen.—9.

When House went into Committee on Wilderness Lands' Bill. Mr. P. Sinclair in the Chair.

Mr. PROWSE.—I rise, Sir, for the purpose of moving the following resolutions:—

"Whereas, Several persons have recently settled on the Wilderness Lands, known as the Cunard property, recently purchased by the Government, such settlers being unable to pay the instalments required of them by the Land Purchase Act."

Resolved, Therefore, that all who have settled on such lands within the last eight years, shall have the same privilege and indulgence extended to them, as were provided for settlers on Wilderness Lands under the Bill under consideration, and that all such settlers shall have credit for any amounts they have heretofore paid toward their instalments."

It is well known that the Cunard Estate was priced at a higher rate than were some others. Several of those settled upon it are poor, and it is but fair to place them on the same footing as those for whose benefit the Bill before us is intended. I hope there will be no opposition to the resolution.

Hon. ATTORNEY GENERAL.—Mr. Chairman, the resolution proposed by the hon. member will, if carried, cause a great deal of trouble. We have no petition from the people to show that it is required. To introduce such a clause into the Bill would cause the utmost confusion, as it would conflict with the whole principle of the measure. I hope the hon. member will see the propriety of withdrawing it.

Mr. PROWSE.—I think, Mr. Chairman, if the Government will consider the resolution in the same spirit in which it has been submitted, no objection will be taken to it, or unwillingness manifested to comply with its request. It is well known that on the Cunard property, the settlers were charged much higher than they were on the Selkirk Estate, and I do not think that it is fair to be placing men in a worse position on the lands of the Government in one part of the country than they are in another.

R. GORDON, Reporter.

Hon. Mr. LAIRD.—It appears that exertions are made to induce the Government to give those who have lately settled on the Cunard Estate another term, as long as they have already had before they pay their first instalment. If the people do not pay the instalments, surely they must expect to pay interest on them as they become due. We might nearly as well have a request to relieve them altogether, for the amount required is much lower than the interest now generally paid on money. I cannot see that the present Government are to blame, for they have rectified the mistakes which other Governments have made, as far as practicable.

Hon. Mr. HENDERSON.—I have not the slightest doubt as to the justice and necessity of giving the late settlers on the Cunard Estate more time to pay their instalments. But this matter must take another shape before anything is done. If a pressure were brought to bear upon the present Government, they would take the facts as they find them stated by the Commissioner of Public Lands, which show the absolute inability of the people to pay their instalments. The lands on this Estate were disposed of at a high figure, because the late Government wished to make the estate self-sustain-

ing if possible. It is to be hoped that the people will not now be harassed by the Government, because they are unable to pay their instalments. If any one who is able to pay should refuse to do so, of course he should be compelled. Those who are able to pay should not be allowed to draw back.

HON. LEADER OF THE GOVERNMENT.—The hon. member for Murray Harbor (Mr. Henderson) voted for a Bill to enable the creditor to throw a poor debtor into Jail, if he did not pay the last farthing. Now he hopes that the Government will not demand the instalments due from people who have been settled eight years upon their farms. What is the difference between the two cases? These people were tenants under Messrs. Cunard, and had to pay ten pounds per hundred acres annually, but now they have their lands free by paying one half of the sum which they would have been obliged to pay the proprietor, if they had bought their lands directly from him. The late Government fixed the prices higher than was recommended by the Commissioner of Public Lands. Now the hon. member wants to give parties who settled on Wilderness Lands eight years ago, the same privileges as those who are now settling. He may just as well ask twenty years freedom from paying instalments for them, at once. Why does he not show sympathy for people settled on other estates, as well as the Cunard Estate? If the late Government imposed too high a price for the people to pay, the present Government will entertain any petition to do them justice, but all the other estates in the Island shall have equal advantages.

HON. MR. McAULAY.—I do not think the amendment deserves all the asperity which has been shown upon it. The Bill before us merely relates to the settlement of Wilderness Lands, and consequently lands already settled cannot be included in it. Still the case of the recent settlers on the Cunard Estate should be attended to, because they may be compelled to mortgage their lands to pay their instalments. People recently settled on these lands, can get very little except what is absolutely necessary for themselves and their families. In that case, what can the Government do for them but to extend the time for paying their instalments. The interest will be accruing, and the debt will be increasing; so I do not think the proposal to extend the time is objectionable, but on the contrary it is quite reasonable. Perhaps it may be objected to, on the principle that it would be deranging the system by which estates are managed. This may be so; but what may we expect but additional troubles, when people are unable to pay their instalments? The Government have a right to legislate for the advantage of the people, whose servants they are, and I hope the hon. Leader of Government will not treat the subject harshly. If they do not think it should have a place in the Bill, they can let it go; but I cannot see any objection to the matter.

MR. PROWSE.—I was surprised at the tone in which the hon. Leader of the Government addressed this Committee. He has accused us of clap trap, and of being insincere in this matter. This comes from him with very bad grace. I can assure him that I am above using such language as he imputes to me.

HON. MR. DAVIES.—The hon. member for Murray Harbor (Mr. Prowse) has made some remarks, in replying to the Attorney General, which are not very clear to me. I believe that there are not sufficient grounds to

show that the people on the Cunard Estate are unable to comply with the provisions of the Land Purchase Bill. We all know that only one half of the estate has been purchased by the people, and consequently the returns are yet small.

MR. PROWSE.—Some of the people have settled on condition of paying at the rate of a pepper corn per year for the first ten years. Is it fair that the Government should step in and say, you must pay us twenty per cent of the purchase money of your farms?

HON. LEADER OF THE GOVERNMENT.—Why did not the late Government take this into consideration when they purchased the estate? The present Government are not called upon to remedy this one particular case without making it a general measure.

HON. ATTORNEY GENERAL.—The return of the Land Commissioner has been referred to, to show that the instalments had not been all paid up, and that the people could not pay. But that officer pledges himself that those who promise to pay are good *acids*, that is, they are able to pay.

HON. MR. HOWLAN.—I thought that the provisions of this Bill were so easy that no hon. member would go against them. The hon. member for Murray Harbor (Mr. Prowse) thinks that the lands down there are too high. If so the people there should blame their own member for their trouble, as he was a supporter of the Government that fixed the prices on their lands. And now the hon. member wants to have the people relieved of the burdens which he assisted in imposing upon them. We are told that the reason that the people cannot pay their instalments is, that they originally took a lease on condition of paying a pepper corn per year. I know farmers in my neighborhood who prefer paying rent to purchasing the freehold of their farms. I have no doubt that the hon. member told the people of the blessings the late Government had conferred upon them, and that the Liberal party would never do anything for them. But how different he acts now. He will find that the Liberal Government understand the people, and the people understand them. More freeholders have been made under the Land Purchase Bill than by any other measure. I could agree with a remark which has fallen from one hon. member to the effect, that if a plan can be devised by which the instalments can be extended over a greater length of time, it will be much better. If a petition should come in from the people stating that they could not fulfil their engagements, I should give it my support. If that amendment to the Bill is supported, the whole machinery of the Land Office will be put in confusion. The land down in the hon. member's district is generally poor, according to the report of the Land Commissioner; but the late Government wanted to make it self-sustaining, and put high prices upon it, which they now say the people are unable to pay. The hon. members for that district now come to this Government and ask them to extend the period for paying the instalments. One of these hon. members (Mr. Prowse) is anxious to know whether the wilderness land is to be settled with German Protestants. Well, I can tell him that the Government have no intention of sending for these people to occupy the vacant lands of this Colony.

MR. PROWSE.—I care not whether the land is settled with Protestants or Catholics.

Hon. Mr. HOWLAN.—I suppose the hon. member was afraid the land would be settled with my countrymen. If his district is in the state described by the Commissioner, the people have hard work to obtain a livelihood. It seems that only one man in that part is able to raise more than £100 worth of crop. If the Government could honestly relieve the people from the payment of their instalments, they would do so. I will support the Bill.

Hon. Mr. HENDERSON.—I am surprised at the want of good humor in the Leader of the Government this evening. There is a vast difference between mothers and stepmothers, and he finds that he has had something to do with stepmothers in these affairs. The late Government had something to do with his offspring and found it a troublesome urchin. The price fixed by the late Government was very high, but it would have been made lower if they could fairly have done so.

Hon. LEADER OF THE GOVERNMENT.—The Commissioner of Public Lands recommended a lower figure than that fixed by the late Government. The Cunard estate, I understand, is at present the subject of discussion. What the hon. member for Tignish advocated was a correct principle. If the people want help they will apply for it in another form; and the Government would relieve them if it is seen that they are really in need of assistance. It is nothing uncommon in this House for an hon. member to dwell upon the wants of his own constituents. I do not know what the hon. member for Tignish means about the poverty of certain districts.

Hon. Mr. HOWLAN.—I thought the hon. member for Murray Harbor should have used his influence to have the price of the lands fixed in accordance with the poverty of the people in his district.

Hon. Mr. HENDERSON.—From the tone of the hon. member (Mr. Howlan's) remarks, I would infer that the people are comparatively rich in his neighborhood. But I think the inference from public reports is, that they are going backwards, for I hear that their fodder and provisions are scarce. As there is so much paper money going up there, I should think the hon. member would leave other parts alone, and not talk so much about poverty. I am told that one hon. member of the Government has been the means of forgiving debts on the Worrell Estate.

Hon. Mr. HOWLAN.—The report is untrue.

Hon. LEADER OF THE GOVERNMENT.—This new proposal would give the people on the Cunard Estate sixteen years to pay their instalments. That is, they have had eight years free already, and if eight more be added they would get their lands sixteen years for nothing. I think it would be inconsistent to give them a longer period than those who are settled on other estates, and it would disturb the whole tenure of the Bill.

Mr. PROWSE.—The people wish to be placed in the same position as those who settle on lands after this Bill is passed.

Hon. Mr. LAIRD.—It has been stated by some hon. members of the Opposition that the late Government could not fix the prices of the lands lower than they did. The hon. member for Murray Harbor (Mr. Prowse) asks the present Government to give these people eight years

for their instalments, but this would be an act of injustice to other portions of the Colony. I was much amused to hear the hon. member trying to defend the acts of the late Government. He now comes in and asks the Government to lower the prices fixed by the late Government on lands on the Cunard Estate. By the assertions of the hon. members of the Opposition, the sum was fixed at as low a rate as possible. It would be an injustice to ask the Government to give a longer time to people who have already had their lands eight years free. These people have sent in no petition, and for the Government to give money without being asked, would be liberty in the extreme.

Hon. Mr. HENDERSON.—I very clearly stated that it would hardly be correct, in my opinion, to attach the proposed matter to the Bill under consideration, and I should be sorry to impede the settlement of the Land Question. Suppose I put the hon. member for Bedeque (Mr. Laird) in my place in the late Government, at the time the prices were fixed on the lands, and that he consented to these prices, as I have done, would there be any impropriety in his actions, when he found out the state of matters among his constituents, if he should call the attention of the Government to the facts of the case? Would he consider himself in any way inconsistent in advocating poor people's rights? I cheerfully admit that I could not remedy the evil complained of, and that the people would have to take the lands at the prices fixed upon them, or not take them at all.

Hon. LEADER OF THE OPPOSITION.—However desirable it may be for the hon. members for Murray Harbor to advocate the interests of their constituents, and to do all in their power in this House to alleviate their peculiar afflictions, and to give them the same rights and privileges which the people on the other estates have. They have not pursued the proper course to redress these grievances. It is a fact that there is a large number of poor tenants on the Cunard Estate, who are unable to meet their liabilities, and the proper course for my friends would be to bring a petition from the people before this House, praying the Government not to be so rigid in their demands on poor people who cannot pay their instalments in full. The lands had to be classified according to the quality of the soil, and the late Government were bound to make the estate self-sustaining, if possible. The proper course for the people to take in this case, would be to memorialize the Executive Council, and if they did not favor the request, they should petition this House. After paying due attention to the arguments of hon. members on both sides of this House, I do not think that the remedy is in the present Bill, because this Bill is really for the purpose of regulating the settlement of wilderness lands. We should not have contradictory matter in the same Bill. If the proposed clause be inserted, we would bring in lands already settled into the Bill; therefore I think my friends should reconsider the matter before pressing it further. But it is in certain parts of the Murray Harbor district where the people wish to have more time to pay their instalments. I would not like to embarrass the Government on a question of this kind, and, therefore, I think the hon. members had better withdraw it. If the people are laboring under difficulties, let them memorialize this House before next session. At present it is merely putting the House under the necessity of giving the matter a point blank refusal.

Mr. PROWSE.—If the hon. Leader of the Opposition had given me this advice privately, I would not have moved an amendment.

Hon. LEADER OF THE OPPOSITION.—I am not an adviser for hon. members. The hon. Leader of the Opposition has enough to do, to advise himself.

Mr. PROWSE.—I am quite willing to withdraw the amendment which I proposed.

Hon. Mr. HENDERSON.—I am willing to allow that the proper course for the people to pursue, would be to petition this hon. House, but there will not be time to do so during the present session.

Mr. HOWATE.—I do not see any mode of relieving these people on the Cunard Estate who are unable to pay their instalments, but I hope the Government will deal impartially with them. I believe there are a few persons in the district which I represent are unable to pay, with whom I hope the Government will be lenient.

It was then resolved on motion of the hon. Leader of the Opposition, that the hon. member for Murray Harbor (Mr. Prowse) have leave to withdraw his motion which was carried.

The Bill with certain amendments was then reported agreed to by the Committee and ordered to be engrossed.

Hon. Leader of the Government presented a report of a Committee of the Executive Council on the Charlottetown Ferry.

House adjourned.

I. OXENHAM, Reporter.

THURSDAY, March 26.

*Afternoon Session.*

On motion of hon. Mr. Laird, the House resolved itself into a Committee of the whole on the second reading of the Bill to be intitled an Act to incorporate Prince County Agricultural Society.

Mr. McCormack in the Chair.

Hon. Mr. LAIRD.—I may state that the object of this Bill is to incorporate an Agricultural, to place them in a position that they may sue or be sued. It is very important that the agricultural classes should have all the facilities that can be given them; for although the majority of the people in this country are engaged in this pursuit, yet few have realized fortunes by it. Perhaps they have not had such encouragement as should be given them.

The Bill was then read clause by clause and agreed to. The Committee then rose and reported.

Ordered that the Bill be engrossed.

ICE BUSHING BILL.

Mr. McNEILL asked leave to introduce a Bill to prevent accidents on the ice, and remarked:—In bringing in this Bill, it is hardly necessary to explain its principles, as every person who travels on the ice knows that the ice on our bays and rivers is cut full of holes, making it very dangerous to travel on. When the roads are drifted up in winter, many persons travel on the ice, and it is important that something should be done to prevent parties from needlessly endangering life and property. This Bill provides that any person who cuts a hole in the ice shall bush it in such a manner that it may be seen and avoided. I expect members on both sides of the House will be in favor of this Bill, as many of them have to travel long distances on the ice when they wish to visit their constituents.

The Bill was received and read.

Ordered to be read a second time on Monday.

Hon. Mr. DAVIES presented a petition from certain inhabitants on the Murray Harbor Road, praying that Small Debt Courts be held quarterly instead of monthly.

Ordered to be referred to a Committee to report by Bill or otherwise. Ordered that Hon. Mr. Davies, Hon. Attorney General, and Mr. P. Sinclair, do compose the said Committee.

Hon. Mr. DAVIES presented a petition from William Jardine, praying that he be allowed to perform his Statute Labor on a private instead of on the public road, as he lives 1½ mile from the main road.

Ordered to be laid on the table.

Mr. McLENNAN.—In accordance with a notice in the Order Book, I rise to ask the Government a question in reference to the opening of a new road from James Darby's, Lot 17, to Joseph B. Perry's, Miscouche. A petition was presented to the House on the subject, the prayer of the petitioners was acceded to, and Commissioners were appointed to make a survey of the locality. They made a report, but the matter has been allowed to lie dormant ever since. I should like to know the intentions of the Government in reference to this matter, and if they do not intend to have the road opened, the reason why.

Hon. ATTORNEY GENERAL.—In reference to the question put by the last speaker, I cannot say what is going to be done; but the hon. member will be able to ascertain to-morrow, when the question concerning roads will be gone into.

Mr. McLENNAN.—I see by the Public Accounts that the sum of £13 has been paid to Commissioners appointed to investigate certain charges against Malcolm McFarlane, late keeper of the Light-house at Sea Cow Head. There was also £18 paid to the Commissioners appointed to investigate a matter concerning the extraction of money from mail bags. These are the only delegations that we had since last session, with the exception of that of the Attorney General to England, whose report we have had, and I should like to see the reports of these also.

Hon. Mr. LAIRD.—The Government have no objections to these reports being seen, and they will be placed on the table at an early day.

Mr. Arsenault presented a petition from certain inhabitants in the vicinity of Egmont Bay, praying for the establishment of a Small Debt Court.

Ordered to be laid on the table.

Hon. Mr. Callbeck presented a petition from certain inhabitants of Long Creek, Lot 65, praying for the incorporation of the Minister and Trustees of the Baptist Church in that place.

Ordered to be laid on the table.

SUMMERSIDE BANK BILL.

Hon. Attorney General presented a Bill relating to Summerside Bank, and explained that the provisions of the Bill were to extend the time for the payment of the third instalment of the capital stock.

Ordered to be referred to the Committee on private bills.

BALDERSTON, Reporter.

FRIDAY, March 27.

On motion of Mr. Reilly, the Bill to incorporate the St. Peter's Agricultural Society, was submitted to a Committee of the whole House, Mr. McCormack in the Chair, and being read, was reported agreed to.

The Bill to amend and explain the Land Purchase Act, was read a third time, and passed.

The Bill to encourage the settlement and cultivation of Public Wilderness Lands, being read a third time, and a motion made that the Bill do now pass,

Hon. Mr. DAVIES said: Mr. Speaker, before the Bill is passed, it may be inquired whether it would not be better to give to each settler protection, by securing to him undisturbed possession. We know that men in business too frequently get men in debt to them, and allow their accounts to run on until they finally take their farms from them. To prevent this, I would like to see the land granted in a way that would secure it to the father during his life, and that of his son after him. In this way young men would be encouraged to remain home and assist their parents.

Hon. the LEADER OF THE OPPOSITION.—Mr. Speaker, I do not understand the hon. member, nor was I aware that we were considering a Homestead Bill. The Bill before us is one for the encouragement of the settlement and cultivation of public Wilderness Lands, and therefore with all deference to the hon. member, I must say that he is out of order.

The Bill was agreed to.

Mr. McLennan presented a petition from James Campbell and others, of Summerside, praying that an Act of Incorporation be granted for that town; also a petition from J. R. Gardiner and others, praying that the said Act may not be granted.

Hon. Attorney General, wished to know which petition the hon. member intended to support.

Mr. McLennan, considered it would be time enough to express his opinion, when the matter came up for consideration.

The petitions were then referred to a Committee to report thereon.

Hon. Mr. Callbeck, moved for a Committee to report upon the petition, praying for an Act of Incorporation for a Baptist Church at Long Creek.

Committee appointed accordingly.

Mr. Reilly, from a Committee of supply, reported three resolutions agreed to, which were severally read by the Clerk, and passed.

House in Committee of the whole, on the Bill to consolidate and amend the several Acts relating to the

#### SAVINGS BANK.

Hon. Mr. Henderson in the Chair.

Hon. LEADER OF THE OPPOSITION.—The Bill says that not less than one shilling and six pence shall be received as a deposit, and that no sum under twenty shillings shall be paid out at one time. Now, suppose I pay in but eighteen shillings, how then am I to get it out?

Hon. ATTORNEY GENERAL.—Mr. Chairman, to prevent anything of that kind occurring, I beg leave to move the following amendment, "Except in cases where the sum actually deposited, shall be less than twenty shillings."

This was agreed to.

Mr. Speaker resumed the Chair, progress was reported, and leave granted to sit again.

House adjourned for an hour.

R. GORDON, Reporter.

#### Afternoon Session.

Hon. LEADER OF THE GOVERNMENT, delivered a message from His Excellency the Lieutenant Governor, transmitting certain papers relating to the removal of

detachments, and the expenses in connection with Her Majesty's troops while stationed in this Island.

The said documents were read, and ordered to be laid on the table.

The Correspondence of the hon. Attorney General in reference to this matter, was also laid on the table.

The return of the number of pupils in the Prince of Wales College, was likewise laid on the table.

Hon. Leader of the Government laid before the House, the Supplementary estimates for the current year.

Ordered to be laid on the table.

On motion of the hon. Attorney General, the House went into Committee of Supply.

Mr. Reilly in the Chair.

The Estimates were then read. The special grants for Roads, Wharfs, Bridges, Breakwaters, &c., amount in all to the sum of £6,000.

Mr. PROWSE.—There is one item mentioned in those Estimates, an amount appropriated for the opening of a certain road, concerning which I should like to express my sentiments, and I may say they are the sentiments of nine-tenths of the people interested in this matter. I see by the Estimates that the sum of £50 is granted for the opening of a new road in a straight line from Montague Bridge to Burnt Point Bridge. I am quite well satisfied that the route which has been recommended in the Surveyor General's Report, will not be the most advantageous to the people of that locality. Were the road which has already been opened, from the Wood Island Road to St. Mary's Road, extended to Burnt Point Bridge, it would not cost one-eighth as much money as the one proposed, and would give more satisfaction to a vast majority of the inhabitants. I think an undue influence has been brought to bear upon the Government in favor of opening the Road in accordance with the Surveyor General's Report. Certain members of the Government have twitted the people of that locality as persons destitute of the necessaries of life, and these are the very people which this Road is to benefit. These people live on the West end of Lot 63, and are obliged to travel ten or twelve miles to a shipping place, although they are within three miles of it in a direct line.

BALDERSTON, Reporter.

*Resolved*, That the petitions which have just been read be received to-morrow.

#### SAVINGS' BANK BILL.

Hon. ATTORNEY GENERAL introduced a Bill to amend the Savings' Bank Act.

The House then resolved itself into a Committee of the whole to take into consideration the said Bill. Hon. Mr. Henderson in the Chair.

The first five clauses were read and agreed to.

The sixth clause was then read.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman, this Savings Bank is a very important institution, as there is no less a sum than £1700 of the money of the prudent and careful inhabitants of the Colony deposited therein. That sum was deposited in sums varying from from eighteen-pence up to one hundred pounds, and by seven hundred persons. I should not like to be the ac-

countant in this institution. I am happy to see that there has been no opposition from either sides of this House to this measure. We have had no explanation from either the hon. Attorney General or the hon. Leader of the Government; notwithstanding the interest taken in the subject we are kept like children blind-folded, and do not know whether it is a benefit or a disadvantage to the Colony. We ought to have same explanation as to the working of the institution. In days gone by this question was the peculiar hobby of a gentleman who was then in the other end of the building among the *Lords*, but who has now retired from public life. The Bill used to be brought in like the Charlotte-town members Bill, always at the eleventh hour, and, consequently, was frequently cast aside; but after a while it became the law of the land, and whatever the prejudices against it might have been, it has proved an advantage to the Colony and to all persons saving money. The mechanic saving his weeks earnings, the servant girl her monthly wages, and one of the rising generation his eighteen pence, to deposit in the Savings Bank. The proof of the pudding is in the eating, and we find that this Bank commenced upon small things and has become great. The use of this capital is a benefit to the Government for the time being, who get it for five cent interest. I look to the Attorney General for an explanation of this movement.

Hon. ATTORNEY GENERAL.—I am happy to hear that the only object of the hon. Leader of the Opposition is to ask for explanations. I was afraid that he wanted to strike out the clause altogether. When a Bill has been in operation for some years and there is no complaint of its working, I do not think there is any occasion to give much explanation of the system. It has been descanted upon in glooming terms by my hon. friend who introduced it in 1864, and I wish he was here now to give us his views on its present working. I quite agree with the remarks just made as to the utility of Savings Banks which are now extended to every civilized country. The Savings Banks affords parties an opportunity of saving their money which would perhaps have been spent foolishly and unprofitably. This Bill went into operation in 1864, and is becoming more popular every year. The aggregate sum at present deposited amounts to £1700, which proves that the institution is appreciated by the classes for which it is intended. If this Bank had not been established the money which has been thus saved might have disappeared; and, consequently its benefits would never have been enjoyed by the community. These results must be very satisfactory to this hon. House. When the Savings Bank first went into operation the total deposit was limited to £1000, but this limit was subsequently extended. As is it such a useful and popular measure the time may soon arrive when there will be no difficulty in obtaining money from it if required by the Legislature. This is the third Bill which has been brought before the House on this matter, and it was thought better to consolidate these laws. When the Act was first brought in the deposits were limited to £75, but the amount has since been extended to £100 which is the largest sum that will be allowed. I am glad my friend, the learned and hon. Leader of the Opposition rose a debate on the subject, to draw the attention of parties to the matter. When a Bill is under consideration it is a great relief to hear a speech now and then, Mr. Chairman. If you have to read a long Bill, a speech is a respite, especially

when sensible remarks are offered. I have great pleasure in giving the little information I have given. If any hon. member can bring forward an amendment now is the time to do so.

Hon. LEADER OF THE OPPOSITION.—I am very much obliged to the hon. Attorney General for the information which he has given, for I was not in the House at the introduction of the first Bill. This is one of those questions which have agitated the minds of cultivated men both in the old and new world. It is an important question for the youths of the rising generation who may be saving their money from time to time, and I agree with my hon. friend the Attorney General that this debate will be productive of real good. It is not a question which relates to the affairs of Government, but it affects the social well-being of the Colony, and is worthy of the minds of the great MacAulay and Stuart Mills. There is no doubt that a large proportion of the people who are saving small sums, would, if it were not for this institution, save their money in an old stocking or hoard it up in some other way; but here they can reap five per cent interest without a possibility of losing their capital. This House might take into consideration whether it would not be an advantage to increase the interest to six per cent, to foster the enterprise and to increase its popularity among the people of this Colony. The only loss to the Government would be the fees of the officers of the institution. If they pay six per cent that is no more than they pay on the Government Warrants, but I do not say that it is expedient to grant this amount. This institution is of great importance particularly in a Colony where the great object of legislation is to make every man a freeholder who wishes to shake off the shackles of serfdom, as my hon. friend from Cavendish says. This is one of the means by which the poor man would work out his own freedom. There are different roads terminating in the common centre, and that centre is making freeholders of the inhabitants of Prince Edward Island. I hope the subject will not be so dead after this, that a new life will be given to it, and that we shall have the views of the hon. member for Bedeque, as he is a disciple of the great Stuart Mills type. This is a question in which we all meet upon common ground; and, therefore, under these circumstances, this Bill requires the views of hon. members.

Mr. McNEILL.—I am glad that the hon. member thinks so much of this measure, as to say that it may be a cure for all the troubles we have with our Land Question.

Hon. Mr. LAIRD.—I think this debate has proved a benefit already, but if it had taken place a little earlier I might have introduced a clause to establish branch institutions in the different Counties. The results of the working of this affair show that the people are not dead to their best interests. The question with the people will be how much money can we save? and not how much of the public money can we get. We all know that it can be said of money easy come easy go, that is, money which comes from Government is of little account if people are not economical and saving. We know that economy stimulates both body and mind to acts of exertion, and if these principles had been properly carried out in this Colony we would not be paying a tax to the British Government to-day.

**HON. LEADER OF THE GOVERNMENT.**—The principle objections to the movement at first was that it would impose so much work upon the Treasurer, who now finds out that the work of keeping the accounts of this institution is no child's play. When this Bill was first sent down it was rejected, not because the Government were not alive to the interests of the people, but because they would not establish it unless in connection with the Treasury. The late Government were so economical that they were not willing to increase the salary of those on whom would devolve the management of the Savings Bank, but the institution was finally established, and has since proved to be of great benefit to the Colony. Persons of all classes deposit money in it, and there is no doubt that if the total was allowed to increase to £80,000, or £40,000, it would assist the finances of the country. It would enable the Government to pay all demands made upon the Treasurer. There is one per cent gain, which pays the expenses of the officer who manages it. This institution has a beneficial effect upon the morality of the city, for whenever a youth becomes the possessor of a small sum he deposits it there instead of spending it at the gambling house or elsewhere. I am glad to see that we are united on this measure, for it is one of those measures to which we ought to give our support. The accounts will be made up on the first day of December, instead of the first day of January, as heretofore.

**Hon. Mr. DAVIES.**—The Savings Bank is of great benefit to the community, but there is a great amount of labor in connection with it, which is every day increasing, and therefore the manager should be compensated accordingly. This hon. House should take this matter of additional labor into consideration.

**Mr. BAECKEN.**—I am happy to agree with the hon. member for Belfast (Mr. Davies) as my constituents derive more benefit from this institution than the inhabitants of any other part of the Colony. I agree also with the hon. member for Beddque that branch institutions should be established in all parts of the country. This husbanding of money by the people not only improves their position in a pecuniary point of view, but has a tendency to improve their morals. When we consider the additional labor imposed upon the Treasurer, we must conclude that he is very inadequately paid for his services.

**HON. LEADER OF THE OPPOSITION.**—The hon. member for Beddque (Mr. Laird) stated that if this debate had taken place a little earlier, he would have moved an amendment to the present Bill to establish branch institutions in the different Counties. The reason he gives is that there has been a great loss of money through the Post Office, but I think the remedy would be to establish the money order system in all the Post Offices, and to appoint gentlemen in whom confidence could be placed to be Postmasters. But a Government Bank can be established no where except in the Treasury Department, therefore the suggestion of my hon. friend from the westward cannot be carried out in the way he proposes. If this question be properly aired before next session, we may have the money order system developed.

Progress was reported, and the House adjourned.

I. OXENHAM, Reporter.

SATURDAY, March 28.

*Morning Session.*

On motion of Mr. McCormack, the Bill to incorporate the St. Peter's Agricultural Society was read a third time and passed.

**HON. ATTORNEY GENERAL** presented a Bill for the Incorporation of the Minister and Trustees of the Baptist Church at Long Creek, Lot 55.

Ordered to be referred to the Committee on private rates.

**HON. ATTORNEY GENERAL** presented the report of the Committee to whom was referred the Bill to incorporate the Bank of Summerside.

The said Report was then adopted.

**HON. Mr. HENDERSON.**—In accordance with notice in the Order Book, I move for leave to ask the Government a question respecting a Wharf asked for by the people living in the vicinity of Montague Bridge, North side. I understand that the prayer of the petition has been acceded to, and the sum of £70 granted for the erection of the said wharf. The locality is a very important one, as the amount of produce shipped there is very great, and annually increasing, and the private wharves are quite inadequate to supply the accommodation required for the rising trade; therefore a public wharf is very much required, and would be a decided improvement to the place. I should like to know what action the Government have taken on this important matter, or, if they have taken any action upon it.

**HON. LEADER OF THE GOVERNMENT.**—In reference to the question proposed by the hon. member for Murray Harbor (Mr. Henderson) I may say the Superintendent of Public Works visited the locality referred to, and found that it would require four or five times as much to build the said wharf as was granted for that purpose, and also that a great many persons in the place considered that the site chosen was not the most convenient one. I believe there is a much better site for a wharf, and one where it could be built at much less cost. If the wharf was built in the place proposed, I think it would interfere with navigation.

**HON. Mr. HENDERSON.**—In regard to the original site proposed, all that has been said is strictly true; but the importance of the place will, I hope, induce the Government to act in harmony with the people, and secure a more suitable one. There is a gentleman in that place who has extended a wharf out beyond his own proper limits on public property, and the people there think he is entitled to provide a suitable wharf, or make some compromise with the public, and permit his wharf to be so extended as to afford sufficient accommodation to meet the requirements of the community. I trust the Government will co-operate with the people, and have a wharf built at this place, for, besides being an advantage to the community, it will be a benefit to the revenue, on account of the increased facilities for trade which it will afford.

**HON. LEADER OF THE GOVERNMENT.**—If the wharf is on private property it cannot be interfered with. I think it would be better for the members from the district to try and make some arrangement concerning this matter.

**HON. ATTORNEY GENERAL** presented the Report of the Committee to whom was referred the Bill to incorporate the minister and trustees of the Baptist Church at Long Creek. Report adopted.

On motion of the Hon. Attorney General it was resolved that this House do, on Wednesday next, go into Committee of the whole on the consideration of Ways and Means.

**HON. LEADER OF THE GOVERNMENT** presented a petition from certain inhabitants of Lots Thirty-three and Thirty-



four, in reference to a petition that was presented to this House regarding the lifting of Sea Weed.

Ordered to be referred to the special Committee to whom was referred the former petition.

Hon. LEADER OF THE OPPOSITION.—I think, Mr. Speaker, that this petition, now to be referred to the special Committee, will not lessen the labors of that Committee by any means. It seems that these petitioners have made out a strong case against this House legislating on the question. I am very anxious to see the Report of this Committee, and I think the sooner they begin their labors the better, for it will require all their spare time to consider the matter and turn up references on the subject, before they come to any definite conclusion.

Hon. LEADER OF THE GOVERNMENT.—As this is a question in which private rights are involved, this House will have to be very careful in dealing with it. There have been several cases in Court arising out of disputes on this question, and it would be well to know how far the law interferes with this matter before we take any action upon it. People who buy shore farms have to pay a high price for them, and they are entitled to some privileges.

Mr. BRECKEN asked leave to introduce a bill to be entitled "An Act further to amend the Incorporation Act of the City of Charlottetown," and explained some of the provisions of said Bill, which are as follows: To give the authorities power to assess the inhabitants for a larger amount than they can at present—to have power over the issuing of licenses for the keeping of Hotels—to levy a tax upon goods brought into the country and sold by other than resident merchants or auctioneers—to compel transient auctioneers to pay license—to enlarge the criminal jurisdiction of the Police Court.

Received and read. Ordered to be read a second time on Monday.

Mr. REILLY.—I merely wish to say that, while I approve of some of the provisions of the Bill, some of them are so extraordinary that I cannot think of voting for them. I think it was the duty of the hon. member to have called a public meeting of the inhabitants of Charlottetown, and ask their opinion on the Bill, and if it did so, I do not think many of them would vote for it. I should not like to see persons who came here to sell goods obliged to pay license.

Dr. JENKINS.—In regard to the bill before the House, I may say I never saw it until this moment. I will not support any Bill to increase the taxation of the citizens, until I know the opinions of my constituents on the subject. I think a public meeting of the inhabitants should be held before we take any action on this matter.

Mr. BRECKEN.—I myself threw out the suggestion that it would be as well to have a meeting of the inhabitants. I have not made up my mind whether or not I would vote for that clause, to increase the taxation of the city. I am not particularly wedded to any of the provisions of the Bill. The restrictions to trade are very unusual and hardly fair.

Ordered that the bill be read a second time on Monday. Hon. LEADER OF THE GOVERNMENT submitted several papers relating to Breakwaters, &c. Received and laid on the table.

House adjourned till ten o'clock on Monday.

BALDERSON, Reporter.

MONDAY, March 30th.

Afternoon Session.

Hon. Leader of the Government presented various petitions, which were laid on the table.

Hon. LEADER OF THE GOVERNMENT, laid before the House the Minute of the Executive Council, relative to

the Land question, and the Despatch of the Secretary of State on the subject. Ordered that 150 copies of the said documents be printed.

Mr. MORNIX presented a petition from certain inhabitants of Wheatly River, praying for an Act to regulate the lifting of Sea-weed. Ordered to be referred to the Committee appointed to report on former petitions of a similar nature.

On motion of the hon. Attorney General, it was resolved that no petition of a local or private nature, be received after Tuesday the seventh day of April next. Ordered that said resolutions be inserted in all the Charlottetown newspapers.

Hon. ATTORNEY GENERAL moved for leave to present a petition from Charles Faylor, of St. John's, New Brunswick, praying to be allowed to take out letters patent for an improvement in a spinning machine. The petition was forwarded to the Hon. Dr. Young, addressed to His Excellency the Lieutenant Governor in Council, and he had taken the liberty of changing the heading, and addressing it to the Legislative Council and House of Assembly.

It was moved that a Committee be appointed to report thereon.

Hon. LEADER OF THE OPPOSITION, objected to the appointment of the said Committee, on the ground that no person had any right to alter a petition, unless he had full power to act as he did, and argued that by appointing the said Committee, the House would be establishing a dangerous precedent.

Hon. ATTORNEY GENERAL, concurred in the opinions of the hon. Leader of the Opposition, and withdrew his motion.

On motion of the Hon. Attorney General, the House resolved itself into a Committee of the whole on the further consideration of supply.

Mr. Reilly in the Chair.

### ROAD SERVICE.

Hon. ATTORNEY GENERAL.—I beg leave to move the following resolution:—

"Resolved, that the sum of £1000 be placed at the disposal of the Government, for the following service:—

For macadamizing roads leading to			
Charlottetown	£500	0	0
Summerside	300	0	0
Georgetown	200	0	0

As a member for King's County, I regret that a greater amount has been granted for Summerside than Georgetown, but the consideration which induced the Government to make a distinction in favor of Summerside, was that it is a place where there is a great deal more business carried on than at Georgetown, and consequently a larger amount of traffic on the roads leading to it. We must expect that the hon. members for Georgetown will stand up vigorously for the rights of their town, especially one learned member who has taken a great interest in the making of roads. I may say that if a larger amount of the grant is taken for King's County, I will put in my claim for Souris, where there is a great deal of traffic; but I think that when we take into consideration all the circumstances of the case, and the requirements of Summerside, we will come to the conclusion that the grant has been judiciously appropriated.

Hon. Mr. McARDY.—I am astonished, Mr. Chairman, at the sentiments expressed by the hon. Attorney General. He said he regretted to do that which he knew to be wrong. I should like to know what pressure has been brought to bear upon him to make him do it. But, Sir, I would appeal to you concerning the injustice of this matter. What the Attorney General has said concerning the small amount of traffic on the roads leading to Georgetown, may be true for a part of the year, but we know that certain seasons of the year, persons from all parts of the island travel the Georgetown Road, even persons in Summerside have had their goods landed there after their own port has been closed up by frost. Summerside has my best wishes, but I should pray recalcant to my duty did I not raise my voice against such injustice—robbing a place which requires the greatest amount of money, to benefit one which requires the least. This matter can be easily settled by granting an additional £100 for Georgetown, and if this be done, I shall have no objection to the grant for Summerside. I hope the hon. Attorney General will cure his own regret by amending his own motion, and he shall have my hearty concurrence and support in so doing.

Hon. LEADER OF THE OPPOSITION.—I fancy, Mr. Chairman, that it is very little use to kick against the pricks. This question has been settled in Caucus. It has been before the Executive; it now comes down in the estimates for the year, and the hon. Attorney General is bound by the principles of constitutional Government to support it, but I should prove recalcant to my duty, if I should let it pass without expressing my disapprobation of it. It has always been a rule that the capitals of the two Counties should have an equal amount in appropriations of this nature, and I cannot see the principle on which that rule has been departed from in the present instance. My hon. friend has said that if any more is demanded for King's County, part of it must go to Souris, that great city which he represents; but great as that city may be, and enterprising as its inhabitants may be, it has not yet attained to the dignity of the capital of a County. The hon. Attorney General has said that there is a greater amount of business carried on at Summerside than at Georgetown, if so, the place must be richer, and I have always heard that the poorer a place is the greater necessity and need there is for money from the public purse to aid its local improvements. I will take the hon. Attorney General on his own argument, he has said that where there is most traffic the greatest amount of money is required to repair the roads, and we know that in autumn the balance of trade is largely in favor of Georgetown, for as its harbour is open for some time after all others are closed, persons from all parts, even from that country beyond—represented by my hon. friend Mr. Bell—are glad to avail themselves of it in getting their goods; and were it not for the sums which have been expended there for the last few years, they would be in danger of losing their merchandize and themselves in the quagmires of Georgetown Royalty. It seems to me a very obvious distinction to appropriate the smallest amount to the capital of King's County.

Mr. OWEN.—I am astonished at the way in which this money has been appropriated. I fully expected that a considerable portion of it would have been expended near Montague Bridge, where there is a vast

amount of traffic. I think it is very unfair that Summerside should get a greater amount than Georgetown, and would, therefore, move that the motion be altered and £250 be given to each county.

Mr. PROWSE.—Mr. Chairman, I quite agree with the remarks of the hon. member who has just sat down, respecting the necessity of a grant for the road leading to Montague Bridge. It seemed to be an argument with the Attorney General that Souris should get a large appropriation from the public chest, on account of the great traffic there; but I believe there is more shipping at Montague Bridge than at Souris, and how much has been expended there? Last year we were given the enormous sum of £70 for building a wharf in that place, but we find that that amount instead of being expended, has been locked up in the public treasury; and we were told a few days ago that the members for the district should make arrangements concerning this matter. I would recommend the members of the Government to take a trip to that locality next November, and when they would find the road blocked up by loads of produce awaiting shipment, they would have some idea of the difficulties under which the people labor.

Hon. Mr. HENDERSON.—It appears to me that the Hon. Attorney General is anything but satisfied with the motion which he has made, and the division of this grant which he has sanctioned, and he even appears to invite opposition to it. I am quite sure that he generally feels inclined not to express anything in this House contrary to the conviction which are nearest his heart, and I do not think he is very well pleased with the log rolling system which has prevailed in this instance. Sir, I was prepared to take up the ground which has been taken up by other hon. members, and discuss the justice or injustice of this matter, and it was not in order to make a speech on the subject; that I wished to do so, but to state a fact in reference to the large amount of traffic at Montague Bridge; and if any one will take the trouble to pass that way in the fall of the year, he will be convinced of the fact also. Why, Sir, the facilities for shipping there are excellent as far as noble, bold water is concerned, but if we look at the accommodation supplied by wharves, &c. it is very poor indeed, and we would almost think that the Hon. Attorney General, who has such control in these matters, never represented a constituency in King's County. If it is thought that Georgetown is growing smaller, and beautifully less in the way of commerce, I am sure that whatever it has lost, Montague Bridge has gained. I have no objection to Souris getting its full share; but the depth of water there is by no means so inviting, large ships cannot be accommodated in it as they can be at Montague Bridge, and, therefore, if anything is to be subtracted from what has usually been granted to Georgetown, Montague Bridge has a right to a full share of it. I do not wish to withdraw from Summerside anything to which it is justly entitled, but when we have to divide between contending claims, I think it is only fair that the place which contributes the most to the revenue should be encouraged the most.

Hon. LEADER OF THE GOVERNMENT.—The hon. members from King's County seem to think that there was some design in this matter, but it was considered that the division of this grant was a fair one for the purpose for which it was intended. This money is for the purpose of procuring stone to macadamize roads, and it was

thought that as Georgetown has greater facilities for obtaining stone than Summerside, as much could be done there for £200 as could be done in Summerside for £300. It may be true that the roads about Montague Bridge are worse than those about Georgetown, but it must be remembered that this grant is for the purpose of obtaining stone for this great Crusher about which we have heard so much, and if it were divided into small grants it would be more expensive to move the Crusher about than it would be worth. Hon. members may say that each district should have equal amounts, but this principle cannot be carried out even with regard to the general appropriations, for some districts have more bridges than others, and we must give them amounts proportioned to the necessities of the case. A large portion of the produce of Queen's County is shipped at Summerside, and there is a great deal more traffic there than at Georgetown. It is all very well for hon. members to talk about the wharf at Montague Bridge not being built; but when persons petition for £50 or £60 to build a wharf, and it is found that it will require £300 or £400 to do it, what is the Government to do in a case of that kind? There is no intention of doing any injustice to the people of Georgetown in this matter.

BALDERSTON, Reporter.

Hon. Mr. LAIRD.—Mr. Chairman, before the question is put, I shall endeavor to show that Summerside is entitled to more consideration at the hands of the Government than Georgetown, that is, if we judge from the value of the exports. In 1866, the exports from Georgetown amounted to £17,325 3s. 10., while those from Bedeque, in the same year, is more than double, viz: £41,242, 0s. 0s., which leaves a balance in favor of Summerside of £23,914 16s. 2d. Prince County, it is well known, never had justice or her fair proportion of the public Revenue. I believe that in former years, there was a combination between the members of the other two Counties, which enabled them to do as they pleased with Prince County. Notwithstanding all these obstructions, that County has been increasing in wealth as rapidly, and even more so than King's. Georgetown has had a great deal of money expended in it, and has other advantages which Summerside never had. I admit that the hon. member for Georgetown made an ingenious remark, when he said that all parts of the Island made use of Georgetown as a shipping port; but the hon. member should have added, it is after Jack Frost has macadamized the roads so firmly, that those near that town are not injured by the traffic; whereas, in Summerside the produce requires to be shipped when the roads, as a general rule, are the most liable to be out up by the travelling.

Mr. P. SINCLAIR.—Mr. Chairman, no doubt it would be right enough for the hon. member for Charlottetown to purchase stones for macadamizing the roads in the vicinity of the City, when he had an opportunity of doing so; and it is right, also, for the Government to try the experiment upon those roads in the vicinity of those places from whence the most produce is shipped, and if it will be found to pay, then the system can be more generally extended.

Hon. ATTORNEY GENERAL.—Mr. Chairman, what the last speaker said is to the purpose. In the Report of the Committee, an extensive system of macadamizing

is recommended, but it is doubtful if the stones can be procured for the sum anticipated; and before any large outlay is undertaken, the Government wish to test the practicability and expense on a small scale first. It appears that there is much more trade from Summerside than Georgetown, and, of course, more travelling upon the roads. I am aware that at Montague Bridge there is a considerable amount of trade, and of course it will be increasing; but it is proper to remember that what is now proposed, is merely intended as an experiment, and, therefore, no fault should now be found. If the hon. members from King's County will look into all the grants brought down, and made to Georgetown, they will see that they amount to £480, whereas Summerside has nothing like this amount. I have the honor to represent a district in King's County, but I cannot see that Georgetown has that claim upon the Government which Summerside has.

Mr. BELL.—Mr. Chairman, some remarks were made about Tignish, in rather a disparaging strain, as though that section of the country was not entitled to the amount voted for it; but the fact is, that part of the Island has never had justice done to it by the Legislature. From the Harbor of Cascumpec and Tignish, an increasing amount of produce and fish are being annually shipped, and at those ports more goods are imported, and revenue paid, than they get credit for, as large quantities of goods brought there are entered in Ch'town and Summerside. This is the first year that Prince County has had justice, as King's, though a smaller County, has always had the largest appropriations made to it. And no part of Prince County has had less attention paid to it, than the district I have the honor to represent. At Tignish and other places, the fishermen are becoming a large class, who contribute largely to the revenue, and they are a class, too, whose interests ought to be well considered by the Legislature, and I have no doubt but that the vote to Tignish run will be looked upon as a recognition of those claims. With respect to the Roads, the one from Alberton to Cascumpec Wharf stands as much in need of being macadamised as any in the County, and I believe we are as much entitled to it too.

Mr. PROWSE.—Mr. Chairman, I do not think that the exports from any one place is always a criterion by which to judge, for much of the produce shipped from Charlottetown is carried to it from the outports, which swells the amount shipped from Charlottetown, while it lessens it from other places.

Hon. Mr. DAVIS.—Mr. Chairman, the idea the Government had in view was to try the experiment on the roads upon which the most traffic is, and all will agree that those leading into Summerside, Charlottetown, and Georgetown, have the first claim. We have heard a good deal said about the roads near Georgetown, but those who travel to that place in harvest time, and who will notice how few fields of grain are to be met with, will easily perceive that the traffic is so trifling there, that the roads, as a consequence, are not so much cut up as those in the two other places named. At Montague Bridge there is a good shipping place, and from there a considerable quantity of produce is shipped; the same can be said also about Cardigan.

Hon. Mr. McAULAY.—Mr. Chairman, I remember the time when a cart could not get into Georgetown without a great deal of difficulty, and if the roads are now better, it is owing to the wisdom of my hon. Colleague and myself. The hon. member for the first district of Prince County has alluded to Tignish Run, but I would like to know how much produce is shipped from thence?

Mr. BELL.—A more valuable article is shipped from that place.

Hon. Mr. McAULAY.—Produce, Sir, is more valuable than any of the exports from Tignish.

Mr. BELL.—I rise to a point of order.

Hon. Mr. McAULAY.—Sir, I am not out of order.

Mr. BELL.—There were nearly 3,000 barrels of mackerel shipped from Tignish last year, besides other valuable cargoes.

Hon. Mr. McAULAY.—And beside there is growing up a set, who are annually increasing, and for whom, I hope the hon. member will not be applying for money next year to destroy them. The arguments advanced do not meet the case as hon. members have argued, but they apply in favor of a larger grant to that part of the country which is the Port, which forms the shipping place for the whole Island.

The resolution was then agreed to.

#### BREAKWATER AT SOURIS, &c.

Hon. ATTORNEY GENERAL.—I need not explain about the vote to Covehead, as the hon. Leader of the Government will do that, but in so far as Souris is concerned, it will be admitted that it is an appropriation that is required.

Hon. LEADER OF THE GOVERNMENT.—This is the first grant of this kind which has been made to Covehead, and I think there is not an hon. member in this House who will object to it. The harbor there stands up a good deal, and the farmers, who are now importing a good deal of limestone, find it difficult to get it into the Harbor, but they hope that with their own subscriptions and this grant, to commence to deepen the harbor by building a Breakwater, which it is anticipated will effect that object. Some fishing is also carried on there now, and any grant which will facilitate in enabling the farmers to get lime for the use of their farms, and assist the fishermen at the same time, must be regarded as money well appropriated.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman, no doubt it was very considerate in the learned Attorney General to get the hon. Leader of the Government to explain respecting the grant to Covehead, but I would like the hon. member to explain what has been done with the sums which have already been voted for the Souris Breakwater, for the hon. member did not do so when he submitted the resolution. I would like also to know if an East and a West Breakwater are required, or whether one, if properly built, would not do? also if the shipping interests of that place have received any benefit from the money that has been thus appropriated? I trust that my hon. friend will show the advantages, if any, which the former grants have been the means of conferring, and satisfy the House that those works will be permanent.

Mr. OWEN.—Mr. Chairman, I would like also to know from the hon. Attorney General, if an East and West Breakwater are required, and if so, which of

them is of the most importance; and to state what amount has already been expended on the East Breakwater.

Hon. ATTORNEY GENERAL.—About £200, but large sums have also been spent upon the West one, and although the water on the bar has been deepened, yet it is not expected that it can be made deep enough to admit large vessels at all times; but that any Steamer can come in, is regarded as a great convenience, and although the depth of water is not what could be desired, yet a great point has been gained. With respect to the Western Breakwater, there is no trouble in coming up to it with a vessel, and the object now is to extend this one out far enough to enable a vessel to come up inside of the Breakwater, which, to effect this, will require to be extended out about one hundred yards further, when at ordinary tides there will then be eight or nine feet of water, whereas formerly, the depth did not exceed six feet. I believe that in so far as the money has been already appropriated, especially on the Western Breakwater, that a great deal of good has been done, and in laying out this appropriation, it is the intention to have it done under a survey by the party who surveyed other places. The amount which was expended on the Eastern Breakwater, with the sum now granted, only amounts to £450. The Steamer cannot enter into the Eastern Breakwater, but it is expected that when the Western one is thrown out the distance I have named, that the Boat will be able to come in at all times.

Resolution agreed to.

#### MACADAMIZING ROADS.

Hon. Attorney General having moved that £60 be granted to pay for some stones purchased last fall by Dr. Jenkins for acadamizing the roads near Charlotte-town.

Dr. JENKINS said, Mr. Chairman, with respect to this amount, I may state that I saw an opportunity for purchasing those stones from vessels which brought them here last fall, and I thought it was a pity to let so good a chance go by, and bought £60 worth of them, for the purpose of having a Culvert built at the Bridge near Spring Park, as that part of the road has been a source of trouble every spring and fall, and it is better to have it well done at once.

Mr. BRECKEN.—Mr. Chairman, I am very glad this grant has been made for this place, and as there is no road leading into this City, so much travelled upon by the people from the country, I am pleased to think something is going to be done for it; and I must confess, that the Government have dealt liberally with Charlotte-town, although I think the City is entitled to have those roads leading into the Town kept in good repair, for they are used more by the people from the country than they are by those of the City.

Dr. JENKINS.—Mr. Chairman, when I bought these stones it was with the intention that they were not to be used until next spring; and as it is only in the fall, when vessels come here from Nova Scotia that they can be had, I thought it was not right to miss the opportunity of purchasing them when it presented itself.

Mr. P. SINCLAIR.—I think the hon. member done well to purchase the stones, but the amount required to pay for them, should have been taken from out of this years' grant. It is unfair that hon. members should,

after getting their full share of the road money, come here, and in this way obtain an extra grant, and I for one, will not put up with it again.

Hon. Mr. DAVIES.—I have no objection to the grant, but I do think an incorporated town like this City, ought not to be calling upon this House for grants of money. The Corporation should provide for the public service, and requirements of the City, without coming to the Legislature for assistance. I hope when the City Bill is brought forward, that it will contain provisions which will render further applications to this House unnecessary. I think the powers of the City might extend to the Royalty, and the shores of the City, should certainly be in the hands of the Corporation.

Mr. BRECKEN.—The hon. member should remember that these grants are to be expended on the roads in the Royalty, with which the City authorities have nothing to do; and as these roads are cut up by the people from the country, I consider it unfair to expect the City to keep them in repair. If you increase the City tax, the rent of houses will rise, and in the end you but increase the tax of the poor man.

Hon. Mr. DAVIES.—It is ridiculous to say the City should not keep those roads in repair. This City has not got the water fronts, which if owned by the Town, would yield an income of £100 or 500 a year. Not only have these shores been granted away, but a part of the town itself was given away to the grandsons of those who had no right to it, and it appears the Legislature is willing to leave it with them. I would prefer making over some source of revenue to the City, rather than see the City members coming here annually for a grant.

After a few further remarks from hon. members, the resolution was passed.

#### TIGNISH RUN.

The resolution granting a sum for the deepening of the Tignish Run being read,

Mr. BELL said, Mr. Chairman, at Tignish there are a great many people who devote their time almost exclusively to fishing, and it is but proper for the Legislature to assist the opening up of facilities to enable them the more successfully to prosecute this important branch of industry. When a blow comes up with the wind on shore, the tide is generally high, and for safety, they have to run their boats into the Run or Harbor at Tignish; and very often when the weather calms down, several days will elapse before they can get their boats out again, and in this way in the fall of the year, many good catches of mackerel are missed; and when we remember that these people are essentially a tax-paying people, who have never had any encouragement from the Government, whilst the farmers have had every attention paid to them. I look, Sir, upon this grant, as one the people of that community have a perfect right to. The hon. member for Georgetown enquired what was exported from thence. I may, in reply, inform that hon. member, that the exports last autumn, in one article, was equal to a quarter million bushels of oats, and the money realized for this article is circulated throughout the Island. When you remem-

ber that the articles consumed by this class of people, are those which pay the highest duties, I am sure that any one who will take the trouble to examine into the matter, will find that the fishermen, as a class, pay a higher average duty than any other class of people in the Island. Last year a small amount was granted to obtain the services of a practical Surveyor, to report upon the practicability of deepening this Run. Mr. Boyd, of New Brunswick was employed, and has given a satisfactory report, which has been laid before this House, and I doubt not but that the amount now voted will be a great boon to Tignish, and that this hon. Committee will yet see the wisdom of the course now adopted.

Resolution agreed to.

#### STANFIELD FACTORY.

Hon. ATTORNEY GENERAL.—The last item Mr. Chairman, relates to the remission of duty paid by the proprietor of the Stanfield Factory, the particulars of which my hon. friend Mr. Laird will explain, to whose perseverance in the matter the Government consented to remit this drawback. With respect to drawbacks in general, when the House goes into Committee, it is probable the whole subject will come up for consideration. I may state that a short time ago, a gentleman from New Brunswick, came here to see if the Government would recognise the principle, that when machinery is imported to be set up and used for manufacturing purposes, that it should be admitted free of duty. Now, I think if the House will recognise this principle, the situation of this Island will soon be quite different from what it is at present, for it appears that the Tariff of the New Dominion gives no encouragement at all to set up manufactories in the Lower Provinces, and as a result, many engaged in that business will be ruined, unless a great change takes place; and the probability is, that large manufacturing establishments will ere long be set up on this Island.

Hon. Mr. LAIRD.—Mr. Chairman, as the hon. Attorney General alluded to me when speaking about the Stanfield Factory, I may state, that Mr. Stanfield being a pioneer in the setting up of machinery for spinning and weaving, I think he is justly entitled to the remission of the amount named in this grant. A few years ago he applied to the late Government to be allowed to import some machinery free of duty, which he required for his manufactory; but the Government considered that it was not right to grant him this privilege, and therefore he had when he imported the machinery, to pay a duty of £220, which I think was a hardship. Since then he has paid in a further sum of £82, which latter amount I maintain it is the duty of the Government to remit. I advocated this at the Executive Board, and so far successfully; and it only remains now for this hon. Committee to sanction the grant now proposed. We find the same principle carried out on the Seikirk Estate, and I merely ask this as a token of approbation for Mr. Stanfield's encouragement. I do not say that I will go for carrying out this principle for every establishment of this kind which may be set up; but as a pioneer, I feel that he is entitled to more than ordinary consideration; although I believe the profits of the establishment have made it more than self-sustaining.

Hon. Mr. CALLBECK.—Mr. Chairman, as an agent for the Stanfield establishment I feel some delicacy in coming forward to offer any remarks; but as I have no share in it, I am interested only in so far as it is one that generally affects the interests of the country. My hon. colleague in the Government (Mr. Laird) said he believed the establishment had been self-sustaining, and of course increased to its present magnitude by its profits; but this has not been the case, for within the last two years Mr. Stanfield has drawn from other sources £1,500, which he has expended on his establishment. He commenced ten or twelve years ago with a Fulling, Dyeing, and Finishing Mill, that is taking the cloth after it had been woven by the farmers or owners, and finishing it. This business he followed successfully for five or six years, and then turned his attention to the manufacturing of the raw material—taking the wool and turning it out in finished cloth. Having himself thoroughly learned the business before leaving England, he was the better prepared to meet many difficulties which he anticipated in a new country; but those he had to contend with far exceeded his expectations, and although he had means to set his factory in operation, the difficulty in obtaining skilled labor and in replacing any parts of the machinery which required removing or repairing, was almost insurmountable, and if he had had to depend entirely on the proceeds from the factory, it would have been a failure; but that gentleman toiled and persevered until he has got up an establishment that is alike creditable to himself and the Colony. I have said that one of the difficulties he had to contend with was the absence of skilled labor; and, as men brought up to this business were not to be had here, he had to obtain them from abroad; but, by closely pursuing his business, he has instructed men who can now be employed by others, so that the difficulties he had to contend with, in this respect, will not be experienced by others who may engage in the same business. It has been said outside of this House that Mr. Stanfield was going to leave the Island, and if he obtained the drawback he would carry it away with him. This is not correct. He has taken his foreman into partnership with him,—a man who toiled night and day, and his brother-in-law, also. The firm is now conducted under the name of the "Stanfield Woollen Company." The duty proposed to be remitted by this Resolution will, if returned, go to the credit of the establishment. I may further add that he has got on men from the States, and in conjunction with them is setting up a Hat manufactory, and in a month or two I trust we shall have a sample of their hats in this market. During the past year Mr. Stanfield imported \$1,200 worth of machinery, and paid £79 for freight, and I understand that the establishment is paying over £100 a month for wages and ordinary expenses for conducting the business. During the present year they will manufacture about 40,000 lbs. of wool, and with their increased manufacturing facilities, the company will be in a position to work a larger quantity next year; and, as a good deal of this cloth is exported, and sold to persons who are carrying it to other countries, the wool, by being manufactured at home, may be increased in value fourfold; thus you will perceive that this manufactory increases the value of some of our exports, besides giving employment to a number of our young men and women, and the wages being all paid in cash, a benefit is indirectly conferred on the whole community. As this is the only establishment on this Island that takes

the wool in a raw state and manufactures it into cloth, I consider that Mr. Stanfield, as a Pioneer in this business, is justly entitled to have this small portion of the duty which he has paid into the Treasury remitted, as this is only the amount of duty paid by him last year, he having the previous year paid £120 on machinery now in the establishment.

Progress was reported and House adjourned until 10 o'clock to-morrow.

R. GORDON, Reporter.

TUESDAY, March 31st.

*Morning Session.*

Mr. McNEILL moved that the House go into the order of the day on the Bill to prevent accidents to persons travelling on the ice, and remarked: In bringing this Bill before the House, Mr. Speaker, I may say I believe every hon. member will agree with me that there is a necessity for it. Although as yet no fatal accidents have occurred to my knowledge, yet there have been some very narrow escapes, and it is well to guard against accidents that may take place. I think as to the necessity for the Bill there will be no difference of opinion, but there may be as to the details in reference to the method of marking the holes. I should not like to place any restrictions on the lifting of mud, but there should be some law to prevent persons leaving holes open, and thereby endangering life and property.

House then resolved itself into a Committee of the whole on the Bill—Mr. Howatt in the chair.

The first clause was read.

Hon. Mr. LAIRD.—Mr. Chairman, I think there is an omission in that paragraph. It appears that persons who are actually working at a hole are liable to a fine, unless they have it bushed. Persons should not be put to any unnecessary trouble, and while the mud-digging machine is at the hole I think it is mark enough without bushes, and I would therefore move that the words "or other mark" be inserted after the word *bushes*.

Mr. McNEILL.—The hole might be very long, and then the machine would not be a sufficient mark.

Hon. Mr. HENDERSON.—Mr. Chairman, before you introduce this amendment I would ask is it not altogether too indefinite? I think the word *machine* might be inserted instead of *other mark*, and that would be a sufficient mark to all persons capable of taking notice of anything, and after the machine would be removed bushes should be placed around the hole. My reason for making these remarks is, that if these things are not particularly specified, parties may make a mock of the law. I remember an anecdote which illustrates this. A law was once passed making it imperative on the owners and occupiers of land in the suburbs of London to erect a certain number of lamps, according to the size of their houses and other circumstances. In order to show the ineffectiveness of the law, the witty Earl of Rochester had the lamps placed as the law directed, but put no light in them, as the law said nothing about that.

Hon. Mr. LAIRD.—I would add the words *other sufficient mark*, as the word *machine* is rather difficult to insert. It would not be well to make the law too strict in reference to the material to be used for marking the hole, as persons might be in a place where no bushes were to be obtained.

Mr. McNEILL.—I think there will be no scarcity of bushes in most places for some years to come. It would be well to have the hole bushed, even while the machine is there, for sometimes holes are dug forty or fifty yards long, and persons might drive in at one end, even though a machine was at the other. It would not be much trouble for persons to carry a few bushes with them when they went to dig mud.

Mr. McCORMACK.—This is an important matter, Mr. Chairman, as it is one in which is involved the safety of human life, and therefore the Act should be very carefully worded and made explicit, in order to provide against the possibility of a catastrophe which might occur through the negligence of any person. I think it would be advisable to compel a person who cuts a hole in the ice to place bushes around it, even while his mud-digging machine was alongside, as it would be very little trouble to the person, and might be the means of preventing serious consequences.

The first clause was then agreed to without amendment.

The second clause was then read, specifying the fine to which persons infringing this law should be subjected. It was moved that the fine be not more than two pounds, or less than ten shillings.

Hon. Mr. HENDERSON.—I think, Mr. Chairman, the fine is entirely too small, the life of man and beast is placed too low. I am afraid few would be found to inform for such a paltry sum.

In reference to the time to be allowed for the payment of the fine, Mr. Prowse remarked: I do not see why any time should be specified. I think it would be well to leave it optional with the Justices of the Peace, who will adjudicate upon cases of this kind, to fix the time in accordance with the circumstances of the case. A person might live forty or fifty miles from the County Jail; he might be fined two pounds, and the expenses might be as much more, and if he had not the money just then it would be hardly fair to send him to jail when he could give good security for its payment.

Mr. McNEILL.—There may be a hardship in some cases, but if there is not something to make people mark the holes carefully, there is no use having an Act at all.

Hon. Mr. HENDERSON.—If the fine is made too light the protection which will be afforded to the travelling public will be very small. There should be stringency in some point to make the Act effective.

Hon. ATTORNEY GENERAL.—Under the laws, as they are at present, there are six days allowed for taking out an appeal, and I think we should allow the same time in this Bill.

The Committee rose and reported the Bill agreed to. Ordered to be engrossed.

Hon. ATTORNEY GENERAL moved that the fifth Order of the day be read, viz., resolutions of Supply to be received.

The resolution granting the sum of £1000 for macadamizing the roads leading to Charlottetown, Georgetown, and Summerside, in the following proportion: Charlottetown, £500; Summerside, £300; Georgetown, £200; was read; also the resolution granting £60 to the members for Charlottetown to pay for stone imported last year.

Mr. McLENNAN.—Mr. Speaker, as I was not in my seat when the question was put on the resolution before the House, it may not be out of place for me to make a few observations on it. I am pleased that the Government have granted a large sum for Summerside, but I should like the resolution to be a little more definite, and specify the time when the stone is to be put on the road. There need be no delay in procuring stone, as plenty of it can be obtained on the shore, of a good quality for making roads, as it has been tried and found to answer very well. There is another thing I should like to speak about, as the members of the Government seem to be very favorably disposed towards Summerside, there is a great necessity for a public square in that place.

Hon. Mr. LAIRD.—As regards the grant for Charlottetown, it is left to the discretion of the Government to expend it as they think fit, as stone will have to be imported for the purpose; but if proper stone can be procured in the vicinity of Summerside, there need be no delay in expending the money. As regards a public square I think it would be well to make good roads leading to the town first, and afterwards funds may be procured to buy a square.

Mr. HOWATT.—As far as my experience goes in this matter, I may say that at Summerside a sufficient quantity of stone may be obtained, which will stand as well as Nova Scotia stone, and it can be procured at much less cost than by going to other places for it, and it will be expending the money among our own people. The road that has been made there with it stands well. It would be a great advantage to Summerside, and also to the whole country round it to have the money expended there this year.

Hon. Mr. LAIRD.—If stone of the right quality can be procured in the Colony, I can assure the House that the Government are most anxious to get it here, and will not go to the trouble and expense of importing it.

Mr. GREEN.—I may say that there is a good quality of stone to be procured near Summerside, but I would not like to say it was as good as Nova Scotia stone. I believe it can be obtained at a cost of 2s. 6d. per ton. It is a reef of rocks at the entrance of the western side of the harbor, and a sufficient quantity can be obtained to macadamize the whole of the roads in the vicinity of Summerside.

Hon. LEADER OF THE GOVERNMENT.—In reference to money placed in the hands of members for the district, the Government are left in the dark, as we have no report from those gentlemen. If we had a report from them it might serve as a guide in making up the estimates. If it is, as the hon. member says in reference to this reef, certainly it would not be worth while to import stone at five or six shillings per ton. I am very glad to hear that stone can be procured at so low a rate. When public money is placed in the hands of Commissioners or members of the Legislature, there should be some report concerning the manner in which it has been expended.

Mr. BRACKEN.—I quite agree with the hon. Leader of the Government that it would be well to have some return to show how the money has been laid out. I would ask what are the intentions of the Government in respect to the grants now under consideration? who is to have the expenditure of the money?

**HON. LEADER OF THE GOVERNMENT.**—It is to be laid out by such persons as the Government may see fit to appoint.

**MR. BRECKEN.**—When large sums of money are expended it would be satisfactory to have a report, and as I drew one warrant for a hundred pounds, I should be most happy to give an account of how I disposed of it. I do not think representatives can be expected to understand the making of roads properly.

**HON. LEADER OF THE GOVERNMENT.**—I have heard that the hon. member for Summerside has improved the roads in that vicinity very much, and I should like to hear some report from him.

**MR. GREEN.**—I undertook the laying out of the special grant for Summerside last year, and I have no objection to giving an account of how the money has been expended. I have a Report nearly prepared, and will hand it in to the Government, but not officially, for the great salary given for it might cause me to lose my seat in the House.

**HON. LEADER OF THE OPPOSITION.**—Mr. Speaker, before the resolution is put relative to the additional grant for Charlottetown, although it might be to my benefit to have as much money expended here as possibly could be got, yet, when I represent another constituency, I do not think it would be right for me quietly to allow the hon. members for Charlottetown to steal a march on the Government in this way. Last year there was £500 granted for Charlottetown, and they overrun this amount and spent £60 more, and instead of being taken out of this year's grant they are to have this amount extra, and since Georgetown has been dealt with so niggardly, I think it is hardly fair, and would therefore move that the £60 be struck out of the resolution.

**MR. BRECKEN.**—I hope the Government will not withdraw this grant, although strictly we cannot claim it; but when we take into account the great traffic on the roads near Charlottetown, I do not think it is asking too much for this special grant to be given. It is for the benefit of the whole of Queen's County, as trade centres more about Charlottetown than anywhere else on the Island, and all reap the advantage of having good roads near it. I hope the hon. member will not press his motion.

**HON. MR. HENDERSON.**—I am sorry the Government has sanctioned this extra grant. It is establishing a bad precedent, for suppose any other hon. member had spent fifty pounds more than was granted for his district, or suppose it had been done in all the districts, what would be the consequence?

**MR. PROWSE.**—I shall support the motion made by the hon. Leader of the Opposition, for, if this principle is carried out, we would require an extra grant for every district in the Island. But there is another reason why this sixty pounds should be taken out of the ordinary grant, we have no report about how this money has been spent, and if any other member said he had spent sixty pounds extra, and asked the Government to reimburse him, would they do it?

**HON. MR. HENDERSON.**—Mr. Speaker, I have no opposition to Charlottetown, but I am desirous that all parts should be treated with justice. There is one fact

in connection with this matter, if, as the hon. member says, the stone is now on hand, it is an additional reason against granting this extra amount. There is hardly a district in which it has not been found necessary to expend from fifteen to twenty pounds more than what has been appropriated in works of actual necessity, such as cutting windfalls, &c.; but this amount has to be subtracted from the ordinary grant for the next year. This granting the extra amount is quite a different principle, and if it is carried out we all have a right to put in a claim.

**HON. ATTORNEY GENERAL.**—This would be establishing a bad precedent if the method were to be followed out; but this plan of placing the money in the hands of the members for the district is to be closed up forever. If the hon. member for Georgetown could show a heap of stone which he had paid for out of his own pocket, he would be reimbursed for it.

**HON. LEADER OF THE OPPOSITION.**—If they have contracted this liability it should be taken out of their next year's grant. This is the customary method. If the stone is on hand they have it to make the roads with, which is an additional reason for not giving the extra amount.

**MR. P. SINCLAIR.**—When this was brought before the House I objected to it, because I consider it right to serve every district alike. In the district which I represent £150 extra was expended last year, and it was deducted from the present year's grant.

**HON. LEADER OF THE GOVERNMENT.**—This money is not for Charlottetown alone, the district in which it is to be expended extends as far as Crabb's on the Malpeque Road, and a long distance in other directions. When we take into consideration the extent of the road, and the state it is usually in, we must consider the grant very small. As the hon. member for the City purchased this stone at a reasonable rate, and as we are going to change the present system, we thought that the House would not say anything against this appropriation.

**MR. McLENNAN.**—Mr. Speaker, I have no desire to oppose the people of Charlottetown getting a fair share of the public money, but I am opposed to the principle on which this money has been granted. If other hon. members had known that had they expended £50 extra they would have been reimbursed, they would have done so. If this money is to be expended by Commissioners, I trust the Government will appoint better ones than they had formerly. It has been said that there are men who make very good representatives, but very poor road-makers, and I would say there may be very good members of society who are very poor commissioners.

A message was received from the Legislative Council stating that they had passed the Bill to Incorporate the St. Peter's Bay Agricultural Society, without amendment.

**HON. MR. CALBECK.**—I wish to offer a few remarks in reference to this grant. It is not for the benefit of Charlottetown alone, but for all the country in the vicinity of it.

**HON. LEADER OF THE OPPOSITION.**—This resolution does not say where the money is to be laid out.



**Hon. Mr. CALLBECK.**—These roads are not travelled by a large portion of the citizens of Charlottetown once a month, but persons living in the country are travelling over them almost every week, therefore they are more benefit to the people living outside of the City than to those living in it. These roads extend as far as Poplar Island Bridge in one direction, a distance of over three miles, and it is well known that it is as hard to keep three miles in repair near the city as it is twenty miles in some parts of the country where there is very little travelling. My constituents will not say that too much money has been expended on this road, for they have all to travel over it in coming to town. If the Island were divided into municipal districts, and each district was required to keep its own roads in repair, the argument might be good, but this is not the case; and while the streets of Charlottetown are kept in repair by a direct tax upon the citizens, I think the roads leading to it should be kept up at the public expense. I think it is just and right to give this grant, although it may be a little out of order. In different districts there has been a large outlay to repair damages caused by storms, and when large special grants have been given for this purpose, I do not think it is wrong to reimburse the city for this small outlay. The members for the city embraced the opportunity of purchasing the stone when it could be had at a cheap rate; the stone is on hand, and it amounts to the same thing as granting £50 more this year to purchase it.

The question was then put on the amendment proposed by the hon. Leader of the Opposition, and negatived on the following division:—

*For the Amendment*—Hons. Haviland, Macaulay, Henderson; Messrs. Prowse, Cameron, Owen, McLennan, Ramsay, P. Sinclair—9.

*Against it*—Hons. Attorney General, Leader of the Government, Davies, Kelly, Laird, Callbeck; Messrs. Arsenault, Green, G. Sinclair, Reilly, McNeill, Kichham, Brecken, McCormack, Howatt, Yeo—16.

BALDERSTON, Reporter.

**Mr. REILLY** from the Committee of the whole House, on the further consideration of a supply, reported the following resolution, which was again read:—

*Resolved*, That the sum of one thousand pounds be granted and placed at the disposal of the Government to deepen Tignish Run, and other works, in the nature of a Breakwater thereat, &c.

**HON. LEADER OF THE OPPOSITION.**—**Mr. Chairman**, It would be a waste of the public money to grant a thousand pounds for the improvement of Tignish Run. As the sand gathers in such immense quantities, we know that no permanent structure can be built that would be a benefit to the country. However much we may have had the rights of the fishermen dinned into our ears, there are many other ways in which the money might be employed. It would be better to give a bounty to fishermen to try experiments, than to absolutely waste that sum; therefore, I move that the clause relating to Tignish Run be struck out.

**Hon. Mr. LAIRD.**—The hon. leader of the Opposition has given us his opinion on this matter against that of the engineer, who has given us such an able and satisfactory report. He goes by hearsay, which leads him to affirm that the engineer may be wrong; but we must receive his opinions with a few grains of allowance. There is

no occasion for a bounty to the fishermen as they have exported mackerel equal in value to a quarter of a million bushels of oats. We wish to facilitate the catching of fish, for in case of a change of wind, there is at present no harbor near enough to the fishing grounds into which boatmen can run for safety, and out of which, when the storm is over, they can go immediately into the fishing ground without loss of time; but Tignish Run, if improved as recommended by the engineer, would answer all the purposes required. If we make other improvements, we may bend for once, to enable enterprising fishermen to get to the fishing grounds, in season. Considering the importance of our fisheries, we should afford those engaged in them, all the facilities in our power. Almost everything a fisherman consumes is dutiable, and therefore, he should receive his share of the revenue as well as the farmer. I maintain that the grant is a very just one, and that the improvement proposed is worthy of experiment. We know that large sums have been granted by the various Governments of this Colony, from time to time, for matters which are mere experiments. As we have the opinion of a skillful engineer, we should consider that it is a better guide than the opinion of the hon. leader of the Opposition, when we know that he has never seen Tignish Run, and consequently, speaks from hearsay.

**Hon. Mr. McAULAY.**—The remarks made by the hon. member for Tryon (Mr. Laird) are disingenuous, for it is well known that when a matter of this kind is submitted to a professional man, he only gives his opinion, but cannot tell whether it will be a failure or a success. I agree with the remarks made by the hon. member, when he says that the report made upon Tignish Run, bears the marks of a master mind; but would this report justify the Government in expending a thousand pounds upon the proposed works. I can perceive that a good deal of judgment has been exercised in the making out of the plan which accompanies the report; but I maintain that there will be an accumulation of sand that will ultimately render the whole affair useless, and, therefore, the outlay of the money will not be rewarded by increased facilities for carrying on the fisheries. There is a new channel to be formed and a new breakwater to be constructed, which may cost a great deal more than has been estimated by the engineer, and after all it may be destroyed by a tremendous freshet; therefore, I must oppose the grant.

**Mr. McNEILL.**—I must admit that one thousand pounds seems a large amount to expend for the construction of a harbor, but I know something about the locality, and believe that a harbor for the boats could be formed. The hon. member for Tignish stated in this house last evening, that the fishing in that part of the country is carried on by boats; therefore, they should be provided with a harbor, if the construction of one is practicable. Some encouragement should be given the fishermen in that locality, for when the tide falls, it is very difficult for them to get their boats out of the Run to the fishing grounds. I think the proposed improvements will really benefit those engaged in the fisheries, and that they will be able to get in and out with their boats. This grant appears to bring about a connection between the Agricultural and commercial interests, for there has been a jealousy between those engaged in these two pursuits for some time, although they should go hand in hand. We know that when there were three thousand barrels of mackerel exported, there must be a large quantity of goods consumed. Fishermen consume a large quantity of goods for their numbers, because they have to buy everything they consume, from their coats to the bite which they eat. All the articles which they consume are dutiable, and consequently, they contribute a considerable amount to the general revenue. I am inclined to support the grant, because I think a good boat harbour could be constructed, and is really necessary.

Mr. KICKHAM.—I think that the thousand pounds would be well applied if it will accomplish the objects proposed, namely, to construct a boat harbor and breakwater, and at the same time give employment to the people, thereby enabling them to purchase seed grain. It would be better to assist the people in this way than to give them that amount in money.

Mr. P. SINCLAIR.—When we take into consideration the object intended, we cannot think the sum granted a large amount. We have neither canals nor railroads, and unless we stimulate our industrial enterprise, we cannot prosper as a Colony. I have been informed by persons competent to judge in these matters, that this will be money well expended. The people in that section of the Island have no harbor from Cascaupsee to the West Point, and, therefore, harbor accommodation should be provided if possible. It seems strange that the Opposition should use such strong language against the grant, when there are so many good reasons why the proposed improvements should be made. I think the Government are fully justified in voting the money, for the increased trade caused by these improvements will bring into the revenue far more than the interest would amount to. For these reasons, I will heartily support the grant.

Mr. PROWSE.—I do not agree with the hon. members who have so strongly advocated the construction of a harbor and breakwater at Tignish Run. I think any man who looks calmly on the plan, will have doubts as to the practicability of the work contemplated, for a temporary breastwork cannot be made to stand in such an exposed situation. We have ample proof of this assertion in the destruction of the West Point Wharf by the force of the Gulf storms. Although the hon. member for Tignish is not in his place, I must say he has let the cat out of the bag, that the people are in want of seed grain. To open this run for the free passage of boats, and to construct a breakwater, would require more than the sum proposed. If I understand the matter, a very large sum would be expended in dredging out the harbor alone; and then the construction of the breastwork would require another large amount. After the whole is finished it might prove a failure, therefore, I consider it would be a great waste of the public money, to grant it for that purpose.

Hon. ATTORNEY GENERAL.—The hon. member for Murray Harbor (Mr. Prowse) adduces arguments which we have always heard made use of by the Opposition in questions of this kind, and when he hears what the hon. member for Souris (Mr. Kickham) says, he twists the subject and goes on in another strain. A sum was granted last Session for a survey of the Run, and we have the Report of the engineer now before us. The Report says that it is a practicable work and one which will be of real service if it is completed, and that is all the information we can wish for on the matter. We have had the necessity for such a work clearly shown by one of the members of the district in which it is required; and I am perfectly satisfied that the work is practicable. The hon. member for Georgetown (Mr. McAulay) says that the money might be laid out more advantageously in other parts of the country, but we cannot think so, when we find that this work would confer a great benefit upon the fishermen in Tignish, who have no harbor accommodation; we should encourage their industry and enterprise. I see no good reason against the grant, and I must prefer to take the opinions of the engineer, on the utility of the proposed works before that of any hon. member of this House.

Hon. Mr. HENDERSON. This Report is certainly creditable to the engineer, and must have satisfied every one who listened to it. The sum named in the grant seems large, but my fear is that it will not be sufficient to accomplish the object intended, for it is doubtful whether

he has taken all the contingencies of the case into consideration, in making out the report. Have the effects of the frosts of winter been taken into consideration? My principal doubt is upon this point. As far as the fisheries are concerned, I must say I wish to see them encouraged, and if I was sure that the proposed improvements would prove a permanent benefit, I would gladly support the grant. I do not lose sight of the general fact, that if any portion of the Colony is improved, the whole population indirectly reap the benefits of the improvement. But the principle referred to by the hon. member for Souris, (Mr. Kickham) would make it a very different case, if viewed in that way. By giving the people employment they may be assisted to a considerable extent in purchasing seed grain, but I cannot say what view I shall take on the matter till I hear more on the subject.

Mr. DEAN.—I will make a clear statement of the whole affair from beginning to end. For my part, I should be the last man to vote against any measure that would do good; I believe the construction of a breakwater and the dredging of Tignish Run would be a great benefit to that part of the Island. The engineer has laid the probable cost, and I have heard a prominent American gentleman who was capable of judging in such matters, affirm that the plan can be carried into execution. As to the remarks made about seed, there was a meeting held in Tignish, which I attended, where it was stated that there was a general want of fodder and seed grain, and as matters looked rather dark, the people intended to petition the Legislature. But if the Legislature would grant one thousand pounds for Tignish Run, they would repudiate the idea of asking for a sum of money to purchase seed grain. They would rather work and learn the money by shipping lumber and other materials for the construction of the breakwater, &c., than petition this House for aid. The grant is not asked for, to enable them to purchase seed, but to open up the harbor; although it will answer two purposes. When a storm arises the tides are high, and the fishermen can then get into the Run; but if they wish to get out to the fishing ground after a storm, they cannot, as there is not sufficient water. When we take all the circumstances in connexion with the matter into consideration, we must allow that the grant is a just and reasonable one. Fishermen consume a greater quantity of dutiable goods than an equal number of any other class of men in the country, and therefore, they are entitled to a share of the revenue as well as others. A harbor in that locality would benefit all classes, and therefore, I hope the hon. members will offer no factious opposition to the grant. The money would be well expended, and would effect the object for which it is intended.

Mr. YEO.—I have much pleasure in supporting the grant, for if the proposed improvements can be effected, they would prove a great benefit to that neighborhood; but whether the works would stand or not, I do not know. The hon. member for Murray Harbor (Mr. Prowse) has opposed this grant because he believed the works, like the West Point Wharf, would not stand the force of the storms; but he must remember that the wharf was not ballasted in any way, and therefore, it could not be expected that it would withstand the breaking up of the ice. If the remaining part of it is finished properly and well ballasted, I hope to be able to report, when we meet next session that the wharf is still there, and doing good service to that part of the country. I am glad to find that the Government are so liberal to the Western section of the Island.

Mr. GREEN.—Since this question has been mooted, I have been on the spot, and after examining the plan of the engineer, I have come to the conclusion that the improvements will be practicable, and, if carried out, the harbor will prove a great benefit to that section of the Colony which is large. The people have no other harbor

through which to export the productions of the soil, and out of which fishermen can proceed directly to the fishing grounds. There is one difficulty which attends these improvements, and that is, sandbanks are very apt to rise at the head of the breakwater, which no engineer will be able to overcome; but if a counter current of water could be caused it would carry away the gathering sand, and I believe there would be such a current. I will support a grant to carry out the proposed works, and as the Government are responsible for the undertaking, we will have the opportunity of bringing up the matter at some future day, if the improvements are not properly carried out.

**HON. LEADER OF THE OPPOSITION.**—I think the hon. member for Cascumpec (Mr. Bell) used a curious term when he said that this was a factious opposition, for he must know that this is not a party question. He has heard the two hon. members (Messrs. Yeo and Green) state that they would support the grant, which will show him that the matter is not supported by one party, but by hon. members on both sides of the House. Civil engineers are not always correct in their views and calculations, for we know from history when the celebrated George Stephenson invented the Railcar, all the eminent engineers of that day pronounced his plans impracticable, and yet he, without education, carried out the Railway system. Although he was ridiculed in the British House of Lords, he went on with his invention, and rendered it a complete success, in the very teeth of those who laughed at him. Therefore we should not always trust to the opinions of engineers, however eminent they may be. I have quite sufficient grounds for taking the course I am pursuing; and notwithstanding the remarks which have fallen from several hon. members, they will not alter my action on this matter. The Attorney General censured the hon. member for Murray Harbor (Mr. Prowse) very strongly, because he was of the opinion that the principal object in granting the money was not to construct a harbor for the people of Tignish, but for assisting them to purchase seed grain. The Attorney General may refer to the address of the people of that section of the Island to His Excellency in Council, and he will see that the grant for this work was proposed by the people themselves, in order to enable them to purchase seed grain. Although the proposed work would prove to be one of great utility to the country, when I consider the object of the grant is really for another purpose, I cannot support it in the way it is now before this House. If the Government intended to carry out this work under the inspection of Mr. Boyd, and all the details were connected with the grant, there would be some reason why the House should support it. This money may be placed in the hands of parties who are not scientific men, and who may not carry out the views of the engineer. Who is to have the superintendence of the work? If the Government will do honor to Mr. Green by intrusting him with this business, we should have a guarantee that it would be carried out, but at present we have reason to conclude that the proposed improvements will ever be executed.

**MR. BELL.**—I will give an explanation. The people did not ask the Government for anything except that for which they intended to give an equivalent, for they would rather work for their money than ask for a grant to assist them in purchasing seed grain. I think they have a just right to a portion of the revenue of the Colony to carry out the proposed improvements, and for my own part I should be happy to see the hon. member for Summerside (Mr. Green) appointed to superintend the work, for I believe that he is well qualified for that responsible position.

**MR. McLENNAN.**—I do not wish to oppose a grant which will improve the condition of the Colony, but I believe too much money has been spent by the Govern-

ment in manufacturing harbors, for our revenue is not large enough to do so. I have been informed by intelligent persons that the proposed scheme is impracticable, and if constructed would prove a complete failure. I believe that the engineer has not been long enough on the spot to give a correct judgment on its practicability or its permanency, as he had not seen the effects of the winter and the moving of the tide in that harbor. I have heard that three cheers were given to the members of that district at a public meeting for their promise to use their efforts to procure a grant for Tignish Run. We should improve the harbors we have when we can, and not undertake to create harbors, as our revenue will not admit of such large outlays.

**MR. HOWATT.**—I have no acquaintance with that part of the country, but I believe the proposed improvement is an experiment. I will not raise any objection to the grant, as it seems to answer two purposes, viz. to enable the people to purchase seed grain and the construction of a harbor. There should be a considerable amount of money granted for the relief of various portions of the Colony, for many of the people are hard pushed for seed grain, owing to a failure in last year's crops. The Government should assist them as far as the revenue will warrant them in so doing, and I should be most happy to give them my support. I highly approve of the plan adopted in the present case.

**DR. JENKINS.**—I am happy to hear that the hon. member for Tryon (Mr. Howatt) supports this movement; but the great question in this case is, whether the scheme is practicable or not. According to the report of Mr. Boyd the work can be successfully carried out and will be a great benefit to that section of the Island. On the other hand we should assist the poor farmers by giving them employment, thereby enabling them to purchase seed grain. Instead of being a reason against the grant, I think the opportunity of assisting the poor is a strong inducement and an argument in favor of it.

**MR. ARSENAULT.**—I believe the construction of a harbor at Tignish Run will be a feasible undertaking, and one of vast importance to the fishermen and farmers in that locality. Whatever the people of that section of the Colony undertake, they accomplish with credit to themselves, and give general satisfaction. For instance, they have built a large new Lighthouse and a splendid Cathedral. If they undertake to construct a harbor they will carry out the work satisfactorily to all concerned. It is supposed by some hon. members that this grant is asked solely for the purpose of aiding the people to purchase seed grain, but it is not so. They have petitioned this House for a grant to improve their harbor, and to construct a breakwater. It is true they will supply timber for these works, for which they will obtain cash to enable them to purchase seed grain, but whether they required seed or not they would have petitioned this House for a grant to improve their harbor. I believe they will accomplish what they have in view.

**MR. BRECKEN.**—I do not think an objection can be raised to this grant, on account of its accomplishing two objects; if it can be properly expended let it be done. If the people are in want of seed grain this is an additional reason why a grant should be given, and as we have the report of a thoroughly competent engineer to

convince us that the proposed improvements are practicable, we should grant the sum mentioned in the resolution. I think the Government are quite right in voting a sum of money for that district, and I have no objection to see a thousand pounds expended on this work; for, I believe it is time something was done for the fishing interests of this Colony. If this money will facilitate these interests, I will give my support to the grant; but if all is correct that I have heard on this subject, I would rather see it expended upon the roads. I have great doubt whether this Run can be converted into a harbor, on account of the shifting of the sands; however the Government are the best judges, and they have the report of the engineer as a guide. I will not offer any objections to the grant, although I have heard that even a boat harbor cannot be formed. I could agree to the advisability of granting a sum of money when the people are in want, provided any public benefit is to be derived from the expenditure of that grant. I do not intend to allow what I have heard influence my vote, for the remarks of the hon. member for Summerside have had great weight with me. It is a work requiring a man of skill to oversee.

Hon. LEADER OF THE OPPOSITION.—The work is to be carried out by a Committee to be appointed for that purpose.

The Resolution was then agreed to.

House adjourned.

ISAAC OKENHAM, Reporter.

#### TEMPERANCE PETITION.

Mr. P. SINCLAIR presented a petition of G. W. Millner and others, praying for an amendment to the License Act. He said the petition was signed by 3,317 of the most enlightened and intelligent men in the Island, and hoped that a petition which had been so generally signed would be equally well supported by hon. members in the House.

The Hon. ATTORNEY GENERAL, in seconding the motion that the petition be received, remarked that among other things the petition recommended an alteration, the consideration of which had been before the House on a former occasion. The petitioners desire to prevent those applying for Tavern Licenses from going from house to house to have their papers signed by the inhabitants of a school district, and consider that it would be an improvement to have this done at public meetings, but that it was not necessary to go into the details of the measure, as an opportunity would be afforded to the House to do so again. He had, in looking over the petition, noticed that several who signed it, were not temperance men, but they desire to keep the selling of spirituous liquors within certain bounds.

Ordered to Committee of the whole House to-morrow.

#### BAPTIST CHURCH AT LONG CREEK.

On motion Hon. Mr. Callbeck, House went into Committee on Bill to Incorporate Baptist Church at Long Creek.

Mr. McLennan in the Chair.

When last clause in Bill was read, "That the Act be and continue in force for ten years," the Hon. Leader of the Opposition said that an Act vesting property in a body, as this one was doing, should be permanent, and not for a definite time.

The Hon. ATTORNEY GENERAL, fully concurred in the opinion of the Leader of the Opposition that, although it was not the custom to make such Acts permanent, yet it was very inconvenient to have them otherwise.

On motion the eighth clause was then struck out, when Mr. Speaker resumed the Chair, and the Bill reported agreed to with an amendment.

#### CHARLOTTETOWN INCORPORATION ACT.

Mr. BRECKEN, in moving that the House go into the order of the day for the second reading of this Bill, said it was not necessary that he should then go into the principles of the bill as he had done so when he introduced the petition, asking leave to present the Bill.

Hon. LEADER OF THE GOVERNMENT.—Mr. Speaker, this Bill grants far greater privileges than did a similar one which was introduced here last year, and which this House would not then agreed to. With respect to the taxing of freeholders, if the taxes are paid, I do not see that it is necessary to know who pays them, and as to the power in the clause respecting breaches of Contract, I fear it would but lead many persons from the country into trouble, and encourage those runners to annoy many of them. One of these runners, for instance, may meet a man with a load of oats, speak to him about his grain, and offer him a price for it, and when the man comes into the market, he may say that he bought them, when perhaps the man had not sold them at all, when another of those runners may, in the same way, say that he bought them, and thus between them bring the poor man into trouble; therefore, I think, this clause should be left out for we know that too much of this has been already practiced upon the country people. I wish a clause had also been put in to prevent forestalling, as the practice of buying up by wholesale and selling out the same day, is becoming so common here, and is one that is not allowed in the old Country. A party comes into the market with a load when it is at once bought from him, when the purchaser turns round and sells it to another. The citizens come to the market to buy and find that everything is bought up, and have to buy from those forestallers at their price. I have no objections, though, to the bill going into Committee.

Hon. ATTORNEY GENERAL.—Mr. Speaker the clause relating to additional assessments is one we should have some petitions asking for, either from the city or the Mayor and Council, before it should be granted. Another clause requires that any person, not residing in the City, who sells property in the market, must pay a duty of three pounds. This I would not go for, unless it was put the other way, that is, that the town people should not be allowed to sell in the country, unless they paid the same duty. The clause is one to which I, as a representative of a country district, cannot agree to. Another section provides that unless a man is a native of the Island, he cannot do business in the city, unless he pays a duty to the Mayor and Council of from four to six pounds. This appears to me to be tampering with trade. Another clause has reference to having drawbacks from importers who bring in goods here for sale, while the remaining clauses relate to criminals, and to the power sought in dealing with them. This last matter I have no objections to, as it is subject to the wish of the individual himself, and is the only clause in the Bill, I feel disposed to go for. Indeed, if a motion was made not to go into committee on the bill, I would be ready to vote for it.

Mr. BRECKEN.—Mr. Speaker, I may say that I am myself in doubt with respect to the wishes of the citizens.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I think there is very little likelihood of this bill as a whole becoming law, for I believe one of the members for the city spoke against it when it was first introduced. I consider that the citizens of this town have had sufficient notice that such a measure was to be brought forward, and as no petitions have been sent in against the measure, and further as in accordance with the order of this hon. house last year, the bill was published for the information of those mostly to be affected by it. I do not see that we would be justified in waiting for such objections as might hereafter be presented. We, Sir, receive this Bill from

the legitimate authorities of the city, the Mayor and Council. Who, as the hon. member for Belfast said, last night, are the Government of the town, and ought to have more power than an ordinary town council. I see a clause which proposes to lay a tax upon men of enterprise, such as merchants who may come here from any foreign country, but who, if the provisions of this bill are to become law, are not to be allowed to open shop until they are three years in the country. In old countries, where the towns are built up and completed, such stringent regulations may, perhaps, be tolerated; but as there is but one such town in these Provinces (Pictou,) that is completed, the town council seem to wish Charlottetown to be regarded as complete also. With respect to what was said by the Hon. Leader of the Government about forestalling, a practice which the hon. member said was not allowed in the old country. The hon. member is in error, for in towns in the old country they have free trade, and parties who have a little capital, out not to be prevented from purchasing a basket of goods for the purpose of retailing them out again. A countryman will not sell unless he gets his price, nor do I see but that it may be an advantage to the man to be able to thus dispose of them, as it may also be some benefit to the man who resells them again in the market. I would allow a free trade throughout. As regards the clause of giving the City Court jurisdiction in matters of trade, say, for instance, in the grain trade, where they have these runners. I think it would lead to great deal of litigation, and I am afraid of some hard swearing also. I consider it better to leave the law as it is, as no serious difficulties have as yet arisen.

Mr. REILLY.—Mr. Speaker, Charlottetown is a kind of sleepy hollow, and may, perhaps, require something to wake it up; but for my part, I am willing to allow them to have full control over taverns, but do not feel disposed to extend to the City Council jurisdiction to prohibit men from selling goods here, who may come from foreign countries indeed. I feel very little interest in the matter, and if any hon. member would move that the Bill be read this day three months, I would support it.

Hon. Mr. LAIRD.—Mr. Speaker, last year I voted to give the Bill a three months' hoist; but now as we have more time, I am willing to give that attention which I consider we should give to its consideration. If the people of this town have objections to the bill, they had ample opportunity to have made them known. The City Council represents the city, and petitions from that body should be respected by this hon. House. If the City Fathers are expected to improve the town, they must have means to do so, and if the people in the country can trust their representatives for four years, surely the City can pledge full confidence in their Council for one. Objection has been taken to the paragraph which refers to the selling of goods or merchandize by others than natives of this Island, but the latter part of the clause says that if they will take an oath to the effect that they intend to remain in the City, the restriction is not intended to apply. We have to depend greatly on our merchants for many of our comforts in the winter, and it is well known that reckless speculators coming here with a large amount of goods into our market, may all but ruin some of our permanent traders, and it is to protect such that the present clause has been put into the Bill. Now, unless we have a certain number of regular dealers in certain goods, we shall have to deprive ourselves of many necessary articles commonly obtained from our merchants. Upon the whole I consider that it would be an injustice to the City to throw out the Bill.

Debate and House adjourned until to-morrow.

R. Gordon, Reporter.

## BILL TO AMEND CHARLOTTETOWN INCORPORATION ACT.

WEDNESDAY, April 1.

*Morning Session.*

Mr. BRECKEN moved for the second reading of the Bill to amend the Charlottetown Incorporation Act, and said: The Bill under consideration seems to increase the power of the Corporation. I believe the City Council are divided upon the question of increasing the taxation on property in the City. The object of increasing the taxes is to provide funds for making improvements, particularly for macadamizing and improving the streets. I believe a large number of the citizens are opposed to this measure; but there is a necessity that something should be done to remedy the present state of our thoroughfares. The clauses that tend to increase the criminal jurisdiction of the Corporation would prove to be for the real benefit of the town, and therefore I hope this hon. House will allow the bill to go into Committee. If any clause is not approved of, it can then be struck out.

Mr. KICKHAM.—I move that the Bill be read this day three months. I think it would be imposing too many restrictions upon Americans and others, to prevent them landing goods without a license.

Mr. BRECKEN.—I think travelling merchants, coming from the neighboring Provinces and the United States, who remain merely while they dispose of their goods, should pay a license. Some time ago, a man brought a large quantity of books here and sold them. Such a person would, by this clause, be compelled to pay for a permit.

Mr. KICKHAM.—Who assisted and increased the trade of the Colony more than Mr. Dean and Mr. Hall? I do not think they, or others of their countrymen, should be debarred from selling goods at any time.

Mr. PROWSE.—It is not my intention to support the motion of my hon. friend from Souris (Mr. Kickham). I believe the object of the Bill is to empower the people of the city to govern themselves, as they wish to be allowed to impose a tax upon property for improving the streets, which, according to the remarks of some hon. members, is very necessary. If they do get the power to do so, it is not to be supposed that they will lay on a very heavy tax. Their powers at present are so limited that no person takes any interest in the Civic Elections, and I think if the citizens had full power in their own hands, they would take a greater interest in this matter, and in improvements in the town. They ask only for what is reasonable. The proposed tax upon merchants coming from abroad can be arranged when the details are taken up.

Mr. BELL.—It appears to me that this Bill has been before the Council, and that it will become this House to give it a three months' hoist. If the Corporation have not power to carry out their improvements they should be empowered to do so.

Hon. Mr. McAVULAY.—I think that courtesy demands that the matter should have a fair and full hearing, and therefore, I cannot support the amendment of the hon. member for Souris. When the Bill comes up clause by clause, objections can be offered to any part of it.

**HON. LEADER OF THE OPPOSITION.**—I cannot support the amendment, but there are some clauses in the Bill of which I entirely disapprove. The clause extending the criminal jurisdiction of the Corporation would relieve the Supreme Court of a great deal of labor. Since the City has been incorporated there has been a great deal more time in that Court to attend to important matters as trivial larcenies and other minor matters are tried by the Corporation. Suitors have very often to hang on term after term of the Supreme Court, which of course increases the lawyer's fees; and therefore, under these circumstances, I think we would do well to enter into the subject. No party charged with felony can be tried by the Mayor's Court, unless he consents to it, but if he rejects the Mayor's jurisdiction he will then be transferred to the Supreme Court. In nine cases out of ten, parties prefer being tried without delay, and as our criminal court only sits twice a year, if a man commits a crime in the shape of felony or larceny, he will be incarcerated at the expense of the Colony till the ensuing term. If that one clause only becomes law it will save time and money. If the citizens be given power to tax themselves, perhaps they will not any longer want money from the Treasury to carry out their city improvements. I agree with one hon. member when he says that what will apply to the other provinces will not always apply to this Island, as in winter, if we run out of supplies or necessaries, it would be almost impossible to obtain them, and consequently that it is the duty of the Legislature to encourage those merchants who are permanently engaged in trade or commerce, and to discourage transient traders. I give the hon. member for Charlottetown credit for bringing the subject before us, and I think we ought to go into Committee on it, and strike out those clauses which would be prejudicial to the interests of the Colony, and retain what would be beneficial.

**MR. McNEILL.**—I do not think it would be fair for the country members to prevent the House from going into Committee on this Bill, for there are some good principles in it which I believe would forward the best interests of the City. We should not prevent the citizens from taxing themselves; but to prevent transient merchants from selling goods in this Colony is against the principles of free trade. I do not understand what power the City Council wish to have over Tavern Licenses, but when I see it clearly, perhaps I may support the clause relating to that too.

**MR. McCORMACK.**—If the citizens of Charlottetown wish to have power to tax themselves for the purpose of local improvement, I should be very sorry to throw any obstacle in their way, for it is quite right that they should have that power.

**HON. ATTORNEY GENERAL.**—I shall support the second reading of this Bill, if for no other reason, on account of the clause it contains relating to the criminal jurisdiction of the City Council, but in doing so, I am under the apprehension that the people of the town in general do not care to have this bill passed, on account of the clause it contains relating to increased taxation. As it has been printed for general information, those who wished to oppose it had an opportunity of petitioning this House against it. This small sum which the Corporation wish to lay on real estate would assist them in laying down sidewalks, which every one must see are

so necessary in all parts of the town. I will vote for the second reading of the bill, but I will oppose the clause restricting free trade.

**HON. MR. DAVIES.**—I do not think this Bill should be thrown out, for it has received the attention of the City Council, and of the hon. member who has introduced it. To give it a three months' hoist would be unfair, for we should give it due consideration. I approve of what has fallen from the Hon. Leader of the Opposition on this subject.

The amendment was then put to the House and lost.

On motion of Mr. Brecken the House then went into Committee of the whole on the Bill to amend the City Incorporation Act.

Mr. McLennan in the Chair.

The clause relating to the increase of taxation was read.

**HON. LEADER OF THE GOVERNMENT.**—I think there are taxes enough on Real Estate; let the tenants be taxed for a part of the burden, as they derive benefit from improvements as well as the proprietors.

**HON. MR. DAVIES.**—There seems to be a great difficulty in enforcing the laying of sidewalks, therefore this House should allow the Corporation to lay them at the expense of the owner of the House. These sidewalks are of very great service, and I think this in itself, is a good reason why the powers of the Corporation should be extended. Although they ask power to lay on three pence to the pound, they may not impose that amount—they only ask for the power to do so. An additional tax is required to construct the sidewalks as originally intended.

**HON. LEADER OF THE GOVERNMENT.**—If the Corporation have a law that every person shall lay down a platform opposite his own property, why do they not enforce it. The sidewalks are wider here than they are in New York, and are only a trouble in winter, which shows that the Councillors did not understand how to build them. It would be hard that proprietors should be compelled to build such great wide platforms, for, when a man has two or three hundred feet of frontage, his expenses would be considerable. Let the platforms be built of a reasonable width, and they will not cost so much. The Corporation find plenty of excuses to lay on all the taxes we allow, and if we empower them to lay on a shilling in addition to the present tax, they would exact every penny of it. With the funds they have they could do a great deal. The street that was macadamized they spoiled by removing the stone to another place.

**HON. MR. DAVIES.**—The laying down of the platforms should be superintended by a competent person appointed by the Corporation. The present law relating to the sidewalks cannot be carried out; but the present application to the Legislature is for power to carry out these improvements. I think the City Council acted wisely in laying down sidewalks with planks of a good length, for in going down the Main Street on a market day, it is no uncommon thing to meet three or four persons walking abreast on the platform. In the Main Street at least the platforms should be wide.

**HON. MR. HENDERSON.**—Hon. members who are citizens should be competent to speak on this subject, and to inform us concerning city matters generally. Many

owners of property in the city, have placed expensive platforms opposite their premises in accordance with the laws of the Corporation. If all persons who are owners of Real Estate are not compelled to lay down platforms, those who have done so should have the sum which they have expended upon these improvements refunded to them.

**MR. REILLY.**—I think this House should hold the corporation responsible for making the proposed improvements and pass the bill as it is, without any amendment. If it is left as it is it will arouse the citizens to a sense of their neglect of improvement, and perhaps have a beneficial effect.

**HON. ATTORNEY GENERAL.**—Although I intend to vote for this clause to impose an additional tax, I do not think the Corporation have properly managed the funds they already have, which I believe amount to three thousand pounds per annum. I understand that a good deal of money is expended on the fire department, which of course must be sustained whatever else falls behind. If this money is to be expended in laying down platforms and macadamizing the streets, I will give it my support. If, as the hon. member for Saint Peter's (Mr. Reilly) has stated, an additional tax will arouse the people to a sense of their position with regard to improvements, it will do good.

**MR. BRECKEN.**—The net revenue of the City may be reckoned at two thousand pounds, and the City debt on the 31st of December last, was

**HON. ATTORNEY GENERAL.**—As the funds are now expended in an improper manner, we do not receive the advantages we should enjoy. I do not agree with the principle that Real Estate alone should be taxed, for the improvements that are made by the Corporation are for the benefit of all classes in the City, and for men engaged in every kind of business. The merchant, who may have his £5,000 or £10,000 worth of goods, escapes taxation, because he rents his shop, while his next door neighbor, a poor widow is taxed because she is owner of her house, which perhaps is all the property she possesses. The principle is not a sound one. I do not see why Real Estate should be the only property that should be taxed. According to this Bill the man who owns a fine house would pay no more tax than a man who owns a poor one: therefore the principle is unjust.

**HON. MR. DAVIES.**—I cannot agree with those hon. members who think that Real Estate should not be taxed in the present case for improvements to be made in the city. I think the working classes have enough to bear already, without having to pay ten or twelve per cent on their rented cottages. I think that is driving the working horse too hard.

**MR. BRECKEN.**—I said that proprietors should not be forced to take the whole burden of the taxes; the tenants should bear a part. We know this principle is carried out in Halifax, N. S., and if both parties bear a share of the burden, it will be lighter. No matter what business a man may be engaged in, he will find that good streets and sidewalks are necessary, and this will apply to all cities.

**HON. LEADER OF THE GOVERNMENT.**—If merchants and traders are to be broken down by a light tax, it is time then that a reform should be made among the mercantile community; but I believe merchants have been

making more money lately than ever they made before, and consequently are able to pay a tax. This proposed tax should be levied in an impartial manner; therefore the principle embodied in this bill is incorrect. Some of the wealthiest people in the community merely rent their dwellings, and thereby they would escape this tax.

**MR. P. SINCLAIR.**—As this is a City Bill, hon. members from the country will not take much interest in it. I believe after all that has been said, that the tenant will have to bear the heaviest share of the burden, for the proprietor will raise the rent in proportion to the increase of taxes on real estate.

**HON. MR. DAVIES.**—If a man chooses to invest money to a large extent in Real Estate, he should not be allowed to untax, for we know proprietors take very good care to throw the principal burden upon the tenant in the shape of increased rent. The people of the city are opposed to this tax, and a meeting was held some time ago at which it was shown that the opinions which this House held were against them. I think we should pass the clause under consideration as it is.

**HON. MR. CALLBECK.**—I believe that the majority of the citizens would consent to a tax for if we take the Fire Department into consideration, we will find that large outlays are required, as a large proportion of the property in the city is uninsured. I believe that if the city had had sufficient funds, that a destructive fire would not have occurred, and therefore the principle of the Bill is quite correct. As property increases in value, by means of these improvements; the rent will be increased also, and thus the burden will, after all, be borne by the tenant. Sidewalks must be kept up in front of vacant lots, as well as in front of buildings. I think the tax could not be laid on in a more reasonable way, and that we should agree to pass the clause without amendment.

**HON. ATTORNEY GENERAL.**—Before that clause is put to the House, I intend to move that this provision be added to it, viz: That the funds arising from this increased tax shall be expended only in improving the streets of the City. The object of this provision is to prevent the corporation from using the moneys arising from the proposed tax, for any other purpose than that for which it is asked. I think it will remove all the objections complained of, as to the possibility of these funds being applied to any other purpose. All expenses incurred by making permanent improvements in the City should be levied upon real estate. I move that this proviso be added to the clause.

**DR. JENKINS.**—If we increase taxation I think it should take another direction from the present time, because if this tax is for improvements, it will be a direct benefit. I am informed that this threepence in the pound was to be made a sinking fund, to enable the citizens to pay up a proposed loan in twenty years from the present time. I think this would be a better plan than to apply it for the construction of sidewalks, because this trifling sum is not sufficient for carrying on extensive improvements, which are really required. If the loan can be procured at a reasonable rate of interest, and this tax be applied as a sinking fund, I think it would be an advantage to the City generally. If this tax is not to be used for that purpose, nothing important can be accomplished by means of the funds arising from it. I do not see why merchants and traders should not con-

tribute something towards the revenue of the City, as they are doing uncommonly well in their line of business. But if this tax is intended solely for sidewalks, it should be imposed on Real Estate alone.

Mr. PROWSE.—I will support the clause, for I think it is a hard case that the City authorities should not be allowed to tax property in the City for improvements. If we lay down a law to prevent the inhabitants of the City from taxing themselves, how can we find fault with the Home Government for not allowing us the entire control of our local affairs. I would be better pleased to have the blank in this clause filled up with the words "one shilling," not because I wish to see the citizens of Charlottetown overtaxed, but to let the City authorities have the power to tax for improvements as they may think proper. The City Council should be accountable to the people of the City alone for the manner in which the funds of the Corporation should be expended; and if they do not please the people, better men would speedily be put in their places.

HON. LEADER OF THE OPPOSITION.—According to the principle laid down in this clause, only one class of citizens are to be taxed, viz: the proprietors. This clause must be amended so as to lay the burden on both the owner of property and the tenant. If, for instance, I lease a piece of land to a tenant for twenty-one years (which is commonly the case), and he builds an expensive house upon it, he would escape the tax during the whole of that period, while I would be obliged to pay it, which would be unreasonable. In some cities valuers are appointed who annually go round and value the houses, and then report to the City Council, and upon that valuation the assessment is founded. I think we should allow the Corporation to levy a tax upon both proprietors and tenants, for both these classes derive benefit from City improvements.

Mr. REILLY.—As the majority of the people are tenants and very poor, they have just enough to do in paying the present rent. If the value of property increases by having sidewalks in front of it, the proprietor will lose nothing by paying the tax, as he will receive a higher rent. So the tenant has to bear the burthen after all.

HON. LEADER OF THE OPPOSITION.—That may apply in the case of those who take short leases, but not when the lease is taken for twenty-one years, and in comparison, the proprietor receives only a nominal rent, the case would be different.

Mr. P. SINCLAIR.—If a tenant holds a five years' lease, he would soon have a share of the increased tax to bear; but if the tax is to be brought to bear equally upon proprietor and tenant, it will be better to change the whole clause at once.

HON. LEADER OF THE OPPOSITION.—It will be better to alter the clause altogether, as the hon. member for New London has proposed.

Mr. BROKEN.—I move that the debate on this clause be adjourned for further consideration.

The debate on the clause was accordingly adjourned.

The next three clauses were severally agreed to without amendment.

The next clause was disagreed to.

The clause relating to a tax on travelling merchants and traders in the City, was then read.

Mr. BROKEN.—I think this clause is more objectionable than the first, for if a trader does not become a British subject, this would be a violation of the principle of free trade; therefore I move that it be disagreed to.

After a few remarks were made by one or two hon. members, the clause was disagreed to, and, as the seventh followed in the same strain—it was also disagreed to.

The eighth clause was read.

HON. LEADER OF THE OPPOSITION.—That is a clause which I cannot support, as parties coming from the country would run a great risk of being imposed upon. We have a new class of men commonly called runners, who look out for oats, potatoes, &c., and as a general rule receive a halfpenny per bushel for all they can bring to their employers. There is so much rivalry among these men that a countryman can hardly get along without being assaulted by half a dozen of them at once. The man who has the most muscle generally wins the day; but this kind of work should be prevented, for these men tell the farmer that grain, potatoes, &c., are lower in price in the market than they really are, and thus the farmer is cheated. When he finds out that the market price is higher, he repudiates the bargain he has made, and a quarrel ensues. I think it would be better to leave the law as it now stands.

HON. ATTORNEY GENERAL.—I do not know that the City Court could give satisfaction in these matters. I recollect some years ago that they exercised a jurisdiction which they had not received. Because the runners had broken their agreement Mr. Bell was kept in Jail from Saturday night till Monday morning, which was owing to a deficiency in the City laws.

Mr. McNEILL.—I think these Commission Merchants have had instances enough of the trouble occasioned by these runners. When these fellows came to the store to which they had led the farmer, they would escape after having deluded him, and he had to take just what he could get. I think the clause should be disagreed to.

HON. Mr. DAVIES.—This law was in operation in Halifax some years ago, and gave the Corporation of that City such power over those people who had farm products for sale, that any evil disposed person could put them to trouble by bringing a false charge against them. There were many instances where officers of the Corporation had taken things from the country people under that law. As people were led off to trial upon a false charge, their farm products were often taken from them on false pretences.

HON. Mr. LAIRD.—It appears to me to be a very hard case that this clause should be disallowed, for it would enable the countryman to bring up these runners before a court of justice. I do not think the clause is so unnecessary as hon. members would make it appear.

Mr. McNEILL.—It would be a poor consolation for a countryman who had been duped, to find out these runners to bring them up before the Court and prove them guilty, when perhaps he had not the time to spare.

HON. LEADER OF THE OPPOSITION.—And if you did get them, you could not get blood from a turnip.

HON. Mr. HENDERSON.—Perhaps two of the runners would agree together to testify against the farmer, and so the case would go against him and he would be under a disadvantage.



The clause was disagreed to.

The clause relating to fine and imprisonment for larcenies was then read.

Mr. BRECKEN.—Under the present law the City Council have power to hear and determine larcenies when the value of the goods taken does not exceed ten pounds. They have power to punish by a fine not to exceed ten pounds, and imprisonment not to exceed six months. This answers very well for the trial takes place at once without obliging the guilty parties to lay in jail to await their trial. Large sums of money are spent in the Crown prosecutions; and, therefore, I would suggest that the City Council be empowered to hear and determine larcenies, when the value of the goods taken amounts to a sum under twenty pounds, and that they be granted leave to fine to the extent of double the present amount as well as to imprison twelve months instead of six as at present. Of course the party apprehended still has the choice of being tried by the Supreme Court. The Corporation have lately relieved the Supreme Court of so many of these criminal cases, that they have saved a great deal of time and money; and, thereby, greatly benefited the Colony.

Hon. LEADER OF THE OPPOSITION.—There is one principle in that clause which I do not approve of, that is the punishing of the crime of theft by a fine. I do not think theft should ever be punished by demanding a sum of money, it should be rewarded by imprisonment and hard labor, for money is no compensation for crime. We know it is a great temptation for the City Council to punish by fine when they are short of funds. In the early ages of the world there was a regular scale of fines, for crimes from an ordinary theft up to manslaughter, according to the position of the parties implicated. As this crime is prohibited in the decalogue, a punishment by fine is unsound.

Hon. Mr. LAIRD.—I think it is a principle in British jurisprudence that no man is to be judged except by his peers. We should not empower the City authorities to imprison a man for a whole year, for that would be too much power to place in their hands, without referring the criminal to his peers.

Hon. ATTORNEY GENERAL.—A man cannot be deprived of a trial by his peers, unless he submits himself to be tried by the City authorities. If I had a valuable watch stolen out of my pocket and the thief was apprehended and fined, the City would have the benefit of the crime by getting the fine imposed upon the offender. It would be well to give the City Council power to imprison a criminal a whole year, but it would be a dangerous principle to allow a criminal to escape by paying a heavy fine, for evil disposed persons would soon make a business of theft by stealing property which would be worth a larger sum than the fine imposed upon them.

Mr. BRECKEN.—It is certainly a rather novel principle to punish a felon by demanding a fine, but it is not peculiar to Charlottetown. The same principle prevails in Halifax, Nova Scotia, and I think it might be left to the City authorities to punish either by fine or imprisonment as they may think fit. With respect to the remarks of the hon. member for Bedeque (Mr. Laird,) the principle that a man should not be deprived of his liberty without the judgment of his peers is not invaded, for the criminal can appeal to the Supreme Court, if he chooses to wait in prison or give security for his appear-

ance at the proper time. I have never heard any complaints of the judgments passed by the Mayor and City Council. Their sentences are not I believe considered severe; and, therefore, they might very safely be entrusted with this matter.

The Committee then rose and reported progress. House adjourned till ten o'clock to-morrow.

I OXENHAM, Reporter.

THURSDAY, April 2.

Afternoon Session.

On motion of Mr. McNeill, the "Bill to prevent accidents to persons travelling on the Ice," was read a third time and passed.

On motion of the Hon. Mr. Callbeck, the "Bill to Incorporate the Minister and Trustees of the Baptist Church at Long Creek," was read a third time and passed.

On motion of Hon. Attorney General, the "Bill to consolidate the laws therein mentioned, relating to the Savings' Bank," was read a third time and passed.

Hon. Mr. DAVIES.—Mr. Speaker, I presented a petition to the House a few days ago from William Jardine, showing that he labored under a great disadvantage and inconvenience in having to keep and repair one and a half miles of private road, and asking the House to take the matter into consideration and allow him to perform his statute labor on this private road, and that he be allowed to vote the same as if he had performed his statute labor on the public road. I move that a Committee be appointed to report on this petition by Bill or otherwise.

Hon. ATTORNEY GENERAL.—Mr. Speaker, the case of the petitioner is, no doubt, a peculiar one, but we would have to make a change in the Election Laws, if we granted the prayer of his petition, and it would be a most extraordinary thing to do this for the sake of one man. I should think that if the Commissioner pointed out this road as the place where this party was to perform his statute labor, he would give him a certificate to enable him to vote the same as if he had performed his statute labor on the public road. It would detract from the dignity of this House to change the Election Laws for the sake of a small piece of road at China Point. And besides, if the prayer of this petition were complied with, we should soon have numbers of others from parties similarly circumstanced, and we should require twenty or thirty clauses in the Law, stating that such and such persons have a right to vote because they have performed statute labor on roads leading to their houses. This gentleman is, I suppose, a constituent of the hon. member for Belfast, and he would like to see him relieved from any unnecessary trouble, but under the circumstances I think it would be better for him to withdraw his motion.

Hon. Mr. DAVIES.—This gentleman is a constituent of mine, and a man of sterling integrity. But I wish to show the peculiar hardship of this case—the Road Commissioner although he allows him to perform his statute labor on this private road, will not give him a certificate unless he will vote according to his wishes.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I fully agree with the remarks of the hon. Attorney General. I think that if the motion of the hon. member is gran-

ted, next session we shall have the Clerk's Table inundated with petitions of this nature. There are a number of settlers on the North Shore who have built their houses and barns a long distance from the shore, in order to escape the cold winds, and if the prayer of this petition is granted, they will all send in petitions to allow them to perform their Statute Labor on their own farms. Mr. Jardine may be a very sterling man, but I do not see what that has to do with the question. If we were to grant the prayer of his petition, it would be legislating for an individual, and that is a principle which this House should not allow. If you release this man, it can only be done by an Act of Parliament, and how dignified it would look for this House to spend so much time and go to the expense of several pounds to save this man a few shilling every year.

HON. LEADER OF THE GOVERNMENT.—I should like to give this man the privilege of performing his Statute Labor on the road leading to his house; but if we legislate upon it, many more will want the same privileges. I do not think the House can entertain petitions of this nature.

DR. JENKINS.—If the prayer of this petition is complied with, I shall petition to have my Statute Labor performed on my own farm, as my farm house is a quarter of a mile from the main road.

The question was then put on the motion that the hon. member (Mr. Davies) have leave to withdraw his motion, and carried.

#### MILITIA BILL.

DR. JENKINS.—According to notice, I beg leave to introduce a Bill to amend the Militia Law, now in force in this Island. The object of the Bill is to increase the efficiency of the Militia Force, and at the same time to relieve the people from some of the inconveniences to which they are subjected under the law as it now stands. The Inspector General approves of the spirit of the Bill, and I do not think he would approve of anything which would militate against the welfare of the people. The law provides that in time of peace only one half of the people shall be called out, and if any one is unwilling to serve, he can provide a substitute who will be obliged to undergo a medical examination. The militia are to be called out only five days in the year, and drilled four hours a day. Under the present law a man is liable to be called out ten days, and drilled one and a half hours per day. When a man is obliged to drill one and a half hours per day, he loses the whole of the day, for he is unfit to do anything the remainder of it. If a man drilled four hours a day for five days, he would have twenty four hours' drill instead of fifteen as under the old plan, and at the same time he would not lose so many days.

It was moved that this Bill do have its second reading to-morrow.

HON. LEADER OF THE OPPOSITION.—This Bill, Mr. Speaker, I enter my protest against, as I did against the Bill introduced by the hon. member for Tryon. It is contrary to the principles of constitutional government, that a Bill of such a nature should emanate from a private individual. If the Government wish to shirk the responsibility, let them come down and say that they do not think there is any necessity for a militia law—that it is a useless expenditure of the public

money. The hon. member said that the Inspector General approved of the principles of the Bill; if such is the fact, and the Government consider that the Bill is required, let them come forward and take the responsibility of it. I take two exceptions to that Bill—the first is that the principles enunciated in it have been before the House this session already, in the Bill brought forward by the hon. member for Tryon (Mr. Howatt), and it is a rule of Parliament that the same Bill shall not come up twice in the same session, and the second is, that it involves pains and penalties, and consequently must originate in a Committee of the whole House.

HON. ATTORNEY GENERAL.—When a subject has been before the House once during the session, it cannot be taken up again. I also agree with the hon. Leader of the Opposition that the Government is the proper party with whom the militia Bill should originate; but any independent member is free to introduce any Bill, and I do not know of any rule that will enable the Government to prevent him from so doing. As to the Inspector General of militia approving of this Bill, I can only say, that although I am in almost daily communication with him, he has never spoken to me on the subject. The object of this Bill is to lessen the number of days in which the militia can be called out. The reason I oppose the Bill is this, that the matter is now left in the hands of the Government. The law says that the number of days shall not exceed ten, but if it is found inconvenient to call the people out so often, the Government can reduce the number of days to five or six; therefore I do not see any necessity for introducing this bill. In the country the people have never been called out more than six days, and in Charlottetown only seven. I am not prepared to support this bill of the hon. member; I accord to him a good desire in bringing it in, but I don't think it necessary.

DR. JENKINS.—I contend, Mr. Speaker, that none of the principles of this Bill were before the House in the Bill introduced by the hon. member for Tryon—that Bill limited the time during which the militia should be called out, but this only limits the number of days. As regards the question of pains and penalties, of course I shall have to bow to the decision of the House in this matter. The hon. Attorney General has said that the people in the country are only called out six days, and if that is the case, I think it is unfair for my constituents to be called out seven. It is a matter of more importance in town than in the country, for the value of labor is greater. If there was any danger of war I should be very sorry to lessen the militia force of the Colony, but, I believe this Bill would increase the efficiency of that force. Even in case of war between Great Britain and the United States, I think we should not be interfered with.

HON. LEADER OF THE GOVERNMENT.—A Bill of this nature which imposes any tax or penalties should originate in a Committee of the whole House.

HON. MR. HENDERSON.—I should be very sorry, Mr. Speaker, to see any measure unconstitutionally rejected that has for its object the efficiency of our militia force. I am at a loss to understand the sentiments expressed by the mover of this Bill—we are to infer from what he has said, that even in the event of a war between Great Britain and the United States, all the chances are in our

favor, but if I am not totally astray, I believe it to be a matter of history that a Governor of this Island was carried away bodily in time of war. We should endeavour to keep in harmony with the British Government on the question of defences.

His Honor the Speaker decided that the Bill could not be introduced this Session.

Mr. Bell presented a petition from George Maggieson. Read and ordered to be referred to a Committee to report thereon, by Bill or otherwise. Ordered that Mr. Bell, Hon. Mr. Davies and Hon. Mr. Howlan, do compose said Committee.

Hon. Mr. HENSLEY.—Pursuant to notice, I beg leave to introduce a Bill to consolidate the laws relating to Education. I deem it necessary, on behalf of the Government, and for the information of this House, to state the points of variation between this Bill, and the laws now in force. The House is aware that last session that portion of the law relating to the payment of the teachers' salary was amended, and the whole of the salary has been paid out of the Treasury, and this Bill does not make any change in this particular. There are, however, two or three points of importance with respect to which, this Bill is to make some alteration. It is contemplated that on the passing of this Bill, the old Board of Education shall go out of office, and a new one be appointed, consisting of eleven members, two of whom shall be examiners of persons wishing to be teachers, and who shall receive twenty pounds a year for their services, the other members of the Board receiving the same pay as formerly; the Secretary of the Board is also to be appointed by the Government. This system of appointing examiners has been adopted in Nova Scotia, where the examinations are not conducted *viva voce*, but by written exercises. However, it is not contemplated to impose the additional burden of conducting written examinations on those appointed to the office on this Island. The duty of examining candidates for the office of teacher, is a very arduous one, and one for which every person is not qualified who may be a very efficient member of the Board; although I sat at that Board for many years, yet I never felt myself qualified to conduct an examination, in the various branches in which candidates are to be examined, as efficiently as it should be done. This Bill also provides that the Normal School shall remain as heretofore, open, free of charge to all who are candidates for the office of teacher, but it does not make attendance at that institution compulsory—any person producing a certificate of good moral character and having sufficient qualifications in other respects, shall be entitled to pass an examination without attending the Normal School. I think this is a just, and necessary amendment to the Education Act, for often parties come from the neighboring Provinces holding certificates from schools there, and yet the Board of Education will not receive them as teachers, unless they go to the Normal School, and it is the same with those who have received excellent education at either the Prince of Wales or St. Dunstan's College—they are obliged to waste their time at the Normal School studying the branches they have already learned. I knew one young man who was well qualified to receive a certificate of the highest class, but because he would not be allowed to teach without attending the Normal School, he left the Island, and thus the services of a valuable teacher were lost to the country.

The Female School in connection with the Normal School is to be left undisturbed. There have been some attending the Normal School for the purpose of getting instruction in higher branches than are taught in the common schools, and this Bill provides that such persons shall pay two pounds a year into the treasury of this Island, and when their number shall amount to thirty, the Government will employ a Grammar School teacher. With respect to the other departments, it is not contemplated to make any alteration in the Education Act. It is generally believed that no change can, at the present time, be made with advantage to the inhabitants of the Island. One great benefit that will result from this Bill will be on account of its simplicity—it will not extend over more than twenty or thirty pages, while the old Act covered fifty or sixty, and on account of its wordy and cumbrous nature some of its clauses would puzzle even a lawyer to understand. This was not the fault of those who framed the Act, but when so many amendments are introduced, redundancy is sure to creep in. With respect to the method of assessing inhabitants for the necessary expense of schools, it is a matter of detail, concerning which, the Government will be glad to take any suggestions from any member of the Opposition. This Bill contemplates increasing the number of School Visitors to three, one for each County, a plan that has been adopted in New Brunswick. There is to be an increase in the number of Schools in Charlottetown and Georgetown, as the present number is found to be quite inadequate to accommodate the children requiring instruction, and it is but just that where a sufficient number of children are to be found, a school should be provided for them. This principle has been adopted in reference to the country districts, and the same should hold good in regard to Charlottetown. There is one clause which exempts ministers of religion, and teachers of Educational Establishments from being liable to be assessed for the building of new school houses. A case came under my notice—the principal of St. Dunstan's College was assessed the sum of thirty-four shillings for the building of a school house close by the College, and the Small Debt Court decided the action to be lawful. After a careful consideration of the subject, the Government have come to the conclusion that no other amendments are required, unless the whole Education Act is to be changed in spirit and nature. This is an important question, as it involves the education of the whole rising generation, and also, the expenditure of a large amount of the public money. I have heard judges speak in highly complimentary terms of the improved condition of the young men of this Island, within the last fifteen or twenty years, and this is one result of our free Education Act. Whatever may be our views on some points connected with this subject, I am quite sure there is no difference of opinion on the importance of doing everything to extend the benefits of Education as far as the means of the country will enable us to do so. This question should have the calm consideration of members on both sides of the House, and although different views may be entertained, yet I hope all will use their best efforts to make the Education Act as perfect as possible. Education seems at the present time, to be the question of the day, in England, and almost every other country; you can scarcely take up an English paper in which this question is not discussed.

Bill received and read.

Ordered to be read a second time on Saturday.

Hon. Leader of the Government laid before the House several petitions praying aid for paupers.

Hon. Leader of the Government presented to the House extra supplementary estimates for the current year as follows:

Special Grants for Bridges and Wharves,	£250	0	0
Towards erecting a Light-House at Orapau Harbor,	10	0	0
To Commissioners for revising Laws from 1862,	60	0	0
For taking the Census, a sum sufficient.			

#### LICENSE LAW.

On motion of Mr. P. Sinclair, the House resolved itself into a Committee of the whole on the petition to regulate the sale of Spirituous Liquors.

Mr. Arsenault in the Chair.

Petition received and read.

Mr. P. SINCLAIR.—The petition before this hon. Committee, so respectably and numerically signed, prays for several alterations in the License Laws of this Island. In the first place, it prays that the sale of liquor be separated from that of all other merchandize. I think the practice of selling liquor by the pint should be abolished altogether, for in houses that have a pint license a man cannot get any accommodation for himself or his horse, and if he wishes to treat, he must get a larger quantity of liquor than he wishes. The next thing is, that houses where liquor is sold shall have no post or Government office held in them, and I think it is perfectly right that it should be so. The third clause prays for an alteration in the manner in which licenses are obtained—that instead of a man being allowed to go round and canvass people in their own houses, he shall be obliged to get a majority at a public meeting. It remains with this House to say how that would act. There is one thing that I think would be just, that when a majority of householders in a district have power to authorize the granting of a license, the majority should also have power to prevent the renewal of it.

HON. LEADER OF THE GOVERNMENT.—This question has been before the House nearly every year that I have had a seat in it. Petition after petition has been presented, and the law has been amended year after year, to suit the opinions of those who have petitioned on the subject; but every amendment has only made the matter worse. One year a law was passed to grant quart, instead of pint license, and the next session it was changed to the old system again. We know that even the most temperate people like a little brandy or gin when they are sick, and we should not prevent them from getting it. All the way from here to New London, there is not a tavern on the road, and a man travelling on a cold stormy day could not even get a glass of liquor; but such accommodations are required by the travelling public, and the particular views of a few individuals should not operate against what are the necessities of life in a great many instances. I do not think it would be wisdom to do away with shop licenses, it would only increase the evil, for a man who is doing a large business would not be so likely to induce young people to drink. In country places

doctors services cannot always be readily obtained, and in cases of sudden sickness, persons might be greatly benefited by a little drop of gin. I wish this Committee to consider whether it is right to have twenty or thirty miles of road without a tavern. It has been said that temperance houses can be established, but these do not always suit people who only wish to stop a few minutes to get a feed of oats for their horse and a glass of liquor for themselves. In England a certain number of houses are established by law, and any one who has travelled there, knows the comfort of those houses. It would be well to consider whether there should not be a house of entertainment about every ten miles. Were this plan adopted we should have houses that would be a credit to the country.

Mr. KICKHAM.—I agree with the remarks of the hon. Leader of the Government; a man travelling in this cold climate requires a house of entertainment where he can procure refreshment for himself and his horse, and he cannot get as good accommodation at a private house as he can at a hotel. But I am perfectly satisfied that a majority of the resident householders in a school district should decide whether a license should be granted or not. Every one who gets a license is not fit to conduct a tavern properly; but it is unjust to debar every man from keeping a licensed hotel to accommodate travellers.

Mr. BELL.—I am very sorry, Mr. Chairman, to be under the disagreeable necessity of differing from the hon. Leader of the Government on this important question. I have no objections to have regular houses where travellers can be properly entertained; but I do object to having groceries imposed on a district where the youth of the country are demoralized and degraded in the worst possible manner. There is no necessity for me to describe the evils of intemperance, every hon. member is well acquainted with the evils which arise from the sale of intoxicating liquor. If it is not an evil, why license it? Why restrict it in any way? Why not let it be vended as freely as anything else? The very fact that stores and taverns are licensed, shows that there is a necessity for putting some restrictions upon it, to protect the community from the evils which result from its use and sale. I believe it is just as necessary for a Government to make laws to protect persons from the insults of the inebriate, as to protect his property from the thief. An applicant for license may go round to the householders in a school district, carry his bottle with him to induce them to sign his certificate, and perhaps forge half the names; he can then set up a tavern—a trap for the youth of the place, where they are exposed to every species of temptation. Let any man look at the inebriate's home, and view the misery entailed upon his wife and children by intemperance. From a little groggery not three miles from here, two men rushed out in a state of intoxication and were lost, and I would ask is there no responsibility in this matter? The man who deals out liquor, says he has no responsibility, but if he thinks so, he must have a different method of reasoning from what I have. The petitioners ask that the sale of liquor be separated from that of all other merchandize. Now, Mr. Chairman, we will suppose that you are the father of a family, and that you have to deal in one of those country stores where there is goods you want, and goods you do not want. You send one of your daughters to the store for

some articles you want, and instead of being quietly waited upon, she is, perhaps, insulted by some lounging, drunken fellows, (this is not merely imaginary, I have known such to be the case) and would you not like her to be protected? With respect to having Government offices in taverns, we all know what occurred last year, in a post office kept in a tavern, and it should be a warning to the Government; they should not need any advice on this point. If we are to have a permissive Bill, let us have a constitutional one, and not allow an applicant for a license to use his own means to induce persons to sign his certificate.

Hon. Mr. LAIRD.—I would like the last speaker to give us some information concerning what happened in a post office connected with a tavern. I was not aware that anything had been proved against any postmaster.

Mr. BELL.—I do not know whether anything has been proved or not; the report of the Commissioners appointed to investigate the matter has not been laid before the House, but it is a generally received opinion that money was lost out of a mail bag in a house where liquor was sold.

Hon. Mr. LAIRD.—It is not right to make any statements of this nature unless the facts have been proved in a Court of law.

BALDERSTON, Reporter.

Mr. P. SINCLAIR.—Mr. Chairman, I do not see any necessity for Pint Licenses, for I consider those places where spirituous liquors are sold by the pint to be, if possible, more injurious than licensed Taverns, for at such places the traveller cannot get food for himself, or provender for his horse. My desire is to do away with them altogether. As regards houses of entertainment not paying unless they are allowed to sell liquors, is what I do not believe, as some of the best houses of entertainment in this city, are conducted on temperance principles. The allusion made to the part of the country where for so many miles a public house is not to be met with, may be correct, but from my knowledge of the country, houses of this kind are generally to be met with where they are required.

Mr. BRECKEN.—Mr. Chairman, although I do not mean to say that Public Post Offices should be kept in Taverns, yet I may say that that consideration did not affect the case in Summerside, to which reference has been made, and which is still pending; but I may state, that I have been given to understand that the majority of Post Offices in this Island are kept in Taverns; one reason why this is so, I presume is, that few people care to be troubled with an office that gives so much trouble, for so little pay. The principle, though, I do not regard as a sound one. In speaking to the question, on general principles, I may observe, the question has been here before for consideration, and it is one that is difficult to settle to the satisfaction of Temperance men. I do not believe that you can carry out a prohibitory Law; but it is the duty of the Legislature to throw around it as many guards as possible. I do not consider the plan now proposed, or the arguments used against public meetings the soundest, for they too, can be swayed to do, what under calm deliberation, men would not justify. In New Brunswick, when the Main Law was in force, it may in a measure, have suppressed one evil, but I believe it added another, as it induced people to act de-

ceitfully; and it is questionable whether, if you were to pass a Law to prohibit the sale of spirituous liquors in stores and taverns, you would remove the evil? Let people but understand that they cannot get liquor at any of these places, and they will then resort to other, and perhaps more injurious modes to obtain it, and be induced too, in all probability, to take more of it. As the hon. member for Cascapedia (Mr. Bell) said, stores where liquors are sold by the Pint, may be a nuisance, and at some of these indistinct places sometimes happen to be insulted, and obliged to listen to much that is improper, yet it may be possible that all this may not be attributable to this cause; yet I am prepared to deal fairly with the question, but it is open to consideration, whether if you make the law too stringent, you will not induce men to commit crime by its violation, more than by allowing a wider latitude for men to act out their will. I observe that the petition is very respectably signed, and deserves respectful attention from this hon. Committee; still, I think the powers that grant licenses should also be the power to withhold them. If it requires two thirds of a School district to grant a license, the same number only should be able to withhold them. No doubt there are more Taverns in the country than are required. The convenience of the travelling public should be cared for, but that is no reason why there should be too many Taverns.

Mr. PROWSE.—Mr. Chairman, although I am in favor of some of the ideas in the petition, yet I cannot vote for the resolution of the hon. member for Cascapedia, to separate the sale of liquors from merchants in the country, as desired by that hon. member, for it would throw the sale of it into the hands of men devoid of character. As a general rule, the liquors which are sold by merchants, are of a good quality, and they, for their own credit's sake, will see that no improper conduct is permitted to take place on their premises. I feel satisfied that the passing of such a resolution would throw the selling of it into the hands of the worst classes in society. The hon. member for the City said, that those who granted licenses, should have the power to withhold them, but there are certain articles which a man must have before he can obtain a license to keep a tavern, and if some men should happen to get up unnecessary objections, which would operate against him in the district, I do not think it would be fair to allow a district to deprive him of his license; for if he acts contrary to the requirements of the law, the Government has the power to cancel his license; but I will go for separating the sale of spirituous liquors from places where Post Offices are held. I agree with the hon. Leader of the Government in his remarks about pint licenses, for it is admitted by all temperance men, that where spirituous liquors are required for medicinal or mechanical purposes, that the best should be had, and it is well known, that with few exceptions, these are not to be had in taverns.

Mr. CAMERON.—Mr. Chairman, I cannot agree with all the last speaker said, although I admit there is some weight in his arguments; but the hon. member would not allow the majority, who would grant a license to sell spirituous liquors, to have the power of taking them from them, for the reason, as he said, that after a man had once had a tavern license, and had gone to the expense and trouble of fitting up his house for that business, an uncalled for prejudice might be got up against him, and it

would be wrong to close his establishment. But suppose he had failed to give satisfaction, and it was necessary to close his tavern, and if the power to do so was in the district, it would be an inducement and a stimulus, to induce him to keep an orderly house; but I cannot see why public houses could not be kept without spirituous liquors. With respect to pint licenses, I do not see what is to be gained by prohibiting men from selling by the pint, more than by two gallons, unless it is to favor the tavern keepers. I believe when families require liquor, they generally buy in small quantities.

Hon. Mr. HENDERSON.—Mr. Chairman, this question demands some attention from me. It has been remarked by the hon. Leader of the Government that the demand for this as other articles, will regulate the supply. This may be true as a general rule, but it does not apply to this article, for painful facts force upon our minds the conclusion, that the supply of spirituous liquors increases the demand, and where taverns are opened, a demand will arise for strong drinks, where none previously existed. These are undeniable facts, which have forced themselves upon the attention of temperance men, which has led to the enquiry, whether it would be better to confine this business to a class of respectable men, or leave it to be taken up by all who choose. If you adopt the former plan, then you give a respectability, which is unquestionable, to a business the respectability of which is questionable; if on the other hand, you throw the business open to every person, then by law you open up facilities for evil, which would hardly exist in hands of more respectable parties. The experiment was tried in England, or indiscriminately throwing open the traffic to the public, but it was found that by putting the evil into the hands of every person who choose to engage in the business, that in a few years, it would sweep away the morality of the nation; and the Government had to confine the matter to a certain class. The travelling public must have accommodation, and if temperance houses cannot receive that support which will enable them to keep open their houses for the accommodation of the public I think it would be better to allow the sale of spirituous liquors in taverns, to be placed in the hands of respectable people, than to leave it to be taken up by every person. But I feel satisfied that respectable houses can be kept up without these liquors, and temperance people, as such, are in duty bound to aid in supporting them, and thus put away the evil. Some time ago I had to travel a distance of twenty miles, in company with a friend, and as a storm was at hand, in the latter part of the day, we agreed to call at a tavern to which we were approaching, and have some refreshment, but when we came up to it, we saw so many horses in the shed and around the premises, and heard so much noise from within the tavern, we concluded that it was better to push on to the nearest bush. The arguments used in favor of pint licenses, which have been advanced on the score of sickness, &c., I shall not enter into; but in considering this question, I think we cannot clear ourselves from a serious responsibility in dealing with it, as the morality of the country is connected with this subject, which it is our duty carefully to investigate. Pint licenses would perhaps satisfy reasonable temperance men, who, on the score of medicinal requirements, would probably tolerate them in respectable establishments. But as a general rule, it is sold in places where, although they may not drink it on the premises, yet they go outside, and perhaps carry it to the next bush, where they do. Who does not know that many of the youth of every place, often prove too giddy about many things? and if these temptations are thrown in their way, they may but lead to their ruin for time and eternity. When the matter comes up for further consideration, I shall support what I approve in the bill, and oppose what I do not.

Hon. LEADER OF THE GOVERNMENT. — No man, Sir, will spend a sum of money in opening up a good public house,

if after having done so, two men can have the power of taking the license from him. If this is to be the law, we will never have good public houses in the country. It appears the hon. member for Murray Harbor did, for once, desire to go into a tavern, but when he got to the door, he was afraid to enter; but had it been as cold that evening, as it has been sometimes this winter, perhaps he would have been glad to have had an opportunity to have gone quite in. It should be remembered that it is not the people in the immediate vicinity of a tavern, who require one in their settlement, but those who travel. I do not know that it is desirable to have too many of such houses; but if you encourage a man to do right, and keep a good house, people in the immediate neighborhood of such a tavern, would be better off by having one among them. But the trouble is, that too often, instead of having a place where comfortable accommodation can be had, the reverse is too general in places opened up as licensed taverns; and unless power is given to the Government to open good houses, at proper distances from each other, on the leading public roads in the country, these kind of houses will continue to exist. There are a good many licensed taverns in this city, and on market days, when so many people come in from the country, what would they do but for the accommodation thus provided? If you do away with pint licenses, you force a man who wants but a pint of spirituous liquor, to buy two gallons. In this country you cannot confine articles of trade to particular establishments, unless it might be in Charlottetown.

Hon. ATTORNEY GENERAL.—Mr. Chairman, this question has been frequently before this House, and will always, when brought forward, be found a fruitful source for discussion. I think hon. members are proceeding, in dealing with this question, on a wrong basis, for they seem to think that it is against taverns people have petitioned, which is not the case. The petitioners believe that there can be good houses kept up without the aid of spirituous liquors, and that if at these the traveller could not get his glass of brandy, he could get his beefsteak, and cup of tea, with which a traveller can get along very well; therefore we must not reason on the basis, that because you disallow the liquor, you prove a house cannot be made to pay, or that comfortable accommodation cannot be had. I believe that in this country such houses would be very well sustained. When the law was amended to allow two thirds of a School District to grant a license, it also provided that his license could not be taken from the man who received it, unless he had been guilty of violating the requirements of the law. I see nothing objectionable in the petition, for I have been at some of those houses where no liquors were sold, and was entertained quite comfortably. I will go for allowing the majority of a School district to withdraw a license from a tavern-keeper, if they think proper to do so. As to stores, I am not prepared to say what is best to do, but in so far as Post Offices are concerned, I think, that unless in localities where it cannot be very well avoided, it is not wise to select taverns for that purpose.

Mr. KICKHAM.—Mr. Chairman, I would like if the hon. Attorney General would inform this hon. Committee, if he can compel a man who is not a licensed tavern keeper, to turn out of his bed at night to open his door for him?

Hon. ATTORNEY GENERAL.—No; but if a person happens to arrive at a house kept for the accommodation of the public, the proprietor, for his own sake, would open his door, and admit his customers; but I must give my hon. colleague credit for getting up a very good argument; yet although you cannot make a man open his door for a traveller, who has not a tavern license, neither can you compel a man who is travelling to call at a tavern; and, as to accommodation at a house that is not licensed, I may not like to have my dinner without my brandy, but if I get what is reasonable, I have yet to learn that I should complain.

**Hon. LEADER OF THE GOVERNMENT.**—I am inclined to think that my hon. friend the learned Attorney General, would be mistaken about his beefsteak, and fine cup of tea. I am afraid that at some places he might get a steak of quite a different kind. The arguments of the hon. member for East Point are very good, as the man who takes out a tavern license, has not only to take in travellers, but has also to provide sheds, stables, and provender for the horses. If the license system is broken down, the travelling community will find as much inconvenience in the country, generally, as is now found on the road from Charlottetown to New London.

**Hon. Mr. DAVIES.**—Mr. Chairman, some years ago the temperance men of this Island were asking for a prohibitory law; I said to them at that time, to come up with a reasonable measure, and it should have my support, such I regard their present request, and therefore, feel bound to aid in carrying it through, if we can. I am sorry that some people obtain tavern licenses, who obviously ought not to have got them. I would like to see such houses respectably kept, which will be the case when opened by respectable men. If houses were opened, say, on the leading roads, ten miles apart, I would like the Government to have power to open others at a less distance than ten miles from each other, provided the people desired it. As to pint licenses, I would like to see the sale of liquors in small quantities confined to stores in the city, who deal in liquors exclusively. In country stores pint licenses are sometimes obtained where a mere handful of goods are for sale, and which have been placed on the shelves, merely as a pretext for the sale of the liquors, and these places too often attract young men, who may there have the foundation of their ruin for life laid.

**Mr. McNEILL.**—Mr. Chairman, I quite agree with what has fallen from the hon. member for Belfast. I believe the Government should have control over all the licensed taverns, and have power to enforce them being in proper style. I am aware that the hon. member for Casumpec (Mr. Bell) has made laudable efforts in the cause of Temperance; but still I have no doubt there is a good deal of liquor sold there yet.

**Hon. Mr. LAIRD.**—Mr. Chairman, if the alterations prayed for could be carried out, I have no doubt but that it would be an improvement, while they might also tend to produce more smuggling. I have held pretty much to the opinions expressed by the hon. the leader of the Government, that houses should, on public roads, be licensed within ten miles of each other, and if those were like some already established in the Island, they would be more permanent, and likely to be kept well, than they are likely to be under the present system. It appears to be the experience of this Island, that no man will keep a good house, unless he is allowed to sell liquors. If the Executive could speak out on this point they could tell of many complaints which have been made on this subject. I do not see my way clear to support the resolution,

**Mr. Geo. SINCLAIR.**—Mr. Chairman if there was no liquor used at all in the public houses, the accommodation would be better than it now generally is. Perhaps it is the liquor that so many are in favor of. I do not feel at liberty to force my opinions upon others, but am most in favor of the permissive principle, and an extension of this is all that is asked for by the petitioners. I am rather inclined to think some difficulty would be met with, in dealing with the question, at public meet-

ings, for at some places the meeting might be nearly divided, and it might occasion some unpleasantness, but still I do not feel disposed to refuse the request of the petitioners. I am not in favor of having Post Offices kept in taverns, and I would incline to suppose, that the parties who sell liquors in their stores, would find it to be to their interest to have good regulations enforced upon their premises. The last act required a majority of householders, to enable a man to obtain a licence, and I do not see why we should further restrict them.

**Hon. LEADER OF THE GOVERNMENT.**—The persons in the country who sell in stores under pint licenses, have to obtain the written consent of the majority of the school district, and the taverns in the country, which are kept as houses ought to be, would not be so kept were it not for the patronage which they receive from those who take a glass, and if we have a few more houses like the half-way house to Georgetown, and Bagnalls, on the Princetown Road, it would add much to the comfort and convenience of the travelling public. Public houses are required and I do not see why the whole community should suffer on account of the prejudices of others. I would like to see the Government have power to establish taverns, wherever they are required. In New Glasgow, a man who conducted himself well opened a public house, but there was such a hue and cry raised against him, that they finally succeeded in putting him down.

**Mr. BELL.**—Mr. Chairman, Temperance men do not wish to take away the comforts of any man, nor would they object to public houses being opened within ten miles of each other, provided they are properly conducted on temperance principles. But I do protest against so many licensed taverns for the sale of spirituous liquors. We see, Sir, their prints in the many neglected many poor people in the country. I am the last man who would wish to deprive any man of the comforts of life, but conscientiously believe that by depriving men of opportunities for indulging in the use of strong drink, temperance men are doing much to increase the comforts of those who have been accustomed to use spirituous liquors. When I look at the amount of liquors that are entered at our Custom Houses, taken with what has been very likely smuggled, and reflect that they have been all consumed by our own people, I am only surprised that there is not more distress in the country than there is. On the Western Road, Mr. Allen keeps a temperance house, and I believe he finds that it pays him, and I have no hesitation in pronouncing this house one of the best on the Island. The traveller will at this establishment receive as good accommodation as he can reasonably desire.

**Hon. LEADER OF THE GOVERNMENT.**—I doubt if this House is kept on strictly temperance principles, for I think I can now smell the brandy all the way from here.

**Hon. Mr. HOWLAN.**—Mr. Chairman, I agree with the resolution and will support it. It is well known that a store is a public resort, and at those where spirituous liquors are sold by the pint, it is undaniable, that friend there meets with friend, and that if not immediately inside of the premises, yet in their vicinity, much drinking is carried on, and that to an extent, in some places, which cause such licences to be justly regarded as a worse evil than licensed taverns. Tavern licenses I can support, but pint licenses in stores, I can-

not. You can no more make men temperate by legislation, than you can by Act of Parliament make them religious.

R. Gordon, Reporter.

*Afternoon Session.*

Mr. PROWSE.—I have heard nothing from hon. members to convince me that the resolution would remedy the evils complained of. I have no hopes that a prohibitory liquor law will ever be successfully carried out in Prince Edward Island. If it is true that that these petitions come before us every year, we might attend to one part of our liquor laws this year, and to another part next year, and so on, till they are completely revised. I have almost come to the conclusion, that when one or two minor changes are made, these laws will be as perfect as they can be, until the liquor traffic is entirely prohibited. If our temperance advocates were united and thoroughly engaged in the work of reformation, much might be accomplished in lessening the evils resulting from this traffic; but as long as the inclination for the use of liquor remains in the hearts of men, they will have it, and the demand regulates the supply.

Mr. Bell, submitted the following resolution:—

*Resolved.* That the certificate for a tavern, or store pint license, be obtained by two of the nearest magistrates calling a public meeting of the inhabitants, giving two week's notice thereof; and upon a majority of said meeting agreeing to have a public house, or a store licensed to sell by the pint, the applicant shall have a certificate for said license.

After being explained by Mr. Bell the Resolution was agreed to.

Mr. P. Sinclair, moved the following resolution:—

*Resolved.* That no Court of Justice, nor Post Office, shall be kept in any house licensed by law to sell liquors.

HON. LEADER OF THE GOVERNMENT.—Perhaps it is expected that this resolution will have a moral effect on our population; but I think it would be a difficult matter to get persons to accept the appointment of Postmaster, unless liquor is allowed to be sold in the same house in which the Post Office is kept. Sometimes country Postmasters wait half the night for the Courier, and receive but a very small allowance for their trouble. I do not see any harm in allowing a Post Office to be held at a respectable inn, such as that lately kept by Mr. Adams, at Vernon River. It is very easy to make a broad assertion on this subject, but we know there will be great difficulty in persuading individuals to keep a Post Office, on account of the late hour at which Couriers often arrive with the Mails Bags.

HON. LEADER OF THE OPPOSITION.—I know there is a difficulty, as alluded to by the hon. Leader of the Government, in getting people to accept the appointment of Postmaster, and that sometimes there is no alternative, but to have a Post Office kept in a tavern. Still, a tavern is not the right place for a Post Office, and therefore, I will support the movement against the appointment of tavern keepers. Some of those Small Debt Courts, are often more like fairs than seats of justice, with officers and suitors all mixed together in a tavern. This state of things should at once come to an end, and the sooner the better for the morality of our people. There may be a necessity to have Post Offices held in

taverns in certain localities, but I think the people should be disfranchised in a district where they cannot get any other place than a tavern in which to keep a Post Office.

Mr. BELL.—If the people in a district can get no other place than a tavern, they should not be allowed a Post Office.

Mr. McCORMACK.—There are no persons to be found in some localities who would wait till twelve o'clock at night for the Courier who carries the Mail Bag. I never heard any complaint on account of Post Offices being kept in taverns, although I know of many cases where it is done. I, myself, kept a Post office for sixteen years, and I never heard any grievances expressed during the whole of that period. There are many troubles connected with it which few will undertake, and often no other place can be found suitable for the purpose of keeping a Post Office.

Mr. PROWSE.—I am decidedly in favor of the resolution, for I believe a Post Office kept in a tavern is in the wrong place. If intoxicating liquors are vended in the same building with the Post Office, there is a great temptation placed in the way of young men who go to the Office. I am more in favor of this resolution than any other brought forward on these principles.

HON. ATTORNEY GENERAL.—If a positive law were laid down, to prevent Post Offices from being kept in taverns, I think it would prove to be very inconvenient; but I would agree to prevent a tavern being kept in the same house with a Court of Justice. Post Offices ought not to be kept in taverns, but sometimes other places could not be obtained. I would move in amendment that all concerning Post Offices be struck out of the resolution.

Mr. PROWSE.—If there are certain cases where the principle contained in the resolution would work injuriously, I should like to hear the reason why I am in favor of the resolution without amendment, for I would rather see the Post Office in my own neighborhood done away with altogether, than to see it kept in a tavern.

The resolution was agreed to.

The Committee then rose, and the Chairman reported two resolutions agreed to.

Mr. Speaker took the Chair.

The first of said resolutions being again read at the Clerk's table, was agreed to. The second resolution was then read.

Hon. Mr. Davies moved, seconded by Mr. Prowse, that the resolution be amended by inserting the words, "Government Office and" before "Court of Justice."

Mr. BRECKEN.—I voted in favor of the amendment submitted by the hon. Attorney General, not because I approved of the principle that Post Offices should be kept in taverns, but because I believed that in some localities no other place could be got. But since the hon. member for Belfast (Mr. Davies) has moved an amendment, I will support it.

HON. LEADER OF THE OPPOSITION.—I was in favor of that amendment also, but as the hon. member for Belfast has moved another amendment, I will give him my support, and we will agree upon this subject.

HON. LEADER OF THE GOVERNMENT.—I was not aware that those who were in the habit of drinking



liquors at taverns, sometimes taught children to drink, until one of the hon. members for Belfast gave us that information from his own district; I hope this practice is confined to that part of the country. He has certainly Government have always tried to carry out the principle of not appointing them to that office. It has been found almost impossible to secure all the accommodations required, in some districts, unless those persons are appointed.

**Hon. ATTORNEY GENERAL.**—I do not intend to offer any opposition to the amendment, as my hon. friend from Belfast (Mr. Davies) and the hon. Leader of the Opposition agree on this point. As we can seldom get them to agree upon any point, I shall not create any opposition to their equanimity. I do not offer any resolution on this subject.

**Hon. Mr. HOWLAN.**—I should like hon. members to consider well what they are doing in this matter, for if this resolution is carried out, the Government would be obliged to turn out all the Postmasters who keep taverns. If the resolution contained the principle, that no Postmasters hereafter appointed, should be tavern keepers, it would be more reasonable. There are only a few cases where Post Offices are held in taverns, and I think it would be hard to turn out of office a man who had performed his duties faithfully for a number of years, and against whom, perhaps, there is not the slightest complaint.

**Hon. Mr. CALLBECK.**—It would, I think, be a difficult matter to carry out the resolution, but I am quite willing to vote for the amendment, that no future appointments be made among that class of men. Although intemperance is an evil which we should discountenance, it would be a difficult task for the Government to turn out of office all those who keep taverns. Perhaps it will not favor my popularity to mention an individual in New Glasgow, who, I am proud to say, was prevented from obtaining his license by the people there, who saw the evils to which their sons were exposed. The tavern had become a great evil in that place, and I think the people behaved creditably in disallowing it.

**Hon. Mr. LAIRD.**—I think it would be better to leave the people to choose the person they wish to have appointed, and then they will be better pleased. Perhaps some Postmasters holding taverns have already been appointed at the request of the people in their neighborhood. I know that in my own district the choice of a Postmaster was made by the people. The public house is often the only place where it could be established, but for the time to come, I would be quite willing to support the principle, that no tavern keepers be appointed to the office of Postmaster. To carry out the resolution, would be going a step too far, as there are localities where no other place could be obtained for a Post Office.

**Mr. PROWSE.**—I am surprised at the remarks just made. The hon. member for Bedeque (Mr. Laird) does not act according to his own statements, for if it is wrong to have a Post Office in one tavern, it is wrong to leave it in another. If there ought not to be any more tavern keepers appointed to the office of Post

master, it is wrong to allow men who keep taverns to remain in office on the same principle. If my own brother was a tavern keeper, I would oppose his being appointed to the office.

**Mr. G. SINCLAIR.**—I was not aware that so many tavern keepers are Postmasters. To carry out the resolution, would necessitate the immediate removal of those officers; but in carrying out the amendment, time will be given to produce the change. If the Post Office in my own district were held in a tavern, I would still support the amendment; for there is a great temptation in a tavern where drinking goes on, and it is high time that this evil should be removed. I do not see that there would be any difficulty in getting men to accept the appointment of Postmaster, and therefore, the change can be easily carried out.

After a few further remarks from hon. members in the same strain, the Hon. Col. Secretary moved the previous question, "Shall the question now be put?" Upon which the house divided as follows:—

**YEAS.**—Hons. Davies, Haviland, Callbeck, Messrs. Prowse, Brecken, Green, P. Sinclair, Arsenault, Bell, McNeill, G. Sinclair, Cameron, Yeo, Ramsay—14.

**NAYS.**—Hons. Col. Secretary, Kelly, Howlan, Laird, Attorney General, Messrs. Kickham, McCormack—7.

The question being then put on the amendment proposed by hon. Mr. Davies, it was carried in the affirmative.

It was ordered that a Committee be appointed to prepare and bring in a bill, in accordance with the said resolutions, and that Mr. P. Sinclair, Mr. Brecken and Mr. Bell, do compose said Committee.

House adjourned till ten o'clock to-morrow.

I. OXENHAM, Reporter.

FRIDAY, April 3.

**Mr. PROWSE** asked the Government what action, if any, would be taken on petitions relative to the establishment of a Post Office on Township No. 63.

**Hon. LEADER OF THE GOVERNMENT** in reply, observed that the subject of additional Post Offices, would receive due consideration. The Postmaster General would report on the subject to the Government.

**Hon. LEADER OF THE OPPOSITION** gave notice of his intention to ask the Government for any correspondence between his Lordship, the R. C. Bishop of Charlottetown and the Government, relating to Education.

The Bill to amend the Summerside Bank Act was committed to a Committee of the whole House, and reported agreed to without amendment.

**Hon. Mr. KELLY** presented a petition from divers inhabitants of Townships Nos. 36, 37 and 48, praying for an amendment to the Small Debt Act, and to remove the Small Debt Court from Alex. Hayden's Point to Fletcher's Corner, Fort Augustus. Petition was received, read, and referred to the following Committee to report thereon, viz:—Hon. Mr. Kelly, Mr. Reilly, Mr. McNeill.

Ordered that the petition of Thomas Mowbray and others, of Egmont Bay and vicinity, on a similar subject be referred to the above Committee.

House in Committee of the whole on Ways and Means.

Mr. G. Sinclair in the Chair.

HON. ATTORNEY GENERAL presented several resolutions on the subject, and said that it was not contemplated to make any material changes in the Bill of last year. He read extracts received from gentlemen in New Brunswick, showing the necessity of affording facilities to parties from the Provinces who were disposed to establish manufactories on the Island, and with that view were desirous to know what action the Legislature would take to encourage the introduction, free of duty, of machinery and other articles required to carry on such factories. He then alluded to the prospect of an influx of manufacturers to the Colony, as the result of the high tariff imposed by the Dominion Government. He then submitted a resolution having for its object the granting of drawbacks to parties importing machinery and other articles for manufacturing purposes. He also submitted a resolution touching the necessity of a more stringent mode for collecting duty on goods received from steamers.

The Chairman then reported the said resolutions agreed to, and obtained leave to sit again.

The House then went into Committee of the whole for the further consideration of the Bill to amend the City Incorporation Act.

Mr. McLennan in the Chair.

The clause relating to the extension of the Criminal jurisdiction of the City Council was read.

Mr. BROCKEN.—At present the criminal jurisdiction of the Corporation is confined to cases of larceny, where the value of the goods taken does not exceed ten pounds, and they have no power to imprison criminals more than six months. I have ascertained from the City authorities that the laying on of a fine for crime, is not generally resorted to; but we know that this mode of punishment is now generally practised in the neighboring Provinces. There are circumstances even in case of felony, which clearly indicate that the punishment should be by fine. For instance, in the case of a young female who has been tempted to take property which is not her own, for the first time, it would be better to impose a fine, for when we consider the state of our prisons, we must know that to send her there, would only tend to debase her, instead of being the means of her reformation. If she were sent to prison, she would in all probability, come out at the end of her term more corrupt and immoral than she was when incarcerated. We should bear in mind that the reformation of the offender is the object to be accomplished, and that is the reason why he is punished. I think the ends of justice would often be better served by inflicting a fine, than by sending the offender to prison, from which he would often come out worse than when he went in; therefore I think it would be wise to leave this matter to the option of the City authorities, to inflict what punishment they think proper. It would often be better to inflict a fine, till our prisons are reformed.

HON. LEADER OF THE OPPOSITION.—I cannot approve of the principles laid down in this clause, and I do not see how the hon. member for Charlottetown can, as there is much greater danger of an increase of crime, under a system of punishment by fines. A disreputable character would make a business of shoplifting, and steal £20 or £30 worth of goods, and when taken before the City Court, would be fined ten pounds. As the Corporation are in need of money to carry out improvements

in the City, the criminal would get off by paying a fine, and so he would make large profits from his dishonest practices. The money thus procured from criminals, goes into the City Treasury, and is used in paying the salaries of those officers who caught the thieves. Whatever may be said of it, the principle is unsound.

Dr. JENKINS.—I must say that I agree with the hon. Leader of the Opposition on this matter, for we know in cases where young ladies are fined, their parents have to pay the penalty, and thus the culprit goes free. A young man will undergo a risk, and steal a large quantity of goods, when he is aware that he may escape punishment by the payment of a penalty.

HON. Mr. LAIRD.—I am not sure that hon. members can find proof that punishing by fine is a bad principle—I do not think it is unsound. I should like to hear what proof can be brought forward against it. If you go back to ancient times, you will find that it was practised.

HON. LEADER OF THE OPPOSITION.—If we go back to the law of Moses, we will find the principle of "an eye for an eye, and a tooth for a tooth." There is a great difference between the Moral Law and the Ceremonial Law. The Ceremonial Law applied only to that peculiar people, the Jews, whose government was a Theocracy, but the Moral Law binds the whole human race. There was a law in England imposing a fine for crime, hundreds of years ago, when the nation was in a half-civilized state, but when she became enlightened, the principle was considered unsound, and consequently was abolished.

HON. Mr. DAVIES.—There is no doubt the principle is unsound, but how can we remedy the evil. I believe it would encourage people of bad inclinations to steal, for they might pay the fine demanded from them, and yet make a profit from their theft. A woman came into my store and stole a shawl, for which she was apprehended, but she escaped by paying a fine of twenty shillings, after having made a profit out of the business.

HON. ATTORNEY GENERAL.—The principle of punishing criminals by a fine is unsound, for a man may make money by stealing, under that law. If the City Council lay on a fine of two pounds, the criminal will generally pay, but if ten pounds are demanded, he will prefer being sent to prison. We must provide against the possibility of the criminal escaping from a just punishment, therefore I shall oppose the clause.

HON. Mr. LAIRD.—It has been stated that the punishment by fine is like a premium on stealing, but we know it is much easier for a poor man to go to jail for a few days, than to pay a heavy fine. A heavy fine for a small affair, is harder to bear than a short term of imprisonment. We know that there are a number of beggars who will not earn a livelihood, and when they commit a crime, they must be sent to jail, and kept warm and well fed at the expense of the Colony. I maintain that the fine ought to be heavy, and I yet fail to see that imprisonment is the only proper means of punishment.

HON. LEADER OF THE OPPOSITION.—How are poor people to pay a heavy fine, when they have not enough to subsist upon? Shoplifters can pay a fine and go to their business next day, and it is surprising to see how much of it is carried on. Some of our merchants have lost as much property as they would lose if they were keeping shop in London, or some other European

capital. When some parties are convicted, they would much rather pay a fine than go to prison.

Mr. P. SINCLAIR — I agree with the hon. Leader of the Opposition, that the law which demands a sum of money for the crime of stealing is not a just one. But if these criminals are sent to prison, they would in many cases leave the Colony immediately after being set at liberty. Judges in our Supreme Courts are not in general so favorable to the practice of laying on a fine, as they are to imprisonment. In whatever point of view we take this matter, I think it would be well to strike out this clause, allowing criminals to purchase their liberty, by the payment of a fine, instead of imprisonment.

Mr. BRECKEN. — When we look at the state of our prisons in this country, we should leave the question to the option of the City authorities. The cases where punishment has been inflicted by fine are few. If we had a prison where an improvement in the morals of criminals who have just started in their career of crime might be effected, it would be very well to abolish punishment by fine. The chief object in punishing a criminal, is his reformation, but we know that in the present state of our prisons, this cannot be effected. The most dexterous shoplifters generally manage to get clear of punishment of any kind, while those who are not smart enough to do so, are caught. In theory, punishment by fine may be wrong, but it is not a compulsory law, for the City authorities are not bound to punish in this way. There are certain cases to which the principle would apply, such as that of young persons, who should not be put in prison with hardened criminals. A young girl should not be shut in with a hardened jail bird; for she would in all probability, come out a thousand times worse than when she went in. I therefore think it would be better to let the clause go as it is.

Hon. Mr. CALLBECK. — The arguments used by the hon. member for Charlottetown (Mr. Brecken) would rather induce me to oppose the system of punishment by fine than to support it. If an individual cannot pay the fine imposed upon him, he is imprisoned, and is then really punished, because he is too poor to help himself, while his richer partner in crime, escapes by paying the fine. The poor man, perhaps, cannot get a friend to help him, and thus his punishment is greater; therefore, I think the mode of punishing criminals by fine is unjust.

Mr. BRECKEN. — It does not at all follow from the principle here laid down in this clause, that criminals who can pay the fine will be allowed to escape by doing so. If the City Council see that the man is encouraged to commit crime by imposing a fine upon him, they will send him to prison. I say, the fewer of our juvenile criminals they send to jail, the better for the morals of the community. They do not always inflict the same kind of punishment upon guilty persons, for the fine is harder for a poor person to bear, than for the rich man. But the youthful offender when sent to prison, is compelled to associate with those hardened in crime, and comes out of prison a worse member of society than when he went in. If we had reformatories here, I would vote for removing the system of fines altogether. The Committee then rose, the Chairman reported progress, and asked for leave to sit again.

House adjourned for one hour.

I. OFFENHAM, Reporter.

#### Afternoon Session.

On motion of Mr. Brecken, the House resolved itself into a Committee of the whole, to take into further consideration the Bill to amend the Charlottetown Incorporation Act.

Mr. McLennan in the Chair.

The clause was read relating to extending the Jurisdiction of the Police Court, and the imposing of a fine instead of imprisonment on juvenile offenders.

Hon. Mr. HENDERSON. — The object of punishment should be two-fold; first, the protection of society from the deprecator; and second, the reformation of the offender; and I do not see how these two objects can be accomplished without leaving a discretionary power in the hands of those whose duty it is to adjudicate upon the case. There may be cases in which, taking all the circumstance into consideration, the offender may be more unfortunate than criminal. There was a case in the Police Court to-day—a young orphan girl who was tempted to commit a petty larceny; but his honor the Mayor, when acquainted with all the circumstances of the case, thought it his duty to be as lenient as possible, with a view to the restoration of the offender—he imposed a slight fine, which was paid by one of her friends. Now, if his honor, the Mayor, had no alternative but to send that person to jail, and such a jail as ours, she would probably become hardened in crime. In England, not many years since, it was thought better to give some young criminals a good, sound flogging, than to send them to jail among hardened criminals, where they would become more corrupt instead of being reformed.

Mr. PROWSE. — I cannot give my support to the clause as it is now, although I agree with part of it. It appears to me that if that clause be enacted it will give encouragement to the adept and successful thief. He can obtain his liberty to carry on his practices of theft, for a consideration; and it will also make a distinction between rich and poor—a rich man could easily pay a fine, but a poor man would have no alternative but to go to jail. If this fine is permitted, I think the money should be paid into the Treasury, so that the City Authorities might have no inducement to fine a man in preference to imprisoning him.

Hon. LEADER OF THE OPPOSITION moved that all that clause which gives power to the Court to fine for larceny be struck out.

Hon. LEADER OF THE GOVERNMENT. — There may be youths brought up to the Court, whose parents are honest and industrious, and who would willingly pay a fine; whereas, if these children are put into jail, they may never be reformed. With respect to hardened criminals, it might be better to imprison them; but, to put a youth of ten or twelve years of age into jail, would, perhaps only be the means of hardening him.

Hon. LEADER OF THE OPPOSITION — This clause makes no distinction—it applies to adults as well as to youths, and it seems to me that it would work injuriously; for, if a boy knew that when he committed a crime he would not be put into jail, but his parents would have to pay a fine, there would not be much check upon him. I think it would be a most dangerous method to train up children in the opinion that they can commit crime without being punished in their own persons. If a

was known that any young scamp, who does not know the difference between his own property and that of another person, would have to suffer in his own person the penalty for his crime, it would be a greater check upon boys, and would also make parents more careful to train up their children as christians should.

The Committee rose, reported progress, and obtained leave to sit again.

A message was received from the Legislative Council, saying that they had passed the "Bill to incorporate the Minister and Trustees of the Baptist Church at Long Creek" without any amendment.

On motion of hon. Attorney General, the "Bill to amend the Summerside Incorporation Bank Act" was read a third time and passed.

On motion of Mr. Brecken, the House again resolved itself into Committee on the further consideration of the Bill to amend the Charlottetown Incorporation Act.

Hon. ATTORNEY GENERAL.—A great deal has been said about the disgrace brought on parents by imprisoning their sons for crime, but this is no argument against it. The object of punishment for crime is to prevent its recurrence; and I do not think that when a youth has committed an offence, the payment of a small fine by his parents would have much effect in deterring him from a repetition of it. No doubt we all feel a degree of sympathy for a criminal, under any circumstances; even the murderer, arraigned before the bar of justice, claims the sympathy of his fellow mortals. A case was referred to by the hon. member from Murray Harbor, (Mr. Henderson) which came under my own observation to-day, and it excited so much sympathy, that a person, almost a stranger to the party implicated, stepped forward, and offered to pay a fine, if the Court would impose one, instead of imprisoning the youthful offender; but, although this showed that the person who paid the fine was possessed of a kind and benevolent disposition, yet the effects on the guilty party of allowing her to go forth, without any punishment, may be injurious.

Mr. BRECKEN.—The arguments advanced by the hon. Attorney General are perfectly sound, and I am not very anxious to press this matter; but I consider the present state of our jails rendered this clause necessary. When we have a proper jail let this law be abolished; but at the present time we should look at the practical results of our legislation, and take into account the evil consequences which flow from the wretched accommodation our present jail affords to the juvenile offenders. It is a crying shame and a disgrace that juvenile offenders should be huddled in the same place with hardened criminals. In dealing with cases of this nature, three objects should be kept in view, first—atonement for the infraction of the law; second—the deterring of others from the commission of the same offence; third—the reformation of the offender—and, I would ask, what chance would there be for the reformation of a juvenile offender, were he sent to associate with persons deep dyed in crime. The probability is that he would come out of prison far more corrupt than when he went in.

Mr. McNEILL.—I must say that the hon. member for Charlottetown has pleaded his cause very well, and while listening to his arguments I felt almost inclined to support the clause as it stands. We must remember, however, that imprisonment has a greater effect in de-

terrering a person from committing crime than a fine, and if the latter is the only species of punishment inflicted, the probability is that the guilty party will commit a greater offence next time. No doubt it is a hardship to parents to see their children incarcerated for trivial offences, but too lenient a treatment will only lessen the chances of their reformation.

Mr. REILLY.—I believe that the quality of mercy is a very good thing where it can be judiciously exercised, but it should ever be coupled with justice. I would much rather leave it to the discretion of the person from whom goods are stolen to decide whether the juvenile offender is deserving of imprisonment or not, for cases may arise where youths, from mere thoughtlessness, will abstract articles, and when the case would be properly represented to the owner of the stolen goods, by the parents of the child, he would be the best judge of the matter. If this plan were adopted, I believe many cases would never come before the court at all, but would be amicably settled between the parties. If you pass a clause, like the one before the Committee, it will have the effect of encouraging the young to go on from one offence to another, until some great crime is committed. I quite agree with the opinion that a reformatory is necessary, and I think it would be better for the Corporation to establish such an institution, than to come to this House asking for such a law as this.

Mr. CAMERON.—I can see no valid objection that has been raised against the clause as it now stands. It is left optional with the court to imprison the party or impose a fine, as will be thought best under the circumstances. If there is any hope of reforming the person, it is by letting him free, for we are all aware of the demoralizing effects of imprisonment. There is another evil effect of imprisonment—it deprives the country of the services of the person, and thus diminishes the wealth of the nation. I think a fine would have more effect in deterring persons from committing crime than imprisonment. I read a poem not long since, written by a prisoner, in which he was thanking the country for taking such good care of him, in providing him with comfortable lodgings and good, wholesome food, while others, far more worthy, were left without a home, and obliged to beg their bread from door to door.

Mr. BRECKEN moved that the blank in the clause be filled up, by inserting £20—giving the Police Court jurisdiction in cases of larceny where the value of the goods stolen does not exceed £20.

Hon. LEADER OF THE OPPOSITION.—The question now before the House is, whether the jurisdiction of the City Authorities should be extended to £20. All the arguments have been against making hardened criminals of juvenile offenders; and I think that when a youth steals goods to the value of £20, he deserves more than a fine.

Mr. BRECKEN.—The power of imposing different kinds of punishment is left optional; and I think we should have some respect for the judgement of the City Authorities, and not tie them up hand and foot, but permit them to exercise a little discretion—the country gives us leave to use our own discretion, and we should accord the same liberty to the City Authorities. The object of this clause is to relieve people from unnecessary expense, by having their cases tried in the Mayor's Court instead of the Supreme Court.

Hon. Mr. LAIRD.—I think, from all that has been said, that it would be giving the City Authorities too much power to extend their jurisdiction as high as £20; I would, therefore, move that £15 be inserted instead of £20.

Hon. LEADER OF THE OPPOSITION.—The hon. member for Charlottetown has made a comparison between the Court and this House, and argues that we must not tie up the hands of the Mayor and Councillors because the country gives us the privilege of exercising our discretion. But there is no analogy between them, because by no direct act can we vote money into our own pocket. If, as

was proposed by one hon. member, the fine was to be paid into the general revenue, it would be more reasonable. When the city is in a bankrupt state, there would be great temptation to the authorities to take a fine instead of imprisoning the offender, and thus they would actually be taking the wages of iniquity. One hour we should see the Mayor sitting on a case of theft, and taking a fine from the offender, and the next hour appropriating the money for macadamizing roads or building side-walks.

Hon. Mr. LAIRD.—I think the city fathers receive no remuneration for their work, so the argument of the hon. member falls to the ground; even if they did take a fine, they would not be voting money into their own pockets; and I think we should have more respect for them, and consider them above such things. I think if a discretionary power was left with the City Council, they would know which course was most likely to reform the offender.

After some further discussion the clause was disagreed to.

The Committee rose, and reported the Bill agreed to, with certain amendments.

House adjourned.

BALDERSTON, Reporter.

Dr. JENKINS remarked, that a good deal had been said about the horrors of sending a child to prison, but said, he had opportunities of judging in such matters, and thought that in this Island, few hardened offenders were to be found, and believed it was a rule not to place juvenile offenders in the same room with any who had been previously convicted.

Mr. BRACKEN could not agree with his hon. colleague, for he had known instances of juvenile offenders being placed in rooms where more hardened offenders were confined, and had been aware of four or five persons, being placed in the same room, which he regarded as highly improper, but as he had received no instruction from the City Council, he would not then press the matter further.

Several hon. members on both sides continued the discussion for some time longer, when the clause was disagreed to.

Mr. Speaker resumed the Chair; the Bill as amended was reported agreed to, when the House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

SATURDAY, April 4.

Morning Session.

Mr. Arcenault presented a Bill for the incorporation of Societies for the sale and distribution of seed grain, which was received and read. He stated that parties disposed to unite themselves into a club or society, with the view of selling seed grain, &c., on credit, to those requiring relief in that way, should be placed in a position legally to transact their business; with that object in view, they desired to be incorporated, so that the power of suing and being sued should extend to them, as it has been extended to other corporate institutions.

Ordered that the said Bill be referred to the special Committee on private Bills.

Mr. G. Sinclair, from the Committee of the whole House on Ways and Means, reported five resolutions, which were again read and agreed to.

Hon. Leader of the Government presented to the House a copy of a memorial of His Lordship the Roman Catholic Bishop of Charlottetown, on the subject of Education, and also copy of minutes of Council in reply to said memorial.

Ordered that said papers be laid on the Table.

Hon. Mr. Callbeck presented the Eighteenth Annual Report of the Medical Superintendent of the Lunatic Asylum.

Hon. Attorney General gave notice that on Monday next, he would move that the Bill relating to Education, be committed to a Committee of the whole House.

I. OXENHAM, Reporter.

Afternoon Session.

On motion of Hon. Attorney General, the House went into Committee on the report of the joint Committee of the House of Assembly and Legislative Council, on the best method of improving Highways.

Mr. Yeo in the Chair.

Hon. ATTORNEY GENERAL.—I may state that so far as the Government is concerned, they do not purpose asking the House to pass resolutions that would involve any immediate Legislative enactment concerning the subject treated of in this report; but it is the general rule that when the report of a joint Committee is received, both Houses go into Committee on the subject. The Government do not wish to pass any resolution, except the following:—

*Resolved*, That it be recommended to the Government, to cause the Report of the joint Committee of the Legislative Council and House of Assembly, appointed to enquire into the best means of improving the Highways of the Colony, to be printed once in the several newspapers of this Colony, and that its further consideration be deferred until next session.

This question has only just come to the notice of the Legislature and as it involves a radical change in the whole system of road-making, it would not be well to take the matter up to hastily, but allow time for each member to think it over. This report recommends that Board of Works should be appointed, and I think this would be of immense advantage to the Colony. I think that three or four hundred pounds expended in paying a competent person to superintend the laying out of the money granted by this House, would cause an annual saving of three or four thousand pounds to the country. Under the present system, it can hardly be expected that a commissioner for the paltry sum of ten or fifteen pounds a year would see the work thoroughly done. I believe it would be better done if we had one or two superintendents for each county, whose sole duty it would be to attend to this matter. Then again there is the question of adopting a new system of road-making, by macadamizing, which would involve a large outlay of money. Now I suppose there is very little difference of opinion on the point that if there is money enough on hand, there is no system of making roads so efficient as macadamizing when properly done. The Report recommends this method of improving the roads; but as it would involve a large outlay of money, it would be well to talk the subject over for some time before legislating upon it. As there are members in this House capable of speaking on this subject, who practically understand it, I hope they will give this Committee the benefit of their experience.

Mr. P. SINCLAIR.—As a member of the joint Committee, whose report this is, I may say that we met four times and consulted, concerning the state of our roads, and the best method of improving them. We found that the traffic on the roads near the seaports was increasing so much, that it would be impossible, without using other materials more durable than what is now employed, to keep them in a state fit to accommodate the travelling public. We also found that proper materials could not be obtained in the Colony, but would have to be imported. The member for Charlottetown, laid his experience before the Committee, and we found that if, after purchasing the stone, we had to pay four or five shillings a ton for breaking it, macadamizing would be very expensive. Then we thought of this crusher, that has been mentioned, and I think if this hon. Committee would approve of purchasing such a machine, it would be money well laid out. I see in the fifth section, that my name is mentioned as one who is averse to borrowing for the purpose of improving the roads. I considered, that at the commencement, it would be better to give a small grant for a few years, until we get some experience on the subject. We considered that a great deal of the

money now granted for roads was wasted, and that it would be better to have a Board of Works, composed of efficient men, who could control the expenditure, and see that the money was judiciously applied.

**Mr. Howarr.**—**Mr. Chairman,** I fully agree with the opinion that the roads near the towns should be macadamized. There are some things in that report, however, with which I cannot agree. I cannot see what benefit is to result from this Board of Works. Under the present method the Road Commissioners send in their reports and the Government can look over them, and see how the money has been expended. It might take more to pay the members of this Board, than it would to repair the roads. The present Road Commissioners, numerous as they are, can hardly do the work, and I do not see how two or three men are going to do it. Road making in the country is a very simple affair, merely throwing earth on the roads, and you may have as many inspectors as you like, and the roads will not be improved, unless you import stone and macadamize them. I do not see what use this staff of officials is going to be, but as the matter is to stand over for another year, perhaps it will be well to have it discussed.

**Mr. McLENNAN.**—**Mr. Chairman,** last session there was something in His Excellency's Speech, concerning road making, and we were promised that a new system would be adopted, and again, this year the same subject was mentioned, but no action has been taken on the matter. The Commissioners state that the roads are no worse than should be expected, and yet they recommend the abolishment of the present system altogether. I am of the same opinion as the hon. member for Tryon (**Mr. Howatt**) that it will be necessary to import stone for making roads, in most parts of the Island; but as I have before stated in this House, in the district which I represent, a sufficient quantity of suitable stone can be procured without the expense of importation. I am afraid this Board of Works will be attended with too much expense, and I should be better pleased, had the Commissioners named the amount that would be required to pay the salaries of the members of this Board. I do not think three Commissioners could perform the duty of inspecting all the post roads, for almost every road has a post office on it. I quite agree with the hon. Attorney General, that the present Road Commissioners could hardly be expected to perform their duty efficiently, considering the slight remuneration they receive. This is a very important question, even more important than the great question of Education, for what would be the use of schools, without a road leading to them. I think it would be well to increase the salaries of the Road Commissioners, and then they would have an inducement to spend some time in looking after the work and seeing it properly performed. One cause of the inefficiency of our Road Commissioners, is the system which prevails of appointing new ones every time we have a change of Government. We know that a person must have some experience in any business before he can do it properly, and as soon as the Commissioners begin to understand road-making, they are displaced on account of their political opinions.

**Dr. JENKINS.**—I think if the hon. member from Summerside would read the whole of the clause he has been commenting upon, he would find it is not quite so bad as he thinks. Although it says that the roads are not worse than could be expected, under the circumstances, it does not say that they are not very bad. I think every body understands what is meant by the main post roads, they are the roads leading direct from Charlottetown to different parts of the country. I think it would be better to discuss this clause by clause, and not ramble over the whole of it at once.

**Hon. Mr. LAIRD.**—**Mr. Chairman,** I am of opinion that the Committee have overlooked one point. They speak

of the bad state of the roads, being the result of the unsuitable material used, but, I think it would be well, had they added, and also of the improper season of the year at which they are repaired. I consider that if the roads were made early in the spring, when the soil is soft, it would be much better, for then the soil would bake hard and solid, and make a good road, and the work could be done at less expense, for when the ground is soft, it could be more easily ploughed up. When the earth is put on the roads in summer time, it becomes dry and loose, and the first gale of wind blows a large part of it into the fields; and besides this, a great part of the summer traffic is over before the roads are repaired. I do not wish to find fault, but where there is any defect, it is right to point it out. It is generally the surface soil which is used to make roads, and as this contains a large amount of vegetable matter, it is ill adapted to the purpose; were this taken away and the subsoil used, it would be far better. I think it would be much more preferable to have a Board of Works to regulate the appropriations, than the present system. Now each member strives to get all he can for his own district, but this is a wrong principle, the money should be expended where it is most needed, and not according to the influence of the member for the district. In some places twice as much money is required as in others, on account of the nature of the soil, and other circumstances, and the members of the Board of Works, being disinterested parties, would endeavor to have the money expended where most required.

**Mr. P. SINCLAIR.**—This is a question of great importance, and we should discuss it with as much care as possible. The hon. member from Bed-que, seems to think we omitted something that should be included, and elaborated strongly upon the necessity of having something said about having the work performed early in the spring, but if he reads the report, he will find this recommended. The hon. member for Summerside said that all the roads were post roads.

**Mr. McLENNAN.**—I said that all the roads were mail roads, for there was a post office at every corner.

**Mr. P. SINCLAIR.**—The main post roads will be taken under proper superintendence. I think you will find a good many useful suggestions in this report, although it is not perfect. A great many useful suggestions may also be brought out in discussing this question.

**Hon. Mr. HENDERSON.**—The paragraphs of the report under discussion have been pretty well discussed already, but it would not be amiss to examine them a little more closely yet. In the second paragraph there is a principle embodied, which has hitherto been the bane of every public question. I mean the principle of making them, to a certain extent, political. It says that at least three members of the Executive Council, shall be members of the Board of Works, and I care not of what party that Executive Council is composed, the Board of Works will have a political bias. The report aims at improvement, and while it does not pretend to be perfect, at the same time the aim of the Committee has been to make it superior to anything we have had hitherto. Does it follow that those, who may be the true representatives of the party, are the best qualified for road making? If they have not that knowledge which is requisite, they will be mere ciphers, dependent upon others for the information they require. I think this is a new name for just the same old principle. Could these parties be the most impartial in the distribution of the public money, particularly when it is known that often where the road it best the soil is the poorest, and the people in that place are most in want of some money? A great deal of vegetable matter is left on the roads, and I think it is time the Legislature brought in a Bill to compel persons to remove this from the front of their farms, and I think

a good method of getting this done, would be to pass a law, that unless the proper person removed it within a certain time, it should become the property of any person who wished to have it.

Hon. Mr. LAIRD.—I was under the impression, that when this question was taken up, we should have had something respecting the best method of making roads, but instead of that, we have listened to a lengthy lecture on the evils of party government. I would suggest the propriety of choosing some other time and place for lectures of this kind, and let us now attend to the subject under discussion. The hon. member (Mr. Henderson) seems to think that in some places, where the roads are good, money should be appropriated, because the people are necessitous; but this would be making a present of the money to the people, and not expending it on the roads, and this expenditure of the public money on the roads would not be a benefit to the farmers, but rather an injury, because it would raise the price of farm labor.

Hon. Mr. HENDERSON.—I have no desire to drag any other question into this debate, but I based my remarks on the intended constitution of the Board of Works, and I contend, it is a fair inference that it will have a political bias, unless the natural rule be reversed, that like begets like.

Hon. LEADER OF THE GOVERNMENT.—It would appear that the hon. member (Mr. Henderson) must have been at the Council Board himself, and from his experience there, has come to the conclusion that Executive Councillors are not to be trusted. He seems to think that the Government should have no influence in the Board of Works; but where so much money is to be applied, the Government should have some control over it. This paragraph states that three of the five members of the Board shall be chosen out of the Government, this is to give the Government such influence that they shall be responsible for the way in which the money is expended. It is a plan which has been adopted in other countries. The Board of Works should be composed of men in whom the country has confidence, and surely members of the Executive are such, or they would not be in their present position. I objected to one part of this paragraph, viz: that the Colonial Secretary should be Chairman of the Board of Works, for I considered that the Chairman of that Board, should be a man who had a perfect knowledge of road making, and the Colonial Secretary of the day might not be possessed of that knowledge. I have been of opinion for many years that something of this kind was required. It frequently happens that a piece of road which is very bad in autumn, is the best in the spring, and for want of some person to look after this business, money may be granted for a place where it is not required, and sometimes parties petition for a grant for some bridge merely to get a job; but if we had a Board of Works these evils would be remedied, and the public money judiciously expended.

Hon. ATTORNEY GENERAL.—I certainly approve of the suggestions contained in this paragraph, and I think the hon. member from Murray Harbor, has gone a little too far in condemning it. The hon. member thinks that from the constitution of the Board of Works, it will have a political bias, but he must be aware, that the road service now is under the control of one political party, and when a Government is responsible for the way in which money is expended, it is not likely they will appoint their opponents to superintend its appropriation. Every branch of the service must be in harmony, for if a Government has no control, they are not responsible, and the roads might be in the worst possible state, and there would be nobody to blame but the Board of Works, and you could not remove those if they held office of any political party. It will be an economical method to appoint members of the Government on this Board, for they will sit there as Executive Councillors, and will not get any extra pay. The Commissioners who gave in this report were chosen from both sides of the House, and

were not violent partisans, and this, I think is a strong argument against the view of the case taken by the hon. member from Murray Harbor. The hon. Leader of the Government has said that perhaps, the hon. member has been frightened by his own experience, but, however that may be, I can say that, although I have had a good deal of connection with Executive Councillors, I have not formed so bad an opinion of them, as to be afraid to trust them to act as members of the Board of Works.

Hon. Mr. HENDERSON.—Mr. Chairman, there seems to be a good deal of apparent innocence on the part of the hon. Leader of the Government, but he well understood my remarks applied to both political parties. I am aware that it has been the custom for each party to make a clean sweep, in reference to political appointments, but I thought that a new system was to be inaugurated, and efficient officers were not to be removed merely on account of their political opinions. I did not say that the Board of Works should be independent of the Government, but what I contended for was this, that the Government should endeavour to carry out these improvements, by appointing the most competent person that could be found, and not be bound to appoint a majority of them from the Executive, which might be composed of men who understood very little of road making. In regard to my opinion being the result of my own experience, it is not so; and although I had some experience in connection with the late Government, I may say that our doings were always open and above board, we never had recourse to the ball or box, and we are not ashamed to meet each other to-day, although, on important and fundamental principles we did decide.

Hon. Mr. McAULAY.—It is my opinion that the Committee appointed to bring in this report have paid a great deal of attention to the subject; but we cannot expect that it would be such as to meet the views of every hon. member. The principle objection of my hon. friend, is in reference to the construction of the Board of Works. It should not be a *sine qua non*, that a majority of the Board should be members of the Government, for these would be salaried gentlemen, and would be obliged to go back to their constituents for re-election, and if they happened to be rejected, the Government would be placed in an awkward position. I think it would be as well to have this report printed in the newspapers so that it could be seen by everybody, and then hon. members could ascertain the opinions of the most intelligent of their constituents on the subject. The Report is a little cumbersome, and there is room for a good deal of opposition to it, especially in reference to this machine, which is to do the work of fifty men—these fifty men would be thrown out of employment, and perhaps the work performed by this machine would not be at all suitable for our roads. I have paid a good deal of attention to the art of road making, and my impression is that we have stone on the Island perfectly suitable to make the roads as efficient as there is any necessity for. It is a fallacy to suppose that it is necessary to break the stone in small pieces to make roads, the larger the surface of the stone, the greater power it will take to sink it in the ground, and I think if we used larger stones, with small ones to fill up the spaces between them, we should have better roads.

Hon. LEADER OF THE GOVERNMENT.—We should like to get the opinion of members who understand road-making, but I think as we have spent a good deal of time discussing this paragraph, it would be well to go on to the next.

BALDERSTON, Reporter.

Mr. MACNEILL believed that a Board of Works was required, as, under the present system, the labor and money employed in the road service were often very unwisely expended; and considered that the system of accepting labor instead of money, for the road service, should be dispensed with.

Mr. PROWSE considered that a Board of Works would be an advantage, for it was obvious that much money was unwisely expended on our public works; but was unable to perceive why an Executive Councillor should be upon the Board. His judgement might be very good on state matters, while might know very little about the duties which would devolve upon a Board of Public Works; but he would not object to the majority of the Board being supporters of the Government.

Mr. McLELLAN was of opinion that the report under consideration ought not to be considered as a party political one, and thought it was worthy of being considered upon its merits.

Mr. G. SINCLAIR said it was patent to every one that better information was required from some quarter, before we can have value for the money expended on our public works, and upon none more so than our roads. But whether a Board of Works will be able to furnish this knowledge, was another question. It certainly was known to all who considered the subject, that some harder material was required to be used upon our roads than is now used upon them. The hon. member for Georgetown recommended that large stones should be used, and said it was not necessary to break them up into small pieces; but from his (Mr. Sinclair's) experience, he would approve of making the roads as hard and smooth as possible, taking special care to have the water kept from soaking through them, and believed if more care was taken to see that this was done, the roads would become much more solid than they now are, and suggested that a uniform system of road making should be adopted. He was opposed to those narrow, convex roads, and considered that a uniform breadth should be adopted, and care taken to have the drains for carrying off the water kept always well opened.

Hon. Mr. HOWLAN was of opinion that an alteration was required, for the present system had not given satisfaction; nor was it reasonable to suppose that any man, for the sum of ten pounds a year, would, even if competent, be found willing to devote that time to the service necessary for the supervision of the roads in his district, which is required to en-ure to the public good roads. In New Brunswick, Supervisors are appointed who have large tracts of country under their control, and their pay enables them to devote their whole time to the duties appertaining to that service.

Mr. GREEN said at present there is no general system, but every Commissioner of roads adopts one of his own, and, as a consequence, one can scarcely find two pieces of road made alike in any part of the country. He would prefer that the stones should be broken small, as thereby the roads would be made smoother.

A lengthy discussion followed, in which hon. members generally approved of the principle contained in the Report. The expense of having the stones broken by machinery was also considered, and the debate brought to a close by agreeing to a resolution, submitted by Mr. P. Sinclair, that the Report be published once in all the Island newspapers, and that its further consideration be deferred until next Session.

Mr. P. Sinclair, from the Committee to whom was referred the Resolution on Temperance, submitted a Bill, which was read a first time, and ordered to be read a second time on Monday.

R. GORDON, Reporter.

MONDAY, April 6.

Morning Session.

#### SEED GRAIN SOCIETIES.

The hon. Attorney General, from the Special Committee appointed to report on Private Bills, and to whom was re-

ferred the Bill to incorporate Societies for the sale and distribution of Seed Grain on credit, to examine the same and report thereon, presented to the House a report of said Committee, which was agreed to by the House.

The Bill to incorporate Societies for the sale and distribution of Seed Grain on credit, was then read a second time.

The House resolved itself into a Committee of the whole, to take into consideration the said Bill.

Mr. McNeill in the Chair.

The first clause was read and agreed to.

The next clause was then read.

Mr. ARSENAULT.—In many new settlements societies will be formed, and therefore I think nine members a sufficient number to begin with. I move that the blank be filled up with the word nine.

Hon. Mr. McAULAY.—I move that the words "intend to contribute" be struck out.

Mr. GREEN.—I am not sure that this amendment would not have a bad effect, and be the means of causing a monopoly; for this reason I think this House should be careful in handling that clause. I believe these societies have been in existence some time, and therefore, the manner in which they work should be explained to the House.

Mr. ARSENAULT.—Some years ago the people who have formed these societies were obliged to go fifteen or twenty miles for seed oats, and even then they had to give a bushel and a half in the fall for every bushel of seed grain they received in the spring. This was too heavy to bear, and therefore they formed themselves into clubs, and each member contributed a certain quantity of grain, which was kept in a storehouse for the use of the Society. From this store each member was supplied on credit, according to his need, and thereby got his grain at a reasonable price. Under these circumstances it is necessary that such societies should be incorporated, in order to legalize their transactions. I know of four of these clubs existing at present, and doing good service to the neighborhoods in which they are established. The members, in some cases, bought oats to deposit in the Society's storehouse when grain was cheap, and thus were enabled to draw a certain quantity in seed time. Those members who get seed from the Society on credit, can return it in the fall on reasonable terms, and persons who do not belong to it can get seed on the same principle. All this saves time, trouble and expense, and, therefore, the Societies have given great satisfaction wherever they have been established.

The clause was agreed to.

The fourth, fifth and sixth clauses were then agreed to.

The seventh clause was read.

Mr. ARSENAULT.—It is a hard case that a creditor can pounce upon a poor man who owes him a few shillings, and take away the small quantity of seed grain which he has saved for the purpose of sowing.

Mr. HOWATT.—By this clause all the members of a society might become liable for one man's debt, which would be unjust, and would be the means of breaking up the Society. The members would be placed in a safer position if this part were struck out of the Bill.

Mr. P. SINCLAIR.—I think it would be right to set limits to the share a man is allowed to hold, for if the clause is allowed to stand as it is, the whole Society might be liable for one man's debts.

Mr. ARSENAULT.—I think the clause might be constructed so as to cause a man to be liable for his own debts only, and to prevent a creditor from seizing upon the quantity belonging to those who do not owe him.

Mr. P. GREEN.—This clause may be the means of breaking up the institution, if allowed to stand as it is.

The clause was then amended so as to prevent a member's share being taken for another's debt.



**Hon. LEADER OF THE GOVERNMENT.**—I think the quantity deposited by each shareholder should be limited to twenty bushels.

**Mr. PROWSE.**—This Bill will open a door for a great deal of swindling; for it is likely that societies will be composed of independent farmers, who have abundance of grain, and who will fix their own price upon it, which their poorer neighbors cannot give. Besides this, poor people may not have confidence in the men who compose the Society, and thus, the very class which we wish to benefit, will receive no advantages from it. A man may have all his seed grain taken from him if his debts are not paid, while his richer neighbor might have a large quantity of grain invested in that concern, in an underhand way.

**Mr. P. SINCLAIR.**—I do not think the arguments just urged against these societies will stand the test of reason, for no wealthy man would wish to have a share, as the quantity of grain to be deposited by a single individual will not exceed twenty bushels. It would be unreasonable to incorporate these Societies to aid the poor man, and then to allow him to be imposed upon by his rich neighbors.

**Mr. PROWSE.**—If the principle of protecting a man's seed grain is good, why not extend it to every man in the Island? Why not prevent the Sheriff from seizing seed grain for debt in all cases? If the principle is good inside the Society, it is good outside of it. If it is right to protect an individual in this manner in the Society, it is right to protect every individual farmer in the same way.

**Mr. ARSENAULT.**—These Societies may be formed throughout the Island, and thus all poor farmers may derive benefit from them. It is a hard case if a poor man cannot keep twenty bushels of seed grain for seed without having it snatched from him by his creditor. If the poor man's share in the society exceeds that quantity, the creditor can take it from him for debt.

**Mr. OWEN.**—Suppose that a poor man takes his seed from the Society to his farm for the purpose of using it, can it be seized by his creditor then?

**Hon. Mr. HENDERSON.**—I presume that no hon. member will oppose anything that will have a tendency to strengthen the hand of the poor man in securing seed-grain, so that he may be less dependent when prices rise? The object of this Bill is to give him a power and a right to preserve a certain quantity of grain for seed; but he should be prevented from abusing that power. The clause relating to this right should be constructed so as best to secure its object, and no mere. Assuming that this Act will protect the grain in the Society's store, will it protect it in the man's dwelling or granary, after he has brought it home for use? The grain should not be taken from him then; but it may not be easy to regulate this matter.

**Mr. ARSENAULT.**—The seed grain would not then be taken away in one case out of a hundred; but it should still be protected, if possible.

**Mr. BELL.**—We should not allow the creditor to take away the poor man's seed grain, under any circumstances; and, therefore, it should be thoroughly secured to him.

The clause was then amended, so as to prevent a creditor from seizing a quantity of seed grain not exceeding twenty bushels.

The clause was then agreed to.

The eight clause was then read and agreed to.

The Speaker then took the Chair; the Chairman reported progress, and asked for leave to sit again, which was agreed to.

The Hon. Colonial Secretary, a member of Her Majesty's Executive Council, presented to the House the detailed Public Accounts for the past year.

Ordered, That the said Accounts be referred to the Special Committee appointed to examine and report on the Public Accounts, to examine the same and report thereon.

**Mr. G. SINCLAIR,** from the Committee of the whole House on the further consideration of Ways and Means, reported, according to order, three resolutions on Steamships' Manifests, &c., which had been agreed to by the said Committee, and which were again read at the Clerk's table. They were then severally agreed to by the House.

The Hon. Attorney General, Hon. Mr. Howlan, and Mr. G. Sinclair, were appointed a Committee to prepare and bring in a Bill, in accordance with the said resolutions.

A Petition of John Chappel, and other Ministers of the Bible Christian Church of this Island, was presented to the House by the hon. Attorney General, and the same was received and read; praying that an Act may be passed, conferring like powers, in respect of the celebration of Marriages, to those of other Protestant Churches.

Ordered, That the said Petition be referred to a Committee, to examine the same and report thereon, by Bill or otherwise; and that the hon. Attorney General, Mr. Prowse, and Mr. Brecken, do compose the said Committee.

The House then resolved itself into a Committee of the whole on Supply.

Mr. Raily in the Chair.

Hon. Attorney General moved the following:—

Resolved, that a sum sufficient for the purpose, be granted and placed at the disposal of the Government to pay the expenses connected with the transport of the troops stationed in Charlottetown, in the years 1865, 1866, and 1867, and the lodging money of the Officers and others of the said troops, whilst in Charlottetown, during the same period; the accounts for which have been furnished to the Government of the Island.

**Hon. ATTORNEY GENERAL.**—I may mention that during the month of June last, or somewhere about that time, a demand came from the War Department, England, for the sum of £4,979 2s. 2d. sterling, which had been expended by the troops, stationed of late in Charlottetown, for provisions, &c. This account was made

up of different items, for Bread, Beer, Beef, Coal, Oil, &c., amounting in all to the above sum. The Committee are aware that this demand became the subject of a correspondence between the Government of this Colony and the War Department. I addressed the Duke of Buckingham and Chandos on the matter, and the consequence was that the original account was reduced to £1,841 8s. 6. sterling, when the account was rendered again to the Government of this Island. There can be no doubt, when the Committee come to look at the correspondence on the subject, that there could be no dispute in regard to the charges for transport, for the late Government agreed to pay them. The great question arose, when I was in England, on the point of maintenance, for the Imperial Government demanded the ordinary pay as well as the maintenance of the Troops. On the 17th of October, 1865, the Government for the time being, adopted a Minute of remonstrance, but it was ineffectual, for the demand was repeated. When I was in London last year, I remonstrated against the account which has been furnished the Colony; and the Home Government were agreed that if the Colony would pay the excess in the costs of provisions in this Island over those of Halifax, together with the expenses of transport and lodging for the officers, no more would be demanded. The amount of excess charges still remains a matter of dispute, as the Government of this Colony complain that the charges for beef and some other articles were too high, owing to mismanagement in the Commissariat Department, in the letting of contracts, while the troops were stationed in Charlottetown. We know that the Contractor in Halifax can procure meat here and supply the troops there, at a cheaper rate than it could be had in Nova Scotia. There are some items in the account which cost less than they can be procured in Halifax, and yet this Colony has not received credit for the difference. Bread, for instance, was cheaper here than in Halifax, as were some other items. They should make out a fair balance, if they wish this Government to pay the excess of cost in the maintenance of the troops. All that the Government intend to ask the House to supply is, the cost of the transport, and the lodging claims of the officers, whatever they may be. Although the late Government remonstrated against these demands; the Home Government drew the inference, that if certain conditions were placed on the troops' being here, the Colony was bound to pay the expenses. Mr. Cardwell, Secretary of State for the Colonies, gave the late Government timely notice of what would be demanded from this Colony, in one of his despatches; and again, in another despatch, he writes in effect as follows:—"You will not lose sight of my despatch on this subject. My predecessor stated that Her Majesty's troops must not be kept in the Colony at the expense of the British Government." In another despatch we find language to the following effect:—"All expenses will require to be paid by the Colonial Government." The Government are not at present disposed to ask the House for a sum sufficient to pay the disputed accounts; but we are under an obligation to pay the settled claims, and, therefore the House is called upon to grant them.

Mr. BAZON.—Mr. Chairman, I trust that the Government will successfully resist the payment of these demands, which they have been called upon to pay. I cannot agree with the hon. Attorney General in his re-

marks on this subject. It would be establishing a bad precedent indeed, to accede to all the intimations of the British Government, concerning the expenses of the troops. Is this Colony not a part of the British Dominions? If we were compelled to pay this demand, the Colony might at that time be compared to a man in a bad state of health, who might receive medical assistance on condition of paying a large sum of money. So, assuming that it was necessary to send for the troops, we have not been treated as children of the parent State, but as strangers, who are charged a large sum for the cure of some dangerous disorder. Look at the agitation which arose out of the grievances caused by the Land Question, as a very unfortunate one; and assume that the force in the Colony was not sufficient to restore order and to make property secure, should we not look to the Mother Country for troops to quell the excitement and disorder? What was the cause of these disturbances? It was the system of landlord and tenant, which was general throughout the Colony. What was the cause of this troublesome system? The granting away in one day of all the lands in the Colony by the British Government to certain individuals for services which they had rendered that Government. If our troubles had arisen out of local matters, the case would have been otherwise; but as it is, the demand was unjust and unfair. When we recollect that these disturbances arose from the consequences of British policy in regard to this Colony, it must be allowed that we had a right to the services of the British troops for the purpose of maintaining the supremacy of the law. I think the Government of this Colony pursued a wise and honorable course in sending for these troops; and that they had then a perfect right to turn round and say "we will not pay for them." As we have been treated with kindness in many cases by the Mother Country, this conduct might have been prompted by the aspect of things in North America, to let us see how dependent we were upon the Imperial Government. We are as much entitled to the troops as any other part of Her Majesty's Dominions, particularly when the troubles we have had are to be traced back to the selfish policy of the old ministers of George the Third.

Hon. Mr. HENDERSON.—Mr. Chairman, the remarks of the hon. Attorney General demand a reply from me, as a member of the late Government. Although I do not wish to bring up anything irrelevant to the subject under consideration, yet I think he has placed the emphasis on one fact and left another without emphasis. He has stated that the late Government procured the services of the troops with the understanding that they should pay certain expenses, and that the British Government expected this Colony to bear the total amount of costs from the first. He has also quoted from certain despatches, to endeavor to prove this to be the case. We know that the late Government agreed to pay the expenses of the transport of the troops between this Island and Halifax, and to provide lodging accommodations, and to pay all expenses incurred in sending them into the country districts to assist the Sheriff and his officers; but they did not agree to pay the expenses of their maintenance, while stationed in Charlottetown. The announcement in one of the despatches from the Home Government, that this Colony would be obliged to pay the expenses of the maintenance of the troops,

was couched in very ambiguous language. As the late Government did not wish to allow themselves to be deceived on the subject, they drew out a Minute, and they did not shrink from going over the whole ground of the dispute. I will read an extract from this Minute of Council, to show the Committee that the Government of the day did not wish to saddle this Colony with anything they deemed unfair, in view of its position and original settlement. The following extract is taken from the Minutes of Council, dated at Government House, on the 17th October, 1865:—

"That whilst the undersigned sincerely deprecate the existence of such an illegal organization as that known as the Tenant League, or Union, in this Island, and are aware that the development of that organization has been the immediate cause of troops being now placed in the Colony, they cannot shut their eyes to the fact, that the feeling of discontent on the part of the Tenantry, owes its origin to the Imperial error originally committed in granting the whole soil of the Colony in large tracts to individuals; an error which necessarily gave rise to an extensive leasehold system, and engendered that strife and ill feeling between landlord and tenant, which from the earliest settlement of the Colony, have continued without interruption down to the present time.

The local Government have, at a cost of a large sum of money, over and above that realized from the sale of the old Barrack ground, erected and provided commodious and permanent Barracks, and an accommodation for an adequate military force, and have used every means in their power to prevent desertion by the soldiers, and are still willing to fulfil every obligation that Her Majesty's Government can reasonably demand at the hands of the Colony. But, that whilst they will most willingly pay for the transport of the Troops from Halifax, and all expenses incurred, whether for maintenance or otherwise, when they are sent into country districts to assist the Sheriff and his officers in maintaining the supremacy of the law. They must for the reasons stated, most respectfully remonstrate with Her Majesty's Government against the hardship of paying the expense of the maintenance of the Troops whilst stationed in the Colony."

When did the late Government receive a reply to this communication? Not for twelve or thirteen months afterwards. No doubt there was an intended pressure to be brought to bear upon this Colony for a certain object; and therefore, when the proper time came the demand was made. What followed must be taken upon its own merits. Now I contend that the late Government did all that was in their power to prevent the Colony from being burdened with the maintenance of the troops. As the Home Government made no answer to the Minute of Council, the Government of the day concluded that they had given up the question in dispute, and that they had also given up the expenses of transport. As it was thought that the matter was about to be wound up, all parties in this Colony were beginning to feel that the amount of money spent by the troops mitigated the expenses of their transport. As to the policy of the late Government in sending for the troops, I still hold the same opinion which I held at the time; and I question very much whether the present Government if placed in the same circumstances would have done anything better. I give the Attorney General all due credit for his own personal efforts on behalf of the Government, and I agree with him that if some of the soldiers' rations cost less here than in Nova Scotia, we should receive credit for the difference; but if some articles cost more than the usual price, the Colony should make good the extra cost. I hope the Government will not allow themselves to be hood-winked in dealing with the matter, and that they will by good management, get clear of the demands made upon the Colony.

Mr. McNALL. — Mr. Chairman, it is rather unfortunate for this Colony, that such a large sum of money has been required from it for the maintenance of the troops brought here by the late Government. The members of the Opposition have not gone so far as to say that the troops were really necessary, for hon. members on both sides of this House are well aware that they were not required to maintain order, or to uphold the supremacy of the laws. It would take some time to go back over this whole question, but it is pretty well known to the House, and indeed the hon. member for Muarry Harbor (Mr. Henderson) has acknowledged, that a great grievance was inflicted upon this Colony in days gone by, and that it has given trouble to every legislature that has sat in this building, or nearly so; till at last we got the Imperial Government to acknowledge that they had done wrong, and to appoint a Commission to investigate the whole subject. The result of that Commission is well known to us all. When the Commissioners pronounced their Award, the people had given in to everything, because they believed that the question would be settled; but there was a door left in that Award for the proprietors to creep out of. The Government of the day declared that they would have this Award confirmed; and they stood upon this platform at an election, and said that they would have the Award and nothing but the Award. The people thought that justice would be done, but in place of fulfilling their promises to the people, that Government entered into negotiations with the proprietors, and passed the Fifteen Years' Purchase Bill. This was the cause of a considerable agitation, for the people saw that they had been deceived, and that the Conservative Government had actually rivetted the proprietors' claims instead of endeavoring to get the Award confirmed. When that Government passed the said Bill, they declared that had done what would finally settle the Land Question, and therefore in the Speech at the opening of the next Session, we find there was not one word about it. The people then determined to take the matter into their own hands, and to make the proprietors a fair offer for their lands; if they refused, they were to be compelled to accede by legislative enactment, through the people's representatives. The people then formed an association for mutual assistance, and the Sheriff could not serve the writs issued by the proprietors. When the proprietary party saw this, they had the law for serving writs altered, so that the Sheriff and his constables could throw them in at the peoples' windows and doors. It will not be denied that some of the people then broke the law, though in only trifling matters; but the organs of the Opposition magnified the matter, and endeavored to prove that the country was in a state of rebellion. What was the reason the association was denounced by these organs? Because it had opposed Confederation. If it had not been for the influence of the Tenant Union we would probably have been in Confederation to-day; if we had not opposed the latter vigorously, we might have been pushed into it. The tenantry were blamed for burning barns and houses, and for threatening to take the lives of their neighbours, because they opposed the proprietary system and Confederation. The Posses Committee was turned out to assist the Sheriff, and a splendid affair it was. But there was no man who did not believe that the late Government had some other end in view, when they endeavored to make matters appear a thousand times worse than they really were.

That Government must have known that they could not stifle public opinion by bringing the troops here; but we must make some allowance for the hon. member for Murray Harbor, as he had been brought up under strong discipline. He should remember that there is no simile between this Island and the antipodes, and that the spirit of British Americans cannot be kept down and trodden upon like that of Europeans. As the Tenant League was crushed, the people waited patiently till the next election came round, and then displaced the party that had trampled upon them. There was a great cause for the formation of this association, for it would be impossible to get up such an organization as this without a reason why. Why did not the Confederate party who were high in office under the late Government, get up an association for the purpose of furthering their object? Simply because that object was unjust and unreasonable. The Conservatives when in power, could not be mistaken as to the condition of the country, for even the Spy in his report showed the state of the people, and the effects of the rent-paying system. When we reflect that to man was given dominion over the creatures, and that no man has a right to claim exclusive right to the lands of any country, is it any wonder that the law was broken in this instance? The troops were brought here to damage the character of the people of this Island as much as possible—to create the impression in the Mother Country that we were not worthy or capable of governing ourselves; and thereby to get this Colony forced into Confederation against the consent of its inhabitants. But I do not say that all the members of the late Government had this object in view. Such despotic measures and foul schemes had never been resorted to, even in unhappy Ireland on the eve of its union with Great Britain. I believe the hon. Leader of the Opposition was favorable to Confederation because he thought it would be a benefit to his country; since the people were opposed to it, he thought it no harm to do evil that good might come. We know that Brutus said that he killed his best friend for the good of Rome; but I shall say no more about the hon. Leader of the Opposition, as he is not in his place. What had those members of the late Government who were opposed to Confederation in view? They must have had some object before them, because any person who raises his voice in favor of the people, is put down by these hon. members as a political demagogue, and as one who wishes to make political capital; or, as the hon. member for Charlottetown calls it, political dishonesty. If the members of any other party had acted in the same manner, that hon. member would say that they were political scoundrels.

Mr. McLennan.—Mr. Chairman, will you be kind enough to tell us what is before the house?

Mr. McNeill.—I say that the bringing of the troops from Halifax was the cause of unnecessary expense to this Colony, and was done to gratify the wishes of a few political vampires.

Hon. Mr. McAulay.—I have taken down the words "unscrupulous scoundrels," used by the hon. member for Rustico; and I believe that such language was never before used in any British House of Commons.

Hon. Mr. Davies.—I rise to a point of order. It is ungentlemanly to take up the words of any hon. member and twist their meaning for the purpose of misrepresenting him.

Hon. Mr. McAulay.—I never heard a severer rebuke inflicted by one hon. member upon another in my life.

Mr. McNeill.—I rise to a point of order. I stated what the hon. member for Charlottetown would have said on the subject.

Hon. Mr. McAulay—

Oh—jubes renovare dolorem;  
Quaeque ipse miserrima vidi,  
Et quorum pars magna fui.

Mr. McNeill.—I wish the hon. member for Georgetown to give us his ideas in English.

Hon. Mr. McAulay.—If he will go to school to me I will tell him. If there is an hon. member who should feel a little abashed it is the hon. member for Rustico, for he has acknowledged that it was the Tenant League agitation that has caused all this expense to the Colony. What is a rebel, but one of an organization formed for the purpose of resisting the law? The hon. member for Rustico has acknowledged that some members of the Tenant League resisted the law, which shows the character of that association. I agree with him that the charge made by the British Government was an unusual one; for so far as my recollection serves me, I know of no other instance where the British Government made hirings of their troops. No nation respects its troops more highly than the British do, and therefore it is strange that they have charged us with these expenses, particularly in a case of necessity. Another observation I wish to make is this: the Attorney General has insinuated that he had so much influence with the Imperial Government as to cause these charges to be cancelled to a considerable extent. If he has so much influence, I wish he would exercise more of it in other matters; but I do not think he affected the question at all, because the Colonial Minister was about to enter into a correspondence with the Lieutenant Governor on the subject before the Attorney General left for England. I do not believe any one man could have influenced the Imperial Government to such an extent as to get a part of these charges cancelled.

Hon. Mr. Callbeck.—I think it unnecessary to go into the whole question at present and to enquire why the troops were brought here, for this subject has been pretty fully discussed. It is quite clear that the late Government consented to pay the expenses of the transport of the troops; indeed they never refused to do so; they only asked for a more convenient way of paying the money, than to send it directly to England. The hon. member for Murray Harbor labored hard to show that they took a determined stand; but I cannot see that they showed any ability to govern with firmness, for they were perfectly helpless without the troops. I think the present Government are bound to pay the expenses agreed to by the Conservative Government, but no more. Although the burden seems heavy, we must bear the portion agreed on.

Mr. Prowse.—There was one remark made by the hon. member for Cavendish to the effect, that some of the members of the late Government were opposed to Confederation, and yet were strongly in favor of bringing the troops here. I will tell him the reason why, if he does not know it. The troops were really necessary to maintain the supremacy of the law, and to make property secure. Whatever the opinion of the Attorney General at the present time may be on this matter, he at one time believed that the troops were necessary, which I will prove by quoting from a speech delivered by him in the Session of 1866, as follows:—

"In his (Attorney General's) condemnation of the (Conservative) Government, however, on the score of promptitude and due energy on their part, at the commencement of the Tenant League movement, he was far from wishing it to be understood that he did not fully recognize the necessity which existed for calling in military aid to enforce a due observance of the law, at the time the Government took that step. He was very far indeed from saying the Government were to blame for having sent for the troops at the time they did."

This speech from the Attorney General goes to show that the troops were a necessity; and therefore the late Government were perfectly right in sending for them.

House adjourned for one hour.

I. OXENHAR, Reporter.

## Afternoon Session.

## EDUCATION BILL.

On motion of Hon. Attorney General, the House re-organized itself into a Committee of the whole to take into consideration the question of Education.

Mr. Cameron in the Chair.

Hon. Attorney General moved the following resolution:

1. *Resolved*, That it is expedient that the Laws relating to Education, being Acts 24th Victoria, Chapter 36, 26th Victoria, Chapter 5, and 30th Victoria, Chapter 8, shall be consolidated and amended.

This resolution is merely a technical one, it states that the laws now relating to Education will be amended. As the commissioners appointed to have the laws re-printed have held back the Education Act to see whether any amendment would be made or not, it will involve no extra expense for printing. Resolution agreed to.

HON. ATTORNEY GENERAL.—The next Resolution refers to the number of members of the Board of Education. It contemplates increasing the number from nine to eleven, two of whom shall be examiners of candidates for license to teach. The examiners shall receive £20 a year each, and the other members of the Board nine pounds a year each, as formerly. I think this method will be found to work very well, for as I said before, when speaking on this subject, it is a very irksome and arduous duty for members of the Board to be obliged to examine candidates, and attend to the other affairs connected with the Board, but by this arrangement we shall have two, whose special duty it will be to examine candidates, and the others will then have time to attend to the rest of the business.

2. *Resolved*, That it is expedient that the number of the Members of the Board of Education be increased from nine to eleven members, two of the number to be styled Examining Members, and one other of the number to be styled Secretary of the Board; the examining members and Secretary to be named by the Government from time to time, when making appointments to the Board; both examining members and Secretary to have same powers as other ordinary members of the Board, with respect to routine business. The examining members to conduct examination of candidates for the office of Teacher, under rules to be laid down from time to time by the Board.

HON. MR. McAULAY.—Mr. Chairman, I do not like the principles of that resolution, much less its details. To appoint a Board of Education consisting of eleven members, two of whom shall be appointed to examine candidates, is virtually to declare that the other nine are incompetent to perform that duty. The Board of Education should be composed of the most intelligent members of the community, and the power of appointing examiners should be left with themselves, for one of them may be qualified to examine in one branch, and another in a different branch, and it should be left to the Board to appoint each one to examine in the department for which he is fit.

HON. ATTORNEY GENERAL.—I do not think, Mr. Chairman, that the objections of the hon. member apply. If the sole duty of members of the Board were to examine teachers, it would be well to have them all examiners, but there are a great many other duties incumbent upon them, such as settling the boundaries of districts, deciding upon all disputes upon districts, &c. There may be many valuable members of the Board of

Education, who may not, at the same time, be very good examiners. Although I sat at that Board for fourteen or fifteen years, yet I do not feel myself fit to conduct an examination as it should be done. No doubt if the hon. member for Georgetown (Mr. McAulay) were a member of the Board he would be well qualified to examine candidates, especially in Grammar, but he knows very well that I know very little about that branch, for he has often to correct my resolutions. I do not think the fact that two of the Board are appointed examiners proves that the rest are ignoramuses.

HON. MR. McAULAY.—I regret that the hon. gentleman expressed himself so plainly as to say that he knew nothing about Grammar. Grammar is an English word derived from the Greek *gramino*, and the Latin of that is *scribo*, and the meaning of that word is I write, hence we have the word scribe, which means a writer. I have seen the word scribe used in alliance with pharisee, but I do not mean to insinuate that the Hon. Attorney General is a pharisee, but being by profession a writer, it is a paradox, he is not a grammarian. As to the paragraph under consideration, it implies that the Board is to be composed of two parts, and these parts are the executive and the administrative, and this produces a complexity which it is hard policy to foster. If you appoint competent men as members of that Board, they will be the best judges of how many are required for examiners, and I think it would be better to leave the arrangement of this matter in their hands.

MR. BRACKEN.—Mr. Chairman, I do not know that I am prepared to express an opinion on this matter, but it strikes me that there is no necessity for so many members in this Board, considering the smallness of the country. Two of them are to be examiners, and these will have enough to do, but I do not see what business there will be for the other nine. As to the withdrawing of the appointment of the Secretary from the Board and vesting it in the Government, it will certainly give the Government more direct control, but it is doubtful whether they will be as well able to judge of the abilities of a man for that office, as the members of the Board themselves.

HON. MR. HENDERSON.—In reference to this matter, Mr. Chairman, I must say that hon. members who spoke on this subject expressed my sentiments, but one argument occurs to my mind against the necessity for two additional members on this Board. If, as the Hon. Attorney General said, the Normal School is no longer to be used for the purpose of training students for the office of teachers, the work of examining candidates will be diminished, for they will now require only one examination in place of two as formerly—one before entering the Normal School, and a final one before receiving their certificate as teacher—and on this account, as the duties of the members of the Board will be lessened, I see no necessity for increasing their numbers. With regard to their duty of fixing the boundaries of school districts, they have the assistance of the School Visitors, and when there is any difficulty about the matter, they appoint Commissioners to settle it. I think the appointment of the Secretary should be left to the members of the Board.

HON. ATTORNEY GENERAL.—In reply to the speaker who has just sat down, I may say that the experience of the past has taught us the difficulty of getting a quorum of the Board to meet for the transaction of business, and as two of them are to be examiners, and

it cannot be expected that they will attend to the other business, if the number is made less, the difficulty of getting enough of them together to do business will be increased. If the hon. member thinks there is only a small amount of labor for the board to perform, he is much mistaken, and if he will step into the Secretary's office, he may soon disabuse his mind of that idea.

Hon. Mr. HENDERSON.—I did not say that the Board had not a large amount of business. I merely pointed out the facilities they had for doing it.

The Hon. ATTORNEY GENERAL moved the following resolution:

3. *Resolved*, That the remuneration per annum to the ordinary members of the Board shall, as heretofore, be nine pounds per annum, each subject to deduction of fifteen shillings for each absence, as heretofore. The remuneration to the examining members shall be twenty pounds per annum each, and the remuneration to the Secretary shall be fifty pounds per annum, including stationary, as heretofore.

Resolution agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

4. *Resolved*, That it shall not be essential, before any candidate for the office of Teacher shall go for examination before the Board, that he or she shall have attended at the Normal School; but the Board may, if they, on examination, find the candidate fitted for the office, award the certificate or license, as a teacher, without any such attendance at the Normal School. Nevertheless the Board may, if they think fit and believe, on examination, that a candidate cannot become fitted to be a teacher without attending at the Normal School, notify such candidate that he will not again be examined, until he has attended at such Normal School, for such period as the Board may think fit; not exceeding in each case, five months. But the Normal School shall, nevertheless, still be open, free of charge, to any person, bona fide intending to be a candidate for a teachers' license, for a period of five months to each person, provided every such person do satisfy the Board of Education, that he or she is bona fide intending to be a candidate for a teachers' license, and obtain a certificate thereof, from the Board to that effect.

That resolution, Mr. Chairman, does away with compulsory attendance at the Normal School, leaving it with the Board to decide whether the candidate is fit or not to get a certificate of license to teach without spending five months in that institution. In many cases, no necessity exists for this attendance—parties may come from the other Provinces holding certificates of attendance at similar institutions, but as the law now stands the Board of Education, no matter how much they might be inclined to favor such parties, could not permit them to become teachers until they had served five months at the Normal School here. The Normal School will still be open, and if any person who wishes to become a teacher thinks that it will be advantageous to him to attend there, he can do so, free of charge, as formerly.

DR. JENKINS.—Before you put that resolution, Mr Chairman, I wish to ask if it is intended to substitute any other mode of instruction in place of the Normal School. This is an important matter, and requires to be dealt with fairly and honestly. I am against tinkering the Education Act, and I think this is a step in the wrong direction. I think it would be better to increase the time of attendance at the Normal School, and make it four or five times as much as it is at present, for the profession of a teacher is one requiring as full a course

of education as that of a lawyer or doctor, and what would be thought of a doctor who had been trained only five months.

Hon. LEADER OF THE GOVERNMENT.—It was never intended that the student should go to the Normal School to learn the rudiments of Education, but he was to go there to study the art of teaching. This is to remedy an evil complained of, that those who are competent should be obliged to attend the Normal School. It leaves a discretionary power with the Board of Education, and if they find a person incompetent, they can oblige him to attend there before granting him a certificate. I am sorry that all the teachers are not so well qualified as they should be, but one reason for this is that as soon as the Free Education Act came into operation, the people, appreciating the benefit of it had a number of new school districts laid off, and the demand for teachers so great that to make the supply equal to it, the Board of Education were obliged to exercise a great deal of lenity, and grant certificates to those whose attainments were very limited. I hope that under the new arrangement, the Board of Education will be as strict as they have formerly been, and examine every candidate thoroughly. It may be a difficult matter to ascertain whether they have a qualification for imparting instruction, but it might be done by taking them to the Normal School and watching them teach a class.

Hon. Mr. McAULAY.—The Normal School was established, not for the purpose of imparting instruction in the various branches of scholastic study, but merely to secure a uniform system of education throughout the Island, and since this is not to be maintained, it is questionable if it is necessary to keep up the Normal School at all. I have frequently heard the opinion expressed in the country that the Normal School was no benefit to the cause of Education. I perfectly agree with the learned Doctor, that this subject should be approached with the greatest caution, because it is of so much importance that a single step in the wrong direction may cause an injury which we may be never able to repair.

Hon. ATTORNEY GENERAL.—Mr. Chairman, I cannot altogether agree with the hon. Doctor. He has compared school teachers with lawyers and doctors, and attempted to prove that because the latter required a long course of training before entering upon the practice of professional duties, it was requisite that teachers should go through an equal long course; but I can see no analogy between them, for the only thing a student is expected to learn at a training establishment is the art of teaching, and some of the best teachers never learn any art, they have a natural genius, an aptitude for imparting instruction which renders them more successful than one unsuited to the profession can ever become with all the assistance which art can give him. Some again may require the assistance of art, and these can go to the Normal School and receive instruction. In regard to tinkering the Education Act, I think that unless we throw it aside altogether and establish an entirely different system, it will be better to continue tinkering at it and putting on patches where they are required until we get it properly mended.

MR. BRACKEN.—I strongly suspect that the reason my hon. colleague expressed himself in the way he did was that he expected some more important changes would be made in the Education Act, but perhaps he is

too quick, all the resolutions have not yet been read. I believe this Normal School was established by the Hon. Leader of the Government and his party, and when it was established it was thought to be the cap-stone of this system of Education. If it is not intended to make it imperative on applicants to attend this Normal School it becomes a serious question whether it is necessary to keep it up at all or not. It has been said that some have a natural gift for imparting instruction, but if you wish to establish a uniform system, even the most gifted will require a little training. A man may be thoroughly educated and yet his mode of imparting knowledge be very defective. All natural talent is crude and requires training, and a teacher should be not only thoroughly educated but well instructed in the mode of imparting knowledge.

Resolution agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

5. *Resolved*, That the Female Teacher's School, now conducted in the Normal School, may hereafter be continued there on the same footing as heretofore; but the Board shall have power to regulate the same, and ordain from time to time, what children shall be entitled to receive instruction from such Female Teacher.

Resolution agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

6. *Resolved*, That all other pupils attending the training department in the Normal School, not intending to qualify for teachers, and holding the certificate of the Board of Education to that effect, shall pay a tuition fee of two pounds per annum, payable quarterly in advance, to be paid into the Treasury; and when such tuition fees shall produce sixty pounds per annum, the Government may appoint an assistant teacher in the Normal School, with a salary of eighty-five pounds a year; the additional amount of twenty-five pounds, to be paid out of the Treasury, or so much thereof, as may be required to supplement the tuition fees, so as to make up the full salary of eighty-five pounds.

Hon. ATTORNEY GENERAL.—It is proposed to increase the number of schools in Charlottetown to eight instead of five as at present, and permit one more to be established in Georgetown.

Mr. BRECKEN.—I am very glad to hear the announcement of the Attorney General, that it is the intention of the Government to increase the number of schools in Charlottetown, for it is very much needed. I may also state that the school accommodation is very deficient, and some of the schools had to be given up on that account. Although it may not be the proper time to mention it, I may say that there are a great many children attending the school at Temperance Hall. The assistant teacher there has a very arduous duty to perform, and I hope his case will receive attention and his salary be somewhat increased.

Mr. McLENNAN.—I would have been better pleased with that resolution if Summerside had been included, for a second public school is very much required there, as every one acquainted with the town must be well aware. For the last few years there have been three private schools there, and they have received some aid from the Government. I move that the word Summerside be added to that resolution.

Hon. ATTORNEY GENERAL.—There is no restriction in the case of Summerside, it comes under the general ar-

angement, the same as country districts, and if the matter is represented to the Governor in Council, an additional school can be established there if required.

7. *Resolved*, That the number of Male Schools and Female Schools in Charlottetown be increased; and also in Georgetown, that there be one additional school.

Resolution agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

8. *Resolved*, That no minister of religion, teacher, or educational establishments, or any teacher, master or mistress, in any educational establishment, whether the same receives pay under the Educational Acts from the Government, or otherwise, shall be liable to pay any school assessment whether for the erection of new schools, or for furniture, books, fuel, or otherwise.

Agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

9. *Resolved*, That if a School Visitor shall, at any time report any teacher, who has received a certificate under any former Act, to be unfit or incapable of conducting a school properly, the Board may, if they deem it necessary, require the teacher to come up for re-examination, and meanwhile, suspend his license or certificate to teach.

Dr. JENKINS.—It seems to me that this would be putting a great deal of power in the hands of School Visitors, for if they merely took a dislike to a teacher, they could report him as unfit to teach. The profession of teaching is sufficiently unattractive at present, and this will tend to make it more so. A great many teachers are inefficient, and perhaps it would be well to re-examine them all.

Hon. Mr. McAULAY.—I do not apprehend that there will be much danger of a School Visitor acting in such a manner as that mentioned by the last speaker, for he will have sufficient respect for himself to make him deal fairly and justly with all. I think it would be well to have a provision of this nature in the Bill, as it will tend to make teachers more careful in the performance of their duties.

Hon. ATTORNEY GENERAL.—A few years ago all the teachers were brought up for re-examination, and it was suggested that it would be well to do this again, but it was considered that this would be oppressive, and it would be better to adopt the method proposed. The man's license would not be taken from him at the caprice of the Visitor, he would merely report him to the Board, and they would require him to undergo an examination. The hon. Dr. has admitted that many of the teachers are incapable, and I think this is a very good method of remedying this evil.

Dr. JENKINS.—I think it would be less hardship to call in all the teachers for re-examination, than the plan proposed, for if all had warning that, at a certain time, they would be called in for examination, they could prepare themselves for it, and the time could be chosen during their vacation, when it would not be much inconvenience to them.

Resolution agreed to.

Hon. ATTORNEY GENERAL moved the following resolution:

10. *Resolved*, That the number of Grammar Schools to be established shall be not more than three in each of the Counties of Prince and King's, and five in Queen's

County, in addition to the Grammar Schools in Charlotte town, Georgetown and Summerside, unless otherwise ordered by the Government.

Agreed to.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman, in the present Education Act there is a clause which allows teachers who may have qualified themselves to teach Latin and Greek the salary of Grammar School teachers. I think it would be well to limit the number and not allow a Grammar School to be established in a district where it is not required, merely because the teacher happens to be qualified to teach the higher branches. I would, therefore, move the following resolution :

12. *Resolved*, That any teacher, male or female, who will have qualified himself or herself to teach the French language, and after obtaining from the Board a certificate as to his or her competency to teach said language, and who will teach a class in any district school, of no less than ten pupils, said teacher, as aforesaid, will be entitled to the sum of five pounds additional, over and above his or her usual salary ; provided always, that the number of said teachers will not exceed twenty ; and provided also, that the trustees of such district school, will provide an equal amount.

Mr. PROWSE.—I do not rise, Mr. Chairman, for the purpose of offering any amendment to this resolution, but I would have been better satisfied had the resolution been that the number of Grammar Schools should be regulated by the number of scholars studying or wishing to study the higher branches. It may be that these schools will be established where they are not required, and places that require them will be left without.

HON. LEADER OF THE GOVERNMENT.—If any district applied for a Grammar School, the Board of Education would enquire into the matter, and if they reported to the Government that it was necessary, it should be established, but there should be some restriction to obviate the necessity for paying £100 to a teacher merely because he is qualified himself in the higher branches, when he is not required to teach them.

HON. ATTORNEY GENERAL moved the following resolution :

11. *Resolved*, That there shall be one Visitor appointed for each County in this Island, with a salary each, of one hundred and fifty pounds per annum.

In moving this resolution, Mr. Chairman, I may state that you can hardly expect that, for the small sum of £150, a School Visitor will take charge of one-half of the Island and perform his duties efficiently. A great many complaints have been made that the present School Visitors have not done their work satisfactorily, but the great distance they had to travel may have been the cause. School Visitors have other duties to perform besides making their regular visits, they are sometimes sent on special missions by the Board of Education, and their travelling expenses are very large. By appointing a Visitor for each County a plan which has been adopted in other countries, more satisfaction will be given and I believe the small additional cost will be money judiciously expended.

HON. Mr. McAULAY.—The amount appropriated is very small when you consider the service to be performed. I think it would be better to appoint two Visitors and give them the amount intended for the three. £15 is too little for a man who has to keep a horse and carriage to travel through the country.

HON. Mr. LAIRD.—I think, Mr. Chairman, that the method proposed is an improvement on the old system ;

for although the salary of a Visitor is not increased, the distance he has to travel is diminished, and one horse will be sufficient for him, whereas under the old system he might require two. A man can also be at home with his family more frequently. He would also be able to visit Schools more frequently ; for, where any fault has been found, a School Visitor, if he does his duty, should call frequently and see that the faults are corrected, and the negligent attending to their duty properly. In regard to the remuneration being too small, I do not think it is much smaller than that of other professional men,—clergymen, for instance, who require just as high attainments, have no higher salaries.

Mr. BAZOKAN.—Mr. Chairman, this is perhaps the most important resolution which has been submitted. The cost of the whole system of Education is defrayed from the general revenue, and amounts to about seventeen or eighteen thousand pounds. Now to make the "results commensurate with the cost," very much will depend on the School Visitors, and a salary of £150 is not enough to induce men of sufficient attainments to engage in the work. On efficiency in this department will depend in a great measure the success of Education, and if we are not justified in paying Visitors more than £150 per annum, we are not warranted in expending one-third of our revenue in the cause of Education. What is £150 a year for a man who has to travel the whole year and pay his own expenses. It is no more than £100 would be, were he allowed to stay at home. I am aware that this argument will apply to the late Government as well as the present, but I think it is a "penny wise and pound foolish" policy. It is no argument to say that clergymen get no higher pay, they do not get enough, but they work for a higher reward. The man whose business it is to see that the children of the Colony are trained up to take their position in society as teachers, or ministers or legislators, to be put off with a salary which will merely pay his travelling expenses, is economy in the wrong direction. I would rather see two appointed and well paid, say £250 each, which would be little enough for men of ability fit for the office.

HON. LEADER OF THE GOVERNMENT.—I dare say it would be much better if the Colony could afford to pay all its officers double the salary they now receive. The Schoolmasters do not get enough, and, perhaps, the Visitors do not ; but, small as the allowances are, we pay a larger proportion of our revenue for Education, than any other country. We wish to pay as much as will enable us to obtain the services of competent persons. When the Free Education Act was first passed, we employed a Visitor for two hundred a year, and gave him another hundred for lecturing on Agricultural Chemistry. If we could get a man competent to lecture on Agricultural Chemistry now, I would be in favor of giving him fifty pounds a year extra for doing so ; but, as we have only one man on the Island who pretends to be able to lecture on that science, he would not be able, were he willing, to visit the whole Island. I hope yet when this subject comes to be properly appreciated, that we shall have an agricultural school established. If Agricultural Chemistry were properly understood, it would be of vast benefit—it might show that this mussel mud, which is absorbing so much attention just now, might be applied in such a way as to produce much more beneficial results than it does at present. I think nearly every one will acknowledge that it will be an improvement to have three Visitors, for they will be able to perform the



work more efficiently than two. Few have been satisfied with the present Visitors, but if we had them at the Bar of the House, perhaps they would be able to show us that they had performed as much as could possibly be expected of them. When a Visitor was paid £100 per annum for lecturing on Agricultural Chemistry, the very men who were to benefit by his labors, were the first to grumble; they thought the money was wasted, and consequently the valuable services of this man had to be dispensed with.

Resolution agreed to.

BALBERSTON, Reporter.

Hon. Mr. McAULAY.—Mr. Chairman, I wish to ask the hon. Attorney General, through you, Sir, if the resolution just read conflicts with any other resolution which has been agreed to.

Hon. ATTORNEY GENERAL.—No. We know that in this Island every teacher who received a license had to speak the English language, and the French teachers who qualified themselves for that office had to first learn the English language. This resolution provides that any teacher who will qualify himself to teach the French language, and who can obtain a certificate to that effect, shall be entitled to receive £5 additional salary from the Treasury, provided the district will make up the same amount. The French language is regarded as the best, and many consider it well worth learning, and no scholar feels that his education is complete without he knows it. If we should happen to be driven into the Dominion, and any hon. members from this House should go there, they would find it would be an advantage to understand it. I believe all Ambassadors of the Crown require to understand French, and that their correspondence is carried on in that language.

Mr. BRECKEN.—Mr. Chairman, no doubt any education is incomplete without a knowledge of French, but I do not agree with the learned Attorney General that it is the best language, although I admit that in Europe every person is expected to know it. I doubt whether instruction in French, as spoken here, would be understood or regarded as French by good scholars in that language, for there cannot be any doubt but that, owing to the isolation of those who speak that language here, it must have lost among them much of its original purity. I am rather surprised to hear Confederation referred to as an argument in favor of the resolution, for, on that ground alone, some might object to it. But we may yet be brought into contact with our neighbors in Canada, and, if so, it would be well for our people to be acquainted with the French language. If it is intended as an encouragement for the cultivation of that language in its purity, it would be money well appropriated; but it would be well to know if it is wholly intended for the few French teachers of the Island.

Hon. LEADER OF THE GOVERNMENT.—At present all teachers are on a level, one has no advantage over another, and the proposed alteration will, I think, prove, if adopted, an advantage. If there is as much difference in speaking the French language correctly as some argue there is, then it may induce teachers to give proper attention to the study of the language, and thus cultivate a correct knowledge of the French, and when the trustees of any school district will subscribe five pounds they can then draw the same amount. Those who would now wish to go to France, or some other places, who would not be able to speak French, would find themselves like some who went to the Paris Exhibition,

who could only collect information through their eyes.

Hon. Mr. HOWLAN.—Mr. Chairman, the reason given by the hon. member for Charlottetown (Mr. Brecken) why a knowledge of the French language is necessary, is a good one, and the only way to have it carried out is to have teachers who can speak good French, and it is but fair to assume that those who will pass the Board will undergo an examination by competent French scholars. Some schools in this country have been closed up, because teachers could not be had who could teach French, and where is the teacher who will go to the expense and trouble of acquiring a knowledge of the French language, unless he has some encouragement? I believe it is not impossible for an Englishman to learn French, and as the number is limited who are to receive this extra grant, I think no reasonable objection can be taken to it.

Hon. Mr. HENDERSON.—I have no objection to do full justice to the French people, but I doubt the utility of teaching that language in our common schools, or that a large number will ever be required to go from here to represent us in the New Dominion. You know, Sir, as well as I do, that the French teachers, before they can now receive a License, have to first learn a language that is not their vernacular, and the Gaelic people have to graft the English upon their mother tongue before they can become teachers, and these people love their Gaelic just as much as it is possible for any people to esteem a language. If this resolution is to be carried, I would like to introduce a similar one in favor of the Gaelic speaking people of this Island, for I think it will be admitted that they are on a par with those who have to graft the native Saxon upon their French. One thing I have observed is, that the French people of this Island use more words of broken English than the same class do in Lower Canada, or did when I was among them. The Gaelic speaking people are entitled to the same privileges that the French are.

Hon. Mr. HOWLAN.—Mr. Chairman, I have no objection; but if the hon. member carries out his ideas, then a Gaelic Examiner will have to be provided. While I have great respect for the Gaelic language, I know that the French is more generally used; and I know further that if a young man aims at any important situation under the Imperial Government, he must learn French. I recollect that at the time of the Crimean War, the French language was used by the Officers in their official and non-official correspondence with each other, and many of the official procedures of the British Government are written in French. I feel warmly in favor of the Gaelic, but, at the same time, you will not find a Gaelic newspaper in any of the reading rooms in these provinces, while some of the best works, treating on a variety of different subjects, and several newspapers will be met with in the French language. The objection I would chiefly have to the proposal of the hon. member for Murray Harbor is, that a Gaelic Examiner would have to be provided on the Board of Education, and I believe it would be difficult to find one such on this Island.

Mr. ARSENAULT.—Mr. Chairman, the hon. member for Charlottetown (Mr. B.) is doubtful whether the French language spoken in this Island is French at all, and is doubtful if it is as good as that which is spoken in France or Canada. Well I do not know much about the French language as spoken in France, as I have never been there, but I presume it is the same language as is contained in books written in French, and when we use these same books in our schools I do not see why we should not learn good French; and as to Canada I believe the French inhabitants of this Island speak the language

as well as they do in Canada. In the second place he asks if this privilege is intended for French teachers only, but, Sir, the resolution does not apply any more to French teachers than to any other, so far as I understand, but simply to those teachers who will qualify themselves to teach the French language, and shall teach a class of not less than ten pupils in his or her school. Now, I ask is there anything unfair when it is intended to apply to all alike? or even if the Government allowance was given to teachers teaching the French language only to the French speaking people of this Island, when their teachers are as well qualified in the French language, as the English speaking teachers are in the English language, that there would be anything unfair in it. But when all that is asked for in the resolution is a small allowance for an encouragement to teach the French language, I do not think any liberal minded gentleman will refuse it. The hon. member for Murray Harbor asks what is the utility of the French language on this Island? and asks why not encourage the Gaelic as well? I will simply say this, that we sometimes hear French phrases used in this hon. House, and I am frequently amused at the awkward pronunciation given to them (laughter) for instead of pronouncing them with that soft accent with which they should be pronounced, they always use the hard, sharp English pronunciation. As to the Gaelic, we never hear a word of it. If we go to the other side of this building, where all the big volumes are kept, we will find among them a good many in French, but none in Gaelic. Although I am not an admirer of Confederation, yet, what do we know but at some future time we may form a part of the New Dominion, and I ask in what position would any of our Island delegates to Ottawa find themselves in if they did not understand the French language. When a speech in that language would be delivered, no doubt they would like to be able to understand the language then. I feel pleased that this small encouragement is proposed to be given to encourage the study of that language, and only regret the number to whom it is proposed to be given is limited to twenty. I would prefer that all our teachers would qualify themselves to teach that language, and thereby diffuse a knowledge of it throughout the Island.

Mr. McLENNAN.—Mr. Chairman, I do not fully understand the wording of the resolution, nor has the hon. member for Egmont Bay shown the necessity that exists for having it carried. The hon. Attorney General said that probably the day might arrive when there might be representatives from this Island, who would mix up with the great assembly of the New Dominion, and that they would find themselves awkwardly situated without a knowledge of the French language, but if it is so desirable that it should be taught, why confine the teaching of it to a few? Why not make it general?

Hon. Mr. McAULAY.—That, Mr. Chairman, a man having a smattering of French is more capable of teaching, is what I do not believe. Could my hon. friend (Mr. Arsenault) teach English as efficiently as an Englishman? I am surprised to hear the hon. member for Tignish say there were no periodicals of importance published in the Gaelic language. Such a statement is absurd.

Hon. Mr. HOWLAN.—I rise, Sir, for explanation. I said that were usually published.

Hon. Mr. McAULAY.—Why, Sir, I pity the ignorance of the hon. member. Did he never hear of the Gaelic Magazines called "Cuairtear Nau Gleasu, Cuairtear Na Coille, Coirachasthion, and Bendoram." (Laughter.) I ask the hon. member again, Sir, is it possible that he never heard of "Glasian, Cuairtear Nau Gleasu, Cuairtear Na Coille, Coirachasthion, and Bendoram?" (Renewed laughter.) If not then his knowledge of literature is not as extensive as I had supposed.

Mr. MACNEILL.—I consider, Sir, that the teaching of the French language should be encouraged, as without a knowledge of the French an education is not considered finished. We know that all nationalities have a desire to

perpetuate their own language, and there is a large body of people in this Colony whose mother tongue is French. The hon. member for Murray Harbor proposed that we extend the same privilege to those who speak the Gaelic language, but much sympathy as I may have for the language of my fathers, I cannot shut my eyes to the fact that it is fast dying out both in Europe and America. It has been on the wane since Prince Charlie was defeated at Culloden Moors, when, if my memory does not deceive me, it was proscribed, and their much-loved Tartan was forbidden to be worn; and although Her gracious Majesty has, to some extent, scotched the feelings of her Highland subjects by condescending to listen to the inspiring strains of the Bagpipes when she visits Balmoral, and to indulge in a Scotch Reel, yet I see nothing to warrant the conclusion that the Gaelic language will be revived in this quarter of the globe; but the French is a language in which a good deal of business is done in the Lower Provinces. I hope no hon. member of this hon. Committee will oppose the resolution.

Hon. Mr. HENDERSON.—I rise, Sir, to give some information. I believe that notwithstanding what the hon. member for Cavendish has said, that even in the hard days of Charles, the Highland Gael was not forbidden to use his own language, and time has proved that those who have worn the tartan were ever among the bravest of their soldiers. This was proved by the Forty-Second at Fontenoy, after which their Highland dress was restored to them. With respect to the Gaelic language dying out, I may say that it was never written or spoken in greater purity than it is now. The great Dr. McLeod, of Glasgow, Scotland, prepared a Gaelic Dictionary, of Octavo size, and a Gaelic Grammar, and a Gaelic Society has published these in an improved style, with other excellent works, so that any man who wishes to cultivate an acquaintance with that language can now have access to the best of works for studying it. Dr. McLeod also published a Gaelic collection which he called *The Mountain Sketch Book*, in which there are as touching pieces as can be found in any language.

Mr. MACNEILL.—The hon. member has attempted to correct me, but I must correct him. I did not speak positively about the Gaelic language being prohibited to be spoken. I have thought to inform the hon. member for Murray Harbor that he was in error in what he said about the Tartan being restored to the Highlanders after the battle of Fontenoy, for that battle was fought before the Rebellion of 1740, and the troops who stood the shots of the French at that battle were defeated by Prince Charlie's recruits at Preston Pans and Falkirk.

Mr. PROWSE.—I wish, Sir, to express my opposition to the Resolution. The French is not spoken in this hon. Committee, nor is it used in the other end of the building either. If the French language is to be taught in our schools, where are the teachers to come from? Are we going to establish a school for the training of teachers for that special purpose? I would like also to know what object the Government has in view in establishing such a principle? It appears to me like making a distinction which may create a jealousy that would take a long time to remove. I believe there are more Gaelic than French speaking people in this Island, many of whom are unable to give expression to their ideas in English. I consider it wrong to give an extra sum for teaching either Gaelic or French, and if required to be taught the number asked for by the resolution is too large, for, except in a French settlement, ten pupils would not be found in one district who would wish to learn French. In Murray Harbor there are a number of respectable people, who came from Guernsey, and they have all adopted the English language and speak it as correctly as any in the community in which they reside. I have the honor to represent also a large number of Gaelic speaking people, and am aware they would consider that I was doing them an injustice were I to vote for this resolution.

Hon. Mr. Howlan.—You could not, Sir, offend a Guiney man more readily than to call him a Frenchman, so that the arguments of the Hon. member for Murray Harbor (Mr. Prowse) falls to the ground, in so far as these people are concerned. With respect to getting teachers capable of giving correct instruction in the French language, I believe no difficulty would be experienced. I was in conversation with a gentleman yesterday, who is quite capable of teaching French, and am acquainted with others who can speak as fluently in French as in English. I know that in the district which I have the honor to represent, many think it quite necessary to have their children instructed in French, and other languages also, and it is our duty to afford all the facilities we can to enable the people to obtain a good education for their families. I only hope that the day may come when there will be ten Grammar Schools in the country for one there is now. Some of my constituents may be against giving instruction in Gaelic, but I would be sorry to oppose such a measure, if it is really desired by the people.

Mr. Prowse.—But, why not make the principle of giving instruction in the French language general, if it is so much desired?

Hon. Mr. Howlan.—If the hon. member would but consider the matter, perhaps he would not see so much to object to in the resolution. I am acquainted with a Scotchman who eight years ago could not speak French, but who is now capable of teaching that language. He now speaks Gaelic, English and French, and is, I believe quite capable of imparting instruction in either language, and I ask is not that man better informed than if he had only a knowledge of one language.

Hon. Mr. Henderson.—The Government should state plainly the object they have in view in bringing forward such a resolution. Is it not well known that the teaching of the French language is usually considered as only required for those who aim at studying the higher branches of Education, and why not admit the fact?

Hon. Mr. Laird.—Mr. Chairman, I am not a lawyer, but I believe the law means what it says, and so does the resolution under consideration, and other hon. members of this hon. Committee will so understand it, although the hon. member for Murray Harbour (Mr. Henderson) may not be able to comprehend its meaning. I have from a boy mixed up with the French, and desired to do what is fair and right in the matter. The hon. member ought to know that the French language is now taught in several district schools, and if the Gaelic is as useful a language as it is represented to be, then why does not the hon. member move to have instruction in that language introduced also into some of our common schools.

The resolution was then agreed to, when after a few further remarks Mr. Speaker took the Chair. The resolutions were reported agreed to, and a Committee appointed to bring in a Bill in accordance with the said resolutions.

Hon. Attorney General from the last named Committee presented a Bill which was read a first time, and ordered to be read a second time to-morrow.

Mr. Brecken from the Committee appointed to bring in a Bill for the relief of unfortunate debtors, presented a Bill as prepared by that Committee, and in doing so fully and ably explained its principles. The Bill was then read a first time and ordered to be read a second time to-morrow. House then went into Committee of supply, Mr. Reilly in the Chair. Several resolutions were reported agreed to, when House adjourned until ten o'clock to-morrow.

H. GORDON, Reporter.

TUESDAY, April 7th.

## SEED GRAIN SOCIETIES.

The House resolved itself into a Committee of the whole to take into further consideration the Bill to incorporate Societies for the sale and distribution of Seed Grain on credit.

Mr. McNeill in the Chair.

The Bill was then read and one clause was reconsidered and amended.

The Speaker then took the Chair, and the Chairman reported the Bill agreed to with an amendment.

Ordered, That the Bill as amended be engrossed.

Read a third time, as engrossed, the Bill intitled "An Act in further addition to and in amendment of the Act to Incorporate the Town of Charlottetown."

The Bill was then passed.

Ordered, That Mr. Brecken do carry the said Bill to the Council, and desire their concurrence.

Mr. Reilly from the Committee of the whole House on the further consideration of a supply, reported according to order four resolutions of the said Committee, which resolutions were again read.

The first of these resolutions relates to the expenses connected with the transport of the Troops. The second contains certain grants to improve Roads, Light Houses, Hillsborough Square, &c. The third contains grants to several Postmasters in addition to their allowance by statute.

The fourth resolution is as follows:—

Resolved, That the following sum be granted and placed at the disposal of the Government for the following service, that is to say:—

Insurance and contingent expenses of Victoria Barrack,	£200 0 0
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The first, second and third of said resolutions were again read and agreed to.

## VICTORIA BARRACKS.

The fourth was then read.

Hon. Leader of the Opposition.—I regret that I was not in my place when the Hon. Attorney General moved the resolution for supply, because I believe that not half the amount named in the resolution would be required for the Insurance of the Barracks. I should like to know what the balance is to be expended for, as I believe the person at present in charge of the Barracks gets a hundred pounds a year for his services. This is a waste of the public money for the Colony is paying respectable men as Drill Sergeants who would look after these Barracks for the sake of the house room, and as they are experienced in these matters they would do the work satisfactorily. The person now in charge was away last summer for some time employed in mackerel fishing, but if a military man were in his place he would attend to these buildings as he should. As no satisfactory explanation has been given by the Government for acting as they have in this matter, I move that the vote be disagreed to.

Hon. Leader of the Government.—At the time the Barracks were vacated a Committee were appointed to see that everything was done properly. This Committee considered that the person at present in charge was the most efficient person that could be found for the purpose. Considering the thoroughfare and the number of loose characters who congregate in that neighbourhood, it cannot be considered a good position for a man to take his family into. But as this person could be entrusted with the Barracks, he was appointed and put in charge, at one hundred pounds per year. I believe that after he was appointed several parties said they would have been glad to take charge of the buildings for nothing, but that is not the point for the Government to consider; the work must be done efficiently. Drill Sergeants are employed to travel through the country; and, therefore, cannot be expected to remain at the Barracks for the pur-

pose of keeping them in order. These buildings were left in a shocking filthy condition, for nothing was done by Her Majesty's Troops but to make them look disagreeable. The officer appointed has discharged his duties satisfactorily, and is under the control of the Government. When it was discovered that the Gunpowder Magazine was kept there, the officer in charge was allowed to remain, and to have a part of the Barracks to reside in free of rent. The buildings must be kept in good order as they may yet be appropriated for some other purpose. Constant attention is required on the part of the keeper in order to prevent loose persons from congregating there who might destroy a property which has cost the country a large sum of money. The buildings are well taken care of and kept in good order.

Hon. Mr. DAVIES.—A Committee were appointed by the Government to examine the Barracks and found them in great disorder and in charge of no officer. I, as one of the members of that Committee felt it my duty to see that a trustworthy person was placed in charge of the property to clean and keep it in order. It was thought better to appoint a civilian than a military officer, because a constant attendance is necessary to prevent a destruction of building which cost the country many thousand pounds. In fact a good deal of money has been expended to put the Barracks in proper order, for they were left by the troops in a disorderly and filthy condition. They contain property belonging to the Imperial Government, which also requires looking after.

Hon. Mr. HENDERSON.—I cannot comprehend the force of the reasons urged by the hon. member who has just sat down. He has stated that if any person connected with the militia had been appointed as keeper of the Barracks, that this person would have required a guard to relieve him. If the hon. member thinks this would be the case, he must know very little about military matters. If he assumes that a trained man is less competent to take charge of the Barracks than a civilian, I cannot agree with him. Admitted that Mr. Cropley is now quartered there, I should like to know who is better qualified to take charge of the buildings than he is? If what has been reported is true, that the man who has been appointed to the office of keeper has been looking after his own work instead of looking after the Barracks, the hon. members argument falls to the ground. The hon. Leader of the Government remarked that the place is visited by a concourse of people; if so, surely the gates can be closed if necessary. In reference to the state in which the Barracks were left by Her Majesty's Troops, the hon. member for Belfast (Mr. Davies) from his prominent position in our militia, should know something of the regulations of the Army and Militia, and that if the troops damaged the Barracks they are responsible for the injury done. If the troops have left the buildings in a filthy state, it is the first time I have heard of such a state of things; but in spite of all that soldiers can do the Barracks will get dusty. It is a waste of the public money to employ a civilian as keeper when the work could be done without any expense to the Colony, and if the hon. member was in my place in the Opposition he would make the House ring with his protestations against such proceedings.

Hon. Mr. DAVIES.—Would a Militia Officer be answerable to the Government in the same way as a civilian?

Hon. Mr. HENDERSON.—I only drew the comparison between a man who knows all about such matters and a plain civilian. If the buildings were put in charge of a military man, he would know more about them, and consequently could take better care of them.

Hon. Mr. DAVIES.—If a military man were appointed the next thing would be to introduce a guard and then a Corporal's guard to support that guard; therefore, I contend that a hundred pounds a year is not too much for taking proper care of the Barracks. The keeper has taken an account of all that he has been entrusted with, and he will be able to show that he has kept them in good order when required.

I said that things there were left by the troops in a disorderly and dirty state. I did not say damaged. I do not reflect upon Her Majesty's Troops, for if they leave the Barracks suddenly, the buildings must be left in a disorderly state. If the hon. member for Murray Harbour visited these Barracks now he would be rather pleased at their orderly state.

Mr. P. SINCLAIR.—As the hon. member for Murray Harbour (Mr. Henderson) acknowledges that he has been the cause of bringing the troops to the Island, it will become him to find fault with the Government for allowing a reasonable sum of money for keeping the Barracks in repair and in a clean and orderly state. These buildings have been built at a great expense to the Colony; and, therefore, it comes with very bad grace from him to charge the present Government with extravagance in laying out a comparatively small sum for keeping up works which he has been the means of causing. The sum required is not a large amount, and whether a person could be got to take care of the Barracks for the sake of his house rent, or not, I cannot say; but if the buildings are worth £12,000, the Government can only entrust them to the care of a trustworthy person.

Mr. BRECKEN.—I was not here when this debate first arose, and I should like to know what has been said about the hon. member for Murray Harbour bringing the troops here.

Mr. P. SINCLAIR.—The hon. member (Mr. Henderson) himself, stated that he first proposed to send for the troops.

Mr. BRECKEN.—These Barracks cost a large sum of money, and consequently they should be well looked after. But I want to know whether the Government intend to work in the most economical way, if so they have taken the wrong course to do it. I understand that some of the military are prepared to look after the Barracks for a much less sum than that at present paid. The hon. member for Belfast (Mr. Davies) argued that if a Volunteer were appointed to the office of keeper, he would require a guard to relieve him. If the present keeper does not require a guard, the Military Officer would not. Considering the statement made by the hon. member in its true light, I cannot but regard this appointment of a civilian to be keeper of the Barracks, at a salary of one hundred pounds per year, a political job; for I believe these buildings could be maintained and kept in a good and serviceable state at a much lower figure. If the Conservatives had been acting in this manner, how the obains would have been rung upon us if the other party were in our place instead of in their present position. The impression upon my mind is that this is a political job, and cannot be cleared up by the Government. One of the reasons they advance is, that because the property is in the care of a civilian, malicious characters will keep away from it. This is no argument at all.

Hon. LEADER OF THE GOVERNMENT.—A military man cannot be in two places at once any more than another man.

Mr. BRECKEN.—I suppose the present keeper is chained there like a watch dog. The appointment, in my opinion, is a transparent job.

Hon. ATTORNEY GENERAL.—This appointment was made upon the recommendation of the Committee appointed to examine into the state of the Barracks. All that I can say of the matter is, that if this was a political job, the erection of the Barracks was a political job all through. After what we have seen the late Government do in expending such a large sum of money on these buildings, it will become the present Opposition

to talk about the jobs of the present Government, or, indeed, to find fault at all. The buildings reflect anything but credit on the late Government that carried out the work. It was a perfect piece of jobbery, for a portion of the work was let by the Contractor, which was again sub-let, and the specified materials were not put in the building. Although £50 only were at first allowed for superintending the building, yet the Superintendent got £161; and when we look at the additional expense connected with the Powder Magazine, we are inclined to think there is something infectious about these Barracks. I hope the buildings will be made to serve a more useful purpose than keeping a man to look after them. These Barracks should never have been built at all, because the troops were sent here for a short time only, and whenever they were withdrawn the Barracks were not required. We now see the consequences of this waste of the public money.

HON. LEADER OF THE OPPOSITION.—I shall press my motion. It does seem to me unfortunate that extraneous matter is dragged into every subject which comes before us, whatever the matter under discussion may be, whether it is the Land Question, the Barracks or the Fisheries, other questions are mixed up with it. The subject under consideration might be crowded into a nut shell, and therefore there was no necessity for the Attorney General to drag in the building of the Barracks or any other matter. I am prepared to justify the expenditure of the £12,000 aid out by the late Government in the erection of these buildings. We are to look upon that sum as so much money expended to maintain British law and order, and to put down an association which, if it had not been checked in time, would have ended in open rebellion. The result of this state of things would be, that we would be placed where the people of this Colony do not wish to be—in the great Confederation. I move that the resolution be amended by striking out the words "and contingent expenses," because there is no necessity to pay a person one hundred pounds per year to take care of these Barracks. When the hon. member for Belfast (Mr. Davies) said that the troops were brought here for the purpose of injuring the character of the people of this country, and thereby be the means of getting the Colony forced into Confederation, he stated what was politically untrue. He knows very well that there were gentlemen in the late Executive Council who were as much opposed to Confederation as he himself was, and who had a great deal more firmness than he has. Among those hon. members of that Council there was Mr. Henderson—there is not much of the Confederate in him. There was also another strong anti-Confederate, who is now in his grave, and who had more of the blood of a true patriot in his little finger than the hon. member for Belfast has in his whole body—I refer to the late James McLaren. This hon. gentleman was looked upon with confidence from one end of Queen's County to the other. He was respected by both Liberals and Conservatives, by Catholics and Protestants: in fact he was like Cæsar's wife, above suspicion. He was no Confederate, Mr. Speaker. Will the hon. member say that John Longworth is a Confederate? No, Sir. He was the father of those strong resolutions which were brought into this House against Confederation, and much as I differ with him on that question, I believe him to be perfectly honest in his intentions. If

either of these gentlemen had had a shadow of a doubt as to the intentions of their party in bringing the troops to this Colony they would have vacated their seats in the late Executive Council. It is known that if that Council had opposed the calling in of the troops the Administrator of the Government, for the time being, would have undertaken to do so, to maintain order and to uphold British law in the Colony. I too, have always said that I would never by any means, by any back-stair work put Prince Edward Island into Confederation unless the majority of the people were in its favor. I would rather cut off my right hand than be guilty of such under-hand work as to legislate against the wishes of the people; but, I presume, the hon. member for Belfast measures my corn by his own bushel. We, the members of the late Government wished to maintain law and order, and there was no other alternative, but to call in the troops. If the hon. member was opposed to Confederation, he has proved recreant to his principles, he has proved to be a traitor to his country. The late Government lost grounds at the late elections, not on the Confederation question, but because they opposed the Tenant League. What did the present Government do whenever they obtained the reins of power? They appointed the late Editor of the *Examiner* to the highest office in the gift of the Colony, although that gentleman had denounced the Tenant League and was strongly in favor of Confederation. We know, Sir, that the Liberal Party promised the people to appoint no Confederate to office, and that they were also pledged against Confederation; but a change came over the spirit of their dream, and they gave the Queen's Printership to a strong Confederate. The hon. Attorney General, who is the real Leader of the Government, pleads guilty to the soft impeachment that the retaining of this Mr. Hayden in office as Keeper of the Barracks, is a political job. I give the hon. member credit for being a moral man and well read in sacred scriptures, but because his brother is wrong should he go wrong also? What has the building of the Barracks to do with paying a man one hundred pounds per year to take care of these buildings? If the Barracks were left in a dirty state the Government could have remedied the matter by reporting to General Doyle who would very soon have caused the detachment to pay expenses because there is nothing the military are so particular about as cleanliness. The officers in command will not allow a nail to be driven without cause, and they cause all damages to be repaired. But as these Barracks were a necessity, they should not go to destruction for want of proper care, they should be given in charge of the Drill Sergeants, who are best qualified for the offices of keepers. Have the Government got a bond from Mr. Hayden for the value of these buildings? If they are burned down when he is out fishing or when he is about his private business, is he bound to pay the Government £12,000? I very much doubt that any man would be fool enough to join him in giving that bond. The Government would be just as well secured in giving the property in care of one of the Drill Sergeants who would take just as much or more care of it than Mr. Hayden, but now comes in the extraordinary statement of the hon. member for Belfast, that if the Government had appointed a military man, they would have to pay a Corporal's guard to relieve him. Well, that is paying a poor compliment to those who have been soldiers. If his theory is sound we will not want any more sergeants or red-coats anywhere, but

I have no faith in his doctrine, we can get the Barracks looked after at a less cost than a hundred a year. I am not ashamed to own that the buildings cost a large sum because they were a necessity, but I do not wish them to be destroyed now. Although the Tenant League is dead outside of this House, it has a little leaven inside. But we hope that the sword will be turned into a reaping hook, and that these Barracks may yet serve some peaceful and useful purpose. Possibly the building may be turned into a Normal School, goodness knows what is in store for us. If the Government can afford to give a hundred pounds a year for taking care of these Barracks, they can get them insured for a larger sum for the same money as they now pay the keeper. They can get as much insurance as they like, and, therefore, the buildings might be converted into an elegant edifice for Industrial Exhibitions for the whole Island. For these reasons we should keep it insured, and therefore I will press my motion.

HON. LEADER OF THE GOVERNMENT.—I am quite pleased and delighted to hear the Hon Leader of the Opposition talk on this matter, for he gives us such a history of the past, and would make us believe that these Barracks could be looked after for nothing. If a Sergeant were appointed to the office of Keeper, he would require an extra drill sergeant, and I am one of those who do not think these men should be taken from their regular employment to look after the Barracks. I think the Government had better pay an officer, and have him under their own control; but these Militia officers are on duty through the country, and consequently could not properly look after the Barracks. If the Drill Sergeants are not required for drilling the militia, their services are not wanted at all. If a Drill Sergeant were appointed to the office of Keeper, there would not, on the whole, be a saving of ten pounds, for other persons would be required as assistants to keep things clean and in order. One of the Sergeants thought about looking after the Barracks, but then he said that the duties of the office would interfere with his occupation, and if he gave up the latter altogether, he might be thrown out of employment if the buildings were soon required, either for the troops or for any other purpose. A great cry has been made by the Opposition about the present Keepers going out to fish, as if a person should not be even allowed to go out for provisions; if he did go outside Brackley Point and in again, there was no harm in that. Wherever military men are stationed a loose crowd gathers at times who are often guilty of bad conduct, and for that reason, among others, I think the Barracks should be placed in the care of a civilian. The present Keeper was appointed to the office merely because he was a fit and respectable person to take care of the buildings, one who would not allow them to be made a thoroughfare for loose persons. There has been no complaints lodged against him, and he has given satisfaction in his management of the buildings; therefore, I do not see why the Opposition should be so hard upon him.

Mr. McNeill.—I do not care about voting money for these Barracks, but they contain a good deal of valuable property which might be destroyed or carried away by evil disposed persons if it is not placed under the care of a Keeper. I will support the resolution. As the Hon. Leader of the Opposition has tried to justify the building of the Barracks, I will make a few remarks

on the subject, and show why certain individuals offered so much opposition to the Tenant League. I am sorry to mention the name of a gentleman who is no more, for I do not like to bring in the name of a person who cannot reply. The hon member (Mr. H.) has tried to prove that the troops were brought to this Colony on account of the doings of the League, but I can prove that they were brought here to serve the selfish ends of the Confederate party in the ranks of the late Government. I took the late Mr. Whelan's paper for a number of years before there were any signs of a disturbance, and I can show that, by his writings, he encouraged the formation of an association of this kind. And not only did Mr. Whelan do so, but a Colonial Secretary, appointed by the late Government, did the same. Mr. Whelan said that if a few poor devils resisted the law they would be put down, but if the whole body of the tenantry resisted in a mass, something would be done, and the Land Question would be settled. The editors of both the *Islander* and *Examiner* were then strong Confederates, and advocated these measures before the people thought of uniting for the purpose of obtaining free land at a reasonable cost. But whenever these two editors saw that the Tenant League declared against Confederation, they opened fire upon the association at once, and said that the troops must be brought here for the purpose of suppressing it. The late editor of the *Examiner* prophesied that an association would be formed, but when he found that it opposed Confederation, he declared that the late Government were quite justified in bringing the troops here for its suppression. But I do not intend to occupy the time of this hon House about this matter. I do not think these were the only causes for the opposition manifested towards the Tenant League, for I believe there were other causes. There was a long spell of tyranny and oppression, owing to the evils of the leasehold system, and the people were deluded by political demagogues, till at last they were out of patience, and determined to arise in their strength and act for themselves. I think the best thing the late Government could have done when their term of office had expired, was to send the troops away, and either to destroy the buildings or take them down and use the materials for some other purpose. As matters are at present, something else must be done with these Barracks; perhaps the best plan would be to turn them into a workhouse. But the building of them at all, under the circumstances, was a scandalous waste of the public money.

Hon. Mr. DAVIES.—I do not intend to take much time in making a reply to some statements made by hon. members on the other side of the House. The hon. Leader of the Opposition has attempted to justify the bringing of the troops to this Colony, and gave as a reason for so doing, that Mr. Henderson and other gentlemen were in the Government at the time, and that the troops were not brought here for the purpose of disgracing the Colony, to get us forced into Confederation. But I believe a party in the late Government had those objects in view. There was a deep laid scheme among their supporters, which that Government were not fully aware of; this was to stir up the people as they did, and get them to believe that an extraordinary settlement of the Land Question was about to take place, then to completely disappoint the tenantry, and thus drive them to resist the laws, if possible. They would then have a pretext for sending for the troops, and would try to make the world believe that the Colony was not ca-

pable of governing itself. When all this was done they thought to have us forced into Confederation, but they were miserably disappointed. The people were satisfied with the provisions of the Land purchase Bill, and the members of the late Government knew this; but they declared that the people were imposed upon by that Bill, and they made the whole country believe that by the great settlement of the Land Question, which they would bring about, the lands of the Colony would be bought at a price under which the poorest person would be enabled to become a freeholder. The supporters of the Conservative party especially believed that the Land Question was at last about to be settled, but what was the result? The people saw that the Award was a mere sham, and they were exasperated. This was just what a certain party in the late Government wanted. They wished to stir up the people to revolt, to show the Mother Country that the people were not worthy of a Free Government, and that the Colony should be attached to another country—in short that we should be forcibly joined to the Confederation. They wished to prove that the Tenant League was a mean, disorderly society, but they knew that it was not. I supported measures which were calculated to relieve the people from the burden which has been imposed upon them. I do not act from selfish motives as they did, when they opposed the League. The Conservative party supported the proprietary faction, and they deceived the people, not only about free lands, but about the main object they had in view.

Hon. Mr. LAIRD.—The Government will expend no more on the Barracks than is absolutely necessary, for the current year.

The question then being put on the amendment, the House divided as follows:—In favor of the amendment: Hons. Haviland, McAulay, Henderson, Kelly; Messrs. Brecken, Owen, MacLennan, Ramsay, Howatt, Green, Prowse, Yeo—12

Against it—Hons. Coles, Hensley, Laird, Davie, Callbeck, Howlan; Messrs. G. Sinclair, P. Sinclair, Arsenault, MacCormack, MacNeill, Kickham, Cameron, Reilly, Bell—15.

So the Resolution passed in the negative; and the question being again put, it was resolved in the affirmative.

House adjourned for one hour.

I. OXENHAM, Reporter.

*Afternoon Session.*

Mr. PROWSE asked the Government to lay on the table a petition from certain inhabitants of Murray Harbor, North, praying for the establishment of a Post Office.

HON. LEADER OF THE GOVERNMENT said that the Government did not feel disposed to bring down every petition the prayer of which was not acceded to, that the petition in question had been referred to the Post Master General, and he would not recommend the establishment of a Post Office in that locality.

#### LIQUOR LAW.

On motion of Mr. P. Sinclair, the House went into the Order of the day, on the second reading of the Bill to amend the laws relating to the sale of spirituous liquors.

During the reading of the Bill a knock was heard at the door, announcing a message from the Legislative Council. As soon as the Bill was read, hon. Leader of the Opposition remarked that it was the duty of the Legislative Council, before sending a message, to ascertain in what business the House was engaged, and said that if any business was allowed to stop the reading of a Bill, it would be lost.

HON. LEADER OF THE GOVERNMENT stated that it was for the House to say when they would admit the messenger.

A message was then received from the Legislative Council, stating that they had passed the Bill, entitled "An Act to amend the Act for incorporating the Summerside Bank."

On motion of Mr. P. Sinclair, the House then resolved itself into a Committee of the whole, to take into consideration the Bill to amend the law relating to the sale of spirituous liquors.

Mr. Cameron in the Chair.

The first clause was then read.

HON. LEADER OF THE OPPOSITION.—I want to know why a distinction was made between Georgetown and Charlottetown, and whether it was accidental or not.

Mr. P. SINCLAIR.—It was not quite accidental; it was considered that Georgetown was not such a town as Charlottetown, but I have no objection to having the word Georgetown inserted.

The word Georgetown was then inserted.

Mr. BELL.—Mr. Chairman, this amendment was called for on account of the practice which prevails in many school districts, of applicants for license going round from house to house, and using an undue influence to induce persons to sign their certificates, and even forging names in some instances, when a sufficient number cannot otherwise be obtained. In many places the inhabitants wish to be temperate, and to have temptation put out of the way of themselves and their children, and I do not see any fairer way than allowing them to express their opinions at a public meeting, whether it would be advantageous to have a tavern in the place or not.

Mr. HOWATT.—Mr. Chairman, the Bill states that a certificate is to be obtained from one of the two nearest magistrates, but if he refuses to sign the certificate, there is nothing in the Bill to compel him to do so. If it is not intended to enforce a prohibitory law, I think there should be something to compel a magistrate, when the people are willing to have a public house, to sign a certificate to that effect. I should like to ask will it be necessary to get a majority of the inhabitants to sign a certificate every time a license is renewed? If so, I think it will prevent persons from going to the expense of providing good accommodation, because they would be uncertain how long they would be permitted to keep a public house. It will not be advisable to put too many restrictions upon the License Law. I have known taverns to be closed in places where they were absolutely required by the travelling public.

Mr. BELL.—I may say, in reply to the last speaker, it will be just as compulsory on a magistrate to preside at a public meeting, and sign a certificate in favor of hav-

ing a tavern when the people express their desire to have one, as it is now on him to issue a warrant. It is on account of the unjust manner in which certificates have been obtained, that this law has been deemed necessary. As to the renewal of a license, there is no trouble about the matter. The applicant can go to the magistrate, pay his fees, and ask him to call a public meeting, and if the majority of the inhabitants are in favor of a tavern, they can have it; but if they are not, it is not right to force them to have a trap of this kind in their midst.

Mr. HOWATT.—I cannot see what is to compel a magistrate to sign a certificate, if he thinks proper to refuse; neither can I see what is to compel the people to attend a public meeting. The Bill says that a majority of the inhabitants must be in favor of having a tavern; but if a majority do not attend the meeting, how are you to ascertain their views? It might happen that no person would attend a public meeting.

Mr. BELL.—It is not very likely that a man would call a meeting unless he is pretty well assured that some person will attend, and if the friends of temperance are so careless as not to be present at the meeting, they must put up with the consequences.

HON. LEADER OF THE GOVERNMENT.—Formerly, Mr. Chairman, an applicant for license had to obtain the signature of one of the two nearest magistrates; but it was found that in some cases, where the magistrates had a dislike to the person, they would not sign his certificate, and so the law was changed so as to make it two out of the four nearest. Perhaps if this Bill is passed, neither of the two magistrates would be willing to sign the certificate, and thus it would virtually be enforcing a prohibitory law.

Mr. BELL.—Under the former law the magistrate was not to officiate if he considered the public house unnecessary; but under this law he will be compelled to sign a certificate, if the people wish it to be done.

Mr. BRECKEN.—The second clause of the Act will settle the objection raised by the hon. member for Tryon. If the magistrate declined signing a certificate, it would be a just cause of complaint against him.

HON. LEADER OF THE OPPOSITION.—I think the hon. member from Casumpec has the best of this argument. If a magistrate refused to do a duty which the law ordered him to do, he could be compelled by a writ of *mandamus* from the Supreme Court, or he could be prosecuted by indictment for neglect of duty.

HON. ATTORNEY GENERAL.—The wording of the clause makes it imperative on a magistrate to sign a certificate if the majority of the inhabitants are willing that the applicant shall obtain a license. If a magistrate refuses to do as the law requires, he would be setting himself against the laws of the land, and would be unfit to retain his office. I never saw an act passed in which a duty was imposed on a magistrate, where it was stated that he would be fined if he refused to perform that duty. It would be a slur on the magistracy to assume that any of their number would be unwilling to enforce the laws; but if such a case should occur, as has been shown by the hon. Leader of the Opposition, there is a remedy.

Mr. P. SINCLAIR.—According to this Bill a magistrate will not be bound as he was under the old Act; he will only have to certify that he called a public meeting, and that a majority of those present voted in favor of having a tavern. In reference to what has been said by the hon. Leader of the Government concerning the former Act specifying one of the two nearest magistrates, although I do not pretend to be so well acquainted with the laws as he is, yet I think it was two of the neighboring magistrates that was mentioned, and as it was very hard to define who were neighbouring magistrates, it was found necessary to change the law and make it two of the four nearest magistrates.

Mr. G. SINCLAIR.—A question was asked by the hon. member from Tryon, viz: whether it would be necessary to call a public meeting every time it was requisite to renew a license. I do not think that according to this Bill it would be required, it is only in the event of taking out a license that this Bill applies.

Mr. P. SINCLAIR.—I think it also included the renewal of license.

HON. LEADER OF THE GOVERNMENT.—If a person goes to the expense of fitting up a tavern he should be allowed to keep it while he complies with the law and keeps an orderly house.

HON. ATTORNEY GENERAL.—I do not think a majority can prevent the renewal of license, that will require two-thirds as formerly. This clause relates to the original granting of the license.

Clause agreed to.

The second clause was read. Some discussion arose concerning the wording of the clause, as to whether it meant that a majority of the householders in a district would be required to vote in favor of having a tavern, or only a majority of those present at a public meeting. It was decided that it meant a majority of those present at the meeting.

HON. ATTORNEY GENERAL.—Under the old Act an applicant for license required to get a majority of the householders in the district, but according to this Bill he would require only a majority of those present at a public meeting. This might only make the matter worse, for those interested might drum up a number who were in favor of having a tavern, and there would be a one-sided meeting. I am well aware that in some districts the Sons of Temperance would attend a meeting of this kind, but in others they would not, and if only five were present three could carry the day.

Mr. P. SINCLAIR.—The arguments of the hon. Attorney General may hold good in some instances, but it was the wish of the petitioners to have the law amended in that way, and I think we should grant them their desire.

Mr. G. SINCLAIR.—I very much doubt if this method will be as satisfactory as the old system.

HON. Mr. DAVIES.—I think, Mr. Chairman, that a public meeting is the proper place to decide whether there is a necessity for a public house or not, in no other way can it be so easily or correctly ascertained. I like to see men come forward boldly and state their views.

Mr. McNRILL.—I do not think it is likely that such a case will occur as that imagined by the hon. Attorney General, that hardly any person would attend a public meeting, but if it does the people can remedy the evil.



when the license expires. A public meeting where people meet each other face to face, is the best place to decide any question. I think this will be an improvement on the old system, but if it will not work well the law is not like those of the Medes and Persians, it can be changed.

Clause agreed to.

The next clause was read which provides that no Court of Justice, or post, or other Government office shall be held in any house licensed to sell spirituous liquors.

Hon. Mr. HOWLAN.—Mr. Chairman, I objected to this clause because it was of too sweeping a nature, and the more I investigate it the more sweeping it appears. There are one hundred and twenty Post Offices on the Island and there are only six in taverns, and for the sake of this small number it is scarcely worth while to pass a law and force the Government to turn men out of office this year whom they appointed last year. Some of these are very efficient officers; we have one at Summerside, and there people need not go into the Bar-room at all, as there is a separate entrance into the Post Office. I have no objection to have the law so amended, that hereafter no Post Office shall be established, but it would hardly be fair to turn out those already appointed. I would, therefore, move that the words "hereafter be appointed," be inserted after Government Office.

Mr. P. SINCLAIR.—If the Government think it is coming too hard upon them to turn out these men now, I should have no objection to allowing some time before the Bill should go into operation, and thus give them ample opportunity to find other suitable persons for the situations. I think this is the best feature of the Bill, and I think the Government have a very good right to remove all Post Offices from taverns, for an affair occurred in one of those Post Offices not long ago, an investigation of the circumstances took place, and the Commissioners appointed to make that investigation recommended the removal of Post Offices from public houses. I shall oppose the amendment proposed by the hon. member from Tignish (Mr. Howlan).

Hon. Mr. HOWLAN.—I do not wish to give the Bill any factious opposition, and if there was any great injury to result from allowing those few Post Offices in taverns, I should have no objection to removing them. In regard to what has happened in a Post Office held in a tavern, it has not yet been clearly proved, and it is not right to bring up anything as an argument which is only conjecture; and even supposing it could be proved, it was not the result of keeping the Post Office in a tavern, the very same thing might have occurred had the Post Office been any where else. The Government appointed the officers and it would look rather strange to turn them out when no fault is to be found with them.

Mr. G. SINCLAIR.—I cannot agree with the amendment proposed, because even if there are only six Post Offices in taverns, it is acknowledging the principle that it is right to have them there. But that the Government might not be taken too much by surprise, I would move that the Bill do not come into operation until January, 1869.

Mr. PROWSE.—Mr. Chairman, I cannot support the amendment proposed by the hon. member from Prince County (Mr. Howlan,) because the passing of this Bill will be a very good reason for parties who keep Post Offices in taverns, either to give up selling liquor or give

up their office. Neither am I in favor of the amendment proposed by the hon. member from Malpeque (Mr. G. Sinclair,) for I do not see any necessity for allowing so much time. Parties who accept Government Offices are liable to be turned out at any time without warning, for when a change of Government takes place, if their political opinions do not coincide with those of the party in power they are immediately despatched, and if you remove a man from office for such a reason as this, surely when a great moral principle is at stake it will not be wrong to do so.

Hon. Mr. DAVIES.—It may seem strange to turn a man out of office merely because he sells spirituous liquor, yet I believe no public office should be held in a place where such an article is vend d. The hon. member who spoke so much in favor of allowing those Post Offices to remain in taverns, did not give us any reason why Courts of Justice should be held in those places. He has stated that there are only six Post Offices held in taverns in the Island, if so I think the sooner we abolish the system the better, as it has become obnoxious to the people.

Hon. Mr. HOWLAN.—I did not wish any Courts of Justice to be held in taverns, I would leave that part as was intended by the original mover of the Bill.

Hon. ATTORNEY GENERAL.—I acknowledge the principle that it is highly improper that Courts of Justice should be held in taverns, and also that it is inadvisable to have Post Offices kept in such places, but I agree with my hon. friend from Tignish, and think it would be better to insert the word *hereafter* and not interfere with the few Post Offices which are now held in taverns. Some of these are kept by very competent persons, there is one on the Georgetown Road kept by Mr. Findley, and I do not know one kept better any where.

Hon. Mr. DAVIES.—I think this amendment will allow Courts of Justice to be held in taverns when they have been held there already.

Mr. PROWSE.—I think there must be some mistake in regard to the number of Post Offices kept in taverns. I can point out four in King's County, and it is rather strange if there are only two in Queen's and Prince Counties.

Hon. Mr. HOWLAN.—I have it in the hand writing of the Postmaster General, if the hon. member wished to see it he can do so.

Mr. PROWSE.—I do not accuse the Postmaster General of stating what is not true, but this statement may have been made without due consideration never dreaming that it was to be brought before this House.

Hon. Mr. HOWLAN.—This statement has not been made on the spur of the moment—here is a list of all the Post Offices on the Island, and those kept in taverns are marked.

Mr. PROWSE.—Since I sat down I have had a slip of paper handed to me with the name of another on it, which makes five in King's County who keep Post Offices in Taverns.

Hon. Mr. HOWLAN.—If the hon. member will name the persons, I will see if they are marked on the list.

(One or two were then named which could not be found on the list.)

Hon. Mr. HOWLAN.—There may be a few more, but suppose we double it, and say the number is twelve, it would not be a great many. You must remember that there are persons outside of this House who hold different views from those of the Sons of Temperance, and who think it is perfectly right to have Post Offices in taverns; and even if they are in the minority, their views should be respected.

Mr. P. SINCLAIR.—This amendment which has been proposed will include Courts of Justice as well as Post Offices. A great deal has been said about the small number of Post Offices which are kept in taverns, but the fewer there are, the less trouble it will be to remove them. I have no doubt that there may be some who wish to have Post Offices kept in taverns, but if it is wrong to have them there, the wishes of some individuals should not prevent their removal, for there is no Act passed which is not against the wishes of some.

Hon. LEADER OF THE OPPOSITION.—I am opposed to holding Post Offices or Courts of Justice in taverns. I do not think any man with a family would care to send his children to a tavern for his letters and papers, but there are places where it is almost impossible to have Post Offices without having them in houses of this kind; and as it is admitted that the few Post Offices now held in taverns, are kept orderly, I do not think it would be any great harm to let them remain, but provide that for the future there shall be none appointed. I would suggest that if the hon. member for Tignish would withdraw his amendment, perhaps it would be better to have it worded, "No Government Office hereafter to be established, or Court of Justice now constituted or hereafter to be constituted, shall be kept or held in any public house or tavern by law licensed to sell spirituous liquors."

Hon. Mr. HENDERSON.—Mr. Chairman, as we are not all acquainted with every locality in the Colony, I think it would be well if those hon. members who speak from knowledge, would name some places where it is impossible to have a Post Office, without having it in a tavern.

Hon. Mr. HOWLAN.—I withdraw my amendment in favor of that proposed by the hon. Leader of the Opposition.

Hon. ATTORNEY GENERAL.—I think the hon. member from Murray Harbor has imposed a difficult task upon this House. I do not think any hon. member has such a knowledge of all the localities in which Post Offices are held that he can point out every place that has no convenient place except a tavern in which to keep them. But when we reflect that there are such a small number. I think the grievance cannot be very great, and these few might very well be left at the discretion of the Government. Although I stand up in favor of any amendment in the Liquor Law which will promote the cause of temperance, yet we should not adopt any course that would cause inconvenience, and I think it is unreasonable to ask for a clause of this nature.

Hon. Mr. HENDERSON.—I think the information I desired is within the bounds of reason. I did not ask any hon. member to point out every place where Post Offices could not be held anywhere except in taverns; but when an hon. member stated that there existed a necessity in some localities for appointing Post Offices in such places, he might name some of them.

Hon. Mr. HOWLAN.—I am informed by the Postmaster-General, who should be the best judge in these matters, that in several of the localities where Post Offices are held in taverns, no other place could be found so convenient. I do not find fault with the

principle of not establishing Post Offices in taverns for the future, but think it would be too sweeping a measure to remove those already appointed. These temperance people take upon themselves to say that it is wrong to appoint a Post Office in a tavern, but they must be wiser than the legislators of the land, for the late Government, as well as the present, have made such appointments. There are men in the Colony who do not believe it is wrong to sell liquor, for there are one hundred and twenty licensed taverns on the Island, and these must have been recommended by Magistrates.

Hon. ATTORNEY GENERAL.—Some of these Post Offices were left as legacies by the late Government, of which the hon. member from Murray Harbor and he assisted in appointing to office, the very men whom he is now so strenuously endeavoring to get removed. I think a new light has broken in upon him, but unless he shows that he remonstrated with his colleagues in the late Government against these appointments, I do not think his arguments now will have much weight. I should like to see intemperance done away with, for it is the cause of a vast amount of poverty and misery and crime.

Hon. Mr. HENDERSON.—I have no doubt that this is an age for new lights; but I will make a bargain with the hon. Attorney General.

Hon. ATTORNEY GENERAL.—I do not wish to make any bargains.

Hon. Mr. HENDERSON.—If he will tell me what he presses upon the Government of which he is the legal adviser, I will also tell him what my advice was, when I occupied a position as a member of the Executive. I think the information I desired for the benefit of this Committee was perfectly reasonable, for when any individual takes up a certain line of argument, he should post himself up with clear information on the subject. It could hardly be expected that I should be capable of knowing everything connected with the appointment of Postmasters by the present Government; but I did hear that a certain gentleman in the Government, was instrumental in getting a Post Office removed from the place where it was formerly held, and established in a tavern. What I wonder most at is, that while this question is under discussion the real friends of temperance are not rising, either to assist me, or to give me a gentle hint that the amendment is satisfactory.

Mr. BELL.—I do not wish to force anything on the Government which would cause them any inconvenience. If the people of the School Districts get an opportunity of abolishing drinking from their midst, I shall be satisfied; but if it is inconvenient to the Government to remove these six Post Offices, let them have time to do so. It has been said that a great many persons keep orderly public houses; but just as many keep disorderly ones. We wish to do away with the drinking habits of society altogether, and to educate the public mind on this question, so that people may do without intoxicating liquor.

Hon. Mr. HOWLAN.—The hon. member from Murray Harbor, with a great deal of innocence, denounces the appointment of Post Offices in places where liquor is sold; but he belonged to a Government which not only made such appointments, but could not even allow Her Majesty's troops to go out into the country without being plentifully supplied with liquor. It is rather a strange proceeding for a Legislature to allow a man to sell liquor, an

receive a license fee from him, and then pass an Act placing him under a ban—making him unfit to hold any Government office, merely because he is engaged in the business which they legalised.

BALDERSTON, Reporter.

Mr. BELL would not object so much to those stores where spirituous liquors were sold by two gallons, as he was aware the greatest amount of evil originated at those places where they were sold by the pint. He spoke from his own personal knowledge and observation, and hoped his hon. colleague would not oppose the measure; and regretted to see the Government opposing the Bill.

HON. LEADER OF THE GOVERNMENT wished to remind the hon. member for Cascumpeck that the Government was not opposing the Bill at all. If the hon. member could carry the measure through, the Government, as such, was not going to throw obstacles in his way. He (hon. Leader of the Government) was opposed to holding post offices in taverns; but did not consider that the same objection held good against those places where it was sold by the pint.

HON. LEADER OF THE OPPOSITION, after carefully looking over the Bill, was of the opinion that the cause of Temperance would have flourished more under the old law, than it will be found to do under the one under consideration, if it should become law. He had been under the impression that the Bill provided that the majority of those who were in a School District have to vote in favor of a tavern license being obtained, but he found it only required the majority of the meeting, and, therefore, concluded that more licenses would be obtained under this, than under the old measure.

Mr. BRECKEN said the great object was to prevent taverns being forced upon the people in a School District against their will; and thought if the inhabitants of a School district were opposed to a tavern being opened, they would make it a point to be present at the meeting to vote against it.

HON. Mr. DAVIES thought it was a better Bill than some hon. members supposed. Temperance men had no wish to see their families ruined by being brought up in too close proximity to taverns; and believed, with the hon. member for Charlottetown, that in School Districts where an interest was felt in the matter, that the people would attend to vote against the opening of taverns, if they were opposed to them.

A long and exhaustive discussion followed, in which hon. members severally took part, when Mr. Speaker resumed the Chair, and the Bill reported agreed to with amendments.

Some petitions were received, and business disposed of, when

House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

WEDNESDAY, April 8th.

*Afternoon Session.*

HON. Mr. CALLECK moved for a Committee to report by Bill or otherwise, on the petition of the Trustees of the Baptist Church at North River.

*Ordered.* That Hons. Calbeck, Laird, and Mr. G. Sinclair, do compose said Committee.

HON. ATTORNEY GENERAL presented a Bill for the better security of the Crown and Government of the United Kingdom, within this Island, which was read a first time, and ordered to be read a second time to-morrow.

The Bill to amend the Liquor Law, was read a third time and passed.

On motion of Mr. Arsenault the Bill to be entitled, An Act for the Incorporation of Societies for the Sale of Seed Grain, was read a third time and passed.

On motion of hon. Attorney General, the House resolved itself into a Committee of the whole, on the further consideration of Supply.

Mr. Reilly in the Chair.

Several resolutions were agreed to.

A grant of seven Pounds ten shillings to Daniel Giles of Miscouche, for taking charge of letters and papers for fourteen years previous to the establishment of a Post Office in that locality, elicited considerable discussion. The resolution was, however, agreed to.

HON. ATTORNEY GENERAL.—The next resolution is to grant sums to teachers of various schools on the Island, but I may say, that although the grant is given this year, yet I have appended to this resolution a clause stating that the grant is only for this year, and is not to be used as a precedent for the future. I believe there was a resolution passed at one time, stating that no more petitions for special grants for schools, would be entertained, but this rule has been departed from year after year, and as these grants had been given for many years, it was thought it would not be well to withhold it without any previous warning to those who were accustomed to receive them; but hereafter parties who wish to get grants must conform to the provisions of the Free Education Act. Various opinions are entertained with respect to the grant to the Bug School, as it is well known that school does not come under the provisions of the Free Education Act. The Government would not have offered this resolution unless the provision was made that it was only for one year, but it was thought it would be hardly fair to throw them overboard at once. For my own part I am free to say that you cannot depart from the system of secular education unless you break up the whole system of the present common school education altogether. By this provision annexed to this resolution, any hon. members who vote for it are entirely absolved from pledging themselves to any principle of granting such amounts for the future. The hon. Leader of the Opposition asked me respecting the Georgetown school, and I hope he will now be satisfied, as by this resolution a grant is given to the teacher of the school there.

HON. LEADER OF THE OPPOSITION.—I was anxiously awaiting the resolution so far as it relates to the Georgetown Infant School. It seemed so long coming forward that I did not know what was going to become of it, and if it had not been granted, it would have been a gross injustice. Mr. Easton has been employed there for many years, and has received an annual grant from this House. It is a school which has always stood high in the estimation of all classes, and of every denomination. It is supported principally by the people of the Church of England, but children of all other denominations attend the school; in fact the majority of those in attendance belong to other denominations. The incumbent of the school relied on this grant, and as it has always been for past services, it would have been very unjust to have refused it. As regards the important question referred to by the hon. Attorney General, regarding the advantages or disadvantages of secular schools, we will go into that question when the proper time arrives.

Mr. BRECKEN.—I am glad that there is a small grant for Mr. Corbett the able and efficient assistant teacher in the school taught in the Temperance Hall, but I would have been better pleased had the grant been larger, as there is a large number of children taught in that school, and the duties are very arduous. I hope in this Education Bill which is to come forward, that some permanent provision will be made for teachers in Charlottetown. As the cost of living is much higher than in the country their salaries should be larger.

**HON. LEADER OF THE GOVERNMENT.**—There seems to be a great deal of doubt in the minds of hon. members about these grants, and there is a question about the grant for St. Ann's School. The grants for the Georgetown School and the Bog School have always been moved in this way. I am glad that we have pleased the hon. Leader of the Opposition and the hon. member for Charlottetown. There are two Schools at Summerside and one at St. Eleanor's, and the Government, with the view of enabling all these schools to derive an allowance from the Treasury, have allowed new schools for Charlottetown and Georgetown, and have also enabled the teachers of these schools to pass the Board of Education without going to the Normal School. I should think that a very little preparation would enable these teachers to become District Teachers, and they can then establish schools under the Free Education Act; after that there would be no more of these jealousies about the grants to the different schools. The Churches had some of this feeling when pew rents were allowed; and, therefore, we abolished the payments of pew rents altogether. It will be far better to get all these schools to work under the Act, and they will not have no need of applying to this House from year to year as heretofore. This would prevent bad feeling and jealousies between parties connected with these schools. These grants, therefore, shall not be a precedent for a grant hereafter. The obstacles which prevented these teachers from taking a school under the Education Act is now removed; but it was necessary that there should be a great deal of liberality to these schools at first, because it was not easy to bring them under the Act. If people want to get up private schools let them do so, but this is sufficient warning to them of the intentions of the Government on this matter in future.

The resolution was then carried.

**HON. ATTORNEY GENERAL** moved a resolution, having for its object the relief of destitute persons, which was read.

**HON. LEADER OF THE GOVERNMENT.**—It is almost impossible for the Government to find out whether these persons are all living or not, for we have only the list for last year; but it would be rather a hard case that any should be left out of the list. In a few cases the Ministers of the different Churches send in applications, where no list has been sent in, the gentlemen in whose hands the money is placed should try to ascertain whether the party is alive or not. I know that in some cases grants have been given, although the party had been dead for years, their relatives having got the money which was granted.

**HON. ATTORNEY GENERAL** moved a supplementary resolution, as it has been found necessary to extend the amount granted to destitute persons.

This resolution was then read.

The Committee then rose and reported progress, and asked for leave to sit again.

**Mr. Speaker** in the Chair.

**HON. ATTORNEY GENERAL** moved that the Education Bill be now read a second time, and said: **Mr. Speaker**, I think it unnecessary to make any remarks on the Education Act at present, as I have already explained the principal amendments when the Bill was introduced, and also when the resolutions relating to these amendments were before the House in Committee.

**HON. LEADER OF THE OPPOSITION.**—**Mr. Speaker**, I regret that circumstances over which I had no control prevented me from being present when the hon. and learned Attorney General moved the House into Committee of the whole to take into consideration the vital and important question of Education; and, therefore, I have been deprived, no doubt, of the clear and able statement which he must have made relative to the contemplated action of the Government on the Bill which is now moved to be read a second time. I do not intend to delay the House with a long speech, as you, Sir, must be quite weary from having been kept so closely to business in the early part of the day in caucus. (a cry of order.) The word (caucus) is now a common one, not only in the United States but having crossed the Atlantic is now used in the United Kingdom; therefore if any hon. member thinks I am out of order, I cannot agree with him. I think that the caucus is an institution which will do a great deal of harm and will in time strike with heavy blows at the root of the Government. (cries of no.) Will **Mr. Coles** say that he never called his supporters together to consult each other in caucus when the Liberals were in power eight years, or that there was no such thing in existence?

**HON. LEADER OF THE GOVERNMENT.**—There was, but it was not carried to such an extent as at present.

**HON. LEADER OF THE OPPOSITION.**—Yes, there was, and when the Conservatives had one in days gone by, the Liberals had five. I was going to say that this question of caucus has agitated the minds of those who take an interest in Government matters, elsewhere as well as here, and the institution has been proved to be an evil. I doubt whether it would not be better for the composite party to throw this new institution overboard, because it conflicts and interferes with pure parliamentary Government. If the hon. the Leader of the Government will refer to a recent article in the *London Times*, he will find that that Journal condemns it as an injury to any party Government, and asks if it would not have been better for Mr. Gladstone if he had never held a caucus, for a Government should have a policy on every vital and important question whether it may be a question of trade, or finance, or of more consequence still, of Education. The Government should draw up their views in the shape of a Bill, and then bring said Bill down to the Legislature and throw it, as it were, upon public opinion, and if it be a good measure let them stand or fall by it. The evil is this that they cannot carry out the constitution, they cannot carry out the wishes of the people as expressed through their representatives. The opinion of a majority may, by means of the caucus, become the law of the land, thus, for instance, this House consists of thirty members, and of these the Government have some eighteen members rallying together. Perhaps the question of debate in the caucus is whether we shall have one, two or three Visitors; ten are of opinion that there should be three Visitors, the remaining eight then surrender their opinions to the majority of their party, and thus the law is actually made by one-third of the number of the people's representatives. I say the caucus will eventually work an injury in the constitution of this country and therefore the sooner both parties abandon it the better. So much for the Caucus. This question of Education is of vital importance, and of the greatest

consequence to the welfare and interests of the people of this colony; and upon our having a properly constituted Act to carry out the Education of our youth, depends their future prosperity and happiness. When some hon. members on the other side of the House were in the minority, they were constantly twitting the Conservative Government with having injured and ruined the Free Education Act, and declared that if they got back into power they would not have the sham which that Government had got up, but that they would have an institution that would be superior to any, not merely in the neighbouring Provinces and the United States, but to that of any other country in the civilized world. We had a great deal on Education in the speech of last Session, but very little was done. This year we have another paragraph on the question, but the Government have been like a mountain in labour, and now in the middle of the session they have produced a measure which is very like the mountain mouse. The Bill contains very little of consequence or of importance, and what are considered amendments by the Government are more likely to injure, shackle and throw back the Education Act, than to throw it forward. For instance among the contemplated amendments laid down by the Attorney General and embodied in the Bill which is now about to be read, the Normal School is to be made a dead letter. If the clause in the Bill contains the views and intentions of the Government, the Normal School is to be discontinued and substituted by an ordinary day school. I am surprised that the father of Free Education in this Colony, and the hon. member for Belfast (Mr. Davies) should ever have consented that this school should be strangled in the Bill which has been introduced to this House. You are aware, Sir, that when this school was inaugurated there was a Jubilee throughout the whole Island, and the Teachers were summoned to appear at a banquet which was held on the occasion. We had a number of eloquent speeches from members of the Liberal Government and several private gentlemen, who said that we could not carry out the Free Education System without the Normal School, and that the Teachers must be trained there to be properly qualified for their office. I hold a small pamphlet in my hand containing all the speeches made that day, and I dare say the hon. Leader of the Government recollects his speech. It was there laid down that the Normal School was the foundation of the Free Education System, and now it is to be overthrown. We find by the new Bill that there is now no necessity for Teachers to qualify themselves at that School, and yet we are to pay the Head Master of it two hundred pounds a year for teaching the children of the town, and those candidates for the office of teacher, who cannot pass the Board and may choose to attend it. I am very sorry that the Normal School is to be abolished, because it is the proper place for training teachers, and we know that in the other Provinces the training at their Normal School is the foundation of their system. Prussia, which is considered to have the most perfect system of education in Europe, and far ahead of that of Great Britain, has the Normal School system carried out in the greatest perfection. A man may have a great deal of knowledge and may be a second Solon, yet he may be unable to impart information properly to his neighbor. A teacher requires to be trained just as much as a man who serves his time to learn a trade or anything else. I am sorry that the

Normal School is to become a dead letter. I am sure there is nothing degrading to any young man, in being compelled to attend that institution for the purpose of learning how to teach, if he wishes to become a teacher of youth. In the neighboring Provinces, unless a teacher has been trained at their Normal School two terms, he is not allowed to teach in any properly constituted Normal School, or other Government School. The student is there educated and trained by the head of the establishment, by means of lectures. In the Model School the theories are carried into actual practice, as there are classes of children for the pupil teachers to practice upon. The latter are tested in teaching the children's classes to see whether they can carry the knowledge they have into actual practice. If the training of teachers is to be done away with in our Normal School, I contend that the school should be done away with altogether, because it would be a waste of the public money, to spend two hundred pounds a year upon an institution which will be practically useless as a training school for teachers. We are also to have three School Visitors instead of two, who are to have the extravagant salary of £150 each per annum, and the Normal School teacher, who has not to incur any expenses in travelling, is allowed £200 per year. It would be much better to abolish the Normal School altogether, and give the Visitors a higher salary, and thus enable them to live. We are to have the Board of Education increased from nine to eleven, of whom two are to be Examiners, and whose province will be to examine the candidates for the office of teachers. These examiners are each to receive £20 a year for their services, and the remaining nine are to have the same allowance as formerly. There was no necessity to increase the members of the Board, for three for each County were perfectly able to transact all the business which falls into their hands. Two out of the nine might have been appointed Examiners. But then again, one of the eleven is to be *ex officio*, Secretary of the Board of Education, with a salary "surpassing rich of forty pounds a year." This is a farce. When we think of the duties of the Board of Education, and the correspondence carried on by that body, and that the salary of the Secretary includes the allowance for stationery, we must say the amount is ridiculously small. We number our teachers by hundreds, and the Secretary has a written correspondence and personal interviews with them all: for all this labor he receives the munificent sum of fifty pounds a year! I do not think it is necessary to be so very penurious in the payment of those who are engaged upon so great and important a task. Then again there is another amendment. All teachers of the favorite few, who qualify themselves to teach French, are to receive an additional sum of ten pounds a year, five of which are to be paid by the Government, and five by the Trustees; but there are only twenty such teachers allowed for the whole Island. There should be a certain number apportioned to each County; but by this amendment there is to be a regular scramble, for those who can persuade the Trustees to give five pounds towards their salaries, are to get the benefit of the additional allowance from the Treasury, and those who cannot will receive nothing extra. I do not object to an additional allowance to teachers who teach French as well as English, if they are competent to do so; but it is not merely passing the Board which would show a teacher's qualification to teach French.

I had a good deal of experience in using the French language, as taught in England; but when I went to France, I found I had not learned any of it, and therefore I have come to the conclusion, that a person cannot get a correct knowledge and pronunciation of French, without going to France, and learning it among Frenchmen. Unless the Examiners are to be Frenchmen, I am of the opinion that the extra allowance will not be well expended. Now Sir, these are all the contemplated amendments brought forward by the Government in this Bill. I certainly was under the impression that we were going to have some improvement in our Education Act, of greater importance than that which is laid before us. When I consider that the Bill has been so long coming; that the subject was brought into the Speech at the opening of the Session; that the Attorney General is a rival of the Leader of the Government in educational matters; and that he issued a manifesto upon the subject previous to the last elections, I am grievously disappointed that we have nothing presented to us but the old Bill with these trifling amendments. I thought that as the Liberal Party had always disapproved of the manner in which the Prince of Wales College was managed by the late Government, they would have made a University of it, and that students there would be placed in a position to take degrees in all the sciences; but they have left the College just where they found it. Then again, there is another matter which I thought they would have touched upon—a matter which has been agitating the minds of those who take an interest in education in all parts of the world, *i. e.*, whether education, as conducted upon the principles of our present laws, is a healthy system, that is to say, an education that is not founded upon the principles of religion. This is a question which has engaged the attention of the ablest and noblest minds, for a mere secular education, unless founded upon religious instruction, is utterly futile. Well, we have had no expression from the Government on that question; they have tabled the Bill as it stood years ago in regard to this matter. Able men have had strong opinions on this all-important matter, because education, next to religion, is the most important subject which can come before the Legislature. It was said by one of the ablest men of olden times:—"Upon the education of youth depends the permanence and stability of empire." When we take all these matters into consideration and see what a dullness there is in the Government upon this subject, we must conclude that they do not enter heartily into the subject. On one occasion, the Leader of the Government gave us an account of his travels in the United States; of his examination of their Schools and Colleges, and discussed these very topics, but now we have to read this Bill, without note or comment on the part of the Government, as to whether our present secular system of education is a proper one or not.

Hon. ATTORNEY GENERAL.—Mr. Speaker, when I moved for the second reading of this Bill, I said that I deemed it unnecessary to make any remarks upon it, unless the Opposition called for them. I now feel called upon to make a few remarks, and I think the best way will be to begin with the last, and to go backwards, and work up to the top of the speech of the hon. Leader of the Opposition, because the remarks he made last were to the effect that an education not founded upon the principles of religion is worthless, and that he

expected that our present system of education would have been changed in this respect, by the Bill which is now before us.

Hon. LEADER OF THE OPPOSITION.—I did not say that.

Hon. ATTORNEY GENERAL.—He throws out suggestions, but takes good care not to give his own opinions on this important matter. He certainly did say that the first thing we should attend to in the training of children is their religious education, and in this, I perfectly agree with him; but he did not say whether the State should give them that education, or whether their parents should undertake that matter. I do not intend to throw out anything against a religious education, for when we look at its momentous results, any one would be ashamed to stand forward and say that religious education should be displaced by secular education. But, at the same time, the latter should not be neglected, although the former should be placed in the first rank. When the question arises whether the State should attend to the religious education of our youth, the matter becomes entirely different. Some seven or eight years ago, when the hon. Leader of the Opposition was in the Opposition, there was a great cry made by his party about ungodly schools, and certain members of this House said that it would be better to leave them so, than to interfere with the subject of religion. The extreme views which he and his party laid down were, that it was not sufficient that the Board of Education could lay down rules for the guidance of teachers, but that a section relating to the reading of the Bible in the schools should be embodied in the Act. The Liberal party were displaced for the purpose of carrying out these views. Now the same views are contained in the Bill which is now before the House, therefore, if the Conservatives do not now agree with them, they must have changed their minds on this matter. If the members on the other side of the House have a design to introduce a contrary system, if they have changed their minds, let them get up and table that system. Let them submit their resolutions to the House, if they wish to test the Government, and the latter can either reject their resolutions or adopt them as they may think fit. My own opinion is that these measures embodied in the Bill are, under the present circumstances of this country, the best adapted to carry out the education system which is desired by the people generally. Now with respect to the alterations in the Act, I have been in this House a good many years and have seen several education Bills brought in, but I never saw any great measure brought in by the other party. If they did establish the Prince of Wales College, we know that it has never proved a success; although I do not wish to doom it, I think there are alterations to be made in its working, and which must be made sooner or later. The Government have been blamed by the Hon. Leader of the Opposition for not making more important alterations in the Education Act, although it is only a comparatively short time since they received it with all its defects, as a legacy from their predecessors. I need not talk much about the amendment made in it by the Conservatives, as we have heard it denounced by one of their own members. They cut down the salaries of the teachers and raised the daily average attendance, but went material alteration they made, I cannot see. I know that this amendment of the Education Act was a poor measure of a gentleman who is not now in this

House, but there was no real amendment ever made in it by their party. I believe they intended to abolish the Free Education Act altogether, and return to the old system, if they had been allowed to remain in the Government. This brings us up to the question of caucus meetings. I go against the principle of caucus meetings, and agree with the hon. Leader of the Opposition to a great extent. He wishes the Government to show their responsibility, by bringing their measures down to the House, and to stand or fall upon them, without consulting their supporters. It is very easy to talk about these things but not always so easy to put the principle into practice. In England, almost invariably, the Leader of the Government calls his supporters together and receives assurances of support before an important measure is brought before the House of Commons. The Leader of the Opposition referred to my address before the last Election to the electors of the district which I represent. In that address I said that I wished to pay the teachers in full from the treasury, and to simplify the Education Act, that it might be more easily understood by the trustees of schools; but I hardly hoped to have brought about as many amendments as the Bill now before us contains. The Normal School has not been done away with, but the grievances caused by it have been abolished. The Government have struck at a law which enforced the attendance of candidates for the offices of teachers who are sufficiently educated to pass the Board without attending that institution. Under the Act which is now in force, a man who held a certificate from a college, could not teach a District School, without attending the Normal School five months. This was a great drawback, and a disadvantage, for parties who were perfectly competent, could not teach on account of being forced to attend the Normal School. But the institution has not been interfered with in other respects. We intend to have two competent examiners for we should not trust the examination of candidates to ordinary members of the Board. What are these examiners to do? They are to examine Candidates for the teacher's office, and see that they are learned and fit for the office. The candidates will be examined not only in their attainments and learning but must show their capacity to teach. If they are not proficient, the Board will order them to attend the Normal School for a certain time. The School is open just as it was under the old Act. The old system says to the candidate:—whether you will or not, you must go to the Normal School, you may have studied six years in college, you may be proficient in every branch of knowledge, but you must go to the Normal School five months before you can be a district school teacher. The Board have found that on several occasions the very best men have been kept out of the profession, on account of this stringent law, and therefore, it is high time that it should be removed. If any young men find themselves unqualified to pass the Board, they can still go the Normal School which is just as efficient as it was under the old system. When the Leader of the Opposition complains of the salary of £150 for the Visitors being too small, I cannot help referring to the salaries which the late Government gave the Visitors, when there were only two for the whole Island, instead of three. We know the Visitors must incur a considerable expense in travelling, but if the area over which each will have to travel is made a great deal smaller than when there were only two, I cannot see

that their salaries should, on that account, be increased. The Visitors will each receive the same salary as they did under the late Government, while the area over which each will travel will be considerably smaller; therefore, I think the hon. Leader of the Opposition has been very unreasonable in finding fault with the Government in this matter. Then again, the Secretary of the Board receives the same sum for his services, as was allowed him by the Conservatives; at the same time, I would be very glad to see his salary increased. It was formerly only £30, and afterwards was increased to £50. The present Bill does not cut it down, but will keep it at the same figure. The system by which the examination of candidates for the teachers office is to be conducted is a great improvement; and the increasing of the number of members of the Board was absolutely necessary, because it was often difficult to get a quorum to do business. I have had a good deal of experience as a member of the Board, and I must say that a great deal devolves upon that body; they will, no doubt, be better able to get along under the new system, than under the old one. With these few explanations I will leave the subject for the present.

Dr. JENKINS.—Mr. Speaker, when I read the clauses in His Excellency's Speech, I expected the Government would make some very necessary and important amendments in the Education Act, and that at last the system would be brought nearly to perfection. The paragraphs to which I refer, are as follows:—

“When I released you from the Legislative duties of last Session, I expressed the hope that you would, at your next meeting, take into consideration a measure calculated to impart to your system of Education a degree of efficiency and practical benefit more commensurate with your liberal provision for that service.”

A measure for consolidating the present laws on this subject, and for amending them in certain particulars, will be submitted for your consideration.”

I can only say that I am most grievously disappointed in my expectations. The Attorney General, in his reply to the hon. Leader of the Opposition, said that he would go backwards; now he expressed exactly what the Government are doing, for they are going backwards; instead of making improvements, they will leave the Act worse than they found it. When I couple this expression with what I heard to-day, that a good education is a curse to a young man, I think there is a great cause for disappointment; if that is the sentiment of the Government I do not think I can expect much. An allusion has been made to an expression which fell from me, to the effect that the Government were tuckering with the subject. I now regret having used that expression, for I gave them credit for more than they deserved; they are picking holes in the Act; instead of mending it they are impairing it. I have given the subject a good deal of earnest consideration, and I will now give my own opinions. It seems to me that the first requisite is to obtain the services of competent teachers, because that is a matter of the first importance to the Colony. I do not wish to hurt the feelings of any man or body of men, but I must speak plainly, for the subject is one in which the people of this country have the deepest interest, and which is of vital importance to their welfare. I do not hesitate to say that our teachers are not half educated; with a few honorable exceptions, they

cannot write a decent letter, they cannot spell, and they can barely read. I can bring proof that these are facts. To remedy this state of things the Normal School should be placed upon a proper footing, and candidates for the teacher's office should be compelled to attend it a considerable time, to go through a longer course of study. Instead of carrying out these improvements, the Government are about to do away with this institution which is the very foundation of our popular system of education. The very fact that teachers have passed the Board and still are incompetent to teach our youth, shows that that body do not do their duty as they should. The best way would be to remodel the Board, and to appoint men who will carry out the object for which they are appointed; for we shall never have a competent Board of examiners unless they are chosen from a body of well qualified teachers. There are a few good schoolmasters, and I would choose the members of the Board from them. If we wish to have well qualified teachers, we should first have competent examiners; the teachers should then be called in and re-examined. In this way we could get a competent body of men to instruct our youth; but if these improvements are not carried out, we shall remain as we are, and our young people will be only half educated. In making these amendments I would except teachers who have arrived at a certain age, because there are many of them who are capable of imparting a good education; and it would perhaps be as well to let them work on, and practice the same method of teaching as they have hitherto used. One reason why we have so many incapable teachers, is that we take too little pains to make them comfortable; they get too small a salary, for it is very little better than that of common labourers. If steps were taken to make them comfortable, and to give them a few acres of land, there would be greater inducements for a better class of men to enter the profession. If we want any very great improvement, we can only expect it from the rising generation; therefore we must look to our District Schools, get the most capable lads, and train them up properly. The schoolmasters should keep a list of those of their pupils who have the best abilities, and who conduct themselves well. The Government should then provide scholarships for these youths at a training school, where they would be thoroughly instructed in all the branches necessary to qualify them for teachers. If the Prince of Wales College were amalgamated with the Normal School, it would work well; a free ticket might then be given to those pupils to attend there till they were properly qualified for the teacher's office. Instead of being antagonistic and independent as the two institutions now are, they would work harmoniously together, and would offer greater advantages to our youths. The benefits resulting from the union would soon be seen, and very little outlay would be required. Now the very fact that a free ticket might be obtained, would induce lads in our District Schools to make every exertion to improve themselves. The rapid progress some of them would make, would prove that they were fit to train for District School Teachers. They should have at least three years' training at the Training College, then they should become monitors for a year, and if successful in that capacity, I believe we should have teachers who would be really capable of imparting instruction, and of giving our youth a sound education. I do not believe that it is necessary to give a teacher a great education, but it should be perfectly sound and

practical. I do not see that mathematics are always necessary for a farmer's son, for he would rarely require them. The training for teachers which I would suggest, would require a four years' course, say from the age of fifteen to nineteen, which would be a long time to spend thus, but the student would be at little or no expense in obtaining a good education. If we would make the course of training and all the other accompaniments as attractive as possible, there would be no lack of candidates. In addition to this, I would urge the necessity of having in this institution a Drill Instructor, to instruct candidates for the offices of teachers in military exercises, that they might teach their pupils. A great saving to the Colony might thus be effected, for instead of instructing persons who were grown up, we should have the easier task of teaching the youth, to whom a complete military training could be given at a very small expense. I am afraid, Mr. Speaker, that I am imposing upon the patience of this hon. House, but I must follow up this subject. It is a well known fact that not above one half the youths of this Island avail themselves of the benefits of the Free Education system. The only good points about our present system, is that it is free for all; but we are not deriving more than one half the advantages from it which we should enjoy. Every child in the Colony should be sent to school, and I believe that a compulsory law is necessary, that is, a law compelling every parent to send his children to school. When a man is too poor to clothe his children decently, I think the trustees should tax the district to give these children clothing. If we neglect the education of the youth, we cannot expect the country to prosper, and to keep pace with the times. We must combine a sound education with good moral training, if we would prepare our youth for the duties and responsibilities which await them in after life. This is a subject which cannot be surpassed in importance, and I hope that hon. members on both sides of this House will use every endeavor to improve the present system.

HON. LEADER OF THE GOVERNMENT.—I have heard a great deal about education from time to time, and I have heard many plans proposed, but none of them would be any improvement on the present system. The learned Doctor pays us a great compliment as well as the late Government which appointed the members of the Board of education, and declares that the latter are not capable of examining candidates for the offices of teachers, and that we have left them as we found them. The present Government did not appoint any of the members of the Board except to fill up a vacancy when it occurred, and therefore cannot be blamed for the actions of that body. He thought that the Government were going to bring in some great measure, but he was terribly disappointed; but if he reads the Bill which has been brought in, and which is now about to be read a second time, he will find that it will carry out just what he suggests. It provides for a number of competent examiners, and surely he does not mean to say that they cannot be got. He went on a little farther, and said that there ought to be some greater encouragement offered, for the purpose of obtaining the services of competent teachers, and that the Government should therefore provide scholarships. If he will take the trouble to turn up the new Bill, he will find that there is provision made for them also; for a certain number of youths from each County can go to the Prince of Wales College free, if they are found to be superior to all other competitors. He will also find that



by this Bill candidates for the office of teachers can attend the Normal School free of expense if they are not competent to pass the Board, and that the time is not limited; they can attend that institution till they are qualified, if they satisfy the Board that they intend to become teachers, and that they do not intend to leave the Island. I contend that all the Doctor has asked for, is to be found in the Education Bill which is now before us, with the exception that he wishes to have houses and lands provided for the schoolmasters to make them more comfortable, which we can hardly do just now. Still, I should like to see it carried out, and it might be done if the people in the country would turn their attention to it. The cutting down of the teacher's salaries was one of the acts of the late Government which greatly dissatisfied the people, and completely crippled the operation of the Education Act. The present Government pledged themselves to their constituents to increase the teachers' salaries, and they have fulfilled their promises. Now I contend, that all the Doctor has said falls to the ground and the Opposition cannot offer a single suggestion but what is contained in the Bill which is now before us. The first Free Education Act, I believe, was the best we have ever had, for it was simple, and the people could understand it better than any of its successors, as the latter have been so complicated that the Board themselves could hardly understand them; for there has been amendment upon amendment. All the other parts of the Act are mere matters of detail. There was a necessity for some little alteration in the election of Trustees and two or three other small matters; these can be attended to when they come before us in their turn. But the main principles of the Bill now before the House are of more importance than any others which have been made since the free system of education was first introduced. There was a great deal of rejoicing when the Normal School was first established, for it was founded upon a correct principle, and the gentleman who was brought here understood the system; but when the late Government came into power they dismissed the teacher, and it has never since worked as well. It has been stated by some members of the Opposition that Mr. Stark, who was Inspector of Schools at that time, was dismissed by the Liberal Government; but this was not the case. He resigned, and that Government were sorry when he left the country. From his knowledge of the system and from the manner in which he visited the schools, it was easily to be seen that he was the right man in the right place. A certain class, who exercised some influence, refused to allow him £100 a year for lecturing on Agricultural Chemistry, and he would not stop for the salary which remained. With my little knowledge of the Normal system, I am of the opinion that Mr. Webster never carried it out properly, and the School was not conducted by him on the same principles as at first by Mr. Monk. All that Mr. Webster has done was to impart instruction to the students, to enable them to pass the Board, which instruction they should have had before they went there; therefore, to dispense with the attendance of those who intend to become teachers at that institution, will really be a benefit to them. The change is what every one must approve of, for, it was a very hard case, that no matter how well qualified a man was, he had to go through the Normal School. As we have a College, young men may get a good education without attending the Normal School. The system carried out at St.

Dennis's College is more perfect than that lately carried out at that School; and, for these reasons, I think the attendance at the latter institution may be dispensed with. This Bill will leave the examination of those who intend to become teachers to the examiners, which will be a better way than to bring them before eight or nine members of the Board, to be examined class by class. The candidates will now get a thorough examination, and if found qualified, will get a certificate accordingly; if not, they will be sent to the Normal School to be further qualified, so that the system will be better carried out than it has been during the last few years. Students who intend to become teachers, and who first attend the Normal School, will be set to teach those boys who attend it, and they will thus learn the art of teaching. The Masters of the Normal School have lately had no means of teaching the students how to teach practically, but they will hereafter. The Grammar Schools which have been established at Georgetown, Charlottetown, Summerside, New London, Belfast, and other places, will carry out the suggestions of the learned Doctor, and will prepare our most promising youths for the College. I do not agree with him when he says that they should attend College four years before they should be allowed to teach in a district school. They will get the first rudiments of education at the common schools, then they will be able to attend the Grammar Schools, and after that they can go to the College. Those who are entitled to the Scholarships will be able to attend the College free of expense. Considering all these things, all must allow that the Bill before us is a great improvement upon the old Act. The Doctor has got just what he wanted in the new Bill, except a provision for a Drill Sergeant, and a piece of land and dwelling houses for the teachers. He has not paid much attention to the Act or he would have seen that it provides for nearly all the improvements which he has proposed. The hon. Leader of the Opposition complains very much that the Prince of Wales College Act has not been amended.

**HON. LEADER OF THE OPPOSITION.**—I certainly expected that the Government would have converted it into a University, as they found so much fault with its working, under the late Government.

**HON. LEADER OF THE GOVERNMENT.**—It could not be expected that the Government would take up matters relating to the College and bring them into the Common School Act. I hope they will yet take up the question and make some improvements in the working of the College. He is terribly taken up about this caucus affair, and is very much afraid that it will be the means of injuring the Government. One would think, from the language he has used, that the late Government never held a caucus; but the reverse is the fact. He wishes to see the Government tested on this Bill, with the hope that it might be upset; but, if ever there was a chance of overturning it, he has missed it. Notwithstanding all that has been said about the Government tabling their measures, and standing or falling by them, there are very few Governments that do not consult their supporters before bringing in a measure. My friend here (Mr. Howatt) thinks the Government ought not to consult their supporters upon any measure at any time. If the Government cannot agree with all their supporters upon a measure, they can bring in the ballot

box and settle the difficulty. But I assure the hon. Leader of the Opposition that there has been no hallooing about the Education Act. It is quite true, that when the Liberals were in power before, they did not boast about the Free Education Act, and they had just cause to feel proud of it. Although the late Government did not agree with its principles, nor those of the Land Purchase Act, they at length endeavored to carry out both of these Acts to the best of their ability. But it is very seldom that the party that have not brought up a measure can carry it out and take the same interest in it as those who introduced it. Each party carries it out on a different principle. The late Government brought forward an amendment, and thought they were going to perfect the system, but they failed. They tinkered with the Free Education Act till they tinkered themselves out of office.

**HON. LEADER OF THE OPPOSITION.**—Some of the hon. members on the other side of the House say that the Tenant League was the means of the defeat of the late Government.

**HON. LEADER OF THE GOVERNMENT.**—The schoolmasters were the most unfaithful men in this Island; for when the Liberal party put them in an independent position they turned round and opposed the party, because their salaries were not increased altogether to their satisfaction. The Conservative party told them they were not half paid, and that their salaries should be increased; for the sake of these promises they turned against the Liberal party, but they afterwards found that the latter were their best friends. They have been rewarded by the present Government, and I hope they will be faithful children hereafter. The Doctor says that the schoolmasters are not competent to teach, and so on; well, if he takes the trouble to read the new Bill, he will find that the School Visitors shall have the power to order any teacher to be re-examined. If there is an incompetent teacher, the Visitors will report him to the Board, who will order him to prepare himself for an examination; all this is done without a sweeping measure. To have all the teachers brought up again for examination would be going too far, and could not be conveniently carried out. From what I myself have seen, I know that there are many schoolmasters who are not as well qualified as I would wish; but they cannot be all called in again for examination. The hon. Leader of the Opposition compared the Education Act to a mountain in labor.

**HON. LEADER OF THE OPPOSITION.**—I compared the Government to a mountain in labor.

**HON. LEADER OF THE GOVERNMENT.**—I only regret to say that the late Government were in that state; they were always talking of bringing forward a measure to remedy the faults which they thought they saw in the Act, but their amendment may be compared to the mountain which has just been spoken of. I dare say the hon. Leader of the Opposition is surprised that I am in favor of a change in the Normal School, but this change is easily accounted for. The late teacher has not carried out the true system in that school, and now we have to fall back upon the best method of carrying out the education of our teachers. Although he may think that by our not requiring the five months training, we are doing away with the school, he is mistaken; I trust

that these examiners will be able to judge of the qualifications of those they examine. If the candidates are not able to pass the Board, they will be sent to the Normal School till they are qualified. The Government intend to have the Normal system carried out by making it a school for boys, for the pupil teachers to practice in. I do not know how the school has worked during the eight years the Conservatives were in power, for there have been no children attending the School, for the pupil teachers to practice with, and consequently the latter could not have been trained in the art of teaching. During the term Mr. Monk taught, the school prospered, and the system was carried out, for he took a pleasure in teaching and training those who attended it. I believe it is the best system of training that could be devised; it is partly carried out in colleges by lectures to the students. The Liberal Government when last in power, voted £500 for the purpose of importing a uniform system of school-books to correspond with the system of instruction which was then carried out, and they were imported accordingly; but I believe the late Government done away with the practice of importing books. I believe the Irish national series of school books was at first used, but if it had been replaced by a better series I should have been just as well pleased for we ought to have a uniform system, the teachers should have the same training and their pupils should use the same books. There are to be three Visitors instead of two, and they are to have the same salary as heretofore. We could not get a master for the Normal School to qualify students for passing the Board for less than two hundred pounds a year. The Visitor's time is not wholly taken up in his labor, like that of the Normal School Teacher, for he will have some leisure. As to the French Teachers, it would, perhaps, be as well to allow a certain number for each County. It is thought that it would be well to encourage the study of the French Language, and therefore, where there are French settlers, who will subscribe five pounds, the Government will grant five pounds more. I believe that the new Act will work beneficially, for the people will understand it more easily, and thereby, much litigation will be prevented. As to religious training, I believe children should be taught religious and moral principles from their infancy and upward, and a parent who does not attend to this, neglects his children. But I do not think that the State should provide for a religious education, for this is a matter which the parents themselves should attend to. I wish to see a system of sound secular education established, without interfering with the religious instruction, which youths receive from their parents. The Attorney General alluded to the great agitation which took place upon the Bible Question some years ago. I then opposed the introduction of religious instruction into our common schools; I wished to leave the question whether the Bible should be read in the schools or not, to the parents; and on account of the excitement stirred up by the Conservative, the Government of that day were turned out of power and office. A single clause was embodied in the Education Act, leaving the matter in the hands of the parents of the pupils who attend the schools; this is just what I wished to do, had the Liberals remained in power. I believe that we should carry out a pure secular system of Education in our public schools because it is best suited to the wants of our people.

unless the Revenue was large enough to give every religious denomination a share of the public monies to enable it to carry out a denominational education, which we know is not the case. Under these circumstances we had better carry out the system which has worked so well in this Colony.

I. OKENBAK, Reporter.

Mr. BRECKEN.—Mr. Speaker, this is a question the discussion of which should be approached free from all party feeling or bias, because, Sir, it is one of the most important subjects that can be brought under the deliberation of this hon. House, and the man who can approach its consideration in any other spirit cannot be a patriot. It is fair to assume that the country, looking at the paragraph in the Speech of His Excellency, at the opening of the Legislature last year, and also at what was said this year, have been naturally led to expect alterations and amendments more important than granting five pounds in favor of a few French Teachers, or that a candidate for a teacher's license might receive it without having to pass a few months in the Normal School. The late party passed an Act, which imposed the necessity and duty upon each district, employing a teacher, making good fifteen pounds of his salary; and when the present Government came into power, it was a question then under consideration in the country, whether this arrangement should or should not be continued; but His Excellency, in his opening speech of last Session, said:—"The important question of Education will again be submitted for your consideration, with the view of improving the position of the School Teachers, and otherwise rendering the laws now in force on this subject, more efficient and more extensively useful." This is what His Excellency then said, to which the party made the following reply:—"That the important question of Education shall receive our deliberation, &c."

Hon. LEADER OF THE GOVERNMENT.—The promises then made were carried out.

Mr. BRECKEN.—The salaries of the teachers have been paid wholly from the treasury; but are there no other important alterations required to render the benefits of education more commensurate with the cost to this Colony than the one made last year, and those brought forward now? In opening the Session of the Legislature, His Excellency returned to the subject, and said:—"When I released you from the Legislative duties of last Session, I expressed the hope that you would, at your next meeting, take into consideration a measure calculated to impart to your system of Education a degree of efficiency and practical benefit more commensurate with your liberal provision for that service." Reiterating, for the third time, the opening words of the last Session. Do they suppose the country believe that there were no more important alterations contemplated when these words were penned, than what are now brought forward? As I told them when the Session opened, they are a composite party, and dare not bring forward anything more important, as they could not agree upon anything further in caucus. My hon. friend, the Attorney General, said they had the cream of all that is good and excellent in the country, but I doubt the assertion then and I doubt it still, and told the hon. member then, and reiterate the same statement now, that what constituted a strong Government was, a combination of gentlemen who, in unity of thought, were agreed upon important principles, an element not to be found in the party of the learned Attorney General; but I do not say that this is the fault of the hon. member, for it is sufficiently well known that his party could not agree upon this question; but I do say that when these hopes were sent forth to the country, they created others from which there has been a wide divergence of opinion by some of the party. A few days ago we had a memorial brought down by the Government, which had been addressed to His Ex-

cellency in Council, wherein His Lordship, the R. C. Bishop of Charlottetown, plainly tells the Government that he believed the day was coming when an House of Assembly would do him justice; and, I hesitate not to say, that had an influence been brought to bear upon the present party, which might have been, a feeling could have been excited that would not have allowed this Government to have been here to-day. The hon. Attorney General referred to the Bible Question and the agitation then created; but I ask why the hon. member and his party did not, when coming into power, put forward the opinions they now announce, instead of promulgating covert ideas in His Excellency's Speech.

Hon. LEADER OF THE GOVERNMENT.—We have put down our opinion.

Mr. BRECKEN.—And a very vague opinion it is. But, says the hon. Attorney General, we have not yet heard the opinions of the hon. the Leader of the Opposition! Why, Sir, the Opposition are the men who, when in power, it was said, were opposed to the views of the Thirty-five thousand, and are they the men for whose opinion the Government is now so anxiously waiting? Our political opponents told the Thirty-five thousand that they would do more for them than the Tories, but have they done so? No, they have not, and, therefore, it may be justly said of them, that they got into power under false pretences—under colors which they will not now stand true to. In 1860, when hon. Mr. Longworth moved for the third reading of the Prince of Wales College Bill, roughly, Sir, were we then handled and treated by our opponents. The hon. member for Fort Augustus brought in a Resolution which, in substance, demanded what the Bishop has now asked for from the Government, and which they now refuse. That Resolution was strongly supported by the hon. Mr. Coles, who was then the Leader of the Opposition, Messrs. Doyle, Cooper, and others of that party; and, I believe, that from that day forward, the Catholic friends of the hon. the Leader of the Government believed that when he would again come into power that he would be prepared to grant them what he that day pledged they had a right to. The hon. member says the question of Education is an important one; but how does he face the Bishop's memorial? Taking the Resolution of the hon. member for Fort Augustus, and the speech then made by the hon. the Leader of the Government, in one hand, and his speech to-night, when it comes from the hands of the Reporters, I think they will read differently; and I wonder if he ever told his Catholic friends the course he intended to pursue?

Hon. LEADER OF THE GOVERNMENT.—No.

Mr. BRECKEN.—When we were in power we treated the Catholics as we now treat the Government—we dealt with them as political opponents; but it never can be said of us that we promised them when out of power what we were not prepared to grant when in power, or that we ever shrank from fulfilling our promises. We do not ask men to bow to our political shrine, while we will not bow to theirs. I am not going to consider the different systems of Education, as my hon. colleague has done so pretty fully; but I believe the system of paying the Teachers wholly from the Treasury is not a good one; but, if in this the hon. the Leader of the Government is right, then he is entitled to be called the "Father of Free Education," for it is a system not practical anywhere else. About £17,000 or £18,000 is annually expended in this service, and but £150 a year paid to those who have the superintendance of our schools. I confess, Sir, that this appears to me like recklessness, and if this is a recommendation, then the present party are fully entitled to the honor; but, to my mind, it appears like sending a costly ship to sea, without compass, cable or anchor—a penny wise and pound foolish policy. It, Sir, is no answer to the question which has been proposed, for to ask what have the Tories done? for every time His Excellency has taken his seat in the Legislature, since the present party came into

power, promises have been made and thrust upon the notice of the country, and their reiteration have led the people to expect more important alterations than those now announced. Do they suppose these trifling amendments are going to satisfy all their supporters? They know well they will not. I do not consider it right to come into this House to say much about teachers, and it may be that the remuneration they receive is inadequate for the service performed; for, I believe that really talented young men cannot be had under £70 a year, or if so, they will be few, and seldom to be found. A teacher's situation is one of the most important that can be named. He moulds society, and to his work will the sentence fully apply.

"As the twig is bent,  
The tree's inclined."

However useful or otherwise the amendments proposed may be, they will not recommend themselves to the people, because more important ones have been looked for. In Nova Scotia a teacher has to attend the Normal School for two years, therein to learn the art of imparting to others the knowledge which he himself possesses, and it is impossible for a Board of Education, in half an hour, to ascertain whether he can do this or not. The teacher is like the Surgeon, who must have practice before he can successfully turn his knowledge to a practical use. I believe the five pounds to the French Teachers is a little cop which does not amount to anything worth talking about. Every person sees it so, and what every man sees in the same light, cannot be far wrong. We can understand it quite well. But I almost forgot my hon. friend from Tignish, who I see is in his place. I am aware of his sentiments on this subject. I know that the opinions expressed by the hon. Leader of the Government are not in accordance with his wishes. He does not think that his associates in the Government were right in supposing that His Lordship would be satisfied with the answer returned to his memorial; nor does the hon. member believe that His Lordship was not entitled to what he asked for, and yet the Government declines to come down with an opinion on this point.

Hon. Mr. HOWLAND.—The late party had charge of the subject for eight years, and we are prepared to hear their views.

Mr. BRECKEN.—No doubt, Sir, they would like to have our opinions, in order that they might run off with them; but before they ask for our views on this subject, it is the duty of the Government to lay their own before this House. But we have seen so much of this Composite Party, that it is hard to find a name that will suitably apply to them.

Hon. LEADER OF THE GOVERNMENT.—What would the hon. member call the party if he would join it?

Mr. BRECKEN.—When that takes place, we will see. When the Conservatives were in power, the cry of the Liberals was, that the cause of education had been injured by that party, and now to hear an hon. member of the Government crying out for assistance from a small minority, is amusing in the extreme. When the present party redeem their promises on this subject, and the country place us again in power, it will be quite time enough then for the Conservatives to state their views on this subject.

Hon. LEADER OF THE GOVERNMENT.—But you were in power for eight years.

Mr. BRECKEN.—The hon. member for Tignish believes in every word contained in the Bishop's memorial, and believes, too, that it is a question we shall yet hear more about, and feels that his Lordship has not been fairly dealt with by his party, yet in caucus he yields against his will. As I before said, this is a great and important question, and yet the Government come down without expressing an opinion upon the hope expressed in that memorial of His Lordship the R. C. Bishop of Charlotte-

town. The hon. member believes that the request is a reasonable one, now what is he going to do?

Hon. LEADER OF THE GOVERNMENT.—It is now coming out.

Mr. BRECKEN.—If the hon. member for Tignish will not confine himself to the question, and honestly state whether he intends to support a Government that will not support him in his views on so important a question, then where is the political honesty or consistency of the hon. member? Is there no political question sublime enough to induce him to follow the bent of his judgment, or will he allow the iron heel of oppression to bear upon his head, and continue to lick the hand that crushes him. I am far from thinking that compulsion should be brought to bear upon any man, to make him support a measure he did not approve of. The speech of the hon. Leader of the Government I shall keep before me, and I promise him that it will yet eat into his political heart.

Hon. Mr. LAIRD.—Mr. Speaker, it has been often said, that gentlemen of the legal profession earn their bread and butter by incessant talking, but so far I have earned mine by the labor of my hands. I listened with attention to the hon. member for Charlottetown, but failed to perceive that he noticed even one point of error in the Education Bill, as submitted now by the Government. He referred to the speeches of His Excellency, but entirely failed in proving that the promises therein made have not been fulfilled by the Government. The learned and hon. member drew attention to the salaries of the School Visitors and said their salaries were too low. The Conservatives were in power for eight years, they had the Education Act under consideration, and introduced some alterations, but left the sum for this service at £300 a year. The present Government have increased this allowance to £450, which according to the hon. member's own showing, is an important improvement, and as to what he said further, I cannot find a single remark that bears upon the subject. I like to listen to oratory as well as any man, but I like argument also, and when a question is introduced, and fault is found with it, I expect to hear objections more definite than those brought forward by the hon. member for Charlottetown. He objected to the Bill, and yet has not even suggested an idea of which he himself approves, but finds fault, and no one knows what with. I am not aware of any promises made by the Government which they have not performed, but I know the education question has being more in the words than in the actions of the late party, who were in power for eight years; and I ask how many more children were in school when they went out of office, than when they came in? I challenge them, from the hon. Leader of the Opposition, down to the last of their party, to prove that the cause of education improved under the late Government. I might ask how many more schools were in operation three years ago, than there were in 1860, or was the indifference of the late party the cause of so many private and sectarian schools being established? A Report has lately fallen into my hands which shows the impracticability of a Government attempting to establish sectarian schools, it is that of Her Majesty's Commissioners on elementary schools, which by command of Her Majesty was laid before the Imperial Parliament last year, the impartial nature of which may be learned from the character of the Commission, which consisted of "Four Scottish Peers, three Ex-Lords Advocates, three or four members of Parliament, several large landed Proprietors connected with various Districts, and one leading layman belonging to each of the three largest denominations in the County." In Scotland they have rival systems, just such as the hon. member would like the Government to introduce here; of these the report goes on to say: "in Scotland as we have already explained, there are several, and in some respects rival systems; and the chief difficulty is to introduce some sort of symmetry into this chaos, and to set up a regular frame work, into which the irregular

and less material may be gradually fitted." Now, I ask if the neglect of the late party had not caused such schools to spring up in this island, and if the measure now brought down is not calculated to extend even-handed justice to all? Had the late Government done their duty, we would not to-day have been called upon to cut off support from any school. A good deal has been said about the want of unity in the present Government, but the better way to judge of a party is by their acts, and in the matter of education, Teachers have been better paid, and schools are rapidly increasing since the present Government came into power; but the reverse was the fact under the late administration.

Mr. MacNELL.—This is perhaps the most important matter that can engage the attention of any legislature, and one that we must agree to differ in our opinions upon. I am aware some think that the State should provide a religious education—which means with us, a sectarian education—for the children of the State. I hold that this is a duty which the parent cannot divest himself of, or transfer to another. A religious education the parent is himself bound to impart, and the State, I contend, has only to provide secular instruction. I know some think otherwise, but wherever a different plan has been adopted, the result has been far from satisfactory. I look upon our present system as the best that can be adopted for this island, and have no wish to see it abandoned, for a system which has only produced discord wherever it has been tried: I have listened to the hon. member (Mr. Brocken) very attentively, but could hardly believe it was the hon. and learned member who was speaking; it seemed to me as if some one was delivering a mock speech. Does he really feel so much for the Bishop, and is he grieved that the prayer of his petition was not complied with? Sir, we have not forgotten the time when peace and quietness reigned in the old Academy, from whence some of the best teachers we ever had in the country came. At that time there was no dispute between Catholics and Protestants. The party of the hon. member, then, as now, were in the cool shades of opposition, got up a religious cry about the Bible not being read in the public schools. Has a new ray of light dawned upon the hon. member? The late R. C. Bishop, as was said by the hon. Attorney General, published a letter, in which he stated that a secular education was all that the Catholic population wanted; in this letter the term "Godless" was used, and the noise it created will not soon be forgotten; and much indignity was thrust upon that gentleman who will be long remembered in the community in which I reside, for his many charitable acts. You, Mr. Speaker, and every liberal Protestant in the island, were reviled at that time for holding on to their principles, and the hon. member for this city is now trying the same game over again; but it will not do. The Catholics and the liberal Protestants have not forgotten the abuse heaped upon them, nor the "Donnybrook Fair" meeting, when the people were brought together in this city, and arrayed against each other: If ever the Troops were required it was then; when one half of the population were placed, as it were, against the other; and if I had the Parliamentary Reporter, I could show some of the vile language used in this hall House by the late Colonial Secretary, which brought about the state of matters that produced so much ill feeling, and it ill becomes the hon. member to speak to-night as he has. The people, I believe, appreciate the Free Education Act too highly, to allow any material alteration to be made in it.

Hon. Mr. Howlan.—Mr. Speaker, it was not my intention to have occupied the attention of this hon. House at this stage of the debate, but as the hon. and learned member for Charlottetown (Mr. Brocken) has thought fit to notice me in the speech, with which he has just favored this House, I shall therefore have to reply. I was as much surprised as I was amused at the thought, Sir, and would be, earnest manner, in which he spoke

of the matter now under consideration, and more particularly so when he spoke of the wrong which had been done to his Lordship the Bishop of Charlottetown for his unacknowledged and unrequited efforts in the cause of Education. The hon. member addressed himself, especially to the member for Tignish, and appeared anxious to have his opinion. The hon. and learned member fears that, as a public man, I may suffer, if I do not at once sever my connection with a party with whom, on this point, (and, I admit, an important one) I differ very widely. But let me ask him, who has so kindly undertaken to be my guide in this matter, where can I go for redress? If the history of the past is to be taken as a criterion for the present or the future, I certainly cannot expect to find the Opposition to agree with my views on this matter. Does the hon. member forget the time, not very long since, when a bill was introduced into this House, the ostensible object of which was to insult every Catholic in this island? The hon. member cannot forget, that time, as he was one of the Committee who brought in that Bill; and, I ask now, Mr. Speaker, where then were his kindly sentiments of regard for His Lordship, or the people under his charge? Instead of manifesting the slightest sentiments of regard for them, he supported the measure with all the ardor of his mind and the strength of his manhood. If there were any signs of a change of heart, or an honest acknowledgment of the errors of the past, one could forget to a great extent, if not altogether, those recollections: I remember the hon. member on that occasion well, and cannot help recalling the fact, that he had not the manliness to exert his influence at public meetings, or in this Hall, to put down any of those influences, then resorted to, for the purpose of maligning the Catholics; and yet this is the hon. member who to night twits me with the want of every principle that can adorn a man, because I have not left, and will not leave, my present political associates, with whom, hand in hand, for the last twenty years, we have successfully fought the political battles of the country. During that period we have reposed confidence in that party, and up to the present have not been deceived by them; but the Tories! why, we trusted them once, and what did we get? What was the treatment which His Lordship the Bishop of Charlottetown then received at their hands, when he was asked to repossess confidence in one of their number? Did he even get gentlemanly treatment? No! Yet, notwithstanding all this, when unjust and profligate reflections were cast upon him and his people, the hon. member never raised his voice against such base calumnies, but allowed them without even an effort to prevent it—to be placed upon the records of this hon. House. I will read a specimen of the language then used:—"The Theology of Rome teaches her Ecclesiastics, Bishops and Priests, not only to lie, but to commit foul perjury and blasphemies." Times have changed: wonderfully indeed, when the hon. member comes forward so feelingly on behalf of the Catholics; but if I trust the hon. member will not be displeased if we cast a doubt on his sincerity.

Mr. BROCKEN.—Is the hon. member quoting from my speech.

[There was some confusion and interruption here.]

Hon. Mr. Howlan.—Mr. Speaker, the hon. member is very fond of asking questions and making petty interruptions, which, to say the least of it, is discourteous.

and more particularly so, coming as they do, from a member of the learned profession. I will tell the hon. member bye-and-bye from whose speech I am quoting. It is all very well for the hon. member for Charlottetown to rise in his place in this House and deliver long speeches on Education, but let me tell him here, that were it not for the philanthropic efforts of His Lordship, the Bishop of Charlottetown, many of the children of the hon. member's constituents would be wholly dependent upon that education which is picked up in the streets; yet although His Lordship is educating so many of these, the hon. member denies him a grant, although he refuses it not to a teacher in the Temperance Hall. What does the hon. member say about the Bog School? Why did he vote for a grant to it? I know not the reasons of the hon. member on this point; but I do know the reason why I gave my vote in favor of it. It was because I knew that School was doing a part of the work of the State; but I leave the hon. member to say why it was right for him to give a grant to the Bog School, and refuse one to those which have been established for the children of the poor by His Lordship. The hon. member enquired if I quoted from his speech. I tell him now that I quoted from the speech of the then Colonial Secretary, the first officer of the late Government, and who, it is not too much to say, was the ablest man in that party. I remember, Sir, that, during the debate, time and again, in this House, the foulest epithets were used against the ministers and clergymen of that church of which I myself was a member. There were but five Catholic members in a House of thirty, and I looked in vain for one man who had the benevolent manliness to stand up and put an end to the un-called-for abuse then indulged in, but there was not that one man in their party. I would like to know where the beauty of spirit was then? Where then were those generous emotions which seem to exercise the hon. member to-night? Is the hon. member vain enough to suppose that the Catholics will go cap in hand to what is left of that party? And when I look around to night I cannot but ask: where is that party to day who were so strong in spirit and in numbers at that time—a party, too, who were far from being devoid of talent and ability, with a gallant Colonel at their head? They are gone, and but a miserable fragment has escaped the political gale of 1867. We sat here at that time and quietly listened to their unprovoked epithets, under the full confidence that the God of Justice would put matters right in due time; and have not our expectations been verified, for, getting tired of abusing the Catholics, they fell out among themselves. Yet, we are told here to-night what a kindly feeling the hon. member has for His Lordship, and how highly they esteem the Catholics.

Mr. BISHOP.—I rise, Sir, to a point of order. I made no remarks about His Lordship at all.

Hon. Mr. HOWLAND.—The hon. member said that so long as the Catholics supported them, they were respected.

Hon. Mr. HOWLAND.—They will be so understood, and let me I am sure, I trust I shall make it plain to the hon. member. No doubt it would suit the hon. member very well if all the records of this House could be blotted out; but unfortunately for him they cannot. He referred to a resolution brought in by the hon. member for Fort Augustus, which was supported by the hon. Mr. CORN. It will be remembered, that

during the passing of the Bill, the "previous question" was moved by the hon. Leader of the Opposition, which created some confusion, and was lost for the day. This gave the hon. member for Charlottetown and his friends the opportunity of a night's reflection, but his politics at that time would not allow him to see any good in the Catholics, although at the same time he saw their ministers of religion taking poor children from off the streets, and doing for them what the hon. member should have done himself. Again, when the better thinking portion of the Protestant community united with the Catholics in a petition which contained over eleven thousand names to Her Majesty, praying her disallowance to that Bill, as they did not wish to have such a political firebrand thrust upon society in this Island; where then was the hon. member, and what were the means he used to prevent that measure from becoming law? And, even after they had twelve months to consider the matter, and calm the feelings of their friends, if so disposed, we find the hon. member and his friends, silently and approvingly listening to the Colonial Secretary when using the following language: "The Ecclesiastic who arrogantly and in defiance of Her Majesty's instructions, calls himself the Bishop of Charlottetown, this gentleman did not scruple to violate the truth." If the hon. member always entertained such a kind regard for His Lordship, why did he not contradict that statement? He knew that His Lordship could not defend himself here. His Lordship was one of the hon. member's constituents, and a worthy one too; and, Sir, when this hon. House recalls the earnest solicitude of the hon. member to relieve Mr. ex-Sheriff Dodd's name from reproach, when mentioned by my hon. friend (Mr. McNeill) who brought it forward in connection with the Tenant League, one is a little at a loss to account for the difference. The hon. member might at least have said that he did not believe it. He knew in his heart that it was all a lie from beginning to end, yet he had not then respect enough for His Lordship to say so, but now coolly asks me to join his party, or at least, leave those with whom I have never had a quarrel, but—

"Shall I ask the brave soldier, who fights by my side,  
If we both in the cause of mankind doth agree,  
Or give up the friend whom I have valued and tried  
If he kneels not at the same altar with me?"

I am aware Sir that through the instrumentality of such speeches as the one I read an extract from a few moments ago, this country has been left in a sort of politico-religious state, and whilst I see gentlemen in the ranks of the party to which I have the honor to belong, agree with me on almost every point, I find that on this point they are bound every by the promises made at the hustings, and to their constituents, which they are bound to respect, which I regret very much, and only hope they may be able to educate their people to take a proper and legitimate view of this important question of education, which should be viewed from a broader standpoint, and placed on a firmer basis than that of narrow-mindedness or sectional animosity. When Great Britain wants soldiers, she does not refuse to enlist Catholics, for they have ever fought with brave and loyal, on the field or on the sea. In the Imperial Parliament they have not refused to vote pay to E. O'Connell, or for a moment supposed that under any pretext, they could refuse to fight for their Queen and country. All the experience of the mother country and of all the most important of Her Majesty's Colonies,

save that of this Island, tends to show that enlightened statesmen foster and encourage unanimously among their people in matters of education and religion. In this Colony, with its 46,000 Protestants, and 35,000 Catholics, it does appear to me that if it is not a wise policy, or in accordance with the British North American policy, to keep these points of political divisions always at issue; but on the contrary, Catholics and Protestants should be treated by the State with evenhanded justice, in all matters relating to the education of their children. I believe that, as a general rule, the more highly educated a people becomes, the less bigotry they are likely to be tainted with; and where all men are equal, under the same constitution—equal in rights and taxes, so should they be in their school privileges. In the Colony of New South Wales, the R. C. Bishop, the Rev. J. B. Polding, D. D., receives from the Government £800 stg. per year. This Colony had in 1866, a Revenue of £2,807,423 stg., and in 1863 a population of 378,939, with an import of £8,867,071 stg., and an export of £8,812,214 stg. in round numbers. In the neighboring Colony of Tasmania, with a revenue of £358,893, in 1866, and imports amounting to £942,107, and exports to £834,606, stg., they pay the R. C. Bishop, the Right Rev. D. Murphy, D. D., £400 stg. per year, and his Vicar General, Rev. W. J. Dunne, £260 stg. Here are examples of two of the most important Colonies belonging to the Crown, who have found that there is nothing impolitic in thus providing for the Catholic portion of their population, and who also in their Convict establishments, have Catholic and Protestant Chaplains. In the neighboring Colony of New Brunswick, with about 25 per cent. of the population Catholic, Bishop Rogers of Miramichi, and Bishop Sweeny of St. John, each receive Government aid for their schools. In Canada, Nova Scotia, and Saint John's, Newfoundland, the same occurs, on the principle, that those who do the work of the State, should be paid for it. I contend that the only true system of schools for this Colony, is the separate school system, and that the settlements of this Island are so formed, that very little trouble would be met with in carrying it out. If we lay down the basis that all schoolmasters shall be paid by the State, which is the present law, I maintain, that he who educates 500 scholars, is, in equity, entitled to receive a *pro rata* share, as well as if he was a registered, and duly appointed schoolmaster. What is the difference between paying Mr. —, of the Temperance Hall, which is an unlicensed school, the Rector of St. Dunstan's the Ladies who teach St. Joseph's, or the late St. Anne's Schools? Where is the equity of paying the teacher in the Temperance Hall, who may teach 75 scholars, and withholding it from St. Joseph's, which contains 305. Looking at this matter in an impartial manner, it does appear to me, that any man who has exerted himself as His Lordship Bishop McIntyre has done, and is still doing, in the cause of education, cannot long go unrecognized, or without being in some degree remunerated by the State. In this city there are according to public statements, 610 pupils in all the public schools, each of whom costs the country about £2 10s. per year, which may be estimated thus:—

Three male schools for the City	£395	0	0
Three female schools	220	0	0
Normal School	200	0	0
Prince of Wales College and Grammar School	700	0	0

making in all £1515 0 0

in Charlottetown, while His Lordship the Bishop, without receiving any pay from the State, has in St. Dunstan's College	50 scholars;
Convent of Notre Dame	130 do
St. Anne's School	65 do
St. Joseph's do	305 do

making in all 550, which at the same rate, ought to have received as a *pro rata* grant, the sum of £1375; and, Sir, when we consider that all these children, or the greater number of them, would have been now growing up in ignorance but for His Lordship, I do not see any sound or sufficient reason, why from this House he should receive no pecuniary assistance. There are several hon. members in this House, who may reply to this, by saying that we have a Prince of Wales College, and ask, why do not the Catholics send their children there? to which I may reply by saying, that even if they were willing, there is no room; and besides, this is a Protestant College, just as much as St. Dunstan's is a Catholic one. There is no Theology taught in either, but the Catholics have put up their College, and can not now close it, for if they did, their young men would have to go to inferior schools, or off the Island. If the Prince of Wales College is not Protestant, then what is it? It was inaugurated by a committee of Protestant clergymen, and is now considered by the 35,000 Catholics of this Island as a Protestant institution. There are at present several Protestants attending St. Dunstan's College. I have been in conversation with some of these, but have failed to learn that their religious sentiments have been interfered with, while in point of education and general culture, I think I am correct in stating, that the Rev. Rector and his able assistants, stand second to none in this Colony. In a short time, thanks to the indefatigable exertions of his Lordship, the Catholics of this Island will have, not only the most valuable, but the most efficient schools in Charlottetown, and not only of this city, but also of any town in the Lower Provinces, and that without putting the Colony to any cost. The Bishop has applied to the Government for a grant, and they have not seen their way clear to grant it; (although I confess I am in favor of it) but the hon. member comes forward as a new friend of the Catholics, and appears deeply interested in the matter; let him now state frankly what he and his friends are prepared to do. The Government has given an answer—if the hon. member and his friends are dissatisfied with that answer, and are sincere, I ask them through you, Sir, what are they prepared to do? Are they prepared to move in this hon. House, for a sum to be given to His Lordship, as some acknowledgement for his services in aid of education?—I pause for a reply. The hon. member is too much afraid of outside pressure to stand up and declare that he will do anything of the kind? He is afraid to avow his principle in the matter? But it may arise from the fact that he may not have any principle to avow. Why should not such efforts as His Lordship is making in aid of education and morality in this city, which the hon. member (Mr. Brecken) represents, awaken some of those kindly feelings to which he gave utterance to-night? Why should they not receive that attention which they merit? Am I to suppose that it is because of the deliberately expressed opinion of the ex-Colonial Secretary?—and I hold the hon. member responsible for the assertion—that "were children educated to hate the Roman Catholic Religion, it would be

*better for them?" Was this the reason that the late party had for bestowing the best office in the gift of the Government upon the author of this assertion?*

**Mr. BRADKIN.**—If the ex-Colonial Secretary made the assertion, hold him responsible for it.

**Hon. Mr. HOWLAN.**—No! But we hold the hon. member and the whole of the late party responsible, for by their vote, they endorsed every word, and handsomely rewarded their author, with delegations, &c., to the amount of about £800 a year out of the public revenue of the country. If the hon. member is sincere, I hope he will prove his sincerity by maturing and bringing forward his proposal, which I hope will set the matter fairly before the House and the country. For my own part, as a humble member of this hon. House, I hesitate not to say, that any man who proves to this House that he has a College and Schools, which have been put up without any cost to the State, and which are doing a portion of the work of educating the people of this Colony, shall have my vote for State assistance; and I only hope that many more gentlemen of education and ability will arise and act as his Lordship has done, and is still continuing to act in the cause of education, as it might materially aid in cleansing your Colonial records and jails, of many youthful offenders, and make the people of this Island command the respect of their neighbors for their efficient education and morality. I am in favor of separate schools, because in this Colony the clergymen of the various denominations, are by far the best educated class on the Island, and I fail to see any sufficient reason, why this adult population should submit to their instructions, and yet deny to them their right to look after the education of the young. I am aware that there are difficulties to encounter in carrying out this system, but still, when they are impartially considered, I think they can be easily overcome. As a general rule, the various settlements of this Island are pretty clearly defined. In one you will find the people chiefly Irish, while Scotch, English or French, predominate in others. In the district which I have the honor to represent, which embraces the first six Townships of Prince County, I think there would be very little difficulty experienced in adopting such a system, nor do I think much would be met with in the whole Colony. I am of opinion that religious training is as necessary to the child as is a secular education, and consider that none are more competent than the clergymen of the various parishes, to have the supervision of our schools in this respect. Would it not be better to have the young mind early impressed with religious principles, than to allow them to grow up to maturity, as is the case in too many instances, in ignorance of the sublime precepts of religion. Near where I reside there is a school, in which the parents of all the children in it are Presbyterians, and I have often thought that if their very worthy pastor, the Rev. Mr. Fraser, were to lay down an everyday lesson on religion, to be repeated in full at the Sunday School, that it would be an important improvement upon the present system. I cannot see any good reason why the State should debar clergymen of all denominations from aiding in the good work of religiously training the young during the years set apart in early life for education. In other countries, particularly in Prussia, which stands foremost in matters of education, the system I advocate is pursued, and so thorough has it become, that there is a Protestant Board of education and a Catholic one; and so also of their Normal Schools. In that country, no difficulty is experienced in carrying out this system, and I hope yet to see this system, after it has been matured, to suit the wants of our different communities, in operation in this Island. The hon. member for Charlottetown, will I hope, the next time he favors me with a personal attack, be prepared with something more statesmanlike than personal assaults. He hinted that I should leave this side of the House, but if the party with whom I associate refuse to give the Catholics a grant for their schools, they have

never yet offered them any gratuitous insults, which is more than can be said for the party to which the hon. member belongs, and to which I have not yet quite made up my mind to go.

**R. Gordon, Reporter.**

Hon. Mr. Davies presented a petition from the inhabitants of Lot 62, and its vicinity, praying for the establishment of a Small Debt Court in that locality.

Ordered that said petition be referred to the Committee appointed on similar petitions presented during the session.

Hon. Mr. Callbeck, from a Committee appointed for that purpose, presented a Bill to incorporate the Baptist Church at North River. Received and Read.

Mr. Yeo asked the Government what action they intended to take relative to West Point Wharf, as there was a petition on that subject already before the House.

**HON. LEADER OF THE GOVERNMENT.**—The contractors of the West Point Wharf failed to comply with the terms of the contract, and the securities wish to be relieved from their engagement. The outer block was carried away by a storm, while the inner part stood firm. I think the Wharf was built too long at first; as it extended two hundred and sixty feet from the shore, it could hardly be expected to stand in such an exposed situation. The Government have agreed to allow the contractors to finish it as far as it at present extends. The securities refused to carry out the work as at first agreed to, and the Government have taken no further action on the matter. It is very doubtful whether it would stand, if erected.

**Mr. RAMSAY.**—Have the Government relieved the securities?

**HON. LEADER OF THE GOVERNMENT.**—No further than to allow them to finish the wharf as far as it at present extends.

**Hon. Mr. DAVIES.**—It could not be expected that a wharf could be made to stand in such an exposed situation. I recollect saying twelve months ago, "I will tell you where you will find that wharf when the first storm is over." If it had been finished and built ever so strong, it would not have stood.

**Mr. Yeo.**—I am sorry that the hon. member for Belfast does not know something more about that part of the Island. I do not know where a wharf could be built better than there. Two competent engineers reported favorably upon it, and therefore we have reason to believe that a Wharf might be built which would stand. The reason the Wharf was carried away, was, there was no ballast to keep it in its place, and the side facing the heaviest storms was built perpendicularly. I merely wanted to know how these matters stand, so as to save time, for the subject is of consequence to the people whom I represent. I understand from some hon. members of the Government, that they would allow the contractors to go on with the work, to a certain distance from the shore.

**Mr. RAMSAY.**—I would like to ask the hon. member for Belfast, whether he was ever round the Western Shore. The site on which the Wharf is built, is quite sheltered from the Northerly winds, and the structure stood the force of the storms last fall, but as it was not properly ballasted, it was carried away by a tremendous storm. There will be no difficulty in making the work



permanent, if it is properly built, and therefore, I hope the securities will not be relieved from the contract. The amount agreed upon for the completion of the work was £900, of which £500 were granted by the Legislature, and £150 subscribed by the people.

The House then went into Committee of the whole on matters relating to Roads, Bridges and Wharves.

Mr. Geo. Sinclair in the Chair.

After some time spent in Committee, the Chairman reported the Road Appropriation Scales for the current year.

### I. OXENHAM, Reporter.

#### Afternoon Session.

Hon. Mr. KELLY presented a petition praying for an amendment in the Act for the protection of the Alewives fishery.

Mr. RAMSAY asked the Government for the papers relating to West point Wharf.

Mr. OWEN presented a petition from certain inhabitants of Grand River and Melville Road, praying that a grant made last year to build a Wharf at Grand River; and another grant made this Session might be appropriated for the Building of a Wharf in the most suitable place. He also presented a Report, recommending a certain place, as the most suitable for the said wharf.

Hon. LEADER OF THE GOVERNMENT explained that when an appropriation was made, the Government were obliged to expend the money in the place specified; and, if it was required to alter it, the proper method would be to appoint a Committee to prepare an address to the Governor in Council, on the subject.

Mr. KEILLY moved that the fourth Order of the Day be read, namely,—Resolutions of Supply be received.

When the Resolution granting the sum of £203 to be divided amongst various schools, was read, Hon. Mr. Kelly moved, seconded by Mr. KICKHAM, that the grant of £20 to St. Ann's School be struck out.

For the motion—Hon. Messrs. Henderson, Kelly; Messrs. Kickham, Prowse.—4.

Against it—Hons. Leader of the Government, Attorney General, Laird, Callbeck, McAulay; Messrs. G. Sinclair, P. Sinclair, Bell, Green, Ramsay, McLennan, Owen, Yeo, Brecken, Howat, Cameron, Keilly.—17.

A Resolution, granting certain sums for the relief of paupers, was also read and agreed to.

On motion of the hon. Attorney General, the debate on the amendment of the Laws relating to Education was resumed.

Mr. PROWSE.—Mr. Speaker, the question before the House is, the second reading of the Bill for the consolidation of the Laws relating to Education. Concerning the necessity for their consolidation and amendment, I think there is but one opinion entertained by hon. members of this House; but it is my opinion, and the opinion of many others, that they require amendment to a far greater extent than is contemplated in the Bill now before the House. We were led to expect, from the prominence given to this subject in His Excellency's Speech, that some great change, some vast improvement, was to be made in the Education Act; but the Amendments proposed in the Bill before the House are but trivial. I will enumerate some of the proposed amendments, and express my opinion concerning their merits or demerits.—One is to increase the Board of Education, by appointing two additional members, at a salary of £20 per annum; but I believe it would be better had they left the number at nine, as formerly. Another amendment is to add to the list of School Visitors. This might have been a move in the right direction, had it not been for a provision in the

Bill, which placed a vast amount of power in the hands of the School Visitors, which they never had before. It contemplates making them supreme. At their dictation and behest, teachers must come to town, and undergo an examination before the Board. This is placing the teachers under the power of the Visitors; and who are those Visitors to be? The nominees of the Government—men whose political services have entitled them to some reward—violent partisans; and if a teacher—no matter how efficiently and faithfully he had performed his duties—attempted to open his mouth on any great political question, the visitor could threaten to send him to town to be examined, unless he was in favor of the party to which he (the Visitor) belonged, while a very incompetent teacher might be allowed to retain his position, if he only pleased the Visitor. This Bill also contemplates, if not to abolish, at least, to a larger extent, to impair the usefulness of the Normal School. We have been told that that institution was established for the purpose of ensuring a uniform system of Education throughout the Island; but it appears now that a training in any other institution will do for a candidate for the office of teacher. The Conservative party have been vilified as those who raised the great religious cry, but I believe it was raised by the leader of the Catholic Church, asking for a Godless system of Education. The hon. member for Tignish (Mr. Howlan), stated in his remarks that he was waiting for the opinion of this side of the House in relation to the demand made by the Roman Catholic Bishop; but if he was in favor of this grant, why did he not come out manfully and resign his seat, when the Government to which he belonged would not give it? I am not in favor of this grant; but have not "the thirty-five thousand" a right to expect it?—they gave their votes to the party now in power, expecting them to do more for them than any other party. The Catholics who supported the Conservative party, were rewarded—not because they were Catholics, but on account of their political claims, without their creed being taken into consideration. If the men who sit on the Government benches had stated on the hustings that they would not support this grant, it would have been different with them; but when the question was put to them, they evaded it.

Hon. LEADER OF THE GOVERNMENT.—There never was a question put to a member of this party on the subject.

Mr. PROWSE.—There was another extraordinary line of policy pursued by the member from Tignish, relative to the speeches delivered by a person who is not now a member of this House. He would make us responsible for every sentiment expressed by every person who was ever a Conservative member of this House. But for what is he responsible? For every act of the Government of which he is a member, and for this Minute of Council among the rest. It is my opinion that the hon. member and others of his party have received a certain amount of support, which has satisfied them, but will not satisfy their friends. At all events, the action of the present Government, and the action of the hon. member, in reference to the request of the Roman Catholic Bishop, will long be remembered; and when these demands are made in the future, we can point to the hon. member, Mr. Howlan, who denounced these demands as unfair and unjust. And then, Mr. Speaker, the hon. gentleman says very modestly that the Roman Catholic party did not rebel when they were turned out of office, and that that action was a proof of their loyalty; but, when their political opponents took the reins of Government, was it anything but natural that they should lose their offices? They were not turned out on religious grounds; but, in this respect, what is the action of the present party? If Dame Bumer is correct, when a man asked for an office, the first question put to him was—'are you a Roman Catholic?' and his fate very much depended on the creed which he professed. But what does the speech of the hon. member (Mr. Howlan) prove? Just this, that he is

prepared to support that party which will do the most for his Church: for, he said in plain language, how much will you give us. If he wanted to abuse the Government with which he is connected, the honest way would have been to have left them; and, although we do not want him, there are independent souls, and he might have occupied one of them.

**Mr. KICKHAM.**—Mr. Speaker, I am not in the habit of making long harangues, like some hon. members, who imagine that they are orators, and like to hear themselves speaking. I cannot endorse all the sentiments which fell from the learned gentleman who spoke yesterday evening. I lived many years in Charlottetown, and knew most of the gentlemen who resided here, but I never saw any distinction made between Catholic and Protestant, until I saw it in this House. The leading gentlemen of this city would employ Catholics for servants as readily as Protestants, and sometimes even gave the preference to the former. In the district to which I belong, when Churches or Seminaries are required, Catholics and Protestants go hand in hand in the work of building them; and, I might remark, that where there are no Churches or Seminaries, there are no Christians. People there work together harmoniously, and never think of making any distinctions on account of religious belief.

**Hon. Mr. HENDERSON.**—Mr. Speaker, when the Education Bill, now the subject of discussion, was foreshadowed in the Address in answer to His Excellency's Speech, I made a general speech of some length on Education, therefore, I intend to reserve any particular remarks which I shall make on its details, until the Bill appears in Committee. But, Sir, there were statements made in this House last evening, by hon. members on the Government side, which could not have resulted from any sound Education, and which I would deem it alike inconsistent with my duty to my country, my constituents, and myself, to pass over in silence. I refer chiefly to the speech of the hon. member from Tignish, of whom I must say that it is difficult to determine which was the most extravagant, his remarks in themselves, or the manner in which they were enunciated. He quoted some of the most offensive portions of speeches, delivered by the late Colonial Secretary in support of the Orange Bill, introduced by that gentleman into the Legislature in 1863, and pretended to hold the whole Conservative Party responsible for these speeches. Now, Sir, I am not prepared to admit the correctness of this conclusion, but I am prepared to defend the principles in support of which the Orange Bill was introduced, and the general principles contended for, by the Conservatives as a party, since I have been in the Colony. The hon. member from Tignish took a very extraordinary range, but I intend to follow him, substantially, if not in every particular. But, as the hon. Leader of the Government made some remarks relative to events which took place, prior to the portion of our political history which the other hon. member was attempting to review, I shall take up the different points in the order in which they occurred. The hon. Leader of the Government affirmed that Mr. Stark, the Visitor of Schools, resigned his situation of his own accord. Another hon. member said the Conservative policy was to stir up one half of the people against the other. Now, Sir, I believe a few remarks on the early history of the Normal School, will show how much truth these assertions contain. In October, 1856, the Normal School was favored with a Public Soirée, attended with considerable pomp. Several addresses were delivered, one of which, among other particulars, set forth the fact that the Bible was read daily in that Institution. No sooner did this fact appear in print, than it drew forth a sweeping denunciation from a leading Catholic Journal published in Halifax, N. S., and on the back of that came forth Bishop McDonald's letter to the Board of Education, demanding "Godless Schools" or in other words, the exclusion of the Bible from the Schools. These un-

justifiable acts on the part of the Catholic Priests and Clergy, had to be promptly resisted, and for that purpose Protestant Ministers and laymen, from far and near, assembled at a public meeting, in this City, discussed the grave question at issue, passed appropriate resolutions, formed a Protestant Association, and established a Protestant newspaper—the *Protector*. If this course, urged by the Conservatives in self-defence, is now to be styled "setting one half of the people against the other," the simple question is, who compelled them to do so? The equally simple answer is, those who did all they durst do at that time, to exclude the Bible from the Normal and common schools of the Colony. Under these circumstances, as the hon. Leader of the Opposition observed, "the screws were put on Mr. Stark" in two ways—first, in his not being allowed to carry out the Bible portion of the Normal School system of instruction; and secondly, by a reduction of his salary.

**Hon. LEADER OF THE GOVERNMENT.**—The gentleman, who recommended the reduction of that salary, was a strong supporter of the late Government.

**Hon. Mr. HENDERSON.**—That, by no means, can be accepted as a proof that the Government did not reduce Mr. Stark's salary. When that gentleman gave notice to the Government that he intended to resign at the expiration of three months from the date of his notice, his resignation was accepted at once, and his salary stopped. This fact must, and will speak for itself, for it was the application of the "Iron Rod," which had been threatened about that time. The next application of it was the dismissal of the Postmaster-General and his assistant. Shortly after this, came off the monster meeting known as the Donneybrook Fair, at which I was present myself, and saw what took place.

**Hon. LEADER OF THE GOVERNMENT.**—Had you your pistols with you?

**Hon. Mr. HENDERSON.**—I had my eye on the Leader of the Government and his followers, and remember well how their "shouts died away in the heart of the Bog."

**Hon. LEADER OF THE GOVERNMENT.**—Were you the man that was appointed to shoot the Leader of the Government?

**Hon. Mr. HENDERSON.**—If the affair had come to shooting, and I had been the man appointed, I am inclined to think the Leader of the Government would have had a poor chance, for I was wont to be reckoned a sharp marksman with the pistol.

**Hon. LEADER OF THE GOVERNMENT.**—That is the reason I thought it might have been you—as you were an old soldier, you would be able to take a good aim.

**Hon. Mr. HENDERSON.**—In the year 1859, the Conservatives, as might have been expected, came into power, and in 1862, I believe, a request was made by Bishop McIntyre (privately) pretty much the same as the memorial of His Lordship on this occasion. The Government refused to accede to his request, and the Bishop was so much displeased at this refusal, that he threatened, it is said, to break down the Government, and to have the "Thirty five Thousand" at his back; in so doing. The Protestants thus forewarned, became fore-armed, and were again successful in 1852. I must now come to close quarters with the hon. member from Tignish, and take up the challenge, which he has given in his sweeping condemnation of Orangism and Protestantism respectively. The first decided impulse given to Orangism in this Colony, was the result of Lieut. Governor Bannerman's Proclamation against Orange Lodges, &c., in the year 1852. That celebrated State Edict called upon magistrates and ministers of religion to use their influence for the suppression of those societies.

**Hon. LEADER OF THE GOVERNMENT.**—The Proclamation did not mention Orange Societies; it was against all secret societies.

Hon. Mr. HENDERSON.—Did it include Ribbonmen?

Hon. LEADER OF THE GOVERNMENT.—Yes?

Hon. Mr. HENDERSON.—The hon. Leader of the Government must be sitting, when he says the Proclamation did not mention Orange Societies, for I am sure it did, and there having been no breach of the peace recorded against any of them, nor a single enactment on our Statute Book prohibiting such societies, it was deemed an act of wanton persecution, and it aroused men of spirit and principle to greater energy than formerly. Sir A. Bannerman was afterwards appointed Governor of Newfoundland, and there he had a fair trial of Societies, of a character the very opposite of Orange Societies, for during an election, dark tragedies were enacted, the blood of Protestants, who were in the minority there, flowed freely, and he was powerless to prevent it. The Governor himself was lustily denounced by the Catholic press, and was obliged to take up his pen to defend himself against the attacks of the Catholic Bishop! These events made a very deep impression on the minds of true Protestants on this Island, and the result was a large addition to our Orange Societies. Was it any wonder then, Sir, that after a time, an Act of Incorporation should have been asked for by them. That Act was ultimately disallowed, and in that fact the hon. member (Mr. Howlan) appears to rejoice. But it may be as well to tell him, that the association, despite that fact, is still prospering. Bishop McDonald, in the year 1856, demanded "Godless Schools," but in 1868, the hon. Mr. Howlan is an advocate for religious education. How is this? Has such an important change taken place in a system which is said to be unchangeable. The hon. member also said that the Conservatives, when in power, excluded ministers of religion from the public schools, and oppressed and insulted their Catholic fellow subjects. Now, Mr. Speaker, I had no intention of dragging the subject of religion into this debate, or of comparing and contrasting Catholic and Protestant Creeds; but since the hon. member has chosen that course, I feel perfectly justified in pursuing the same, and shall do it. I contend that no man has a right to be offended at the bare mention of his creed or religious belief, or any article of that creed, for if it is founded on truth, it must stand the test, not only of reason, but of the Sacred Scriptures also. And as the tree is known by its fruit, so must creeds be judged of by their respective fruits as recorded in history. I am prepared to submit my faith, or the fundamental principles of Protestantism to those tests, and claim the right now to apply one of them—the facts recorded in history, and recent history too—to the Roman Catholic Creed. Some hon. members may recollect that a few years ago, when a question somewhat similar to the one now under discussion, was brought under consideration in the British House of Commons, the late Lord Palmerston said:—"It is the common practice of Catholics, in countries where they are in the minority, to cry out, not only for toleration, but equality; but all history goes to prove, that where the Priesthood have the power, they neither know toleration nor equality." That pithy utterance of the late noble Premier, I am prepared to reaffirm to be true, and to add to the dark list of previous facts, a few of the more recent ones, in the direct line of proof; and as the fountain head is the place at which to test the real qualities of the water, I shall direct attention to events that transpired lately at Rome. In December 1866, which was shortly after the French Troops had been withdrawn from Rome, we find that the Rev. J. Lewis, a Presbyterian Minister in that City, was officially informed that he must desist from holding "religious meetings in his house" on pain of the "Inquisition" and all its consequences! Protestant worship had been permitted for six years, or while the French Troops occupied Rome, but was put a stop to immediately after their removal; and Protestant ministers were obliged to go outside of the city or in the

Inquisition. Let us now pass from Rome to South America—in Ecuador.—In National Guard Quilo, Ecuador, Dec. 18th, 1866, says:—

"Col. E. J. Neale, the British Charge D'affaires, at Quilo, died on Dec. 13th. As Protestants are not allowed Christian burial in Ecuador, the family of the deceased gentleman caused the body to be embalmed, with the view of transporting it to England; and permission was given by the Quilo authorities, to allow the body to be deposited temporarily in a deserted hotel situate without the City. Upon the procession arriving at the court yard of a little Chapel, the high road running through it, the entrance was stopped by *Messieurs* Tussent, the Pope's Legate, and some other priests, who declared that the body of a heretic could not be allowed to pass, as the ground was consecrated!"—Daily Review, March 17th, 1867.

A few years ago, a correspondent asked the *Westminster Magazine*, a Catholic Journal, "What would you do the Protestants if you were rulers of the land?" "Well," says the outspoken magazine, "much would depend on circumstances; if we found it for the benefit of the Church, we might tolerate them, but if not, we would imprison, we would hang them. But they may rest assured of this, we would never willingly tolerate public heresy."

Hon. Mr. KELLY.—Will the hon. member tell us when this happened?

Hon. Mr. HENDERSON.—I have the documents at hand, and the hon. member can examine them for himself, if he wishes. When a measure to suspend the *Habeas Corpus Act* in Ireland, about twelve months ago, was under discussion in the House of Commons, Mr. Roebuck spoke to the following effect:—"I have lately observed that the Catholic clergy appear to be both surprised and alarmed at the present aspect of Fenianism in Ireland. They may be alarmed, but I would ask, have they any reason to be surprised? Have they not been preaching sedition and rebellion for many years, and why should they now be surprised at seeing the natural result of that preaching? About nine months after the date of Mr. Roebuck's remarks, we have the following in strong corroboration of them:—On Wednesday the 4th of December last, a crowded meeting was held in St. James's Hall, London, at which Archbishop Manning presided, and numerous Dukes, Earls, Lords, Barons, Knights, and members of Parliament attended, and the openly avowed purpose was to express sympathy for the Pope. At this meeting, the Archbishop clearly intimated that in England at this time, the authority of the Pope was in greater force than that of the Queen; thus showing that every true Romanist is not, and cannot, be the legal subject of any Government but that of the Pope; and that therefore, no man who is sworn in this *faith*, can truly take the oath of allegiance in the United States, Great Britain, or any other Protestant country, or be trusted in anything that is not in conflict with the papal system. At the above meeting, the Earl of Dufferin, who is also a member of the House of Lords, boldly and unqualifiedly declared that the Catholic Church had stronger claims on him than his country. Twice in the course of his speech, he called a sentence in the Queen's late speech "a downright lie," and concluded his speech in these words, "I utterly repudiate such a thing as nationality. I am nothing but a Catholic—an Englishman if you will; but a Catholic first." This extraordinary language speaks for itself! Now, Mr.

Speaker, I am pretty near the end of my story, except a few words of explanation. The hon. member may deem it his duty—and pious duty too—to transfer to some mortal man, his right of private judgment in matters of religion, and may consent to be bound within certain limits in all questions relating thereto. Yea, more, he may not dare in thought to cross a given mental line, and may therefore be ready to pronounce as slanderous or untrue, that which he has not ventured to examine for himself; but is such conduct just or rational? And am I, who consider it my birthright as a man, and also my duty, to “search the Scriptures,” and investigate the facts of history and laws of nature, to abstain from bearing testimony to what I know and believe, for fear that that hon. member, or any one else, should feel offended at hearing what is true? No Sir, but more especially when I have been virtually challenged to it. I contend, then, that if the facts, which I have related, are not proved to be fictitious—which is not possible—the conclusion must be, that the system we are asked to endow is both aggressive and intolerant. To tolerate or place on an equal footing with ourselves is one thing, but to endow is quite another—and such as I trust I shall never consent to. My Roman Catholic neighbors and I live on very friendly terms, and agree on all common matters; but in regard to religious belief, we agree to differ. I am prepared to do the same in the Legislature; but am not prepared to be silent, when any hon. member thinks fit to misrepresent Protestants or their principles or practices. I would also invite any Catholic who has any doubts on the subject to examine the fundamental principles of Protestantism, and see if there is any want of toleration in any branch of the Protestant Church.

Mr. ARSENAULT.—Mr. Speaker, we have listened to quite an oration from the gentleman who has just sat down, in which he invited Catholics to examine for themselves, and ascertain whether Protestants are wanting in toleration or not; but if we judge Protestants by him, I do not think we will come to the conclusion that they possess the virtue of toleration in a very large degree. We have had a good deal of debating on the question of Education, but it was left for the hon. member from Murray Harbor to trail his coat tail on the sectarian aspect of it, which I think he did in a very unbecoming manner. A Catholic member might get up and say as much against Protestants, as he has against Catholics, but such a proceeding would only be productive of ill-will, and would not be the slightest benefit to the cause of Education. The Bill before the House proposes some amendments in the Education Act, which, I think, will be real improvements. One is the abolishment of the necessity of attendance at the Normal School. I believe that teachers are not much more efficient than they were before the establishment of that institution. I have heard students who attended that institution say they could not see the utility of it. There is one way in which the Normal School does an injury—after a candidate has spent five months there, the Board of Education think it hard to refuse him a license to teach, but if he came before them without having attended there, he would have no claim upon them, and would be judged according to his merits. I cannot agree with the Government in the action which has been taken in reference to the Bishop's Petition, I think that Catholic schools have as good a right to a

share of the public money as any other, but as a majority of the Government think differently, we must yield to them. Members of the Opposition have taunted the Catholics on this side of the House, because they could not obtain this grant, and have said that if we could not agree with the Government on this point, we should leave it, but I do not see where we are to go, (laughter) for if we are to judge by a speech of the hon. member of the Opposition who spoke to-day, we could not expect much from that side of the House. It is my opinion

“Better to bear the ills we have,  
Than fly to these we know not of.”

Mr. McLENNAN.—Although a great deal has been said on this subject, Mr. Speaker, yet I wish to express my opinions on it. I think this is the most important which has come before us this Session, and therefore, we should discuss it calmly and dispassionately. A great deal of irrelevant matter has been brought up in this discussion, which I would rather not hear, as it has no reference to the subject, and is totally uncalled for. The hon. member from Bedeque (Mr. Laird) said he could not see what good the Conservatives had done for the cause of Education. He said they had decreased the teachers salaries, but this is not true. When the Free Education Act was passed, the salaries were fixed at forty pounds, but when the Conservatives came into power, they increased them to fifty, and subsequently to fifty-five. Afterwards they found that the payment of those salaries was a great burden on the Colony, and they amended the Act, by providing that a part of the teachers salary should be made up by the parents of the children. They also established several Grammar Schools, and made a provision in the Act, that others might be established throughout the Island. The present Government have limited the number of Grammar Schools, but I do not see why this limitation should take place, and I would ask which are to be the favored localities? In reference to the Normal School, I would wish to see it in the state it was when Mr. Monk was there. It was established for the purpose of giving instruction in the art of teaching, and I think it would be better to keep it in good working order than destroy its usefulness, as the Bill under consideration is calculated to do. I do not think the change contemplated to be made in the Board of Education will be an improvement. In Nova Scotia there is a General Inspector of Schools, who receives a salary of twelve hundred dollars per annum. Since it is not going to be imperative on candidates to attend the Normal School, it will be a hardship to compel those from the extreme ends of the Island to come all the way to Charlottetown to be examined, and I think it would be advisable either to have County Boards, or let the examiners have stated times for holding examinations in each of the Counties. It has been said that a large body of Christians would be sadly disappointed with the amendments in the Education Act, and I think it will be so, for, although I am not aware of what promises have been made to them by the Leader of the Government, yet I think there was some inducement held out.

Hon. LEADER OF THE GOVERNMENT.—I can assure the hon. member that I was never asked by a Catholic to make any pledge in reference to Education before the late election.

**Mr. McLENNAN.**—I did not say that any promises were made by the hon. Leader of the Government, but by some of the members of his party. I believe others will be dissatisfied with the Education Act as well as Catholics.

**Mr. CAMERON.**—Mr. Speaker, during the discussion of this subject, we have listened to a great many irrelevant remarks. I am not going to exonerate either party, for there were expressions made use of by members on both sides of the House, which were entirely uncalled for; and I fail to see what connection many of them had with the subject under discussion. I believe that although this Bill is not all that it should be, yet it is an improvement on the old Act. If all our laws were subjected to the same process of simplification which the Education Act has undergone, it would be a great benefit; for, although they are not so voluminous as the Roman Laws in the reign of Justinian, which, it was said, would load twelve camels, yet some of them are very cumbersome. Trustees of Schools experienced great difficulty on account of the complexity of the School Act, and I believe they will acknowledge the beneficial effects which will result from its simplification. A great deal has been said in reference to the amendment proposed in regard to the Normal School, but I do not think any valid objections can be raised against it. The only difference it contemplates is, that the attendance shall not be compulsory, and I cannot see the justice of compelling a person to attend a particular institution, if he prefers to qualify himself any where else. I do not wish to find fault with the Normal School, for I believe the teachers in that institution have been faithful in the discharge of their duty, and have given general satisfaction; but, as a general rule, candidates who wish to qualify themselves for the office of teacher, are in poor circumstances, and can ill bear the expense of paying their board while attending the Normal School, therefore it is a hardship to make the attendance there compulsory. It has been said that the Normal School is to become a dead letter, but if it cannot stand on its own merits, it should fall. Great objections have been raised against placing so much power in the hands of School Visitors, but I do not think the objections are well founded, for it will be only the inefficient teachers who will be subjected to an examination, which will not be so great a hardship or so much inconvenience as the method once adopted, of calling in all the teachers for re-examination. I agree with the hon. Leader of the Opposition that the institution of *Caucus* should be done away with, and that a Government should not be bound to stand or fall by the fate of every small bill; but, as both parties have adhered to it, no more blame can be attached to one than the other.

**Mr. BELL.**—In approaching the great question of Education, I do not intend to enter into the merits or demerits of Catholic and Protestant. The general education of this Colony will compare favorably with that of any other, and I think the system gives general satisfaction in the country. No child in this country need be ignorant of reading, writing, and arithmetic, if parents sufficiently appreciate the benefits of education to send him to school. The practical working of the system has also been pretty satisfactory, there are scarcely any persons grow up in this country without getting a fair English Education, and many have distinguished themselves both at home and abroad. We

do not wish to denounce any particular denomination, but we are not in a position at present to support separate schools. I agree with the leading features of the Bill, and I think it will give general satisfaction in the community. I know that in the district which I represent, the people are perfectly satisfied, since the whole amount of the teachers' salary has been paid out of the Treasury, with the Education Act as a whole, but some of the details were unsatisfactory, but I think this Bill will remedy the defect complained of. In regard to the Normal School, I think a great grievance has been removed, for under the old system a young man, no matter how high his attainments, was obliged to attend that institution for five months. I think it would be well to have subordinate Boards of Education, so that we might have a Board in each County; but some of my colleagues think differently, and I submit to their judgment. I think it will be an advantage to have three School Visitors instead of two, as they will have more time to attend to their duties. The Visitor of the Western section of the Island has been a painstaking man, and by his unremitting efforts has done a great deal for the cause of education. With regard to the claims of the Catholics, although I have lived among them for many years, and found them a peace loving people, yet I cannot consent to give them this grant, for it would be admitting the principle of having separate schools. The head of the Catholic Church has done a great deal for the cause of Temperance as well as for education, and he deserves great credit for his efforts; but, for the reasons before stated, the Government do not feel themselves in a position to comply with his request. There is one thing I should like to see in this Bill, and that is a compulsory clause, for a great many persons in the country, with all the advantages of education within their reach, are so utterly careless that they will not send their children to school; and I think there should be something to compel them to do so, for when children are educated by a Government, they are to a certain extent the property of the Government.

**Mr. P. SINCLAIR.**—Mr. Speaker, this is one of the most important questions which could come before this House, and I think it has been discussed in a very different manner from what it should. Hon. members have stated that a great change was expected to be made in the Education Act, on account of the prominence given to the subject in the Governor's Speeches, but I think the Government have fulfilled all their promises with respect to this question. Last year they grappled with the subject, and they did what they promised—they paid the teachers in full out of the Treasury; and this year they promised to amend the Act in certain particulars, and the Bill before the House will do that. The hon. Leader of the Opposition has stated that the School Visitors are not allowed a sufficient salary, but if the work of visiting the schools of the Island could be done for £300, surely it can be done for £450. There is one officer appointed by this Act who is very inadequately remunerated for his services, *i. e.* the Secretary of the Board of Education. I think he has quite as much to do as one of the School Visitors, and he receives a salary of only £50 per annum. It is not my intention Mr. Speaker, to enter into a lengthy speech at this time, but as the Leader of the Opposition has demanded that the petition of His Lordship the

Bishop should be laid before the House, and as there has been so much discussion on the subject, I think it would not be amiss to say a few words in reference to it. I am opposed to giving the grant asked for, because I think the education of the Colony should be in the hands of the Government. Catholics have the same privileges as Protestants — the public schools are open to all classes. His Lordship deserves great credit for establishing female seminaries, and I think Protestants are very much to blame for not establishing similar institutions, for our common schools are not fit places to give young ladies a proper training. I coincide with His Lordship's views in this respect; but when he comes to this House, and asks for a grant for the schools under his charge, I consider that he is demanding more than he is entitled to receive.

MR. BILLY. — I regret, Mr. Speaker, that this important question should be approached in a party spirit, or with anything like that acrimony or warmth of feeling which has been exhibited by some hon. members. In regard to some of the remarks which fell from hon. members on this side of the House, I may say, I disapprove of them; and as to the observations of the hon. member for Murray Harbor, (Mr. Henderson) in reply, I will simply state, that if he likes to give expression to such sentiments as we have just heard, he is perfectly at liberty to do so as long as he pleases, but I consider them utterly beneath my notice. The Bill before the House is an improvement on the former Acts. To say, however, that it comprised every amendment required, would be to make an assertion with which I could not agree. What is education? If I understand the word, it is derived from two Latin words—*e*, out of, and *duco*, I lead or draw — and hence implies a drawing out or developing of man in his two-fold nature of mind and body. Everyone who understands the subject in its truest and most comprehensive sense, is well aware that man is possessed of a physical and mental nature — the mental comprising the intellectual and the moral; and the harmonious and full development of these three constitutes a proper education. Any system which does not recognise these essential features, is necessarily defective. If you educate merely the intellectual part of a man, which is all that the Free Education system professes to do, you may make him a very clever rascal, but not a moral high-toned member of society. This Free School system has been tried in the United States, where it originated, and the result of its practical working may be seen by referring to the records of the Divorce Courts, and the criminal statistics of that country. Reading, writing, arithmetic, mathematics, and the classics are important branches of study, and it would be well for all to obtain as perfect a knowledge of them as possible; but I contend that they do not comprise the whole of education. On the other side of the Atlantic, where education has occupied the minds of the ablest statesmen, a mere secular system is not considered the best; and instead of each party imputing the very worst motives to the other in dealing with this subject, it is taken up in a comprehensive manner, commensurate with its importance, and discussed on its own merits. It is in this way I intend to treat the subject this evening, as far as my humble ability will allow. In speaking on this question, the Bishop's memorial, praying for a grant for certain schools under his care, very naturally came before us. Some hon. members think that the Bishop is asking for something more than what is right.

They say it is calling upon the State to support sectarian education. What is sectarian education? It is intellectual training, based upon morality, and is, therefore, not only right, but deserving of support. In regard to the schools which have been conducted under the fostering care of the Bishop, I may say the education imparted in them is much superior to that of the common schools, and costs much less; and if this be the fact, why is it unreasonable for him to ask assistance from the State in supporting them? These schools are conducted in accordance with the wishes of Catholic parents, and are, therefore, fairly entitled to a due share of the school fund, for the parties who pay the taxes to support education, have a right to say what sort of education they would wish to have imparted to their children, and if you deny them this right, you have no right to tax them. Hon. members, therefore, in talking about educating religious denominations at the expense of the State, do not view the matter in its proper light. Were we to refer to the Continent of Europe, we should see that a system similar to that asked for by the Bishop, and of which I am the advocate, is carried out, especially in the kingdom of Prussia; and it is acknowledged, upon the authority of Joseph M. Bay, B. A., of Cambridge University, and other eminent authorities, that their system of education is superior to that of most countries. There, Sir, they have their Catholic schools and their Protestant schools, and they do not clash, but work together harmoniously; and when their principles are put to the test, Catholics are not found to be less loyal or worse men on account of their religious education. In the late war between Prussia and Austria, which might be said to be a war between Catholics and Protestants, on the bloody field of Sadowa, we find that the Prussian Catholic soldier fought beside his Protestant fellow subject, and shed his blood in defence of his native country, against the Catholic soldiers of another, with a valor and loyalty which could not be exceeded were a defective system of secular education forced upon him against his conscience and inclination. The system of religious education is far above the present system, and if hon. members would only take the trouble to educate their constituents up to a proper standard on this question, they would find themselves in a position to be able to frame a law which would hand down their names to posterity for benediction, and cause the rising generation, who would reap its benefits, to rank high in the scale of intelligence and moral worth. I repeat, Sir, if hon. members, instead of indulging in unworthy recrimination, would bend their minds to the consideration of this subject, and use all their efforts to perfect the system, they would have the proud satisfaction of seeing a class of children grow up around them, who in every point of view, would be a credit to the country, and who could be relied on in a time of danger and trusted in the ordinary transactions of life, better than those trained up under the present system. Believing as I do, in the connection existing between the crime of a country and the education of its people, I am prepared to maintain, that if a proper system of religious education were carried out, there would be an improvement in the morality of the youth of the country, and consequently a saving to the State of a vast amount which is now expended for the suppression of crime. Under a merely secular system, the criminal calendar shows a lamentable state of affairs—we need go no further than the Journals of this Island to ascertain, that while we pay fourteen

thousand pounds in the course of a year to educate the youth of this country, the same amount is required to keep the people in order. These are my views, Sir, which I would humbly hope are worthy the consideration of the Legislature and the country. In regard to the Bill before the House, I may say that the amendments proposed are improvements in the right direction, notwithstanding the cavilings which have been raised. One hon. member, for example, has objected to the clause which contemplates giving five pounds extra to those who would teach the French language, because he thought it was a provision intended for the benefit of the Acadian French. Considering his narrow disposition, I could not expect anything better or more liberal from him, but I should expect something better from others of his party with more enlightened views. After the fall of Louisburg, the French Colonists were driven from their homes in their beloved Acadia, with a barbarity unparalleled in history. Some of their descendants have found a home in this Colony, and the member for Murray Harbor would wind up the barbarity of the Eighteenth Century by robbing them of their language.

HON. ATTORNEY GENERAL.—Mr. Speaker, on former occasions in this House, I have always seen the question of Education approached in a quiet spirit, and discussed in a calm and dispassionate manner. Members of the Opposition taunt us with having made only slight alterations in the Education Act, but I think such taunts come with a very bad grace from members of that party; for, when I was in this House in 1861, I remember a bill was introduced by an hon. and much respected friend of mine, who is not now in this House, (Hon. J. Longworth) and certainly if the party then in Opposition, of which I formed one, had been actuated by the same spirit as the members of the present Opposition appear to be, they might then have assailed the Government for compelling them to go through a long bill without making any great amendments. My hon. friend who introduced that bill in 1861, explained that there was no new principle in the bill, but only one or two alterations which were required; and I have turned to the debates which took place on that occasion, and fail to find that any violent assault was made upon the Government for merely consolidating the Education Act. In 1863 another very small amendment was—the Acadian Schools were placed upon the same footing as the other District Schools; but whether that was a benefit or not, I suppose those interested are the best judges. In 1864 another amendment was introduced, reducing the teachers' salary, and compelling the people to raise a portion of it. I do not know any other amendments that were introduced by hon. members on the other side of the House, if we except the establishment of the Prince of Wales College. I think the Opposition should extend the same courtesy to the Government now as the Opposition of that day did to their party; and it would be better for them, instead of reviling the Government, to give them credit for what they have done. Why they should have been revived in this debate, the great question of Catholic and Protestant rights, I cannot see. Had it been brought up by a member on the Government side of the House, I should not have said anything about it; but, when the brand was thrown into the House by an hon. member on the other side, I feel called upon to express my opinions on the subject. His Lordship the Bishop, for whom I entertain personal feelings of profound respect, sent a memorial to the Governor in Council, couched in the most moderate and excellent language, praying for a grant in aid of St. Dunstan's College and other Schools under his care. It has been said that the Government gave an uncourteous reply to His Lordship, but I fail to see how it was so. The reply states, "That

whilst His Excellency in Council freely acknowledge the great and meritorious efforts made by His Lordship, in the cause of Education, they regret that they do not feel themselves in a position to submit the proposed grant to the consideration of the Legislature." If hon. members on the other side of the House were prepared to table a resolution to give His Lordship that for which he asks, they would be perfectly justified in bringing up this discussion; but, as they do not appear inclined to do so, the only result of raising this question will be to revive angry feelings. His Lordship had a perfect right to send in that memorial; and, I say that the members of the Government who hold opinions on this subject different from mine, have also a perfect right to do so. It has been said, why do not hon. members resign their seats in the Government, when they cannot agree upon this question?—but the question is not before them. It may be a question whether hon. members should remain in a Government when they vote against each other; but it is quite a different thing when members of a Government agree to let a matter remain, without bringing it before the House at all. Hints have been thrown out that the present Government were returned through the influence of Catholics, and came into power with the understanding that they were to give this grant. I may say, in answer to this, that I represent a strong Roman Catholic constituency, and I have never been asked by Bishop, Priest, or layman, to give any pledges whatever on the subject. In 1863 a measure was introduced here, namely, a Bill to incorporate the Orange Society, and, on that occasion, such statements were made, that I consider it my duty, although I am a Protestant, to stand up and vindicate the Catholics of this Island. I was said that they had proscribed Protestants, and I stated that they had returned me to the House of Assembly, although they knew that I was opposed to giving a grant to St. Dunstan's College, or any other denominational institution, on the ground that giving any grants, independent of the Free Education Act, was, under the circumstances of the country, injudicious. I have never had the slightest pressure brought to bear upon me to make me change my opinions in this respect. I have before me the debates which took place on that occasion. It was said by a supporter of the Orange Bill that Popish fiends, urged on by Popish priests, would imbrue their hands in Protestant blood. I recollect the time well. There were eleven or twelve on this side of the House, myself among the number, and I felt, as a man and as a Protestant, that such remarks were disgraceful, and I hope never again to behold anything like that which took place in 1863. A dark and dreary session indeed it was. Is it a matter of surprise that Catholics should have been indignant at such things, unless they be like those who lick the rod that smote them, and that I am sure they are not. Is it likely that they would quietly listen to all the opprobrium that was so freely heaped upon them? I have always heard that a minority should be treated with respect by those in power, but I do not think the Catholics received that respect to which they were entitled in 1863 and 1864. Passing from these matters, I do not scruple to state what my opinions are on this subject. I shall always stand up for equal rights for Catholics and Protestants; but, if any departure is to take place from the present system of Education, it must be a general one. If a system can be found which will give a religious education together with a scholastic one, on a sound and efficient basis, and means can be found to carry it out properly, I will be in favor of adopting it; but, under our present circumstances, it would, I think, be impracticable to attempt it. I do not think the amendments in the Bill before the House deserve the reproach which has been cast upon them by members of the Opposition. It would appear that they are determined to find fault. It has been said that teachers will be under the control of the School Visitors, and liable to be sent to Charlottetown for examination, at their caprice; but this Bill only provides that the Visitor shall recommend the Board to re-examine those whom he deems incompetent; and I do not think there will be any danger of

a Visitor abusing this power, and causing inconvenience in cases where it is unnecessary. I do not think it was necessary for any hon. member to give us a history of what has happened in other places among Catholic nations. No doubt many excesses were committed in old times by both Protestants and Catholics; and if we search the records of past ages, we might dig up the accounts of many mournful acts of oppression and wrong on both sides, which all now unite in deploring; but raking up such things does no good, and only tends to excite hard feelings. I happened to be a member of the Board of Education, when this question of excluding Bibles from the schools was brought up, and I do not think a tumult was ever raised on a more flimsy pretext. It was brought to the notice of the Board that the teacher of a certain school in Rustico was imparting religious instruction, but that report was afterwards found to be incorrect. It was left optional whether the Bible should be read in the schools or not. I would not have sat one day at that Board, had I thought that the Bible was going to be prohibited in the schools where parents desired their children to read it; but it was only a senseless cry based upon ignorance of the facts. I do say that hon. members on this side of the House, who profess the Catholic religion, have a perfect right to express their views on this subject, and carry them into effect if they think proper to do so; but this question should be dealt with in a temperate manner. I may say, as far as my experience goes, that Catholics in this House have always been very temperate, unless when stirred up and provoked by hon. members on the other side of the House. As hon. members of the Opposition seem very anxious that the views of the House on the Bishop's request should be ascertained, they had better bring in a resolution to that effect, and perhaps it may be carried. That is the manly and proper course.

Mr. PROWSE.—I stated that I was opposed to giving such a grant.

HON. ATTORNEY GENERAL.—There are other important matters in this Bill. Even the consolidation of the Act will be an improvement, as it will reduce it very much in size and make it more simple.

The Bill was then read a second time.

BALDERSTON, Reporter.

HON. LEADER OF THE OPPOSITION.—I do not know whether the rules of Parliament are to be adhered to in this case or not; but this is the most important subject that has come before us this session, or indeed, in any other session. Hon. members should be aware that twenty-four hours notice should be given before going into Committee. We have had a long lecture from his honor the Attorney General, in the capacity of a political moralist, throwing all the cause of the strong excitement that has taken place since this debate commenced, upon the Opposition side of the House. Hon. members on both sides will bear me out, when I say that I was not guilty of any insinuations against the honor, patriotism, and religious feelings of Roman Catholics, or any other religious body in this Island, and yet we have had a tremendous attack from a member of Her Majesty's Government on this very subject. He was not content to meet this question upon its broad and general principles, but he has condescended to give us his views on morality, as viewed from his own standpoint. I congratulate Her Majesty's Printer, in his meeting this question so calmly, for if ever the apple of discord was thrown in, it was done by a member of the Government last night. That hon. gentleman brought in matters that should have been left on the shelves of the library unopened, matters that were raked up in 1863, but as a natural consequence, he created a great deal of ill-will, and did no real service in the question before

this House. The hon. Attorney General finds fault with the Opposition, because they condemned the action of the Government relative to this Bill. When he is charged with doing anything that is not exactly just and right, he falls back upon the actions of the Conservatives; I did not expect this, for I thought the Liberals were a progressive party. He charges the late Government with introducing an Education Bill in 1861, with very few amendments to the old Education Act in it; and tells us that no fault was found with that Government for so doing; but we know there is no analogy in the two cases. When the present Government came into power, there was a paragraph on this subject in the Governor's Speech; at the opening of their first session, and another paragraph at the close of that session. At the opening of the present Session, we had a third paragraph on the same subject; but if the hon. Attorney General will refer to the journals of 1861, he will find nothing whatever relating to it. Although such a noise has been made over the present Bill, it is no better than Mr. Longworth's Bill, which was brought in when the late Government were in power. The Attorney General stated, that as the Government had not taken up the question alluded to in the Bishop's Memorial, and as they had taken no action upon it, this House should have nothing to do with it. This sort of talk would have been all very well, if the memorial had been kept in the caucus meeting, but I heard that such a question was introduced in caucus, and I thought that it should be laid upon the table. We now have it here, and have a perfect right to make what comments we may consider expedient, because it relates to Education, and was sent in by His Lordship the Roman Catholic Bishop. Although the Bishop's request was received by the Government, we should never have heard anything more about it, if I had not made a motion to have it laid on the table. I am accused for this, of acting the part of a political firebrand, but if any strangers had come into this House last night, and heard the speech of the hon. member for Tignish, without being aware that he was a member of Her Majesty's Government, they would have thought that he was a member of the Opposition, taking the Government to task for not supporting certain religious establishments. He was in a very false position, and is so now, because if he thinks the Government have not done justice to the establishments in question, he should endeavor to do what is right and just. He had no right to complain of the action of the Government, because he now stands in the position of the most rigid Protestant in Prince Edward Island, and in the position of an advocate of non-sectarian schools. He was certainly in an anomalous position, when he attacked his own side of the House for not doing justice to the Catholics. If ever a member of the Government was in an extraordinary position he is in one, consenting to a stated line of policy, and then finding fault with his colleagues, but still holding his seat in the Government. I never saw such a state of things in this Island before; however, I have not charge of his conscience nor of his political honor.

HON. Hr. HOWLAX.—I am glad you have not. Is it not a pity that you have not?

HON. LEADER OF THE OPPOSITION.—The hon. member for Tignish has certainly extraordinary ideas; he has extraordinary views of constitutional government too. The hon. Leader of the Government thinks that he knows all about the Normal system, but I can tell him that if



he and I went before the Board of examiners, that I would be quite as able to explain the system as any hon. member of this House. He has too much conceit, and thinks he knows everything, but I can tell him, that I know a little about Normal Schools too, although it is in his power at present to carry out the system. I believe that a Normal School is a necessity, and that we can never have well qualified teachers to conduct the schools of the Colony without it. Unless teachers undergo the same course of training, hardly two schools will be conducted alike, although we know there should be uniformity in them all. If the principle of this Bill is carried out by the contemplated Board, and the school teachers are smuggled through without attending the Normal School, they will be useless. Again, admit for the sake of argument, that there has been no Normal School of late, surely the hon. Leader of the Government who has taken such an interest in, and who has been styled the father of Free Education in this Colony, will not say that the school is useless. In 1856 he considered this school a necessity, in the carrying out of the system, and therefore, if the Tories ruined it, he ought to have revived it, and to have put a proper staff of teachers in it. I would have supported him in voting more money to render the institution as perfect as it should be, and to make it the foundation of our Free Education system. The excuse which has been made by the Attorney General against the school is that he considered it an indignity for the applicant for the teachers office to be compelled to attend it five months. I cannot see any indignity in it, no young man is forced to become a teacher, but if he wishes to become one, he must expect to learn the art of communicating his knowledge to others. This art can only be obtained by a proper course of training, therefore, I cannot agree with the Attorney General in his views upon this matter. The law passed by the Conservatives provided that if any teacher has a certificate from any Normal School, said certificate should be a pass in this Colony that he was not to be again forced to attend the Normal School here. The teachers attendance at the Normal School in Nova Scotia is made an absolute necessity, and he is obliged to remain two terms, or ten months; he is obliged to have all the knowledge which is necessary for a teacher, except the art of imparting knowledge, before he goes to the Normal School. We should not be in such a hurry to give certificates to young men, for many of them are too young for the office. In Prussia they have the ablest body of teachers in the world, the best educated and the most gentlemanly; the teachers there are a most respectable and influential class in the country. We know that the candidates there must be eighteen years of age, before they can enter their course of training at the Normal School, and twenty-one years of age before they are allowed to teach; but here they teach at the age of sixteen or seventeen. What power can the latter have over a school? Perhaps a large number of the boys are older than the teachers themselves. This new Bill has struck at the utility of our Normal School, and therefore, it will now be a waste of the public money to keep it up. If we are to have three Visitors there should be a superintendent appointed over them, that their movements, &c., may be properly regulated. As regards the remarks made by the hon. member for Rustico, about religious excitement, and setting neighbor against neighbor, and the charge of fanaticism, made by the hon. member for Tignish, I think it is much bet-

ter to pass them by, and not to excite angry feelings upon the subject. The hon. Attorney General made one remark which struck me; this was, that a religious system, combined with the secular one could be adopted.

HON. ATTORNEY GENERAL.—I said that it could not be done without a thorough change of the present system.

HON. LEADER OF THE OPPOSITION.—I thought he said that they could not lay it down for a mixed community; we know there is a way of doing it, for it is carried out in Prussia. There, the control of the religious element in the schools, is left with the different parishes. They support both Protestant and Catholic schools, and it is quite possible to do so here, if the people wish it. Again, the hon. member charged this side of the House with bringing up all the ill-feeling that has been manifested upon this subject; but he knows very well that this Bill has been overhauled and torn to pieces on his own side of the House as well as on this side. Doctor Jenkins should not pour all the vials of his wrath upon this side of the House, for if the supporters of the Government can find fault, of course the Opposition may. It is a family dispute, and I suppose there was one in the Caucus; perhaps we should leave them alone like a husband and wife, to fight it out. But we interfered and the Doctor turned upon us immediately, another and another followed his example. Mr. Arsenault says he cannot consistently agree with the Government upon the Bishop's Memorial, and that there was not a clause in the Bill which would carry out his views in reference to Saint Dunstan's College and the schools established by the Bishop in Charlottetown. He says that he can neither agree with the Government nor the Opposition, and then asks us the question, "Where am I to go?" He then gave us a celebrated quotation (which shows that he is pretty well read in one of the best authors) to the effect that it was "better to bear the ills we have, than to fly to others that we know nothing of." I was not the cause of the violence evinced by hon. members on the other side of the House against each other; the hon. member for Tignish threw down the gauntlet, but I will not interfere with them—I will let them fight their own battles. The hon. Attorney General, in his address last night, charged the late Government several times—he is very fond of charging that Government—with cutting down the teachers' salaries. The teachers' salaries were at first from £45 to £50 per year, and the late Government raised them from £50 to £55. The Liberals accuse the Conservatives of never doing anything to improve the Education Act, but I can inform them that the said Act was amended in 1861 by fifty-three sections, which made it nearly double its former size, and raised the teachers' salaries at the same time. That Government afterwards thought it necessary to pass an amendment to the former Act which hon. members on the other side are very fond of calling "The Act to reduce the Teachers' Salaries." This amendment was not brought in with the object of reducing the teachers' salaries at all, Sir, its object was to have portion of the teachers' salary raised by the people by local assessments in the Districts, to the extent of £15 out of £55; but unfortunately the teachers had not the *esprit d'corps*, they ought to have entered into an engagement with the trustees, and to have bound them to pay this £15 a year. It was altogether the

the teachers' own fault that this was not done, and I am still of opinion, that in order to make the people send their children regularly to school, and to give them cause to take particular interest in it, they should be assessed as in other countries. In Prussia the teachers' salaries are raised by local assessment, and in the United States of America, which is supposed to have one of the best secular systems of education in the world, the salaries are raised in the same way. Ever since the times of the Pilgrim Fathers, these salaries were raised by local assessments. In the City of Boston the people pay for this object at the rate of four dollars per head, besides voluntary contributions. In the Province of Nova Scotia one-half the teachers' salary is raised by local assessment, and it is the same in Upper Canada. There should have been a clause in the amendment made by the Conservatives, to the effect that the teacher should make an affidavit that he received the £15, and then the local authorities would be bound to find him his money before he could draw the balance of his salary from the Treasury. What the people receive for nothing, they do not value, and parents do not take sufficient interest in our schools to send their children regularly; consequently they lose half the benefits to which they are entitled. The people do not see this — they would not pay a direct tax, but they would not mind coming into Charlottetown and buying two or three suits of broad-cloth, and a lot of fine dresses for their daughters, and various other articles of that kind, upon which they pay a tax which finds its way into the public purse. The teachers' salaries are paid out of these taxes, whether direct or indirect. The amendment to which I allude was not intended to lower the teachers' salaries. In that very same Bill, the Grammar Schools for Charlottetown, Georgetown, and Summerside were granted, and power was given to the inhabitants of any two adjoining districts, to unite and join their schools for the purpose of constituting a Grammar School, after which they were entitled to a Grammar School Teacher. The object of the late Government was merely to create another source from which a portion of the teachers' salaries could be raised. I do not think there are any other observations which call for a reply from me. Even the Queen's Printer himself says that this Bill is not as perfect as he wished it to be. As he wrote so many able editorials upon the subject, he would be in a ridiculous and false position if he said that he was satisfied with the Bill before us.

THURSDAY, April 9.

HON. LEADER OF THE GOVERNMENT.—The hon. member for Murray Harbor (Mr. Henderson) has made some remarks in reference to the letter of the late Bishop McDonald to the Board of Education, which would produce a wrong impression if allowed to pass unnoticed. The Bishop had been misinformed, and wrote that letter in the belief that the Bible was to be forced into all the District Schools in the Colony. Before the great meeting of the Protestant Ministers was held, the Bishop wrote another letter to myself, stating that he had been misinformed, and that he was then quite satisfied with the laws relating to education; this letter was published before that great meeting, and consequently His Lordship did not receive justice. The determination of the Protestant clergymen was to work up a religious excitement, and they misrepresented him in such a manner as to arouse the whole Protestant population against the

Roman Catholics; all of which was a mere political ruse to displace the Government of the day, and to place the Conservatives in power. The hon. member has brought up this matter for the purpose of giving us his own opinion of it, but I think the less said on it the better for both parties. I am sorry to hear that letter dragged into this debate, but I happen to know more about it than some persons do, and therefore will make some remarks upon it. It was received by the Board of Education a fortnight before I heard anything of it; but when I heard that the Protestant Ministers had arranged to hold a meeting to consult with each other, and to express their opinions on the matter, I asked the Secretary of the Board to let me see the letter, which he did. I at once saw that the Bishop had been misinformed, and therefore I waited upon him. At the interview which then took place, he stated that he was perfectly satisfied with the Education system as it then stood, and was pleased to find that it was not the intention of the Government to enforce the reading of the Bible in the schools. He thought it better to have what was termed a Godless system of education, than to enforce the reading of the Bible in the schools contrary to the wishes of parents. The hon. member for Murray Harbor, in the first part of his speech, alluded to Donnybrook Fair, as it was called, which took place after the dismissal of the Postmaster General. I do not wish to say anything about the actions of the dead, but that gentleman was not dismissed for the reasons stated by the hon. member. He was not dismissed from mere party motives, but because he would not receive the Assistant who had been appointed by the Liberal Government. He had been warned of the consequences more than once, but persisted in retaining the former Assistant, contrary to the wishes of the Government. The great meeting ended without disturbance of any kind; no thanks to the hon. member for its peaceful termination. He wishes to make it appear that the Liberal Government issued a proclamation against Orange Societies, but they never did anything of the kind. A great cry was made about that time, that Ribbon and other secret societies would be formed, and therefore the Lieutenant Governor issued a proclamation against all secret societies. This was by way of caution, and according to the advice of the Government; but no offence was given to any but those who choose to take it. The hon. member says that the Roman Catholic electors were sent by the Bishop to an election, for the purpose of upsetting the late Protestant Government, but I am not aware that such was the case. But if it was so, we cannot wonder that the Bishop would try to break up a Government that had denounced the clergymen of the Roman Catholic Church, and their congregations throughout the Colony. All Roman Catholics must have been insulted by the language made use of by the late Government, for their wives and daughters were vilified and evil spoken of. The language made use of by a member of that Government, on the introduction of a Bill to incorporate the Orange Lodges, was insulting in the extreme towards Roman Catholics; but that Government voted to a man for the introduction of the Bill; and passed it. If Roman Catholics had acted in like manner towards Protestants, the latter would have been up in arms throughout the whole Island, and perhaps the matter would have ended in violence. But the Catholics bore all with patience and forbearance, and the excitement passed away without a disturbance of any kind. Under

these circumstances, I would not wonder if the Bishop had done so. I will not follow the hon. member through the whole course of his remarks, but as I have represented a Roman Catholic District for twenty-five years, I can speak positively in regard to their wishes and demands. As I have received their almost unanimous support, ever since my first election, I know that they do not vote merely on the question of religion. I have had their support independent of anything they expected me to do for their religion; and they have never wished for advantages over Protestants. It has been stated by the hon. member for Charlottetown, that I have deceived them, because they expected me to vote for a grant for St. Dunstan's College. They never asked me to vote for a grant to St. Dunstan's, but my hon. colleague (Mr. Kelly) thought the College entitled to a grant. I agreed with him and voted for a grant, but the motion was lost. I then moved for a sum to purchase a suitable apparatus, which motion was carried. When the Prince of Wales College question came up, and a change was made in the old Academy, to which both Catholics and Protestants had access on an equal footing, I supported a grant to St. Dunstan's, but the Conservatives being then in power, voted against it. The statements that have been made by the friends of the Conservative party, to work up Protestant feeling against Catholics, have created so much excitement, and so much ill feeling towards the Liberal party, that the Government do not at present feel themselves in a position to give a grant to the College. Yet in my own individual opinion, the Bishop is entitled to a grant. But as individual opinion is entirely a different thing from political duty, the Government must remember their position with respect to both Catholics and Protestants, and not cause a clash between religious sects on such an important question as this. At the time St. Dunstan's College was first established, I voted for a grant to support it, and Protestants would not then have made very great objections to it; but as there has been so much agitation worked up against the Liberal party by the Conservatives, on this question, the Government cannot make any advances in the matter at present. But Roman Catholics think that the excitement has settled down, and therefore the Bishop comes forward and shows us, that he is in need of a grant to sustain the schools which are at present supported by himself. He thinks the time has arrived for the Government to support these schools, and to aid the College, but the Government are not at present in a position to do so, for the reasons I have given. We do acknowledge he has done a great deal in establishing a higher class of schools. St. Dunstan's is now attended by a considerable number of Protestants, who are as true to their religious faith as the hon. member for Murray Harbor, although he is delegated to watch the proceedings of the Government on this question. Why is St. Dunstan's College so well attended? Because a thorough and complete education is given there sooner than at Prince of Wales College. The Nunnery is a superior institution for young ladies. I sent my daughters there, for I knew no other place in the Colony where they could get a superior education. The charges are lower, perhaps, than at any other high school. Many Protestants at first railed against me for so doing; but now there are as many Protestants in that institution as there are Catholics. If Protestants will not put their own shoulders to the wheel and establish superior

schools, they must expect to suffer for their neglect. But who will say that there are not as good Protestants attending the Nunnery as the hon. member himself. I have heard a good deal said on this matter, but I believe my daughters are just as firm in their religious faith as they were before they attended that institution. The Bishop deserves great credit for what he has done for education in this Colony. He has taken many poor children from the streets, and educated them so as to enable them to become useful and respectable members of society. I say he is entitled to the thanks and respect of the people of this Colony for what he has done for these schools. The principle which has been taken hold of by the Protestant mind governs the hon. member. I do not intend to vote for either Protestant or Catholic Schools, as we should act on the broad principle of which the majority of the people will approve. We should support the principles of our party, even though they do not altogether coincide with our own personal views; but under our present circumstances I am satisfied that the Government have taken the only course they could pursue. Perhaps my hon. friend here on my right went a little too far; and though he supports the Government in not giving a grant, yet he is aware that there is a claim and consideration due to the Bishop for what he has done in educating the poor, who were not able to support themselves. We cannot acknowledge the Bishop's services by a grant from the public funds, but we can do so in another way. I do not think the Government should break up because they are not in a position to give the Bishop a sum of money to enable him to support these schools, although these institutions have benefitted the youth of the Colony to a considerable extent. The Government have taken the responsibility of acting upon the principle, that no sectarian institution should be supported by Legislature, they do justice to all. I believe the Opposition expect that the whole Catholic population of the Colony will turn against the Government, and thus accomplish what the Conservatives wish for, namely a breaking up of the Government. But I do not believe that Roman Catholics can be bought so cheap as the Opposition expect. They know what the Liberal party have done for them in time past, and how that party have vindicated their rights in the Government of the Colony and in all public questions. The Liberals have always been their protectors when the Conservatives heaped odium and indignity upon them, and why should they now join a party which has always opposed their interests. I dare say the hon. member for Charlottetown would like to see the Government broken up upon this question; but the Opposition are very cautious in speaking on the subject. They talk very blandly about the Bishop's memorial, and say to the Catholics, "They ought to have given you a grant," and try to persuade them that the Government have not done them justice. I really believe that if I had employed the hon. member for Murray Harbor to make a speech favorable to the Government, he would not have done it more satisfactorily than he has done. I am glad the hon. Leader of the Opposition asked for the Bishop's memorial, and as it has been published in the newspapers, everybody will be able to judge for themselves on this question. He attempts to lecture this side of the House on constitutional matters, but as I have already expressed my views on these things, I shall not at present notice what he has said. The hon. member for Murray Harbor

has alluded to a petition in reference to the Bible in the schools, and over which such a fuss was made by the Conservative party. The petitioners wished to have the Bible established by law in the schools. I opposed it, for I thought that we should not establish any religious training by law, but I believed that the Bible will find its way into those schools where the parents desire it; and therefore it should be left to their option. I was opposed to a sweeping and compulsory measure which would force the Bible into all the schools of the Colony. At that time there was a great cry against the Liberal party, and one hon. gentleman, who gave the casting vote, has never since been able to obtain a seat in this House. Protestants in general are now willing to weigh the matter calmly, for they see that the excitement was worked up for political purposes, and that it was not an alarm for the Bible which agitated the Conservatives, but anxiety to overthrow the Liberal Government and to obtain power for themselves. The Opposition would fain make the memorial from the Bishop a means of getting into power at the present time, but they will not succeed so well as they formerly did. Do they think the Roman Catholics will turn over and join the Conservative party, because two or three hundred pounds have not been granted to St. Dunstan's College? Do they expect that the Catholics will forsake the Liberal party, who have always done them justice and supported their claims, to join the ranks of those who have opposed their claims and heaped odium and indignity upon their religion? The Liberals have always given them equal rights, and I believe they are satisfied that this party have done them justice. The Liberals have never disgusted them or showed contempt for their religion, but have uniformly respected their clergy under all the circumstances in which the party have been placed. But on the other hand, the Liberals have never tried to give them privileges over their Protestant fellow subjects. I do not stand here to work up religious strife, as the Conservatives have done. We have only to turn up the Debates of this House, to prove that the Conservatives, when in power, acted in a manner which would teach Protestants to hate the Roman Catholics and their religion. But Protestants have had their eyes opened on the matter, and now see the actions of that party in their true light. The Colony now has a Government which is as strong as any that has existed here for some years, and one that will do justice to all religious sects. The late Government professed to be purely Protestant, and therefore could not be expected to do justice to Roman Catholics. They (Catholics) were not appointed to any public office of trust and responsibility while the Conservative party were in power. But the present Government reflects the sentiments of the people generally, and there is a liberality which could not be expected from the late Government. In the present Bill satisfaction will be given to both Catholics and Protestants, for it is founded upon a broad and liberal basis, which will do justice to all parties, and at which no one can take offence.

I OXENHAM, Reporter.

Mr. BRECKEN.—Mr. Speaker, If the hon. member for Tignish, sank low last evening he has fallen lower to-night. I am not disposed to occupy your attention just now, and were it not that the hon. member has alluded to the speech of the Colonial Secretary, I would not do so, but as I am upon my feet I will reply to the hon. member,

and notice what was said by other hon. members also. I am aware that my hon. friend on my left (Mr. Hepdarsop) followed up the hon. member for Tignish, and no doubt his doing so has been of considerable service to the hon. the Leader of the Government, whose speech last evening, I think no hon. member did fully understand, for one moment he was for having the Bibles in the schools, and in another he was not.

HON. LEADER OF THE GOVERNMENT.—I did not so express myself.

Mr. BRECKEN.—Again, the hon. member thought the Catholics had a right to have the Grant, and said the Liberal Government raised them to a level with other classes in the community, but for my part, I thought it was the Bishop who had done that.

HON. LEADER OF THE GOVERNMENT.—The hon. member is well aware that my allusions were political.

Mr. BRECKEN.—But Sir, are the Catholics brighter now than they were previous to the period alluded to by the hon. member? No Sir, they are not, yet, let them not forget, that the hon. member has raised nearly one half of the population of the Island, to a level with the rest of the community. I regret that my hon. friend, (Mr. Henderson) made the speech he did, for there can be no doubt, but that it was a regular God-send to the Government. The hon. member for Tignish, charged me with provoking this discussion, and said that I introduced irrelevant matter into the debate; what I stated was, that the 35,000 supported the Liberal party, because they had reason to suppose they had a claim upon that party, which they considered to be fair and reasonable, and in saying so, I drew attention to the resolution which had been introduced by the hon. member for Fort Augustus, for which the hon. member the leader of the Government had voted, and I stated that from that day forward, the Catholics believed, when the hon. member came again into power, their claims would be recognized by that hon. member. This is what I stated then, and, Sir, I again repeat it, and however the gallant Colonel from Tignish, or other Catholic members in this hon. House, may treat the matter, I know that Catholics outside of this House say so too. The hon. member for Tignish was diligent in endeavoring to find some recorded utterance of mine, which would be offensive to the Catholics.

HON. Mr. HOWLAN.—When I spoke, I said I quoted from the speech of the first officer of the late Government.

Mr. BRECKEN.—The hon. member made personal allusions to me, and then read extracts, the language of which was past unbecoming, and said he held me responsible for that language. Yes, Mr. Speaker, the hon. member attempted to hold me accountable for them strong assertions, and read passages which he considered would be injurious to me, but for which I rather think his more intelligent friends did not thank him. The hon. member enquires if I did not support the Orange Bill? to which I may reply, that after the exhibition of the hon. member, last night, I do not intend to notice any of his questions. But with respect to the letters and speeches of the hon. member, (the late Col. Secretary), I may say I never read the one third of them, and I put it to the hon. members present, who were then in the House, if I did not say to the late Colonial Secretary, as I did to the hon. member for Cavendish a few days ago, that he was a political firebrand, and told him that the floor of this House was not the arena for a religious discussion. [Some interruptions occurred here.—Rep.] I will read from the Parliamentary Reporter of 1864 what I then said, although the Reporter has not put it all down:—"I disapprove of the floor of this House being made the arena for a controversy about creeds." This, Sir, is what I said on that occasion. No doubt it is very convenient for the hon. member for Tignish to try and impute language to me which I never uttered; but where I ask, is the Catholic who ever heard me use words of intol-

ence towards them? The 35,000 were, almost to a man, arrayed against the Tories, but my tongue never taunted them. I have canvassed Charlottetown, and asked them in a friendly way for their support, but they always told me that I was not one of them, and therefore they could not support me; and I challenge the hon. member to go through this city and produce contrary proof if he can. But I do not boast of it for it was only what common courtesy required; but, Sir, let us not attempt to stifle free discussion. Whether the views of the hon. member for St. Peter's will be carried out or not, I know not; but his speech was a good one, and will commend itself to thinking men. Here, Sir, is a great and important question, brought to the notice of the Government by His Lordship the R. C. Bishop of this town, who looks upon the present party as one on whom he has a claim; but, says the hon. Leader of the Government, we have given an answer to His Lordship, and I have sent my children to his schools. Well, if His Lordship is thus to be put off, then I will be disappointed. The hon. the Leader of the Government also spoke of much that ought not to have been brought forward here. I never, Sir, stood up and spoke against my spiritual guide, until the froth came out of my mouth; but who did, the public know. I allude to the political conduct of a political opponent. Then we have been reminded next of the Orange Bill. When that measure was introduced, I gave my reasons for supporting it, and stated that I had thought the Leader of the late Government had miscalculated the effect of that measure, and said I would prefer holding out the olive branch of peace; but I do not object to those miserable sops which have been introduced, for they reflect upon the Father of Education and that wonderful party who were going to make such improvements upon the Act. To allude further to the hon. member for Tignish would be like throwing water upon a drowned mouse; but I have that respect for the learned Attorney General to believe that he might have understood me differently from what I intended. The charge I made was against the party, not against an individual, and this party was supposed to be in favor of the 35,000, and to have their support. And why did His Lordship, when addressing the Government, say he thought the day would come when a party would be found willing to do him justice? Such statements cannot refer to the Tories. No, Sir; but we may ask, where would this Government be to-day but for the Catholics? Where would the hon. Attorney General be but for a Catholic constituency, with other hon. members on that side of the House? Is there a Catholic member in this House, or a member of that Church outside of it, who does not believe that the request made by the Bishop is a just one? But, says the hon. member for Tignish, *we Catholics have been insulted by both sides of the House*, and says the Bishop educated 500 or 600 pupils in his schools, and that he should receive a grant proportionate to the number of children so taught. I find no fault with the hon. member for what he said on that point; but, notwithstanding what the hon. member said, we find that he united in choking His Lordship off with a Minute of Council, instead of granting him the money he asked for, and which, he says, he was entitled to receive.

Hon. Mr. HOWLAN.—Are you not sorry?

Mr. BRECKEN.—Why the hon. member said a great injustice was done to the man who was educating the 600, and yet overlooked the fact that it was not in this House, but at the Executive Board, that his claim was set aside.

Hon. Mr. HOWLAN.—What I said was that from this side of the House he got nothing, but that from the Opposition he received abuse.

Mr. BRECKEN.—The public will bear me out in what I have said, and the Catholics will listen respectfully to

what was said by the hon. member for St. Peter's. But I did hear one man say: "O, what a fine man that Mr. Howlan is;" but I think his colleagues in the Government did not think so when he was making such a display the other evening. When I speak in this House I am not like the hon. member for Tignish, living one hundred miles distant from my constituents, and driving up occasionally among them, and telling them how I pitched into my political opponents; but, on the contrary, every time I rise here, some of my constituents are present, and know my sentiments every time I speak. I have too much respect for this hon. House to use any improper language towards the hon. member; but I tell him that what he charged me with is not true.

Hon. Mr. HOWLAN.—Mr Speaker, I did not intend troubling you with any further remarks to-night, but as the hon. and learned member for the City (Mr. Brecken) has provoked this debate, at a time when so many of his constituents were present, I presume he wished them to hear his views on this question, and as he thinks the gallant Colonel from Tignish must have such a fine time when he goes up West, he could not rise without directing special attention to him. When I spoke, I gave my views frankly, and asked him what he was prepared to do, but did the hon. member say? No; he declined to say what he was willing to grant to the schools of His Lordship. He referred also to the speech he delivered when the Orange Bill was under consideration in 1864 in this House, and gave the first part of it, but conveniently omitted the last. In the course of his remarks he said I had no political manliness. The hon. member may regard such language quite becoming, while I regard his references on that point, as unworthy the position of any hon. member of this hon. House; but, Sir, I never taunted that hon. member with not being a gentleman, and now, once for all, I tell him, that I hope he will keep his respectability out of the question. With respect to the Orange Bill, I tell that hon. member, he voted for it, and I hold him responsible for so doing.

Mr. BRECKEN.—The hon. member knows right well, that members are appointed to bring in private Bills, and that it is quite usual for such matters to be left to the Chairman of the Committee, who brings in the Bill, and that the other members of Committee seldom see it, although their names will be among those who bring them in.

Hon. Mr. HOWLAN.—Will the hon. member say that he has forgotten that he voted for that Bill? Will he admit he was on that Committee?

Mr. BRECKEN.—For the sake of the argument, I admit, Sir, I was on that Committee.

Hon. Mr. HOWLAN.—Will the hon. member admit further, that he is responsible for the doings of that Committee?

Mr. BRECKEN.—I admit that I am.

Hon. Mr. HOWLAN.—The hon. member said also, that he never said anything against the Catholics, but when a measure was brought in here on St. Patrick's Day, ostensibly for the purpose of insulting Catholics, the hon. member supported it, and was on the Committee that brought the Bill in, yet, last night, he taunted me with a want of manliness, because I refused to leave a party with whom I have had no quarrel, and notwithstanding, the interest he seems now to take in His Lordship, he was not the man to rise in this House to deny the charges which were made against him.

After a few more remarks by one or two hon. members it was ordered that the Bill be committed to a Committee of the whole House on Saturday ensuing.

R. GORDON, Reporter.

## ALEWIVES BILL—PETITION.

SATURDAY, April 11.

Mr. Bell in the chair.

Hon. ATTORNEY GENERAL said the object of the petitioners was, that the fourth section of the 24th Vic. should be restored to the Act, which will make it lawful for the Government to appoint persons whose duty it shall be to prevent the setting of nets, at improper times, or in an improper way, at streams frequented by those fish.

Hon. LEADER OF THE GOVERNMENT remarked, that in one part of the section of the country, which he had the honor to represent, over one hundred families depended upon getting some of these fish every year, and considered it to be the duty of the House, to see that every precaution was taken for to allow their free ingress into those harbors, or places which they frequent.

Mr. SPEAKER said that on the south side of the Island such protection was not required, as these fish do not now frequent the harbors on that side of the Island as they formerly did.

Hon. Mr. HOWLAN said the fishermen were in the habit of taking these fish for bait, and parties would sometimes set nets across the streams which they enter, which, if persisted in, would eventually destroy them altogether, or drive them from our harbors.

Hon. ATTORNEY GENERAL concurred in the propriety of restoring the section of the Act; when a Committee was appointed to bring in a Bill in accordance with the prayer of the petition.

On motion of the Hon. the Attorney General, the fifth order of the day was read, when the hon. member moved that the House do now resolve itself into a Committee for the further consideration of the Bill to consolidate and amend the Education Laws.

Hon. Mr. DAVIES.—Mr. Speaker, I rise to second the motion of the Hon. Attorney General, and, in doing so, shall make a few remarks upon the subject. When this question was before the House a few evenings ago, I considered, owing to the lateness of the hour, that I would defer expressing the opinions I entertain on this important question until the present opportunity. The motion, Sir, is of very great importance, which, as a public man and the representative of a district which takes a great interest in the cause of education, renders it imperative upon me to express an opinion upon. I think the consolidation of the law is now required, for since 1852 it has been so frequently amended, and has now become so complicated that trustees of schools find it so difficult to understand, it is therefore now necessary to render the Law more clear to the public at large. The Free Education Act, in the first instance, emanated from the Liberal party, and as one of that party I feel it to be my duty to defend their principles. I believe, Sir, you are one of those who assisted in having that bill passed at first, and are therefore aware that it was not intended to, nor did the law sanction the teaching of, sectarianism. Such a principle was not incorporated in the bill. No matter what the religious belief of any might be, the idea and intention was, that nothing should be taught that would be offensive to the religious sentiments of any. It was also intended, that the poor man's child should go to school without feeling that any disparagement could rest upon him, for it was

not on the principle of charity schools, that any man's child was to be received. All were to enter on equal terms. The poor man's child and the rich were to enter on an equal footing, and claim an education as a right to which they were entitled. Children, under the provisions of the Act, were to meet as hon. members do in this House. Whatever our respective views or positions may be outside, here we meet on a common platform, which grants to none a peculiar right, and such precisely was the principle upon which the Free Education Act was framed, and I thought in thus providing a good system of secular education for the children of this country, we were the better preparing them to receive a religious one from their parents and clergy. I was in this House when the Act was passed, and am aware that, at that time, the House was carrying out the wishes of all parties; for, in 1851, a petition was presented to the Legislature from Prince County, on the subject, which was signed by leading men in different parts of the Island, and it was out of that petition that the Education Act took its rise. Nor, Sir, was the framing of the measure undertaken in a hurry, for the subject was referred to a Committee, which was appointed to report by bill, or otherwise, the following session. In 1852 this committee reported upon the propriety of such a measure. The report was received by the House, and a Bill brought in in accordance with its recommendation. This Bill, though brought in by the Liberal party, and supported also by some of the Opposition, was nevertheless *the Bill* of the Hon. the Leader of the Government. An important feature in the Free Education Act was, that wherever a settlement would provide a school-house in conformity with the requirements of the law, and had a sufficient number of scholars, the Government was bound to provide a teacher for that school, and to pay his salary. Now, I contend that whenever, and wherever, these conditions were complied with by the people, that the Government of that day did send teachers to impart instruction, in accordance with the requirements of the Law, to the youth of the Colony. I regard it to be the duty of the State to educate the children of the State; but, in doing so, to carefully avoid teaching sectarianism. I know that two different opinions obtain on this subject, but I hold it to be the duty of this hon. House to provide a system of education which will qualify our youth, when they arrive to manhood, to come into this hon. House, and discharge all its duties creditably—to enter upon any mechanical or other occupation in life, and fulfill all the required duties of life with that efficiency which education invariably imparts to its possessors; and I am happy to know that the education which has been given under the provisions of the Free Education Act, has already enabled several of our young men to take charge of ships—some of them being worth from twenty thousand to twenty-five thousand pounds, and to manage them creditably to themselves, and to the entire satisfaction of the owners. Our present system has been found to be adapted to the wants of the country, by all who have availed themselves of the advantages of the Free Education Act, and only requires now to be consolidated and amended as is now proposed. With respect to the remarks of the Hon. the Leader of the Opposition, respecting the memorial of His Lordship the B. C. Bishop of Charlottetown, who memorialized the Government to compensate him for his efforts in the cause of education, he said there were over 500

pupils in the schools over which he presides. The Government, in reply to His Lordship, said they did not see their way clear to grant his request, but thanked him for his efforts; and although I am a member of the Government, I can state my opinion.

**HON. LEADER OF THE OPPOSITION.**—As a member of the Government you can express no opinion here.

**Hon. Mr. DAVIES.**—I can state my opinion as a private member of this House, although I am also a member of the Government; and, therefore, as a representative of the people, I wish to show that there was no necessity for any of those schools which have been established by the Bishop;—that even upon charitable grounds they were not required for the provisions of our Free Education Act, are so ample that there is no necessity for any man's child to be taught by charity. As a Colony we have not fallen so low as that yet, and I wish it to be known and well understood, that in this Island provision is made by Law for the education of all the children of the Colony, and therefore there is no necessity for schools on the score of charity, for wherever a school-house is provided, and application made to the Government in the way provided for by Law, there the Government has to send a teacher, and when such an admirable system is established, why supplement it by another? Again, those who wished to obtain a higher education than could be obtained in our common schools, when the Free Education Act was passed, had the Central Academy, which at that time was considered necessary also, was efficiently conducted, and regarded as all that was then required; therefore I maintain that, in 1852, a basis of education was established, which, had it been faithfully carried out, was all that was necessary, and a charitable system was not required, nor should it be encouraged. I say there was no pretence at all for such schools being established, for our system embraces so much that, under its broad provision, every child in the country may, if their parents and our public men do their duty, receive an education. The school at Georgetown, and the Bog School of this city, may have sectarian principles taught therein, but although these schools have received a grant from this House, yet they are not schools which have been established under the authority of this Act. When our free system of education was introduced, it was in response to a petition numerously signed, as I before observed, by Catholics as well as by Protestants, and in the preparation of the Act the best minds in the Island were engaged—Catholics as well as Protestants—but none who were engaged in the framing of the measure knew each other as Protestants or as Catholics. The Catholics were then represented by the late Hon. Mr. Whelan, who had a large and liberal mind; there were also in the House, at that time, the Hon. Mr. Beaton and Mr. Thornton, each of these gentlemen were Catholics, and ably assisted in framing the Free Education Act—an Act, Sir, which was framed by Roman Catholics, Wesleyans, Church of England and Presbyterians, and which is indebted for much of its excellence and completeness to the talent of a Catholic gentleman. It is true my hon. friend, the Leader of the Government, introduced the measure, which is said to be one of the best Acts of the kind which was ever passed in the British Colonies, and stands higher than the Prussian Law, for in that country the law is compulsory; here it is not so. The law may require amending in some minor points, but the

principle upon which it is based is higher and more comprehensive than can be found in the educational laws of Great Britain, or that of any other country. Go to England, France, or Prussia, and you will find no law, providing for the secular education of the whole people, equal to the Free Education Act of this Island.

**HON. LEADER OF THE OPPOSITION.**—I never read that before.

**Hon. Mr. DAVIES.**—But it is so, whether the hon. and learned Leader of the Opposition has read it or not, and I am surprised to hear him say he is not aware of it, after having given utterance a few days ago to such an extensive review of education in other countries, and, in the end, had to come back to the United States.

**HON. LEADER OF THE OPPOSITION.**—That was not what I said.

**Hon. Mr. DAVIES.**—The hon. member spoke of the system which had been introduced by the Pilgrim Fathers in the States.

**HON. LEADER OF THE OPPOSITION.**—I said, the best system of a non-sectarian education was established by those men.

**Hon. Mr. DAVIES.**—I say, Sir, that a sectarian system of education, is a wrong one.

**HON. LEADER OF THE OPPOSITION.**—The hon. member I hope will not misrepresent me, I said the best known system of a non-sectarian education, was that which the Pilgrim Fathers established, which is altogether different from saying that it is the best system established anywhere.

**Hon. Mr. DAVIES.**—I was going to say that although the hon. Leader of the Opposition had gone over so much ground, he failed to show that any country had a better system of education than our own. One of the beauties of our system is, as I already said, that whenever it can be shown to the Government that a sufficient number of children can be found to form a school, and the requisite conditions complied with by the people, the Executive are bound to send them a teacher. I merely make these statements to show that His Lordship the R. C. Bishop was under a wrong impression when he laid down the principle that it was necessary for him to establish his schools. All that was required was to faithfully carry out the law as it was established. Had His Lordship's schools been in operation before the Free Education Act came into operation, then it might be our duty to support them; but the Act of 1852 rendered all such schools unnecessary, and less excuse can be offered for their establishment when it is borne in mind that there were as many Catholics as Protestants among the gentlemen who compiled this Act, and it was cordially supported, if not proposed by the former, and if I mistake not, was asked for and approved of by their clergy, and cannot be said to be an Act which favors any one sect more than another; and therefore, it is neither advisable nor expedient to grant sectarian endowments. One reason why I oppose such grants is, that however worthy the object his Lordship has in view, or however much we might wish to encourage schools of this nature, it will be admitted that the efforts of His Lordship in the cause of education are more with a view to the promotion of the interests of his own denomination, and by these very schools he will greatly advance those interests. Do we for a moment doubt but that the Bishop made

these efforts, altogether for the benefit of his own people? If we endow these schools, then we shall have to endow similar ones for the Wesleyans, Episcopalians, Presbyterians, and all other denominations on the Island who may establish schools or Colleges, for the late party called that a College which was formerly but an Academy. I would be glad to see any or all of the religious bodies on the Island establishing such institutions, but when they do so, I hope they will derive their support from their own people, and not apply to this House for aid. Were we once to commence supporting denominational institutions, we would find that we had entered upon a course of one continual annoyance. Happily we are free from this, and there is no necessity that we should ever enter upon such a course, as our educational system is so well calculated to afford a good education to every child in the country. I stand here as a representative for Belfast, and cannot agree to any measure that would force upon us the adoption of a principle that would tend to break up our present system. I do not agree with the hon. member for Charlottetown (Mr. Brecken) that the Bishop had a right to what he asked for.

Mr. BRECKEN.—I did not say that.

Hon. Mr. DAVIES.—I took down the words of the hon. member, and they are:—"what the Bishop asked for, he had a right to."

Mr. BRECKEN.—I said the 85,000 believed what the Bishop asked for was just, and what he had a right to. I did not say, I believed so. I expressed no opinion.

Hon. Mr. DAVIES.—Well, it may be so, but I understood the hon. member and the hon. Leader of the Opposition, to express themselves as I stated.

Hon. LEADER OF THE OPPOSITION.—The hon. member should not say the Leader of the Opposition.

Hon. Mr. DAVIES.—I wanted to show that our present system of education is entirely suited to the wants of the country, and that any measure embodying principles which might destroy it, ought to be rejected.

Hon. LEADER OF THE OPPOSITION.—I do not object to what the hon. member says, but he should not misrepresent hon. members on this side of the House.

Hon. Mr. DAVIES.—I have no wish to do so, but I will not endorse their opinions, for I look upon the Free Education Act as a bond of union which unites people together, uniting Catholics and Protestants upon a common basis; and it is quite obvious that hon. members in this hon. House, as well as those out of it, who advocate a principle so opposite to that embodied in the Free Education Act, have but one object in view, and that is to divide the Liberals, though in doing so they would destroy that excellent measure; but I am happy to know that they have not succeeded—they have made known intentions, but have not succeeded, as they expected.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I wish to ask one question. Am I to understand the hon. member as saying that the Opposition wish to break up the union existing between the Liberal Protestants and the Catholics.

Hon. Mr. DAVIES.—I believe that the Tories, by intriguing with the Catholics, wish to break up the present party. The *Islander* is their acknowledged organ, and the sentiments expressed by the Opposition in this House, are pretty much the same as those put forward by that paper. They, through their press, say that about £20,000 are spent on education, and propose an entire new method of appropriating it. To the Catholics they say, if you go with us, we will go with you, and give you £8,000 out of the appropriation for education. The Presbyterians, they say, shall also have a proportionate share, and so to the Wesleyans and other bodies. These, Sir, are the proposals the Tories are now making, which, Sir, in their spirit and meaning, amount to nothing more nor less than a bribe which they would thus hold out to the ministers of religion of all denominations throughout the Island. Yes, this is the scheme of the late Colonial Secretary of this Island; of a man who at that time received the support of the Opposition, and who, I believe, is still encouraged and supported by the same party. Sir, are the ministers of religion to be thus tampered with? Just imagine the Tory party striking out such a plan and stalking forth through the country with £20,000 a year to dispose of among the different religious bodies of this Island! Why, Sir, such a proposal is degrading, and will, I am satisfied, be spurned at by the people. The present system is too warmly appreciated by the inhabitants of this Island, for any party so easily to overthrow it. Again and again have I heard them say, they would rather submit to pay larger taxes, than to have the system broken up. I make these statements to show the intrigues of some of the Tory party. I do not say the hon. members opposite have done so, but I am well aware these are the schemes and plans of the party outside of this House, the sole and ostensible object of which is to divide and break up the present Liberal party; and the Opposition would like to have the matter brought forward for the purpose of dividing hon. members on this question, and thus destroy the Free Education Act; but knowing as they must, that the people throughout the country would spurn anything of the kind with abhorrence and indignation, they shrink from coming forward here openly with the proposal. I have shown you, Sir, that the Free Education Act came from all sections of the people, and was enacted in answer to the prayer of a petition from all classes in the country, and that its aim and intention was not that our children should be taught upon the principle of a common charity, but upon the broad and proper principle, that the State owe an education to all her children, and that our system is so large, there is neither necessity nor room for charity schools if every man will but do his duty to his children and to his country in this matter. We, Sir, do not wish it to be said that any man's child was taught by charity, but as a right which every child can claim as one which his country owes him. Our system rests upon a nobler base than a common charity, for not the slightest disgrace in this respect can ever attach to any who receive an education in our common schools. So far the system has been successfully carried out, and I hope it may never be broken up. The country will be glad to know that the object upon which the Tories have set their hearts for so many months has been defeated, and that notwithstanding the labored articles of their organ on this subject, their schemes have fallen to the ground.



HON. LEADER OF THE OPPOSITION.—Mr. Speaker, I wish to offer a few remarks in reply to the hon. member for Belfast, but as it is now two o'clock, I think we had better adjourn the debate.

HON. MR. DAVIES. — I would prefer ending the discussion now.

HON. LEADER OF THE OPPOSITION.—I dare say the hon. member would, but I prefer adjourning the debate until the afternoon.

House adjourned for one hour.

R. GORDON, Reporter.

#### AFTERNOON SESSION.

HON. ATTORNEY GENERAL moved that the Bill for the better security of the Crown and Government of the United Kingdom within this Island, be read a second time, and remarked: It is merely a verbal alteration which is required in the Act, the words "open and devised" speaking were omitted when the Act was passed, and the British Government wish to have the Act similar in all the Provinces. Although this Bill is brought forward, yet I do not think we have any apprehension of any treasonable actions in our midst. I believe that in this Island there will be no necessity to put this Act in force. As this Bill refers to menaces and threats, I think it is a very appropriate time to speak of the tragic event which has occurred in the Dominion of Canada—the melancholy news which we have heard this morning concerning one who held a high position in their Legislature. He was a gentleman of high attainments, of polished manners, a genial, warm hearted man, whom all would respect, and I am sure all will feel horror and regret at the dreadful event, by which the world has been deprived of such a man.

HON. LEADER OF THE OPPOSITION.—This Bill is for the security of the Crown in this Island, and the amendments in it proposed by the Attorney General have been suggested by the Secretary of State. It appears that a Bill on that subject was passed a few years ago, but it did not go to the same length as the Home authorities wished; they wish to have a similar law in all the Colonies. I am sure there can be no objections to having this Bill passed, for no person would wish to screen those who would be guilty of such conduct as this Bill is intended to prevent. The hon Attorney General has referred to the assassination of the Hon. T. D'Arcy McGee, and however hon. members might have differed from that distinguished statesman and scholar on the question of Confederation, I think there can be but one expression of opinion in this House, that in enunciating his views on that question he did so freely, fearlessly and independently, and all his acts in reference to that matter proved him to be a true patriot, and that he had no selfish end in view. Nor did he court the changing breeze of popularity, for if he had wished to make himself popular he would have taken a different course. I believe his sole object was the welfare of British America, to see her thrive under a monarchical, constitutional Government. In his younger days he was captivated by the republican form of Government; but in his maturer years, when he studied the different systems of government, he came to the conclusion that there was more freedom to be enjoyed under a monarchical than a republican government. I consider that British America has lost one of her most able,

brilliant and accomplished sors. What our late lamented Queen's Printer, Hon. Edward Whelan, was to Prince Edward Island, Thomas D'Arcy McGee was to British America.

The Bill was then read, and the House resolved itself into a committee of the whole on it.

Mr. P. Sinclair in the chair.

After a short time the Committee rose and reported the Bill agreed to.

#### EDUCATION.

On motion of hon. Attorney General, the debate on the Education Bill was resumed.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker, before the adjournment took place this morning, I rose to make a few observations in reply to the long oration of the hon. member for Belfast (Hon. Mr. Davies) upon the Education Laws of this Colony. It is rather a novel idea for a member of the Government, who is responsible for all the acts of the Government, and should have expressed his opinions on the subject when the motion for the second reading of the Bill was made, to have thought proper to keep back his views until you put the question to go into committee on the subject. I rise now merely to reply to one or two charges made by that hon. member against this side of the House, relative to our policy upon the question which has been brought up by the letter that is now on our table from His Lordship the Bishop of Charlottetown, requesting the Government of the Colony to grant a certain sum of money in aid of St. Dunstan's College and other schools under his control. The hon. gentleman, in the course of his address this morning, stated that the question of sectarian schools being brought before the House was the result of a conspiracy between the ex-Colonial Secretary and the Tory faction—he would not call them a party. I hope the hon. member understands the meaning of the word he has used, as he is a champion of education. The hon. member, chameleon-like, changes his opinions very quickly. Last year he spoke in favor of education, and a short time ago he said that a good education would be a curse to a man.

HON. MR. DAVIES.—I said a classical education would be a curse to the common people.

HON. LEADER OF THE OPPOSITION.—I think a classical education would be an accomplishment to any man. Even a farmer might, with pleasure and profit, sit down of an evening to scan a page of Virgil or Horace, or read a chapter of the Old Testament in Hebrew, or the New Testament in Greek. The hon. member gave us a history of Education from 1851 up to the present period, but I think the people will not have to thank him much if they attain to a high state of education, for he wishes them to know merely the rudiments of an English education. This is not the order of the day in other countries; it is not the method in Prussia, that country to which the hon. member alluded, and said that our laws were superior to theirs; but if he will take the trouble to examine the education laws of that country he will ascertain that the son of the peasant can have, not only a common, but a high education, without any cost to himself, and I believe the Prussians stand superior to every other nation as regards their literary attainments. The Prussians have taken their position in Europe as a first class power, and I believe

the reason of it is on account of the schoolmaster being abroad. The hon. member charges this side of the House with bringing up this question relative to religious education, but unless he will have the rashness to state that His Lordship the Bishop consulted the Conservative party before he made the demand upon the present Government, he cannot establish his position. All I can say is that I never had any communication, either verbally or by letter, either directly or indirectly, with His Lordship on the subject. I accidentally heard that the matter was before the Government, and then I placed a notice on the Order Book to have it brought before the House. That hon. member (Mr. Davies) has colleagues who advocated the reasonableness of the demand of His Lordship. Hon. Mr. Howlan did so very vehemently the other evening, and the hon. Leader of the Government also stated that he was in favor of it, and it is well known that he is no Conservative. The Conservative party have had nothing to do with this matter. They have never gone behind the scenes or elbowed any of the clergy of the Catholic Church. If the hon. member founds his argument on what has appeared in the *Islander* newspaper, he must establish the fact that that paper is the exponent of the views of this side of the House before he can make his argument good; but if he will go to the *Examiner* newspaper he will find that the question of separate schools was advocated there before it was spoken of in the *Islander*, and that paper has been the organ of the party in power. The hon. member certainly laid down some extraordinary principles—one minute he would say that no system was so good as the sectarian, and then he would say that no person could understand his religious teachers until he went to a common school.

Hon. Mr. DAVIES.—I did not say that sectarian schools were advisable.

Hon. LEADER OF THE OPPOSITION.—Then the hon. member would annihilate one of the greatest of the Christian graces. He did not want charity schools in this Island. He said the same care should be taken of the poor man's child as the rich man's. For instance, said he, should not the Premier's child attend the same school as the child of the poorest man in the land? I do not differ from him on that point, but I can say that there is nothing so mean or contemptible about going to a charity school as he would make it appear. Some of the greatest men in England have been educated at charity schools—schools that have been founded by grants of charitable persons; therefore the hon. member need not turn up his nose at schools that are supported by charity. Then he said there was no need of those schools under the Bishop's care, because we have the Free Education Act; but His Lordship says that there are five hundred scholars reaping the benefits of education in those schools, and the hon. member must remember that notwithstanding the facilities we have for education, there is still a wide field for charitable schools. For instance, we have no provision for children under five years of age; we have no infant schools, while, in all large cities, there are institutions of this kind. A child by the time he is five years of age can learn a great deal, and if he is not taught something useful he will learn a great amount of mischief, which it will require considerable training to eradicate from his mind. We have enacted some

very good laws on the subject of education, but we must not be too proud of our actions. We must not be like the frog in the fable, blow ourselves out till we burst. It is actually thought by some that no people in the world are taxed so much as we are for education, but this is a great mistake. I do not believe the people of this Colony pay more than five shillings a year each for educational purposes, whereas in Prussia they pay more than double that amount, and in the city of New York they submit to a taxation of over three dollars a head. The hon. member says we do not want charity schools, but in the Minute of Council he thanks His Lordship for all he has done for education. The hon. Leader of the Government said that he was in favor of this grant, and of course he is, for when the grant was given for the Prince of Wales College he voted for one to St. Dunstan's. I never recollect of a Government occupying so peculiar a position in the Legislature as the present Government do. It is a principle of constitutional Government that when a question comes before the Governor in Council, it is agitated and debated at the Council Board, and when a certain line of policy is agreed to, it is converted into a Minute of Council or a Bill, and when it comes down to the House, all the members of the Government are bound to support that line of policy or vacate their seats; but hon. members are blowing hot and cold, some of them say we are bound to support this Minute of Council, but it is contrary to our own views. The second William Pitt, after the Irish Union, although he had never directly but only impliedly promised the Irish people that they should have the same privileges as the rest of the King's subjects, and King George the Third got it into his head that if he went for this emancipation he would lose his Crown, and therefore would not permit this question to be brought before the Government, did not act as his successor, the William Pitt of the nineteenth century (Hon. Mr. Coles) has acted. He took the only alternative. He did not go against what he thought was justice, but resigned. There was one remark made by the hon. Leader of the Government, which I could not understand. He said he had raised the Roman Catholics out of the dust, and placed them on a par with their Protestant fellow subjects. I thought when I heard that that he had carried the Catholic Emancipation Act of this Colony, but I find it was carried in 1830, and the Hon. Mr. Coles did not figure in politics for twelve years after that. That was the time, in my humble opinion, when the Catholics of Prince Edward Island were put upon an equality with their Protestant fellow subjects. I think that in place of him (Hon. Mr. Coles) having raised the Catholics out of the dust, the Catholics have put him in a high position of honor and emolument. We know, Sir, that before the hon. Leader's day Catholics exercised their legitimate influence in the councils of this Island. I saw one in the position which you, Sir, now occupy; and the late Dr. Conroy, the brother of our Sergeant-at-Arms, occupied a position of great weight, and several others might be mentioned. It is nothing novel for Catholics of this Island to occupy high positions, but one would imagine from the remarks of the hon. Leader of the Government, that before his time the Catholics of this Island were hewers of wood and drawers of water.

Hon. LEADER OF THE GOVERNMENT.—I spoke of the Liberal Catholics on the Island.

**HON. LEADER OF THE OPPOSITION.**—With all due respect to the hon. Leader of the Government, he made no distinction between Liberal Catholics and others; he spoke of the whole Catholic population of the Island. The celebrated Bible question took place in consequence of an Act, not of the Conservative, but of the Liberal party. The cause of this question was the speech of Mr. Stark, the School Visitor, at the celebrated Soiree at the opening of the Normal School, in which he explained the working of the institution as follows:—

"The moral department will be carried on by the opening and closing of the institution by prayer, according to the regulation of the Board of Education, by a daily Bible lesson (the first exercise of the day after opening) in which the truths and facts of Scripture will be brought before the children's minds by illustrations and picturing out in words, in language, simple and easy to be understood, from which everything sectarian or controversial shall be carefully excluded."

That was the paragraph in the speech of Mr. Stark, which the Bishop misunderstood, and thought that it was to be compulsory that every child who attended that school was, *volens volens*, to be compelled to read the Bible. The Protestant clergymen held meetings, and then the divergence took place, and has remained ever since, between the Roman Catholic party and a large section of the Protestant party. But the hon. member was wrong in saying that the Conservatives were chargeable with all the discontent between the parties, on this question. If he refers to the Debates, he will find that many of the Liberal members did not side with the Catholics in the House on this Bible question, but voted for the Bible being kept in the schools, and among the number were yourself, Mr. Speaker, the father of the hon. member from Bedeque, (Mr. Laird), and a member from Belfast—who never shirked a vote, but always went with the Liberals until that time—Mr. Munro.

**HON. LEADER OF THE GOVERNMENT.**—The hon. Leader of the Opposition thinks that because a few of the Liberal party voted in favor of the Bible being in the schools, that the Conservative party are not responsible for the disturbances which arose; but the dispute on this subject took place long before the question was brought up in the House. It was then that I spoke of the Catholics coming out of the dust, for up to that time no Liberal Catholic had any privileges; but I referred particularly to the Acadians, and after the Free Education Act was passed, I did endeavor to do them a favor; but the Conservatives wiped out that favor. The hon. member stated that I said I was in favor of that grant, but I did not go so far as that. I was referring to the vote that was given when the grant was given to the Prince of Wales College; but I said it was now impossible to carry a vote of that kind, on account of the agitation which the Conservatives had raised on the subject; and, although many Protestants had joined with the Catholics, yet there was a feeling against this grant. I do not hesitate to say that if, at that time, the grant had been given, it would have been no more than justice. The former Government had given a grant to St. Andrew's College, and I do not think it was right to take it away merely because the College was removed to another situation; but, although I tried to get the grant, it was voted down. The Opposition appears to be very solicitous about the rights of His Lordship the Bishop now, but we know how he was treated by them on former occasions; he was denounced as every-

thing that was bad, and it was said that the children should be taught to hate his religion. It is all very fine for them to say, what are you going to do in reference to this question; but they do not come out manfully, as the Government have done. But I suppose they want to please both Catholics and Protestants, and they will not say whether they are opposed to give the grant or not. The editor of the *Islander*, played his game very well. He thought he had the Government in a fix. If they brought down a resolution to give the grant, the Protestants would be up in arms; and if they refused to do so, the Catholics would be displeased. The present party wish to give the Education Act a fair trial, although there may be a difference of opinion on some points. In the Imperial Parliament I think there is a little more toleration among politicians than there is here, for we know there is a Government in office there who have not a party in power of their own opinions.

**HON. MR. HENDERSON.**—Mr. Speaker, in reference to the question before the House, I had not an opportunity the last time I spoke of replying to one or two remarks of the hon. Leader of the Government. I understood him to say, when I referred to the Proclamation issued in 1852 by Sir Alexander Bannerman, that it did not refer to Orange Lodges. We had Responsible Government then, and His Excellency, I presume, would not issue a proclamation on his own account, without the advice of his Council.

**HON. LEADER OF THE GOVERNMENT.**—He dissolved the House of Assembly without asking the advice of his Council.

**HON. MR. HENDERSON.**—I will read such portions of the Proclamation as I may deem necessary, and it will be seen whether it referred to Orange Societies or not:—

"PROCLAMATION.

"A. BANNEEMAN, Lieut. Governor.

"Whereas my attention hath been called to a letter which appeared in the *Islander* newspaper of the 30th ultimo, addressed to the Editor thereof, offering to the reading public of this Island, the declaration, qualification, and obligations copied (as the letter states) *verbatim* from the laws of the Orange Association of British North America. And, whereas as I would have considered it unnecessary to notice the letter and documents alluded to, had I not ascertained that they had been published by the authority of a member or members of an Orange Association which, it is alleged, has been formed and now exists in Charlottetown, in this Island, and had I not also observed it stated, on the same authority, that *the Institution in the Colonies can never be suppressed, but by means which would subvert the Constitution and annihilate the connection with the Mother Country.* And whereas such an assertion may tend to mislead the Inhabitants of this Colony, where no law exists, applicable to such societies. I have therefore, thought fit, by and with the advice and consent of Her Majesty's Executive Council, to publish this Proclamation, and earnestly recommend Her Majesty's subjects, in P. E. Island, to discourage all such societies. And I would hereby call upon all Justices of the Peace, Ministers of Religion and Civil officers, in this Colony, to use their influence in suppressing such societies, and to discountenance the same in their several localities; and I do hereby assure the Queen's loyal subjects, Civilian, in this Colony, that they will render acceptable service to their Sovereign, by discouraging all such class societies, which, were they allowed to increase, could not fail to dis-

such the public peace, by creating animosities and feuds, where, happily, none at present exist.

"Given under my hand and the Great Seal of this Island, at Charlottetown, in the said Island, this Fifth Day of May, in the year of Our Lord One thousand eight hundred and fifty-two, and in the 16th year of Her Majesty's Reign.

"By Command,

"(Signed) JAMES WARBURTON,  
"Col. Secretary."

"God Save the Queen."

And, Sir, this Society, thus denounced, has some of the highest connected with it, some of the noblest in the land are Masters of Lodges; and when a Master of a Lodge, a Mr. Cameron, went to England on business connected with the Society, he was admitted into Her Majesty's presence. The attempt to strangle this institution was an unjust act, but it only served to strengthen the cause. The hon. Leader of the Government made some strange assertions. He asserted that he had never made any promises to his Catholic supporters, in reference to their educational institutions.

Hon. LEADER OF THE GOVERNMENT.—I said I was never asked by them to do so.

Hon. Mr. HANCOCK.—It appears that he has lost the power to render them the service which he is under obligations to do, and would do if his colleagues in the Government would permit him.

Hon. LEADER OF THE GOVERNMENT.—I stated that I had never been asked by any Catholic in the Island to give this grant, and I never made any promises on the subject.

Hon. Mr. HANCOCK.—The hon. member from Belfast affirmed that our educational system was superior to that of Prussia. Now, Sir, there was a person who, I presume, was a very competent judge—I refer to a Professor of Queen's College, Dublin—and he held an opinion something similar before he visited Prussia; but, after visiting that country, he returned and delivered his opinions on the subject at a meeting held in Ireland, and he was decidedly in favor of compulsory education, as practiced in Prussia. But, to affirm that our system of Education is absolutely free, is not correct, for persons are taxed to support it, and persons who have no children to send to school are taxed to build school-houses. It is my humble opinion, as the result of considerable experience and observation, that, unless there were some amount of compulsion exercised on the people and the scholars, our educational system would be a failure.

The House then resolved itself into a Committee of the whole on the Bill.

Mr. G. Sinclair in the Chair.

Several clauses were then read and agreed to.

BALDERSTON, Reporter.

Mr. ASSEMBLY.—I would move that the Board of Education hold their meetings six times a year.

Hon. ATTORNEY GENERAL.—Some hon. members think the examination of candidates for teachers by the Board should take place once in two months instead of every month as at present. It would I think be well to give the Board the option of meeting as often as circumstances may require. Monthly examinations are not required, and I

believe that the proposed arrangement will facilitate the examination of teachers more than the present system. The ordinary meetings of the Board will be held every two months for the examination of teachers; but if necessity requires it this clause leaves it optional with them to hold an additional examination.

Hon. Mr. HANCOCK.—Assuming that only six examinations take place in a year, I should like to know why so great a difference is to be made between the salaries of the examiners and those of the ordinary members of the Board of Education. The Attorney General has stated that it is difficult to estimate the amount of business transacted by the Board every month, and that sometimes they have intermediate meetings. He has suggested a reason why examiners should be appointed; but I am at a loss to understand why those who are overburdened should have only £9 each while the examiners who meet only once in two months are allowed £20 each per annum. I should like to know the reason of this difference.

Hon. ATTORNEY GENERAL.—The hon. member for Murray Harbor should bear in mind that those examiners have all the duties of ordinary members of the Board to perform, as they will meet with them regularly for the transaction of business. The object in appointing examiners as is the case in almost every other country, is to obtain the services of men of superior attainments, who thoroughly understand what capabilities and qualifications a teacher should have. Men of high attainments must be proportionally paid for their services. The most valuable members are not always proficient in all the branches requisite for an examiner, and I believe the hon. member for Murray Harbor himself would be a most valuable member of the Board, but he would not do for an examiner. If I had the labor of examining teachers I should think nine pounds a year too small a sum to remunerate me for my services. Gentlemen who are invaluable as ordinary members of the Board, who understand all the necessities of the country and the requirements of the people may not be competent to examine teachers; and again, there are many men without local experience who would prove to be excellent examiners. A man may be able to judge whether a teacher has behaved morally or not, and whether a school district has a sufficient number of children or not, and yet might not be fit to examine a teacher. Can you expect to procure the services of competent men unless a sum is offered to remunerate them for their time and labor? This system would only cause the examination of teachers to be held one month later than under the old Act, and I think as the candidates come before the Board from time to time, that six times a year would be quite often enough. Whenever circumstances arise to require an additional meeting it can be held. If any gentleman of attainments can be found to examine candidates for the office of teacher it is easy to see that £20 would not be too large a sum to remunerate him for his valuable services. Any gentleman capable of making a searching examination in all the higher branches which are required to be taught by Grammar School Teachers, and who performs his duty faithfully, deserves at least £20. I think the allowance should be £10 or £15 for a gentleman of those qualifications.

The clause was then agreed to, and also the next respecting stationery for the Secretary of the Board.

The clause relating to the increase of the Secretary's salary was then read.

Hon. ATTORNEY GENERAL.—The salary of the Secretary of the Board of Education has hitherto been only £50, and yet if any office entails a heavy charge, there is one entailed upon that officer. If any one doubts this let him inspect the records of that office, for I, myself, know something of the extraordinary duties devolving upon him. The whole educational grant passes through his hands,

and the journals kept by the teachers, who now number 315, are returned to him. I need not state that the inspection of all these papers is a very heavy duty, and one which must be faithfully performed, for it is one of extreme responsibility. With respect to the present incumbent I do not think that any gentleman ever discharged his duties more efficiently, and yet he has been miserably paid. Now the question is what sum shall be placed in the blank contained in the clause before us. I move that the blank be filled up by the words "sixty-five pounds." Sometime ago I had a conversation with the Secretary of the Board of Education of Halifax who receives two or three hundred pounds per annum for his services, and when I told him that our Secretary received only £50, he held up his hands in surprise. The amount which I propose is not large and is no more than is due to the present incumbent.

**Mr. REILLY.**—The salary of the Secretary should be £100, if that officer is to be paid according to the labour performed. Teachers expect him to advance their salaries before the money becomes due as they often cannot wait for their warrants, on account of some demands for money having been made upon them. I remember one case where a teacher wrote to the Secretary to make him a small advance as he expect to be "executed" next week. (Laughter.)

**Mr. BARCKEN.**—I agree with the hon. member who has just taken his seat, upon the efficient manner in which the Secretary of the Board has discharged his duties. I believe the duties pertaining to his office are exceedingly arduous and I do not believe the people would begrudge him £100 a year.

**Hon. Mr. HENDERSON.**—I fully concur with the remarks which have just been made, for the salary of the Secretary should at least equal that of the Grammar School Teachers in the country. As to the ordinary amount of labor which he performs, if any gentleman, who frequents this building about quarter day, does not see sufficient to convince him that the Secretary has ample employment, I do not know what he would require for proof.

**Hon. ATTORNEY GENERAL.**—Teachers are required to make an affidavit on their quarterly and half-yearly returns, and as there are 315 Teachers on the Island, the Secretary has to examine 1260 journals and to see that they are all correct. He has also to see that the trustees of the district schools are properly elected, and that all these schools are registered. In these details there is an immense labor for that officer.

**Hon. Mr. HENDERSON.**—In the other Colonies teachers send in all their journals on the same quarter day; if any teacher opens a school in the middle of a quarter, he sends in his certificates for the payment, and therefore his next quarter begins on the same day with the others. If things were conducted here on the same principle it might save time and trouble; besides this, teachers would not be obliged to wait so long for their pay as they do at present, on account of the irregularity in sending in the journals.

**Mr. P. SINGLAI.**—Warrants are not issued quarterly; and, therefore, the whole of the hon. member's arguments falls to the ground.

**Hon. Mr. HENDERSON.**—Are there not quarter days?

**Hon. ATTORNEY GENERAL.**—There are no settled quarter days, teachers all commence from the first day of their agreement without respect to any particular time of the year. One may commence at one time and another at another.

**Hon. Mr. HENDERSON.**—If a teacher should happen to be pressed for money, and his time happens to be up, and the Council have met, he is obliged to wait for his

warrant till the Council sit again; whereas if there was a regular quarter day, it would be more accommodating to the teacher.

**Hon. LEADER OF THE GOVERNMENT.**—The minority shall not dictate the amount of salary to be paid this officer, if the late Government thought his salary too small why did they not raise it? The present government have agreed to raise his salary; and, therefore, have shown more liberality than the Conservatives, although we have had no complaints with reference to the salary, farther than that his labors are worth more than the amount given.

**Hon. ATTORNEY GENERAL.**—I think £25 added to the present salary is all that the Colony can afford just now. The Secretary formally received only £30 a year, and when the Education Bill of 1861 was before the House, I showed the inadequacy of the amount, and proposed that it be increased to fifty pounds. Under present circumstances I think £75 is as much as is desirable to allow at the present time. Mr. Henderson thought £20 a year too much for the examiners, but he cannot object to this amount.

**Hon. Mr. McAULAY.**—The Attorney General well knows what the duty of the Opposition is in the case of money grants. But the present grant is not viewed as a political one, it is urged by the Opposition solely on the ground of necessity and equity; and if you imagine that one hundred pounds per year is barely sufficient to support a Grammar School, surely you cannot suppose that it is too much for the individual in whose hands the whole educational machinery centres. The interests of the Colony therefore require that the salary of that officer be increased. I hope the Government will be liberal towards him, as they have increased the salaries of some of the members of the Board; he should not be overlooked.

**Hon. Mr. HENDERSON.**—I do not think the hon. Attorney General wishes to misrepresent me, but I did not say that I thought the examiners receive too much. I wished to know how it was that there was such a disparagement between the salaries of the examiners and the ordinary members of the Board; and as he has given me to understand that the latter have only to undertake the ordinary business of the Board, while the former are to examine the candidates for the office of teacher, I agreed to the clause.

After the blank in this clause had been filled up with the words "seventy-five pounds" it was agreed to.

The next clause was then read.

**Dr. JENKINS.**—It seems to me that we do not require the original number of nine members of the Board for the labor could be done as well by five. That the fewer members are, the greater is the amount of business they can do is a generally recognized idea. I would move that any member who absents himself from the meetings of the Board, be fined in the sum of fifteen shillings for each meeting from which he is absent.

**Hon. Mr. HENDERSON.**—I cannot agree with the hon. member for Charlottetown on this point. Has he thought of the necessity of each County's being represented? As to the number of members of which the Board is composed, experience proves that in a multitude of councillors there is safety, and therefore there will be safety in this as well as in other matters.

**Hon. ATTORNEY GENERAL.**—If we are to have only five members, the Board must be chosen from Charlottetown alone, as we could not get a quorum at half the meetings of the Board if the members were distributed equally between the Counties. If this amendment were carried out we should be forced to throw aside the idea of representing the other two Counties altogether. I think it will be much better to leave the clause as it is, for if we appoint some members who reside at a distance from Charlottetown they cannot attend the meetings of the Board

regularly, and we must have a quorum to do business. I have heard of no complaints about the Board, and as this is no deviation from the old Act in respect to the ordinary members of that body, I see no reason to make an offensive alteration while the general desire is to increase the representation from the country districts.

Dr. JENKINS.—I am opposed to centralization, for we should have local Boards, every county should have its own Board. But if we are to have but one central Board, each county should have a fair representation in it, and those who would be obliged to travel long distances to attend the meetings should have their expenses paid. The country should not be forced to pay for services which it never receives. Under the late Act the members were paid whether they attended the monthly meetings of the Board or not, this was a premium on idleness. A member might make a thousand excuses for his absence, although but a trifling matter kept him away. I am opposed to the centering idea altogether, we should have local Boards in each of the Counties who would be responsible for the working of the schools in their own divisions.

Mr. McLELLAN.—I agree to a great extent with the remarks made by the hon. member for Charlottetown, especially concerning County Boards. County institutions should be established as in Nova Scotia, New Brunswick and Canada; and as we are to have a School Visitor for each County, we should also have County Boards. If the Government do not establish these Boards each County should be fairly represented in the central Board. It would be only fair that the Board should have stated meetings in the other two Counties, because it is a hardship that candidates for the teacher's office should be compelled to come all the way to Charlottetown to attend the meetings of the Board, especially as they are not required to attend the Normal School in future.

Hon. LEADER OF THE OPPOSITION.—I cannot support the clause as it is at present, because I consider that the principle of paying members of the Board, whether they attend the meetings or not is unsound.

Hon. ATTORNEY GENERAL.—I am not sorry for the Conservatives introduced this vicious principle.

Hon. LEADER OF THE OPPOSITION.—The Hon. Mr. Longworth who introduced the Education Bill when the late Government were in power took this matter upon his own shoulders. I never heard an objection urged against the principle by the Opposition of that day, although the hon. Attorney General put ten words in, where I put five on account of his having a great command of language. This point was never agitated at that time, and if he did not then find fault he cannot now blame that Government in introducing it, nor blame me for opposing this clause. I do not think the directors of any institution receives pay when they do not attend to their duties, and the same principle should be carried out in this case. If a member loses his time in attending the meeting of the Board he will be paid for it. But we know that a member may be sometimes detained, as when for instance he has a son and heir born to him, in that case he would not care to attend and get his salary.

Mr. PROWSE.—It is but fair that the other Counties should be represented in the new Board. There might be a sufficient number appointed in and around Charlottetown to form a quorum for the transaction of all ordinary business, when business of more than ordinary consequence is to be transacted, those members living at a distance might be called in.

Hon. LEADER OF THE OPPOSITION.—The nine ordinary members of the Board would receive eighty-one pounds if they attend regularly. I think the sum which each should lose on account of his absence ought to be given to those who attend the meetings of the Board. If some members do not attend let their shares go to increase the salaries of those who do attend.

Hon. ATTORNEY GENERAL.—I would agree to this, but a member who does not attend has no means of sharing his allowance among the others who do. The town members will be able to get their full pay, but the country members cannot attend as regularly, and therefore it is better to leave the Act as it was in this respect. The country members have attended pretty well, as in the case of Mr. Patterson, for instance, it was hard to cut off his pay when the roads were so bad that it was almost impossible for him to attend, while the town members could easily attend at all times of the year. It would not be right to increase the pay of the town members at the expense of those in the country who could not attend on account of bad roads; but if the Committee think that their share should be deducted altogether in case of absence I do not care much.

Hon. LEADER OF THE OPPOSITION.—If a sum is deducted for every case of absence, it will affect the country members more than those from Charlottetown which would be unfair.

Dr. JENKINS.—Under the late Act the sum is simply deducted in case of absence, and it is quite reasonable that it should be and that those who do not attend the meetings of the Board should not be paid.

After a few other remarks from hon. members in the same strain, Dr. Jenkins' amendment, to the effect that the allowance to each member should be deducted in case of absence, was put to the House and lost. The clause as it stood in the Bill was then agreed to.

The next two clauses were agreed to.

The Committee then rose; the Chairman reported progress, and asked for leave to sit again.

House adjourned till ten o'clock on Monday.

I OXENHAM, Reporter.

MONDAY, April 13.

Morning Session.

House went into Committee on the further consideration of the Bill for the incorporation of the Baptist Church, at North River.

Mr. Bell in the Chair.

The Bill being read clause by clause, was reported agreed to and ordered to be engrossed.

Mr. P. Sinclair, from the Committee on Public Accounts, submitted the report, which was ordered to be committed to a Committee of the whole House on Wednesday next.

House then went into Committee on the further consideration of the Bill on Education.

Mr. G. Sinclair in the Chair.

Several paragraphs were read and agreed to without eliciting a debate of any importance.

Mr. Speaker resumed the Chair, progress was reported, and leave asked to sit again.

House adjourned for one hour.

R. GORDON, Reporter.

Afternoon Session.

On motion of Hon. Attorney General, the House resolved itself into a Committee of the whole on the further consideration of the Education Bill.

Several clauses were read and agreed to.

The clause prohibiting teachers from embarking in mercantile pursuits was read.

**Hon. Attorney General.**—The object of this clause is to prevent teachers from opening a regular store, or engaging in business in such a manner as to encroach on such of their time that they shall be unable to discharge their duties as teachers efficiently. A case came before the Board of Education, in which it was alleged that a teacher had bought thirty bushels of oats and sold them at a profit, but the Board thought that such a transaction could hardly be denominated engaging in a mercantile pursuit.

**Hon. Mr. HENDERSON.**—I should like to hear the hon. Attorney General define what entering regularly into business is. If a school teacher undertakes to purchase grain in considerable quantities, and trades in it, and spends much a portion of his time as disqualified him for properly discharging his duties during school hours, it should be deemed a violation of that clause.

**Hon. Attorney General.**—This is only the law as it was formerly, no change has been made in the definition given. It means entering into a systematic course of business, and does not refer to one isolated act of buying and selling at a profit—constantly being at work so much of his time as to incapacitate him for his duty as teacher. I merely referred to this case because I think there is some misconception of what is meant by a mercantile pursuit as expressed in this clause.

The clause before mentioned and several others were agreed to.

The clause relating to vacation was read.

**Hon. Attorney General.**—Under the present law the vacations are two weeks each, but an opinion prevails that this time is too short, blanks are left in this clause, so that hon. members might express their opinions on the subject. In other scholastic institutions, the vacations are longer, and when children have to spend a large portion of their time in agricultural pursuits, it may be a question whether it would not be advisable to extend the time to three weeks for each vacation.

**Hon. Mr. HENDERSON.**—I believe it would be a decided improvement, to have the vacations three weeks in length each, as it would enable the pupils to assist in farm work during a very important period. The fact is, as a general rule, they do take three weeks at each period, and that tends to lower the average attendance. I think a longer vacation would have a beneficial effect upon the teacher, he would be able to teach with greater vigor, if he had three weeks immunity from the irksome duties of the schoolroom.

**Hon. Attorney General** moved that the blanks in the clause be filled up so as to make the vacations from the tenth till the thirty-first of October in each year.

**Mr. Prowse.**—I am not particularly anxious about this matter, but I have not heard any complaints in reference to the time being too short. The fact that higher schools have longer vacations is not a case in point, for in higher schools the children are away from home, and there are various reasons why they should be allowed to go home at certain times.

**Mr. ARSENAULT.**—I will support the amendment, for at certain seasons of the year there is not much benefit in keeping the school open, as only a very few scholars will attend. If a teacher faithfully performs his duty, and spends his time to the best advantage while he is engaged in teaching, I do not think the time proposed for the vacations will be too long.

**Hon. Attorney General.**—I do not think six weeks vacation is the precise time much for a man who has to perform the arduous duties of a school teacher. These periods of recreation are not found to have a pernicious effect, unless they are too extended. This matter has been thought of a good deal, and the Secretary of the Board, whose views should have considerable weight, has very strong opinions on this subject.

Clause agreed to.

The clause relating to assessments for books, school furniture, &c. was read.

**Hon. Attorney General.**—This section puts the power in the hands of Trustees to assess only parents. A question arose some time ago, that if a person had an adopted child, should he not be liable to be assessed for books and school furniture, and I do not see any reason why he should not be. It may be said, in some cases persons have taken orphan children as an act of charity, and that it would be hardly fair to put any expense on a person who had performed such a charitable act, but if that child is sent to school, books and fuel have to be provided for his benefit, and the question is, should not the guardian of that child bear his share of the expense of providing such things. The next point is this, that although it is right that the parents of children should pay for fuel, and books that may be required at the present time, yet some hon. members think that desks and other furniture should be paid for by all the householders.

**Hon. Mr. LAIRD.**—The repairs of a school house may cost half as much as building a new one, and I do not see any justice in compelling all the resident householders to pay for the building of a new school house, and not applying the same rule in the case of repairs. As regards furniture, desks, &c., I think all the resident householders should help to pay for them also.

**Mr. Prowse.**—I quite agree with the hon. member, in reference to the equity of assessing all the householders in a district for repairs and school furniture, for it is quite as likely to be beneficial to those who have no children of the proper age to send to school at the time the repairs are done, as those who have. For instance, a person may have a child fifteen years of age, and another may have two or three under five years of age, in case of repairing a school house, or providing furniture, the latter is likely to reap more benefit from it than the former, and therefore he has a perfect right to bear part of the expense.

**Hon. Mr. HENDERSON.**—I believe, Sir, that no person who has the ability should be too scrupulous about paying for the erection or repairs of school houses, and I believe every person receives an equivalent for the money expended in this way, in the effect which education produces upon society in general. I consider that all should pay their share of the cost of furniture also, but it may be a question what should constitute furniture.

**Mr. McNELL.**—I hardly think maps and books should be reckoned furniture, but in regard to desks, &c., I do not think there would be any hardship in making all pay for them, because persons who have no children now of the right age to attend school, may have them in a few years, and besides, school houses are used for other purposes than for teaching, and all get the benefit of them.

Hon Mr. HENDERSON.—In regard to adopted children, the person who takes care of them may be very poor, but the question arises are persons justifiable in taking charge of children if they cannot support them.

Hon. ATTORNEY GENERAL.—I think the proper way would be to make the person with whom the child resided, responsible for the amount which is required for fuel and books. I think furniture should be put in the same list as the building of school houses, as it is a permanent thing, and may last for years.

Hon. Mr. LAIRD.—Schools should be provided with better seats, for the constitutions of children are injured by being forced to sit for a length of time on seats without backs, the stooping posture in which they are obliged to sit is often the cause of consumption. If we get better seats they will cost more than the common ones, and this is one reason why all the householders should be assessed to pay for them.

Mr ARSENAULT.—I think it would be well for the Board of Education to draw out a plan for the building of new schoolhouses, and in many places, the people do not understand how to build a convenient one. I think there is a necessity for a better style of schoolhouse, than most of those we have at present. I would not make it compulsory on any district to adopt the plan laid out by the Board, but to those who choose to avail themselves of it, it might be beneficial.

After some further remarks from several hon. members, on motion of hon. Attorney General, the clause was altered so that books, fuel and things required for every day use should be paid for by those having children, and the expense of furniture, repairs, &c., be borne by all the householders in a district, and the clause as amended was agreed to.

The clause relating to voluntary subscriptions for teachers was read.

Mr. ARSENAULT.—According to that clause, as I understand it, only those who agree to pay anything to a teacher can be compelled to do so. I think that if the inhabitants of a district wish to secure the services of a good teacher, if two-thirds of them are willing to pay him a certain amount, the rest should be compelled to pay an equitable share.

Hon. ATTORNEY GENERAL.—That would be going back to the old system. The Teachers are now paid wholly out of the Treasury, but any wealthy persons who may wish to get a teacher of high attainments are allowed to subscribe any amount they may think proper towards his salary, and this clause points out how this may be recovered, but the poorer people cannot be assessed for anything.

Mr. ARSENAULT.—It is very often those who are best able to pay who are least willing, and I think it is hard when two-thirds are willing to pay, that they should lose the services of a good teacher because the other one-third are unwilling to pay anything. I do not wish to make it compulsory on the people to subscribe any amount only when two-thirds of them agree to do so.

Hon. Mr. CALLECK.—That would be making it compulsory on the part of the one-third who were opposed to paying anything. I do not think there is anything in

the Act to prevent the people from supplementing a teachers salary, if they wish to get a gentleman of higher than ordinary attainments.

Clause agreed to.

The clause relating to the appointment of Trustees was read.

Mr. PROWSE.—I think it would be well to have something inserted in that clause to make it compulsory on persons to act as Trustees, for in some districts it is very hard to get persons to serve.

Hon. ATTORNEY GENERAL.—This clause will give the Board of Education power to call a new election of trustees if those appointed refuse to act. Many feel themselves incapable of performing the duties of a Trustee properly, and I do not think the cause of Education would be forwarded by having unwilling trustees. If such a law was passed we would have to provide machinery to punish refractory trustees, we would have to inflict fines and penalties. It is impossible to make an Act that will meet every case.

Hon. Mr. LAIRD.—I think it was when the fifteen pounds of the teachers salary had to be made up by the people, that persons were so averse to taking the office of trustee, but now I think there will not be such objections. I think it would be much better to get men to act without compelling them to do so.

Hon. Mr. HENDERSON.—The old proverb applies here, that one volunteer is as good as a great many pressed men. We will find that the cause of Education will progress in proportion to the interest which influential men take in it.

Mr. MCNEILL.—I quite agree with the hon. member from Murray Harbor (Mr. Prowse) that there has been a difficulty in getting persons to serve as trustees, not only when a part of the teachers salary had to be raised by assessment, but when the whole of it was paid out of the Treasury, but I do not think it would be advisable to compel them to do so, for if persons were forced to take the office against their will, I think the people would be glad when their term expired.

Mr. BELL.—Every inhabitant of a district should consider it his duty and privilege to act as a school trustee, but if men are found who are unwilling to act some pressure should be brought to bear to compel them to do so. I think it would be a good idea to impose a small fine on every person who would refuse to serve as a trustee.

Mr. PROWSE.—I think if persons were threatened with a fine in case of refusal to act they would take the office as a matter of course.

Mr. P. SINCLAIR.—I think it would be as well to leave this matter as it is, for if you make it compulsory on persons to act as school trustees, you will have to impose fines and penalties, which will be attended with considerable trouble. You will find in all school districts some men whom it is no use to appoint trustees. It is better to have every thing work harmoniously.

Clause agreed to.

BALDERSTON, Reporter.

The Committee then rose, the Chairman reported progress and asked for leave to sit again. Mr. Speaker in the Chair.



Hon. Mr. Hensley presented a Bill for raising a Revenue, which was read a first time and ordered to be read a second time to-morrow.

HON. LEADER OF THE GOVERNMENT.—It is with feelings of deep regret that I have to announce to this House the sad news reported by telegraph, that the Hon. T. D'Arcy McGee was assassinated at Ottawa, on the morning of the 7th instant. There are few hon. members present who have not seen him, and those who have not, have heard of his patriotic movements in Canada, before the Provinces were united, and from all they know, they must feel as I do, a deep regret that so worthy a man should be assassinated by his fellow-man. I do not intend to enter into a long display of words upon this occasion, but I admired the man who was a co-delegate at the late Conference on Confederation, and who always showed a feeling to do justice to the Lower Provinces, as well as to his adopted country. I can bear willing testimony to the love of justice and fair play which actuated the noble heart and able mind of this distinguished statesman and orator. I have always held him in high esteem, and nothing has given me a greater shake than to hear that this worthy and noble man has been assassinated for speaking the truth, and uttering the sentiments of his mind. All hon. members present must feel that an assassin could deprive them of life, and might do so if they merely speak the simple truth, and therefore it behoves all public men to deprecate this atrocious act. Having had the honor of an acquaintance with Mrs. McGee, I deeply sympathize, as I believe the whole House does with her in her bereavement. It is with a deep feeling of sorrow that I move the following:—

The assassination of the Hon. T. D'Arcy McGee, of the Dominion of Canada, having been reported by telegram—

Therefore, Resolved, That this House regards with horror and detestation the atrocious and blood-thirsty act; deeply sympathizes with the bereaved widow and orphans, and sincerely regrets that the Dominion Government should have lost such an able and patriotic statesman.

This, I believe, expresses the sentiments of this hon. House.

HON. LEADER OF THE OPPOSITION.—As the Leader of the Opposition, I have the painful satisfaction of seconding the resolution which has just been moved by the hon. Leader of the Government on the death of the Hon. T. D'Arcy McGee. I had the pleasure of his acquaintance in 1864, while attending the Quebec Conference, and from what I saw of him then, both in public and private, I came to the conclusion, Sir, that he was one of the greatest men of which British North America could boast. I have never altered the conclusion I then came to, and day by day, and year by year, subsequently, I have been more convinced than ever, that he was a bright and shining light. As a public man in British America, and one who had at heart the welfare and prosperity of all the inhabitants of these Provinces, he stood in the front rank, and I am certain, however hon. members in this House may differ with him as regards the means of carrying out his great object, they must all be convinced that he had no selfish purposes to serve in advocating the Union of British America; because, if he would wish to make himself popular for the moment, he would have taken the opposite course. But he had large conscientiousness and matured views upon this important question, and could speak with greater weight upon that topic than any other man, because in his early days, before his judgment was matured, he was tinged strongly with republican principles, and firmly believed that his beloved country could never prosper unless under the republican system of government. When that unfortunate crisis arrived, in his native country in 1848, he took up his abode in the United States, believing that he could there enjoy greater liberty than under the flag of England; but he

did not remain there many years before he saw that what at first seemed to him very beautiful and fair was far from sound and correct in principle. He crossed the line and found the people of Canada enjoying more real liberty than their neighbors in the United States. After experiencing the various forms of government, he came to the conclusion in his matured judgment, that there was more liberty as regards action and the rights of conscience under a constitutional monarchy, than could be enjoyed under a republican government. From that time to the day of his sudden and cruel death, he devoted himself to the cause of his country, and after leaving the Legislative Halls of the Dominion on the morning of the 7th instant, having just delivered a very able speech, he was sent into eternity by the shots of an assassin, without a moment's warning. He is not the first statesman who has fallen in that manner; a Prime Minister of England was sent into eternity in the same way within the present century, and again the late President of the United States fell also by the brutal assassin's hand. We cannot find words, for the tongue refuses to perform its functions, when we contemplate the fearful end of the great Canadian statesman. A great and noble man has fallen in the zenith of his political power; and, therefore, I am sure there will not be a dissentient voice to the resolution. In meditating upon the sad death of this true patriot, we are reminded of the language of the poet Longfellow, when he said:—

"The lives of great men all remind us  
We can make our lives sublime,  
And departing leave behind us  
Footprints on the sands of time."

The resolution was here again read at the Clerk's table.

HON. MR. McANLAY.—There is no individual, Sir, in whose breast the tender feeling of humanity exists, but must have formed a favorable opinion of the hon. gentleman whose career has been suddenly cut short in the midst of youth. Although he ran in the path of error, when young, experience calmed him down, and he repented in maturer years. I am not aware that a greater man exists in these Colonies; although I have never seen his person, I have read his writings and his speeches with profound admiration. When we think of his patriotism, his love of constitutional liberty and his superior attainments, we must, under these circumstances, conclude that the world has lost a great man. We may say truly that "a great man has fallen in Israel." We must deeply regret that any community should shelter in its bosom a person capable of perpetrating such an atrocious crime, and must sincerely hope that he will be brought to justice.

HON. MR. HOWLAN.—I am sorry that we should be called upon to pass a resolution of this kind. When we see a man of such a stamp as the Hon. T. D'Arcy McGee, who had one of the noblest and most cultivated minds the world has ever seen, and the largest heart that has ever throbbled in sympathy with his fellow-creatures, cut down in the prime of life, the heart is made sore at the thought that any man could launch such a noble soul into eternity. This great and honorable man occupied a position and earned a name in his adopted country which cannot be forgotten; and though he erred in his early days, there was an ample excuse for him when we take into consideration the views and prevailing ideas which agitated his native country at the time. His experience afterwards taught him the folly of the course which he had pursued, and he took the side of justice and true liberty; while little minds would have followed on in their foolish course, and would have carried the errors of youth into middle age, he saw the right path and walked in it. While smaller minds would have taken credit to themselves if they had acted as he did in 1848, in his native country, he was not the man to do so. He thought that he had thrown away his early days, that he had some re-

compense to make, and that he could do it better in the new country than in the old one. He might have occupied an enviable position in the United States, but he thought that in this new country he could be of some use, that his soul would find some rest, and that he would yet be able to make some recompense to the public of British America and to the Mother Country for the errors of his youth. I have never seen him, nor do I agree with him on the great question of Confederation; but in view of the events which are now taking place, every British subject in America must feel that we have lost one of the greatest minds that have ever been amongst us. I believe that as a poet he was unequalled in these Colonies, and I hoped that in his old age he would have rested from his political labors, and settled down in some quiet retreat with his mind richly stored; and thus to have an opportunity of adding considerably to our British American literature. He might have written a history of the events which have lately taken place in these Colonies. I trust that the Dominion of Canada, to which he has given the best years of his valuable life, will not forget his family; they should not be thrown upon the charity of a cold world. His name and his eloquence have resounded throughout all the Lower Provinces; and when we hear all tongues full of his praise for his generosity, patriotism, ability and attainments, I think we can only come to the one conclusion, that British America and British interests have lost one of the greatest friends they have ever had in these Provinces.

Hon. Mr. HENSLER.—If an individual in the most obscure position in the land were hurried into eternity in the same manner as the Hon. T. D'Arcy McGee has been, I believe that every member in this House would at once, with a natural impulse, express their indignation and abhorrence at the unnatural and cruel act. But how much we detest the assassination of a man whose life has been so valuable to the people of British America, and who was so remarkable for his virtues, his patriotism and his attainments. It is a lamentable fact that these dastardly acts have not been infrequent of late; for it is not long since the President of the neighboring Republic was cut down, and now the Hon. T. D'Arcy McGee is the victim. I have not been so well acquainted with the latter gentleman as the hon. Leader of the Government and the hon. Leader of the Opposition were, but I know him by his speeches, his writings and his actions; and if ever there was a statesman for whom I had respect, it was for the Hon. Mr. McGee. I recollect the part he took in the troubles of 1848, as well as his subsequent change of opinion on these events; and I have admired the path which he has taken since that time. He went into a country where there was a different form of government and judged its merits for himself; he afterwards returned to that country to which his allegiance was first given. In spite of the opinion of some, he came and declared openly that there was no form of government to be compared with a limited monarchy, such as that of Great Britain, and that no government afforded such freedom to its subjects or citizens. His country was justly proud of his talents, and indeed the whole United Kingdom was proud of him as an orator, and as one who threw himself into the patriotic movement with heart and soul. The atrocious crime which has been perpetrated, has deprived the country to which he belongs of an able statesman, and there must be but one feeling of detestation and horror at the blood-thirsty act. I am glad to hear that this resolution will not only be communicated to the Speaker of the Dominion Parliament, but to the poor widow, though it will be but a small tribute.

Mr. BRECKEN.—I have a sort of melancholy gratification in hearing the hon. Leader of the Government move this resolution. It is but a tribute of respect due to the memory of that great man who has lately been removed from life by the ruthless hand of the assassin. From

what little I have heard and read of his career, I believe that he was one of the most valuable men that Her Majesty had on this side of the Atlantic. He was a gentleman remarkable for his great talents, large soul and high attainments; and as a statesman he was eminently successful in carrying out his designs, the principal of which was the union of the North American Provinces. D'Arcy McGee was a literary man of the first order, and his abilities as a journalist, as well as the able articles he wrote, attracted the notice of the great Daniel O'Connell, the famous Irish agitator. We know that he had in his youth no love nor admiration for the institutions of our mother country, as he had in his later days, but having worked out the political problem on the spirit of our institutions, his unfinching interest in the cause of these principles which he then adopted, rendered him one of the most useful men in British North America. No man has done more for his country than D'Arcy McGee, and no man was more beloved by his countrymen than he. No man has been more deservedly popular in Canada for his unflagging labors in behalf of the cause of constitutional liberty, and the welfare and prosperity of his adopted country. In the prime of life he has been sent to his long home through the malice of his cruel enemies, for opposing all which would retard his country's progress, and for advancing its true interests. He has left a widow and children behind him, but they will not be allowed to remain unprovided for. In his efforts in behalf of the cause of Confederation, nothing but a spirit of fairness, integrity, and true patriotism, characterized his actions. I can imagine the desolation that will not only weigh down his own family, but his political friends, as well as all whose hearts were full of hope for the future progress and prosperity of the New Dominion. I am glad that this small tribute has been awarded to his memory by this hon. House.

Hon. Mr. HANCOCK.—I believe, Sir, that no hon. member of this House can approach this subject without feelings of deep emotion — at least I cannot. I had not the honor nor the pleasure of being personally acquainted with the departed, whose melancholy end has been the subject of discussion, but I have carefully perused his speeches and pamphlets. I speak from my heart, and express it as my honest conviction, that what that gentleman was in his youth he was to the last day of his life — a sincere patriot. What I mean to say is, that what he believed to be his duty, he did with transparent honesty and purity of motive. When he walked in the path which he afterwards found to be not that of Wisdom, he gave the clearest proofs that he acted from unselfish motives, and when he saw his error, he made ample recompense for all his former mistakes. He reviewed his past conduct, which is certainly the best of teachers, and gave utterance to what he believed to be his duty. We must cheerfully admit that what he believed to be his duty he pursued, whether that course was under the frowns or the smiles of his fellow-countrymen; and although they sometimes thought he was in error and opposed to them, he was at all times their true friend and protector; this is the conviction of my mind. And now under present circumstances, I cannot but sympathise deeply with all that has been expressed by hon. members in regard to that gentleman. He, from the depths of his warm and noble heart, gave utterance to beautiful and patriotic language, when he apprehended no danger from speaking freely in the Halls of the Dominion Parliament, but on his way home he fell by the hand of the treacherous assassin. I can fancy to myself that if Mr. McGee's late prototype were in this House to-day, he would deliver a speech upon this sad event, equal in power and effect to the noble speech which he delivered on the patriotic fund, for his large and warm heart was want to sympathise in cases of this kind. If the Hon. T. D'Arcy McGee had fallen in the Crimea, while advancing in that great charge near Balaklava, my mind would be possessed of

very different feelings from what it is to-day, for then he would have died as a noble warrior, by the hand of a powerful enemy; but no, he died by the hand of the brutal assassin. All high-minded and far-seeing statesmen will agree with me that he died in the cause of liberty, as well as those who fell in the Crimea, while doing battle for their country. I certainly concur with every sentiment of regard and of sympathy, that has been expressed by the hon. members who have preceded me in their remarks, for the relatives and friends of the deceased; and if anything is required for the support of the mourning widow and her family, Prince Edward Island will not be behindhand in doing her part, for it should be deemed a duty to support the bereaved family.

Hons. Kelly, Davies, Laird, and Callbeck; and Messrs. Reilly, McNeill, and Bell, then severally expressed their approval of the sentiments conveyed in the resolution before the House, and their deep and unfeigned sorrow on the lamentable death of the distinguished statesman.

The resolution was then unanimously agreed to.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker, I wish this resolution to be sent to the widow, as well as to the Speaker of the Dominion Parliament, through your hands.

This motion was also carried.

House adjourned.

I O'NEILL, Reporter.

TUESDAY, April 14.

House in Committee on the Pauper Grant.

Mr. Bell in the Chair.

Several resolutions were passed and reported agreed to, when the House resolved itself into a Committee for the further consideration of the Bill relating to

#### EDUCATION.

Mr. G. Sinclair in the Chair.

When the clauses relating to New School Houses was read,

HON. ATTORNEY GENERAL said: By the law, as now proposed, the Trustees of a School District can build a School House larger than the law specifies, whereas, under the old law, it is doubtful if this could be done; and if suits had arisen to enforce payment for assessments so small, perhaps such actions could not have been sustained.

A short desultory discussion took place on some minor parts of the Bill, which was interrupted by messages from the Legislative Council, one of which asked for a conference, at the termination of which the House adjourned until the afternoon.

House adjourned for one hour.

R. GORDON, Reporter.

#### Afternoon Session.

HON. MR. HENDERSON.—Mr. Speaker, in accordance with the notice I placed in the Order Book, I now ask the Government what action they intend to take, relative to the petitions praying for the opening of a new road from St. Mary's Road, Lot 61, to Burnt Point Bridge, Lot 63.

HON. LEADER OF THE GOVERNMENT.—The Government have not determined upon any course of action, relative to the petitions alluded to.

HON. MR. HENDERSON.—That being the case, Mr. Speaker, I feel constrained to bring two facts to the

notice of the House, in connection with this question. One is that the plan drawn out by the Surveyor General, comprehending and tracing the different lines of new roads petitioned for, had that portion of it which embraced the line, which I am now enquiring about, cut out; and the second fact is, that separate plans of the part drawn out were placed in the hands of certain hon. members, who were personally unacquainted with the locality in question, or the condition of the people living in it. Now, Sir, I do not believe that the Government, as such, had recourse to means like these; but, I have reason to believe that parties who have not the people's interest, but their own selfish ends in view, have been unduly meddling with the question. I know that there are a few individuals at Montague Bridge who are eagerly pressing for a long central line of road, which might be begun, but would not be completed without very extraordinary grants for twenty years to come. On the other hand, there is a portion of the road, so earnestly petitioned for, already opened from the Sturgeon to the St. Mary's Road, and the remaining portion of it could be opened at a very reasonable rate, and when opened could be easily kept in repair. I therefore now give notice that I will, to-morrow, move for a special committee to report on the aforesaid petitions.

MR. YEO.—Mr. Speaker, some time ago there was a petition laid before this House, respecting a Wharf at West Point. I now move that there be a Committee appointed to report on this petition.

Ordered that Messrs. Yeo, Prowse, and Bell do compose said Committee.

On motion of hon. Attorney General the House resolved itself into a Committee of the whole, on the further consideration of the Bill relating to Education.

Mr. G. Sinclair in the Chair.

HON. ATTORNEY GENERAL.—A remark was made this morning in reference to the very inadequate accommodation afforded by the School Houses in this City, and I believe this is the fault of the Trustees, who do not take sufficient interest in the School, to see that they are kept in proper repair. As I was coming towards the City, not long since, I observed two little boys walking along, and was particularly struck with the remark one of them made to his companion. He said, we had better make haste or we will not have the water bailed out of the school house before school time. On speaking to them, I found it was quite common for them to be obliged to bail out the water which had flowed over the floor of the school room. This is a strange state for our School Houses to be in, especially at a season of the year when it is very dangerous to the health of the children. I intend to move a clause, in which it is made incumbent on the members of the Board of Education to inspect the Schools in Charlottetown; and, in case they shall find the accommodation to be insufficient, they shall have power to order the school to be removed to some other building. I also intend to move an amendment that the Board have power to raise the quarterly fees as high as five shillings, if required.

The Amendments were submitted, and the clause, as amended, agreed to.

Several more clauses were read and agreed to.

The Committee rose and reported progress.

A message was received from The Legislative Council, desiring a conference on the Bill to amend the Incorporation Act of Charlottetown.

House again in Committee to resume the consideration of the Education Bill.

Business was agreed to.  
Business Reported.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked for leave to sit again, which the House agreed to.

A message was received from the Legislative Council, through their Clerk, desiring a further conference with the House of Assembly, on the Bill to amend the Charlottetown Incorporation Act.

This was agreed to, and the same Committee, who managed the former Conference, were appointed to manage this one.

House again in Committee of the whole on the Education Bill.

Mr. G. Sinclair in the Chair.

The clause in the Bill allowing those Teachers who instruct a class of ten pupils in the French language, the sum of \$5 from the Township and \$5 from the Trustees of a School District, was read and agreed to.

A clause exempting all Clergymen and School District Teachers from taxation for building new School Houses, repairs, &c., was read.

Hon. LEADER OF THE OPPOSITION.—I do not object to the exemption of all clergymen who are actually in charge of a congregation, but there are examples of clergymen who have given up the spiritual calling, and who are living upon their property, who should not be exempted more than any one else. When a clergyman has given up his calling, he should pay this tax as well as others.

Hon. Mr. CALLAGHAN.—Would it not be right to exempt a clergyman who is supernumerary, and not able to attend to a pastor's duties?

Hon. Mr. HENLEY moved that the words "having charge of a congregation" be inserted after the word "Minister," in this clause.

This motion was carried and the clause was then agreed to.

The clause relating to the area of Grammar and other School Houses, was then read.

Mr. McLENNAN.—When there are to be only two or three Grammar Schools in each County, in what localities are they to be situated? If it is a good thing to have three of such schools, it would be better to have more of them. It would be better to have a good teacher, although some of the children go a little further to school than usual.

Hon. LEADER OF THE GOVERNMENT.—All teachers who are qualified, and who teach Greek and Latin, shall have the full allowance for teachers of their class.

Mr. P. SINCLAIR moved that the blank be filled up with the words "six hundred square feet."

This motion was carried, and the clause was then agreed to.

The Speaker then took the Chair; the Chairman reported progress, and asked for leave to sit again.

The House then went into Committee of the whole on the second reading of the Bill for raising a Revenue.

Mr. Bell in the Chair.

The first and second clauses were read and agreed to.  
I. O'NEILL, Reporter.

Mr. Speaker resumed the Chair; progress was reported, and leave granted to sit again.

House then resolved itself into a Committee of the whole on the further consideration of the Revenue Grant.

Mr. Bell in the Chair.

Several Resolutions were agreed to, when  
On motion of the hon. the Leader of the Government, Mr. Speaker resumed the Chair; these were reported agreed to, and leave granted to sit again.

House then went into the further consideration of the Alewives Fishery Bill.

Mr. Reilly in the Chair.

And having spent some time in its consideration,  
Mr. Speaker resumed the Chair, the Bill reported agreed to, and ordered to be engrossed.

House adjourned until ten o'clock to-morrow.

R. GANNON, Reporter.

Wednesday, April 15.

Hon. LEADER OF THE OPPOSITION.—I am sorry, Mr. Speaker, to be obliged once more to criticize the official Reports of this House. We have official Reporters, two of whom are licensed school teachers, but I cannot congratulate them on their knowledge of the construction of the English language, if what has appeared in the last issue of the *Examiner* newspaper is to be taken as a specimen. I consider that it is more important that the Reports should be correct in the public press than in our little Parliamentary Reporter, for the latter will be laid up in the archives of the Colony, but the former will go to different parts of the world, even to the Reading Room of the Dominion Parliament, where the most talented men of the Colonies are congregated together; but when they look at these Reports they will come to the conclusion that we are ignoramuses. In one part of the Report the word she is used instead of they. We would suppose that the Reporters came from Devonshire, for there they call "everything she," except a tom cat. There are several other errors; hon. members are reported to have made statements to which they never gave utterance.

Hon. Mr. HOWLAN.—It appears, Mr. Speaker, that the pet Reporters of the Opposition are in the same predicament as the official Reporters—guilty of misrepresenting hon. members. I have on my desk no less a paper than the *Patriot*, in which the hon. member from St. Peter's (Mr. McCormack) is represented as saying that the people in the district which he represents were in a disolate condition, and the fact that the word disolate is italicized shows that it was not done through inadvertence, but purposely, with the intention of bringing the hon. member into ridicule. In other parts of the same paper we find a summary of the proceedings of this House interspersed with editorial comments, in which hon. member's views are ridiculed. The editor of the *Patriot* obtained leave to bring a desk into this House for the purpose of reporting for his paper, and I think he has taken an unfair advantage of his position.

Hon. LEADER OF THE OPPOSITION.—We have nothing to do with the *Patriot* Reporters; it is the official Reporters who are paid with the people's money, of whom I complain.

**Hon. LEADER OF THE GOVERNMENT.**—Mr. Speaker, I would recommend the Reports to be a little more cautious for the future; as these Reports are to be preserved for future reference, it is important that they should be as free from errors as possible. The Reports, however, complain that these Reports were printed in the *Examiner* before the proof sheets were corrected. I most certainly condemn the course pursued by the editor of the *Publicist*, for, as he obtained leave to bring a desk into this House, some responsibility attaches to him.

**Hon. Mr. DAVIES.**—Mr. Speaker, it is quite right for the hon. Leader of the Opposition to bring before your notice any error or irregularities in the Reports of the Debates of this House. It has been stated that in one place the word she was used instead of they. Now it will be easily seen that this is merely a typographical error, as no person of common sense would make such a mistake. These Reports have a great deal to contend with. They have met only the Opposition, but the Reports who were displaced to make way for them. It is, no doubt, galling to some parties that young men from the country should be taken in preference to those in Charlottetown, who consider it their birthright to monopolize all the offices. Although the Reports have made some mistakes, yet they have given the sense of what has been said, and they cannot be accused of being *ex parte* Reports, for it is evident they have been as careful with the speeches of members of the Opposition as those of the Government. In regard to the editor of the *Publicist*, I may say he is at liberty to write what he pleases about me, but I hope that hon. gentlemen who delight in making sport of members of this House, will yet have a seat here themselves, so that they may have their turn in being subjected to criticism.

Several other hon. members expressed their opinions on the subject, and some of them protested against these Reports being kept as the records of what had been done in the House.

On motion of the hon. Attorney General, the House went into Committee on the further consideration of the Bill to be entitled an Act for raising a Revenue.

Mr. Bell in the chair.

After a short time the Committee rose and reported the Bill agreed to with certain amendments.

Ordered to be engrossed.

Mr. Yeo, as Chairman of the Committee to whom was referred the petition of Arthur Ramsey and others, respecting a wharf at West Point, presented the Report of said Committee.

Received and read.

Mr. Yeo moved that the Report be adopted.

**Hon. LEADER OF THE GOVERNMENT.**—The hon. member must be aware that no money is voted for the purpose of building the said wharf. There was a contract entered into by the late Government with certain parties to build a wharf at that place. They commenced the work, but last year a considerable portion of what they built was washed away. The securities thought it hard that the penalties should be demanded, and they made an offer which the Government felt inclined to accept; but, unfortunately, just as they were about entering into a contract, news reached us that the remainder of the work was carried away. The people of that locality have expressed a wish that the wharf should be commenced at the shore, and built out as far as the rest of the money voted for it would pay for, but I think it would be throwing away public money to attempt to build a wharf in that place. I believe it would cost several thousand pounds to build a wharf there of the right description, and during the prevalence of certain winds, it would be impossible for a vessel to lie at the wharf; in fact, it is so bad that people could not work at the wharf at certain times.

No doubt a wharf would be a great advantage to the people of that locality, but it will be a question for the Government to consider whether the money which it would cost might not be expended in something else that would be more benefit.

**Mr. Yeo.**—The Committee, in drawing up the Report, did so in such a way as to leave it open to the Government to take what course they thought proper. It may seem hard to make the securities pay the penalty in this case, but I think it is much harder to deprive the people of that place of a wharf which they so much require, when they have been content to let their vessels remain in a poor state in order that they might get money to erect it. The part that was built remained all summer exposed to the winds, but it was not damaged until this winter, when the ice was made around it, and lifted it clear of the ballast stones. With regard to its cost, Mr. Boyd, the Civil Engineer, examined the place, and, according to his opinion, it could be built for nine hundred pounds.

**Hon. LEADER OF THE GOVERNMENT.**—That was in addition to the amount already granted.

**Mr. Yeo.**—The people of that district subscribed a large amount towards the building of the wharf, and it is a hardship for them to have to lose their money on account of the carelessness of the contractor. The people of that place have to travel a great distance to a shipping place, and this, I think, should be taken into consideration.

**Hon. Mr. DAVIES.**—I may state, Mr. Speaker, that I accompanied the engineer, Mr. Boyd, when he went to examine the place recommended for the said wharf, and he spoke very highly of the work, but thought it would be a very expensive undertaking. It was built on a very bad principle—like a tub without a bottom. My own opinion is, that if a wharf is built in the same place, it will be carried away again next year. The way it was carried off was this: the ice froze to one side of it and upset it. I think the Government would be wise in annulling the present contract, and proceeding with the work as far as the remainder of the money will pay for, and after a few years some more might be obtained, and the work extended further.

**Hon. Mr. DAVIES.**—There is one deficiency in this Report; the great objection to spending money in building a wharf at West Point is the probability of its not standing after it is built, and I think the committee should have pointed out some method of building it, so that it would do so.

**Hon. LEADER OF THE OPPOSITION.**—I shall support the motion for the adoption of this Report. I do not profess to have any knowledge whether the wharf will stand or not; but the people in that part of the country are in earnest about having one built, for they have petitioned the House year after year, and as Mr. Boyd is of opinion that it could be made to stand, I think the prayer of the petitioners should be complied with. Even should it cost two thousand pounds, it would be money well expended, for there is a large section of the country in want of the accommodation which it would supply.

**Mr. GRANT.**—It appears to me that the great mistake was made in commencing the wharf so far from the shore. If the work had been commenced at the shore and properly done, there would not have been the slightest fear of its being carried away. I think, under the present circumstances, it would be unfair to compel the securities to finish the contract. The best method would be to make a beginning with the portion of the grant which is left, and give some more at a future period. The people in that part of the country are fully entitled to have something done for them.

**Hon. ATTORNEY GENERAL.**—The Committee have left the matter very open. They have left it optional with the Government either to enforce the old contract or go on with a new one. It was the intention of the Government

to go on with the work to connect one of the blocks which was already built with the shore; but a short time ago word came down that the whole of it was carried away by the ice.

Report adopted.

Hon. Mr. KELLY moved that the Bill to amend the Small Debt Act be read a second time.

Hon. ARTHUR GUMMER.—I second the motion of the hon. member, because I think there are some desirable clauses in the Bill. One clause relates to decreasing the number of times of meeting of Small Debt Courts. Under the present arrangements they meet every month, and I think it is desirable to have this matter discussed and see whether it would not be an improvement to have them meet fewer times. There is one clause in that Bill of which I cannot approve. It provides that a suit shall be brought nearest the residence of the defendant, or nearest the place where the cause of action arises. In former times the plaintiff could take the defendant to any part of the Island, but the law was amended a few years ago, and the plaintiff must take the defendant to the court nearest the defendant or the one nearest himself.

Bill read.

Ordered that the House go into committee on it to-morrow.

A message was received from the Legislative Council stating that they had passed the Bill for the better security of the Crown and Government of the United Kingdom; also desiring a conference on the Bill to amend the Licensing Laws of this Island.

House adjourned.

Parliamentary Reporter

Thursday, April 16

Mr. Bell, from the Committee to whom was referred the petition of George Meggison, of Township No. 5, to examine the same and report thereon by Bill or otherwise, presented to the House the report of the said Committee, which report, being again read at the Clerk's table, was agreed to by the House, and is as follows:

Your Committee to whom was referred the petition of George Meggison, of Lot or Township No. Five, beg leave to report that they have examined the papers laid before them, and investigated as far as they possibly could, the charges of petitioners, and although they sympathize with him, they regret that they cannot recommend the prayer of the petition.

The House then resolved itself into a Committee of the whole on the Bill to amend the law relating to the recovery of small debts, and for other purposes therein mentioned.

Mr. Bell in the Chair.

The clause relating to the number of times in a year Small Debt Courts should be held, was read.

Hon. LEADER OF THE GOVERNMENT.—If these Courts were held only once in three months, the Commissioners would be obliged to sit two or three days to get through a great deal of business, and suitors and others would be detained two or three days at each sitting, which would be a greater evil than that which results from holding the Courts once a month. A great many persons rush into Court for the recovery of small sums, and therefore business is facilitated by frequent sittings, as it is at present the Small Debt Court in Charlottetown often sits two days to get through the business before them.

Hon. Mr. DAVIES.—When these Courts sit as often as they now do litigation is thereby encouraged; disputes arise between neighbors who take advantage of these monthly meetings and embroil each other in a law-suit. This would, to a great extent, be stopped if these sittings were held once in three months; parties would not then be so ready to go to law with their neighbors with every trifling dispute. These Courts are principally resorted to by persons doing a small amount of business, to recover five shillings, and sometimes even two shillings and six pence. If the sittings took place every three months, these parties should not wish to have them oftener. It seems to me that many sittings incur a great deal of trouble, and give no corresponding benefit. In cases where people cannot pay merchants for their goods at the time agreed on, the period is often extended to eighteen months, and, therefore, if these Courts sit once in three months, it would be quite sufficient. That is the chief reason why the petitioners asked the House to limit the sittings to once in three months; if quarterly Courts only were held, half the business would be done away with. There is, therefore, a necessity for preparing the Courts for quarterly sessions.

Hon. Mr. KICKHAM.—The hon. member's remarks may be well-intended, but I cannot agree with him. If these Courts sit every two months, I think it would suit all parties better than the quarterly sessions. How he considered that if a man purchases goods in Charlottetown, and goes and sells them in the country on credit, he need not sue his debtor all the way to town. Suppose I sell some goods to a man at the East Point, and he will not pay me at the time agreed upon, ahead I see him all the way to St. Andrew's? No; he should be sued in the Court in his own district.

Hon. Mr. DAVIES.—Parties who take goods into the country and sell them on credit, do so for the purpose of making large profits. The country merchant gives the people credit, and the poorer class purchase from him at fabulous prices, because time is given to pay for the goods; but what does this merchant do? He charges twenty-five per cent more on that account, and at the end sues them for the amount. This credit system is a great scourge upon the country, for extravagant prices are exacted from the people, simply because time is given for the payment of the sums charged. If the Small Debt Courts were held once in three months, these troubles might be abolished to a considerable extent.

Hon. LEADER OF THE OPPOSITION.—There may be a difference of opinion about having Courts once in two months or once in three months, but I cannot see that the proposed change will be productive of good results. The hon. member for Belfast (Mr. Davies) complains that when a small trader sells goods on credit to an unfortunate individual who may have a cow or a horse, he will pounce down upon him in the Small Debt Court. If the time is extended by the Court the creditor will make his calculations accordingly, and if the Court be held quarterly he will charge a still higher price for his goods, and therefore nothing can be done for the poor debtor in that case. This proposed change is a retrograde movement. It may answer these country districts where the population is sparse, but it will not work well in Charlottetown, Summerside and George-

town. Although there is a rival court in Charlotte-town, viz: the Mayor and Corporation, the County Court often sit till late at night, on account of having so much business to get through. If we had a Bill relating to petty trespasses a man might go to Court with his neighbor on every trifling matter of that kind, and might keep the affair pending five months; while if they went to a magistrate, it might be settled in a day or two. I do not think the three months' Court would work satisfactorily, and I believe the debtor would be more harassed than he is at present. Creditors would be more free in the exercise of the *Cyprus* clause than they now are, because they could have a runaway tried but once in three months. I have no personal interest in the matter, but this is a retrograde movement.

Hon. Mr. HOWLAND.—I certainly must oppose this measure, for I cannot see any good that can come from it. If a man goes to a farmer and buys the bushels of oats, and tells him that he will pay him at the end of a fortnight, when the time arrives, he could turn round and say, "I will not pay you just now." This proposed amendment would cause a great deal of litigation and trouble, therefore lawyers should advocate it, because it would be in their favor. The people generally lean to virtue's side, and suing is limited to a comparatively small number of our population. A man may, under this Bill, go into a country merchant's store and give him a positive promise to pay for what he buys on a fixed day. The merchant gives him good grass, flour, &c. on credit, but when the time arrives when he should receive his money, the man says, "You can sue me only once in three months, I cannot pay you just now;" therefore, if we enquire among the middle class of our people, we will find few of them would wish to have quarterly Courts. If there were a legal gentleman appointed to attend quarterly Courts a great deal of litigation might thereby be prevented.

Mr. ANASTAS.—I cannot support this Bill, for instead of preventing so many people from being sued, there would be more litigation than ever before. If the Court were only held quarterly, in some districts, several days would be required to get through the immense amount of business to be done.

Mr. G. SINCLAIR.—I do not want to encourage litigation, but I think this Bill would be the means of increasing it, if allowed to remain as it now is. The parties who would be obliged to attend these Courts for two or three days to get their business done, would be put to considerable inconvenience, and I am rather of the opinion that a greater number would then be sued than there are at present, because country merchants and others would sue their debtors, in the very first Court, knowing that they would be obliged to wait three months for the next sitting if they did not attend to these matters at once. All parties have a better chance to receive justice in having the number of sittings to remain as they are at present, as some can sue in one month, and some in another, while many debtors will receive timely warning before being sued.

Hon. Mr. DAVIES.—A person would suppose from what has been said that no man paid his debts without being sued, and that a monthly Court was therefore absolutely required. I know that the greater number of respectable merchants do not sue at all, and I venture to say that the hon. member from Tignish (Mr.

Howland) does not sue more than twice a year. It is chiefly little petty-jogging traders who resort to these Courts for the purpose of collecting their money; for, in almost every instance, their debtors are overcharged for their goods.

Hon. Mr. KANE.—The hon. member seems to be in favor of these quarterly Courts; but in this old country the sessions only took place once in three months, and no inconveniences were caused by them. Respectable merchants do not sue oftener than once in six months, but I think the blank should be filled up with the words "two months."

Mr. F. SIMON.—If I thought the proposed measure would lessen litigation, I would support it; but I do not think it would do so. I believe that the result of this change would be that a larger number of persons would be sued than when the Court was held every month. If the Court is held every three months, and a man is captured, he will be obliged to find security, or go to jail till the sitting takes place, which would be a greater hardship than ever.

Hon. ATTORNEY GENERAL.—Before we make such a sweeping alteration as this, we ought to have some stronger arguments in favor of us. If I thought that this measure would discourage and lessen litigation, I would support it; but I do not think it would have this effect, and therefore we should be very careful in dealing with the matter. When this House did away with Imprisonment for Small Debts, the Act then passed did not further the best interests of the people of this Colony, and they were so much against it that they sent in a petition for its repeal, which would stretch across this room from one window to the other, and signed by thousands of persons; so we had to allow the debtor to be sent to jail, if he did not pay his debts. A measure of the kind now before us should be backed up by a large number of petitioners from the country, if the people wish to have it passed. As I cannot see that any benefit would result from the change proposed, I cannot support it.

Mr. KICKHAM.—In the months of May and June parties in some districts may have to go several miles to attend Court, therefore if the sessions took place every two months it would answer better.

Mr. CARRON.—There may be some districts in the Island where sittings taking place every two months would answer, but there are other places where monthly sessions are barely sufficient. I know of a Court where two days are required, once a month, to get through the business brought before it. Considering this, it would be a still greater hardship for the people to be compelled to wait for quarterly Courts; therefore I think the measure before us would work very badly.

On motion of Hon. Mr. Howland, the clause was amended so as to allow the law in this respect to stand as it was.

The clause was then agreed to as amended, and the next clause was read.

After hon. members had made a few remarks on the matters contained in this clause, the Speaker took the chair; the chairman reported progress, and asked for leave to sit again.

*Afternoon Session.*

On motion of hon. Attorney General, the House resolved itself into a Committee of the whole on the further consideration of the Education Bill.

Mr. G. Sinclair in the chair.

The clause relating to attendance at the Normal School was read.

HON. ATTORNEY GENERAL.—That clause carries out the same principle as the resolution submitted on the subject, but is rather more stringent. If the candidate is not fit to pass an examination, the Board may oblige him to attend the Normal School.

MR. McLENNAN.—Mr. Chairman, I do not see the utility of compelling candidates to attend that institution at all if it is not to be carried on according to Stowe's Normal System. Would it not be as well to allow the student to attend any other high school, such as the Grammar School, which he might do without being subjected to so much expense as he would by being obliged to come to Charlottetown and pay his board while attending the Normal School.

HON. ATTORNEY GENERAL.—This clause enjoins on the Board to order any candidate to attend the Normal School, if, on examination, they find that there is no likelihood of his being able to pass without. The hon. member (Mr. McLennan) said there was no occasion to attend the Normal School, because Stowe's System was not carried out; but, although Stowe's seems to be the favorite system, and it was laid down in our old law as the one to be carried out in our Normal School, yet there are many other systems, each of which has its admirers.

HON. MR. HENDERSON.—Would it not be well, Mr. Chairman, to modify or qualify that clause, by adding the words *or some other training institution*, for there may possibly, after a time, be training schools attached to some of the Grammar Schools. If such was done in the capital of King's and Prince Counties, it would be considerable advantage to persons living in those Counties. The main object should be, without lowering the standard of training, to endeavor to bring it within the reach of all who wish to be trained without the necessity of coming to Charlottetown.

MR. P. SINCLAIR.—I think this amendment was required, for formerly students came before the Board unprepared, but the Board granted them certificates out of pity, as they considered it a hardship not to allow them to teach after spending so much time in the Normal School. After the passing of this Bill, those who are competent to pass the Board when they present themselves for examination, will be permitted to do so, while those who are incompetent will be obliged to attend the Normal School. The hon. member (Mr. Henderson) spoke about establishing other training institutions, but this would increase our expenditure, a course which would not be justifiable under our present circumstances.

HON. MR. HENDERSON.—The language of the hon. member is to my mind rather indefinite. He says that candidates presented themselves in a very deficient state; but I should like to know whether he meant a state of ignorance of common knowledge, or ignorance of a proper method of training.

The clause under consideration and several others were agreed to.

HON. MR. SPEAKER.—I cannot refrain, Mr. Chairman, from giving my opinions on this important subject, and expressing my gratification concerning the unanimity which has been displayed by hon members on both sides of the House, and the evident desire of all to make the system of Education as perfect and efficient as is compatible with our resources. I might at this time appropriately advert to the first introduction of the Free School System into this Colony, and the beneficial results which have flowed from it. I may say that the introducer of the first Bill on the subject, the hon. Leader of the present Government, received great credit and high commendations from all classes in the community for his indefatigable efforts and praiseworthy zeal in such a noble cause. No other Bill ever passed by the Legislature of this Colony received such approbation, or gave such general satisfaction. The fact that within twelve months after the passing of the Bill, two hundred schools were established throughout the Island, showed that it was highly appreciated by the people. But, Sir, two years after the establishment of the Free System, a number of petitions, from various parts of the Island were presented to the Legislature, praying for certain amendments in the School Act. These petitions were referred to a Committee to report thereon. I remember the time very well. I was Chairman of that Committee, and I was ably assisted by my lamented friend, who is now lying cold in his grave (Hon. Mr. Haviland,) and the then Attorney General. That committee met several times, and used every available means of collecting information on the subject, and the result of their labor was the introduction of another Education Bill. About two years after that the Normal School was established, as it was considered that there was a necessity for some institution to train teachers and make them more efficient. Some years later the Conservatives assumed the reins of Government, and thinking they could amend the Education Act, they made a change in it, by providing that the parents of children should pay a portion of the teacher's salary. This alteration did not meet the approval of either the teachers or the people. The teachers objected to it on account of the great difficulty of collecting the money; and the people, after enjoying the benefits of the Free System for some time, were averse to a direct tax to support education. The people now consider that it is the best way to pay the whole of the teacher's salary out of the Treasury; and last year the Government met their wishes in this respect. The Bill just gone through has consolidated the whole Education Act, and I hope it will not be necessary to bring the matter up again for several years.

The Committee rose and reported the Bill agreed to. Ordered to be engrossed.

On motion of Mr. Brecken, the House went into committee on the Bill for the relief of unfortunate debtors.

Mr. Prowse in the chair.

HON. ATTORNEY GENERAL.—Mr. Chairman, without going into the merits of this Bill, I may say I have looked through it, and though there may be a necessity for several alterations, yet the main principles are sound. There is one thing in it to which I object, and



that it proposes to impose duties on the Judges of the Supreme Court, to which they might object. When an insolvent files his petition, he will have to be examined, and all his creditors will likewise have to be examined to prove their claims, all of which will involve a great deal of time and trouble. The Judges, in this instance, would also have the power to commit a person if he were convicted of fraud. In England there is a Commissioner appointed to look after affairs of this kind, and I think this mode is preferable to having it under the control of the Judges of the Supreme Court. If the House should be of the same opinion, then the next question would be how is this Commissioner to be remunerated? Would it be better to have the fees paid into the Treasury, and give the Commissioner a fixed salary, or let him take the fees for his pay? I see the Bill allows one pound three shillings and four pence per diem to the Judge who shall preside over this Court; but it is quite ridiculous to think that any person, who is competent for such a business, would work for such small remuneration. There is one beneficial effect that such a Bill as this will have—that a man, after being examined once, will not be liable to be brought up again, and may work to make a living for himself and his family.

Hon. Mr. HOWLAN.—I take some interest in this Bill, Mr. Chairman, and I hope the House will pass it. We have long been behind the age in this matter. All the laws of this Island tend to make a man dishonest. If a man happens to be unfortunate in business, he can never do any business again in his own name. In regard to the method of paying a Commissioner to preside over a Court of the nature contemplated, let those who require his services pay for them. I believe this is the way it is done in other countries; the fees are appropriated in such a way as to make it self-supporting.

Mr. BRECKEN.—The hon Attorney General seems to think that the duty of presiding over an Insolvent Debtor Court should not devolve on the Judges of the Supreme Court, and, on consideration, I think there is weight in what he says. If a Commissioner is to be appointed, he must be paid, and as the duties are onerous and responsible, it would not be fair to allow him only the fees, unless very high fees are exacted from the poor unfortunate man who applies to the Court for relief. This Bill was drawn up with the idea that the Judges were to have the control, and if this part be changed, the whole Bill will have to be altered.

Mr. DAVIES.—I am aware, Mr. Chairman, that a great many are opposed to this Bill, and will raise objections against it; but if the principles are sound, I think we should endeavor to carry it through. This Bill is very much wanted, more than any that has been before the House for years. The Bill is for the purpose of preventing fraud. As the law now stands, if a man gets behind hand in his affairs, he can give all his property to one or two of his creditors, but, according to this Bill, he will be obliged to make an equal division among them all.

Mr. BRECKEN.—This Bill is applicable only in cases where a person wishes to get free from his liabilities, but it does not interfere with preferential assignments. I candidly confess I am not satisfied with this Bill, as I think it should have emanated from the Government.

Hon. LEADER OF THE OPPOSITION.—I am sorry, Mr. Chairman, to hear the hon member for Charlottetown say that he is not satisfied with this Bill, for if he is not he cannot expect this committee to carry it through. My own opinion is that this Bill is a complete humbug. The hon members who are so much in favor of a Bill of this nature, had better go to work and have a Bill constructed on different principles, if they wish to have one in which the country will have confidence, and not only the men of this country, but the mercantile men in other places who do business in this Colony. The same person should not preside in the Insolvency Court and the Supreme Court, for if the Judge comes to the conclusion that the debtor is guilty of fraud when he is presiding in the Insolvency Court, he is not likely to change his mind when the case is brought before him in the Supreme Court. It would be appealing from Cæsar to Cæsar. The hon member from Belfast has said that a Bill of this nature is very much required, and if so let us have a proper one.

BALDERSTON, Reporter.

Hon. Mr. HOWLAN.—Mr. Speaker, the remarks of the hon. member recalls the words of Burns, where he says:

"O wad some power the gif' tie gie us  
To see ourselves as others see us."

for certainly I understood the hon. member as saying, the law would not answer any of the purposes of a Bankruptcy Law.

Hon. LEADER OF THE OPPOSITION.—I rise to a point of order. I never gave my view in the way indicated by the hon. member.

Hon. Mr. HOWLAN.—The hon. member asked of what use would the Bill be, as it would not have any jurisdiction out of the Colony.

Hon. LEADER OF THE OPPOSITION.—I said that unless the Bill was properly drawn up they would not have confidence in it, and I say so still.

Hon. Mr. HOWLAN.—This Bill has been drawn up by gentleman quite competent for the task, one of whom is a member of the Legislative Council, and who is also as able a lawyer as is on this Island, I mean the Hon. Mr. Palmer.

Mr. BRECKEN.—Mr. Speaker, two or three months before the Legislature met, a meeting of the Committee was held in Mr. Palmer's office when the matter was carefully considered. The Bill I regard as a very good one, and very well calculated to answer the purpose for which it is intended.

Hon. Mr. HOWLAN.—We have, Sir, two hon. members of the legal profession on the other side of the House, and they have spoken differently on this subject. The fact is, this Bill if passed will relieve to a certain extent from their present unpleasant position, some of the best business men on this Island, and that such is the case is well known to the hon. and learned Leader of the Opposition.

Hon. ATTORNEY GENERAL.—Mr. Speaker, if this Bill does not go as far as a Bankrupt Law it may safely be regarded as the first instalment of one, and upon the whole embodies a good principle, and therefore I am willing to give it my support. I believe a Commissioner in Bankruptcy should be appointed who should be paid

by a salary, and that we should put on such fees as would probably meet this, and if such a principle is embodied in the Bill, I do not know that I will oppose it.

HON. MR. DAVIES.—Mr. Speaker, it was said there was such a strong opinion entertained by so many against a Bill of this nature, that any measure of the kind could not be carried. Some years ago a Bill of a similar nature was thrown out, nor do I think this House is yet prepared to vote a salary for such an officer; but if it will become necessary to appoint a gentleman to preside over this court, it is probable the country will not oppose it. I agree with the hon. Attorney General that it would be better to pay this officer by a salary than by fees. The principle laid down in the Bill of 1850 was that the fees should go into the treasury, and these I think would amount to what would pay the salary. A law of this nature has been asked for by several, and is anxiously desired by some who from motives of delicacy would not like to ask for it.

MR. G. SINCLAIR.—Mr. Speaker, if this Bill is to involve the necessity of establishing a court at an expense equal to that which a Judge in the Supreme Court receives, I will oppose it. Such a court would only be required by a few, and therefore unless it can be carried out under the supervision or by one of the Judges in the Supreme Court I will oppose it. If, as has been stated by the hon. and learned Leader of the Opposition, the Bill is a one-sided measure, then undoubtedly they who require it should be made to pay the cost. (Laughter and hear.) I consider that we require an Act for the relief of unfortunate debtors as well as of unfortunate creditors; but I have formed a higher opinion of our mercantile men, than to suppose there are many who would take any undue advantage of others.

MR. BRACKEN.—Mr. Speaker, I am sorry so much time has been taken up in the discussion of this Bill, but as it has been represented as a one-sided measure, I may state that I do not regard it as such, and am just as anxious to see a good measure as any hon. member in this hon. House, and unless hon. members can show better reasons than any which have been stated for opposing this Bill, I think they should not express so much opposition to it. It should be remembered that this is not a bankrupt law, neither is it a measure by which any man can be brought into court unless by his own consent. The Bill only goes so far and will not affect any man who does not wish to avail himself of its provisions. We lawyers have some experience in these matters, and I generally find that few men in business wish to go into court unless from some unavoidable necessity, and to such it will be found this Bill will grant relief. I think it can do no harm and is tolerably well drawn up, but does not, I expect, come up to the expectations of some who have been looking for it with interest, for whilst it may relieve them of debts contracted here, it will not of those which have been entered into abroad, and it is these which are pressing the most heavily upon some men. If the Government decide upon having a commissioner, I am satisfied; but it will be borne in mind that in the court proposed to be established under this Act there will be no jury; and therefore the responsibilities of the commissioner will be such as will require a man with abilities equal to those of a Judge in the Supreme Court.

HON. MR. DAVIES.—Mr. Speaker, the want of a law of this kind has caused some of our best men to leave the country, and when we bear in mind that nine out of every ten who go into business as a general rule fail, it is but just to them and the community to provide some way by which they may go into business again, for all will admit that such men are the life of the community, and if any of them can, by their books, show that honesty and integrity characterized their proceedings before a court appointed for such purposes, it would be a benefit to the country and to such persons to have a court having such jurisdiction, and in all cases where it had been satisfactorily shown that they had given up all their effects to grant them a discharge and such are the provisions of this Bill. It does not make provision to offer protection to any who it can be shown have made over their property in an underhand or improper manner. This Bill in any way you view it cannot leave any man in a worse position than it may find him.

HON. LEADER OF THE GOVERNMENT.—The Judges in the Supreme Court, I understand, are not in favor of this measure, as it will be adding more to their labor if they should have to preside in such cases as may come up under it. They think, as I am informed, that they have quite enough to attend to at present. No doubt it is very well for judges who wish to have leisure to enjoy themselves for half the year, to complain when a slight additional duty is spoken of as about to be imposed upon them. For my part I do not believe in that kind of a way of discharging public duty. I do not consider that they should mark out just so much work for themselves and no more. I consider when a judge is appointed he should undertake to discharge every duty which legitimately ought to be undertaken by him, and those which this Bill will impose I regard as some of those which one or both of our judges should give attention to; nor would these duties be very burdensome, for this Bill provides that a clerk shall be appointed to attend to the ordinary business which it would create, which will render those of the judge comparatively easy; and, therefore, I believe one of our judges could very well find time to preside over the court and thus render the appointment unnecessary. If this cannot be done then I would prefer appointing a third judge; and, indeed I think the time has come when this should be done even independently of the considerations which a Bill of this nature might introduce to our notice. When there are but two judges on the bench, and one of them should happen to differ from the other in his opinion, the case before them would fall to the ground, and in such an emergency a commissioner appointed under this Act would be of no service. I would therefore prefer appointing a third judge at once. I know, too, that many complaints are made by people who come to do business with the judges in this town, who very often find them away on a shooting excursion, a visit to the other provinces, or otherwise engaged in fishing or some other private amusement, while those who come to do business with them have to return without having it attended to, which is often a great loss as well as a disappointment to men who have come in from distant parts of the country. At least, I know I have heard many such complaints. It is better therefore to appoint a third judge than a commissioner, as he could attend to the duties this Act will impose, and also take his seat on the bench in the Supreme Court. As regards the principles of the Bill, I think they are such as will enable honest men to deal fairly

with those to whom they may be indebted. It is quite different from a Bankruptcy Bill in many particulars, and will, I think, in the meantime, meet the views of our mercantile men. In this country people do not pay their bills as punctually as they do in the old country, for there a man must be prepared to be punctual, which in the present state of this country cannot yet be so well enforced. I am not of the opinion that this Bill will place any man in a worse position than if there was no such a law. If we should pass this Bill making it imperative for the judges to act under it, and they should refuse to do so, petitions on the subject could then be addressed to the Home Government on the subject. It does appear to me strange that, if to carry out the provisions of a Bill of this nature, the Colony must be put to the expense of appointing a commissioner to attend to duties which might be performed by the judges in our Supreme Court. It will be well, though, perhaps to pass the Bill after which on some future occasion we may discuss the question, and consider whether the Colony is prepared for the appointment of a third judge. On a previous occasion petitions were before the Legislature making such a request, and it is improbable but that before long we may have to give attention to this matter.

Hon. Mr. LAIRD.—Mr. Speaker, judging from the tone of the debate, it would appear that a new office is about to be made, the duties of which none can discharge but a gentleman of the legal profession. Now suppose that we do appoint a judge, and, after a few years, he should also take it into his head to refuse to act only under certain duties which he might mark out, and say he had too much work to perform, then what next? Why if the arguments used this evening are sound, then we would have to appoint another, and add new judges to the list as the opinions of such salaried officers might happen to dictate. In so far as I understand the measure, I am in favor of the principle of the Bill, for I think it would enable some clever men to get on their feet again, but I believe the judges of our Supreme Court should regard it as their duty to attend to the duties this Bill would impose; if, however, it will be found necessary to appoint a person to attend to these duties, I would prefer appointing a third judge, rather than a commissioner, assigning to him specially the discharge of those duties which this Bill will create, while at other times he should also take his seat with the other judges in the Supreme Court; but as this Bill appears to be one got up for to meet the wants of a certain class more than those of the community at large, it appears to me to be wrong to tax the Colony so high for the management of a court, the fees arising from which would probably amount to fifty pounds a year. The hon. and learned member for the City said it would be wrong to make suitors pay fees, but I consider that in cases which would come up for consideration, under an Act of this nature, the parties interested should be made to pay expenses, although I agree with the hon. Attorney General that it would be better to pay such an officer by salary rather than by fees.

Hon. ATTORNEY GENERAL.—Mr. Speaker, I move that the clause be amended by striking out the words "judge" and inserting that of a "commissioner."

Hon. LEADER OF THE OPPOSITION.—I rise, Sir, to second the motion of the hon. Attorney General.

Hon. Mr. LAIRD.—Before I can support such a motion I would like the hon. Attorney General to state how the commissioner is to be paid?

Hon. ATTORNEY GENERAL.—This can be better attended to when the last clause of this Bill comes up for consideration.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, under this Act a person will go into court and claim certain privileges, and we will suppose he owes £500, but before his case can be disposed of, the claims of all his creditors have to be considered in the investigation of which all sort of objections may come up which will doubtless require time and the exercise of a good deal of judgement rightly to dispose of; and as such cases will not be considered by a jury, it will be found that the gentleman whose duty it may be to look into these matters will require all the legal knowledge and judgment which is required for a judge in the Supreme Court, for indeed the responsibilities will in many cases be even greater than that of a judge in the Supreme Court; and therefore it is one of those subjects which requires to be carefully considered, and if the matter shall be proceeded with and a commissioner appointed he will find the office to be one, the duties of which will sometimes be found difficult to discharge. I am for appointing a commissioner as I consider it will be one step in the right direction.

Mr. McNAMARA.—Mr. Speaker, it appears the provisions of this Bill are such that they cannot extend beyond the limits of this Island, and as those judges do not work for nothing it is likely the salary which will be proposed will be something handsome, and therefore I think before we agree to appoint a commissioner we should consider first what his salary is to be. With respect to the principle of the Bill, I may say that I have always considered it a hardship that any man who has been unfortunate in business should not have had some way by which he could be enabled to legally arrange his affairs and re-commence business again. I am not inclined to believe with some hon. members that this Bill will give undue influence to any, for as I understand it the property of a debtor will have to be divided among his creditors; and therefore I cannot see how any undue influence can be attained. But I fear it will be an expensive court.

Mr. BRECKEN.—Mr. Speaker, suppose an application to be made which would be regarded by the judge as an improper one, and in consequence of that opinion, order the applicant to pay the costs. I regard it as a wrong principle which will thus place a judge as entirely above the suitors. He should not be placed in a position which would probably bring him in contact with the creditors. I consider though that such a measure as this is required, and I think it but fair that they who want it should be prepared to pay for it. I am aware that in some cases in this Island the court will not grant a Bill unless the fees are paid.

Hon. ATTORNEY GENERAL.—Mr. Speaker, I now press the motion that the words "commissioner" be substituted for that of *judge*.

Hon. Mr. LAIRD.—Before the question is put I move that the words be added, "and that he be paid by fees."

**HON. LEADER OF THE OPPOSITION.**—Mr. Speaker, as I consider the payment of such an officer by fees would be to establish a wrong principle, I shall oppose it, and support the Attorney General if he submits a resolution that he be paid by a fixed salary, for there can be no doubt but that all important officers should be paid by fixed salaries, for it is obvious to all that such men, especially such as occupy the important office of a judge, who should at all times, like Omars wife, be above suspicion, and therefore should not be placed in a position which might lead them to be ever suspected of being influenced by any one. I believe that in all courts where debts can be recovered which will exceed in value £50, the judges should be paid by the Government. Such is the practice in England from the lowest up to the Lord Chancellor and such should be the rule here, while all fees should be paid into public treasury, such, you may depend, is the sound principle, for a judge should be placed above all suspicion of jobbery, which I fear will not be the case if they are to be paid by fees. In a court of this kind many important questions will come up for consideration, and therefore the judge or commissioner should be paid by a fixed salary and not by fees.

**HON. MR. HOWLAND.**—Mr. Speaker, suspicions will sometimes rest upon judges notwithstanding all the precautions which will be taken, and even in England judges are sometimes suspected and that, too, without and just cause. While I quite agree with the learned my hon. member the Leader of the Opposition that the proper way to pay a judge is by a fixed salary, yet as this Act is introduced as an experiment I think that for one year it is better to let the fees rule.

**HON. LEADER OF THE OPPOSITION.**—The hon. member says this Act is introduced as an experiment, but if so, I ask does he suppose that any professional man would forego his private business for the sake of the fees which he might receive. I do not believe any professional man in Charlottetown could be found who would.

**HON. MR. HOWLAND.**—Any professional man who would undertake the duties of the office efficiently, would know that it would be a stepping stone to a higher position, if the matter should be proceeded further with another year.

**HON. LEADER OF THE GOVERNMENT.**—We know, Sir, there are men in this city who have legal gentlemen permanently employed by the year, and such would not suit for a commissioner in this court; but it may be that there are some legal gentlemen in this city who have no clients, and if so one of those might take the situation; but if one of those who have clients should do so, and one of the creditors who would come into court should happen to be a party for whom he was an Attorney, and as such bound to do the best he could for him, the commissioner would find himself in an awkward position. I believe the end of it will be that a third judge will have to be appointed.

**HON. LEADER OF THE OPPOSITION.**—The hon. Leader of the Government is coming to the point, for, Sir, it will be found that you cannot have your court properly presided over by a man who is in practice. It is impossible, for it will be found that many of the cases which would come up for consideration would be such as he would have an interest in. No doubt, as the hon. member said, the proper way will be to have a third judge,

into whom those duties could be assigned, as the duties in the Court of Chancery are to Judge Peters. At present our Supreme Court is an anomaly. No other court like it is to be found in either of the other provinces, for all their courts are presided over by three or five judges; whereas, virtually, it may be said, that we have but one, for although there are two individuals on the bench, yet if they should happen to differ in opinion, and able judges do differ sometimes in their opinion, then there could be no judgment at all, and the consequence would be, that for this very reason, there would be a denial of justice. Why, Sir, although all our Commissioners' Courts have three to preside over them, yet our Supreme Court have but two. No two minds are constituted so that they can see alike on all subjects, and though it may be, that to save trouble, one may yield his opinion to the other under the conviction that possibly the view taken by him was the more correct one. The plain matter of fact is there ought to be three judges, one of whom should discharge the duties this Act will impose, and when the Supreme Court is sitting take his seat on the bench also. I hesitate not in again saying that our Supreme Court as at present constituted is an anomaly in jurisprudence.

**HON. MR. HANCOCK.**—Mr. Speaker, I think we shall have to find some other wife for the hon. the Leader of the Opposition besides Omars, for I consider she is now becoming too common for the hon. member. With respect to the question brought to our notice in this debate, shall I shrink from saying that eighteen months ago our Supreme Court could not be looked up to with confidence by all classes, just for the reason put forward by the learned and hon. member the Leader of the Opposition, and because it was thought by some that they were in a position which would prevent them from extending even-handed justice to those men who had broken the law. It is true that to appoint another judge will involve an additional expense to the Colony; but, notwithstanding this, for my part, I hesitate not to express the hope that the money which will be required to meet the salary of a third judge will not be allowed to operate as a hinderance, when it is remembered that justice to the subject is of mere importance than money. In so far as I am concerned I am prepared to give my hearty support for appointing a third judge.

**MR. P. SINGLATE.**—Notwithstanding all that has been said by the learned Leader of the Opposition that this Bill will not affect the position of a creditor off this Island, yet the hon. member, with others, are willing to go for giving £500 a year to pay the salary of another judge, in order that he may attend to the duties which this Bill will impose. Our Supreme Court may be an anomaly, but if another judge was appointed to-morrow, I do not know that you would be more certain of a correct judgment than you are now. The decision of majorities are not always correct, (Laughter.)

**MR. BELL.**—I consider that we should do something in this direction, for certainly it is not saying much for our intelligence to be behind all other people in such an important matter as this. It is better, in my opinion, to take the Bill as it is, at least for one year, and let the commissioner be paid in the meantime by fees, for at present I do not feel disposed to go for the appointment of another judge.

**HON. LEADER OF THE OPPOSITION.**—The hon. member for Cascumpec ought not to say that we are behind all other people, for in Nova Scotia and other places they have no courts of this nature.

**MR. BRECKEN.**—They had a law of Insolvency in Nova Scotia, but they soon repealed it. In New Brunswick they tried such a measure twice, but these courts were so swarmed with suitors that it was deemed necessary to close them by repealing the Act. In England the same was their experience. Lord Westbury brought in one, and after a year gave it up, although some of the statesmen at home are directing their attention to the subject at present.

**MR. G. SINCLAIR.**—Mr. Speaker, the practice of paying judges by a fixed salary is one that has in it a sound principle, but one that is not recognized by us in the appointment of the Commissioners of our Small Debt Courts, as they are paid entirely by fees. I doubt the wisdom of appointing a third judge at a higher salary for the special benefit of a few individuals. True, this Bill may be but a temporary measure, but if we appoint a third judge to preside over this court, it will be found that the appointment will be permanent. Respecting the petitions which came up here for the appointment of a third judge, I think they were got up by interested parties. When the court sits in Prince County there is seldom more than one judge present; and I believe, with the hon. member for New London (Mr. P. Sinclair), that two judges are as competent to form an opinion upon a case as three. We are going sufficiently fast as it is into debt without further increasing the outlay of the Colony by the appointment of another judge, and thereby aiding in increasing an expense which the country cannot bear.

**R. GORDON, Reporter.**

After some time spent in Committee on the further consideration of the Bill for the relief of unfortunate Debtors, Mr. Speaker resumed the Chair, the Chairman reported progress, and asked for leave to sit again.

The hon. the Colonial Secretary, a member of Her Majesty's Executive Council, presented to the House a supplementary Estimate Extra for the current year. This was to expend the sum of three thousand pounds equally between the Counties, to aid farmers in purchasing seed grain.

Ordered that the same do lie on the table.

House adjourned till ten o'clock to-morrow.

**I. OXENHAM, Reporter.**

**FRIDAY, April 17.**

House in Committee on the Bill for the relief of Unfortunate Debtors.

As Mr. Prowse was absent, Mr. G. Sinclair was appointed Chairman of the Committee.

Several clauses were read and agreed to.

The Committee then rose and reported the Bill agreed to. Ordered to be engrossed.

On motion of hon. Mr. Callbeck, the Bill to Incorporate the Minister and Trustees of the Baptist Church at North River, Township No. Thirty Two, was read a third time and passed.

Hon. Mr. Kelly presented the Report of the Special Committee, to whom was referred the petitions praying for the opening of new roads.

Received and read.

The House then resolved itself into a Committee of the whole to take the said Report into consideration.

**MR. BELL** in the Chair.

After some time spent in examining the Report, it was agreed to with certain amendments.

Ordered that the same Committee prepare an address to His Excellency, on the subject of opening the new roads recommended.

House adjourned for one hour.

**BALDWIN, Reporter.**

*Afternoon Session.*

The hon. Attorney General, from the Committee to whom was referred the petition of John Chappel and others, Bible Christian Ministers, to examine the same and report thereon, by Bill or otherwise, presented to the House a Bill, as prepared by the Committee, to amend and explain the Act passed in the second year of the reign of His Majesty King William IV. relating to the celebration of Marriages, so far as the same relates to the Bible Christian Church; and the same was received and read for the first time, and ordered to be read a second time to-morrow.

A message from the Legislative Council, by their Clerk, stating that that body agree to a further conference, as desired by the House of Assembly, on the Bill entitled "An Act to consolidate and amend several Acts therein mentioned, relating to the Savings' Bank."

This was agreed to by the House, and after the conference ended, the House resolved itself into a Committee of the whole, to consider further of a supply.

**MR. REILLY** in the Chair.

**HON. ATTORNEY GENERAL** moved the following:—

Resolved, That the sum of four hundred pounds be granted and placed at the disposal of the Government for the following purpose, viz:

Contractors for Charlottetown Ferry, for extra trips during the present Season, at disposal of the Government, £400 0 0

This will remunerate the Contractors for extra trips. The boat gave great satisfaction last year, and the object is to continue the extra trips for another year, by granting a sum of money for this purpose.

**MR. OWEN.**—This large sum is more than a new and superior boat should be allowed. The people require a larger boat, and there should be some kind of a cover to protect travellers from rain and storms. The track which has been dredged at both wharves is too narrow, for, if the boat deviated in the least from the track which has been dredged for her, she would be instantly grounded.

**HON. ATTORNEY GENERAL.**—The hon. member must have been misinformed. The Contractors offered to put on a new boat if the Government would grant three thousand pounds for that purpose; but I for one thought it would be better to make the experiment of running extra trips for another year. It would be injudicious to enter into a contract with any boat for another twenty years, for many improvements are effected from time to time, which cannot be carried out in the case of long contracts.

Mr. SPEAKER.—Four hundred pounds is a very large sum for a small boat. A larger boat is very much required to carry a larger number of passengers, for the present boat is nearly always over-crowded.

The resolution was then carried, the Speaker took the Chair, the Chairman reported progress, and asked leave to sit again.

A message from the Legislative Council, desiring a further conference with the House of Assembly, on the Bill to consolidate the Acts relating to the Savings Bank.

This was agreed to, and the former managers were again appointed to the conference.

House again in Committee on Supply.

Hon. Attorney General submitted the Resolution granting the sum of three thousand pounds for the purchase of seed grain, which was read a third time, and said:—The distribution of this sum is to be carried out in a way similar to that adopted in 1846, when there was a similar scarcity of seed grain. This is about the best that can be adopted, for through it the money can be pretty equally divided between those parts of the Colony where the principal destination is. Some parts require assistance more than others; for instance, in Murray Harbor the amount required is rather in excess of other places in that vicinity. The intention of the Government is to appoint a committee of three in each Road District, and not to allow any single person to receive more than four pounds. If there was a general dearth of seed, three thousand pounds would be a very inadequate sum for the purpose required; but, happily, the destitution is only partial. A great portion of the Island might, and no doubt would, remain uncultivated, if the wants of those in distress are not attended to. If this Resolution passes, the Government will submit a scale of distribution.

Hon. Mr. HENDERSON.—It occurs to me that the sums borrowed by those in want of seed grain, should not be required of them earlier than the first day of December next, as that would afford them a reasonable time for the disposal of whatever they have for market.

Mr. MOLLINMAN.—If the Government are really desirous to assist the people, the sum they propose to allow for that purpose is very small indeed, and will only throw out expectations that cannot be realized. I have not heard any great complaints from the people in my own district, although there may be a scarcity in a part of it. There may be a thousand persons in each County requiring assistance, and therefore there would only be a pound apiece, which would be nearly useless in buying seed grain. I do not expect that seed oats can be got at less than four shillings per bushel; but, as the Government have the responsibility upon their shoulders, I will support the motion made by the hon. member for Murray Harbor, because merchants and traders generally give credit till the first of December.

Mr. BRACKEN.—I will support the Resolution, and hope it will be sufficient for the purpose required. I suppose it is as much as the Government can afford to give. We know that it is not a good principle to act upon, but I believe a great destitution prevails, and it would not do to allow the poor to remain without the means to put seed into the ground. I hope that the grant will meet the demands of the case.

Hon. ATTORNEY GENERAL.—A committee of three will be appointed in each Road District, who will give the persons who need relief an order on the Government, and the money will be paid at the Road Correspondent's Office.

Hon. Mr. LAIRD.—If the sum granted was six thousand pounds instead of three thousand, perhaps the number of those applying for assistance would be doubled, and therefore each individual would, in that case, receive only the same allowance as at present. The sum granted is as much as the Government can afford; indeed it is a very liberal allowance. I think it will meet all the hard cases.

Mr. MOLLINMAN.—I merely wished to give the people sufficient for their wants, and therefore I did not urge the Government to grant a larger sum, although I should have been better pleased if they had given more. I only hope they will put the money into good hands for distribution; but I suppose they will, as they know all the persons who are capable of judging aright, and who will be judicious in the division of the sums granted. There will not be much loss to the Government, and if there were a little loss, I would not object to the grant on that account.

Hon. Mr. HENDERSON.—The district which I represent is not more destitute than other districts; but I do not deny that those who reside in the newer settlements are badly off—they could not be otherwise. I am pleased to see the Government doing as they are, for unless something be done to assist the poor, large portions of the Colony would remain uncultivated for want of seed grain. As the Government have gone so far as they have, we have a fair guarantee that they would go farther if there was an absolute need for it, and if the resources of the Colony would justify their doing so. The money should be put into judicious hands. Men should be appointed to distribute it who will not allow any connections to bias their judgement, any more than the judge who sits upon the bench.

Mr. P. SINCLAIR.—This Resolution supplies a want which the people could neither help nor avoid. In many cases they were obliged to feed their stock with what they intended for seed, and they are at the same time without the means of buying grain for that purpose. We must allow that such a step is not generally conducive to the interests of a country, for people would begin to look continually to the Government for assistance, if they were encouraged to do so by an annual grant. In that case they would lose their self-reliance and become dependent and without enterprise. The Government have been obliged to take extra steps to give even this sum, and, therefore, it is as much as the country can expect under the circumstances. The time for collecting it should be fixed about the first of December.

Hon. Mr. HOWLAND.—I hope that hon. members on both sides of this House agree that if the country's necessity required a larger sum than that contained in the Resolution, it would be granted. There was a poor crop of straw last year, which caused a scarcity in the article of fodder. This was one great cause of the present scarcity of seed. The Public Accounts show us that a very large amount has been paid into the Treasury for public lands; the people came forward, and, in

some cases, still more than they were compelled to pay. I allude to the people on the Suffolk Islands. A great many of the poorer settlers used to be able to buy their seed from the better or richer classes, but this year they cannot. Oats is bringing as much as four shillings per bushel, which is the price of a bushel and a half in other seasons. If we want to know the state of the Colony, let us examine the state of the Savings Bank, and we will find that it is full of money. I think hon. members will allow that the Government have done the best they could under the circumstances. It is a matter of philanthropy more than anything else. But perhaps if the money is properly applied, there will be no loss to the Treasury. I quite agree with the remarks made by the hon. member for New London (Mr. P. Sinclair), and I do not think the grant will again be required.

The Resolution, as amended, was carried unanimously.

Hon. Attorney General submitted a Resolution relating to the sums to be granted to each Road District, to assist destitute persons in purchasing seed grain. This Resolution was also carried unanimously.

Hon. Attorney General then submitted the following:

Resolved, That a sum, not exceeding thirty pounds, be granted and placed at the disposal of the Government, as remuneration to the person whom the Government shall appoint to manage the business of remitting the seed grain monies to the various Committees, and corresponding with them, and keeping the accounts.

Hon. Attorney General.—It is supposed that the Road Correspondent will conduct the business connected with these grants, and it is not to be supposed that he will do so without some remuneration.

Hon. LEADER OF THE GOVERNMENT.—Some of the Committees may not deem it advisable to apply for the sums granted to their Districts as soon as they get authority, and in some cases where the money may not be required it will not be expended. If the money is sent out to the Committee, they may think themselves bound to get rid of it; but some of them would prefer giving these in need orders on the Government for a certain amount. I hope the Committee will make all necessary enquiries about the persons asking for assistance, and that none of it will be wasted for want of proper management. There are many persons who would rather make a little shift than receive money in this way. As the hon. member for Murray Harbor says, it will require a man with a pretty strong nerve to set fairly in the distribution of the money granted. Some persons may consider the sum too small, but I hope it will be enough to relieve all that really require it. There are real well-to-do farmers who are suffering on account of the scarcity of fodder. They do not want for money but for seed grain, which is not to be had. The principal difficulty will be to obtain the seed wherewith to supply the people, unless the committees are given discretionary power to purchase it in those settlements where it is plentiful. The best method of management will be for the people to get orders from the Committees appointed, and thereby draw the money from the Road Correspondent's Office.

Hon. Mr. HARRISON.—These points are very obvious ones; the great question is where to find the seed. This

is the next question to that of finding the money. It occurred to me that if all arrangements could be made with those parties in town who have stored up grain, to have some reserved and shipped to the principal ports of the Island, the requirements of the people might be supplied. The great question now is, "where is the seed to be found?"

Hon. Mr. HARRISON.—The people should understand the principle on which the money is to be granted. It is given because there is a great necessity brought on by unforeseen circumstances. An almost extraordinary winter, from the early part of November up to the present time, has caused a great scarcity of feed for cattle, and hay and straw have become so scarce that farmers have been obliged to feed their stock with the grain which they at first intended for seed. The Government now think it their duty to give the people a loan for the purpose of buying seed oats, &c. All parties agree as to the necessity for this action, but it is not expected that the money will be applied for by the better class of farmers. It is only for the poor, such as the majority of those in Flat River Settlement, White Sands and Murray Harbor, where returns last year were next to nothing. In the District which I represent there are small quantities of grain stored up, which may be had by those who wish to purchase at three shillings and six pence per bushel. In other parts of the Island it cannot perhaps be got so cheaply. There may be some difficulty in getting so much as may be required, and therefore the persons who will superintend the whole, should buy up all the good seed oats at once, wherever they are to be had. I think the arrangements are simple and easy, and that the intentions of this House will be fully carried out.

Mr. KICKHAM.—I believe there is not a street in Charlottetown where there is no grain stowed away, and there must, in all, be some thousands of bushels, which could be stowed for seed at once.

Mr. McLENNAN.—There is plenty of oats for seed, and a great deal more than will be required for that purpose, in Prince County. Unless the Committees who will be appointed immediately buy up all the seed that will be required, before the harbors are cleared of ice, it will be shipped for other parts, and matters will be worse than ever. I do not think any man will be degraded by receiving a loan from the Government for the purpose of buying seed grain. Government speculations are not always losing affairs. We had some of the estates which have been purchased by them are more than self-sustaining, and why may not this plan of purchasing seed for the destitute, be the same?

Mr. G. SIMON.—If the money be advanced to the people they will have the liberty of purchasing grain wherever it is to be had. Some might want oats, others potatoes, others barley, and others buckwheat—some one kind of seed and some another. A good many farmers have some to dispose of, and, therefore, the chief thing for those who are in need is to have the money in time to purchase grain before it is shipped for other markets. The chief complaint, perhaps, is, that the sum granted is too small for the requirements of the people; but it will be some help.

Mr. McLENNAN.—The grain is principally in the hands of traders. The Government should instruct the Committees or other persons who may be appointed, to purchase the oats from these traders before it is shipped, and this is

not done it will not be got at all in many parts of the country. But we do not know whether these men will undertake to do this or not.

Mr. ASSENBLE.—I am glad that the Government have taken this step to assist the people in procuring seed, that the land may not remain uncultivated. The grant will be money judiciously expended, for the Committee will do justice, and give it only to those who will make a proper use of it. I think it will be best to give the money to the people, as proposed by the hon. member for Malpeque, (Mr. G. Sinclair). As the general fault is that the people sow too many oats, other crops should be cultivated instead. They sell all their oats in the fall, and often have nothing of real value left. If buckwheat were bought up together with potatoes and barley, instead of oats, it would be kept by the people for provision, and would not be so easily sold. They would not be so apt to go in debt for articles which they might do without, if the seeds most necessary for food were more generally cultivated. As long as oats is the principal grain sowed, the people will sell too much grain in the fall, and will be more apt to get involved in debt than when sowing that which is really necessary for food.

Hon. Mr. DAVIES.—I understood that the Resolution gave power to the Committee to buy up grain, if necessary. They have power to draw the money and give it to the persons they want; but, suppose there are districts where grain cannot be had, what will be the use of money in these cases? The grain is in the hands of a few persons who have it stored up in the towns, and who will not sell it out in small quantities. If a large quantity is not purchased, parties will be obliged to go without their seed, and, therefore, it should be bought immediately, to accomplish the object of the Government in granting this money. I beg to differ with the hon. member for Princeton; for, if well-to-do farmers have not enough stored up to supply those who have none, the grain which has been stored up by traders should be purchased immediately for seed.

Mr. P. SINCLAIR.—Supposing two thousand bushels were purchased in one part of the Island, it would be hard that all farmers who want seed should be compelled to go, perhaps, a long distance for it. If these men had the money, they might be able, in many instances, to purchase seed near at hand. You might secure seed by buying all the grain from the merchant; but, if the people can make their own bargains, it will be better for the Committee to give them an order on the Government for the money.

Hon. Mr. HENDERSON.—Would it not be better to leave this matter to the discretion of the Committee?

Mr. OWEN.—Those who have grain for sale want all they can get for it. If a quantity were purchased at any particular place, a poor man would not mind going five or six miles for it; but it would be hard to buy a sufficient quantity to suit all cases, for the Committee would not always be able to tell what kind of seed a man requires.

Hon. ATTORNEY GENERAL.—It will be better to give the money to the parties, and allow them to make their own bargains. We could hardly expect that the Committee would undertake to purchase the grain without being paid for their trouble. Let each man, in need, receive a certain amount, and he can purchase seed where he pleases, and whatever kind he may want, in the cheapest market.

After a few other remarks from hon. members, to the same effect, the Resolution was carried unanimously.

Hon. Attorney General moved another resolution, granting the regular allowance to the members of the Legislative Council and House of Assembly, for their attendance during the present Session, to be paid out of the contingent expenses.

Mr. McLENNAN.—I have great pleasure in seconding that resolution, and I am only sorry that it is the last of the money. I was expecting before the Committee in Supply would rise, I would have seen an item in the grants which is not there, in reference to the district which I represent. I put a notice on the Order Book that I would ask the Government a question about a certain sum in from Summerside. I wanted a small sum from the Government to fence the only Government property in Summerside—the Drill Shed. If there were an exhibition held there, it would be in and around that building, and, therefore, it should be fenced in. I know that the minority is powerless, although I hope the Government are liberal enough to grant a small sum for that purpose. I think they will admit that the minority have certain rights, and that the majority are not always right. The amount required is not large, and I am a little jealous that some districts are getting so much money, while we are getting so little. The Conservatives granted the City a thousand pounds for a public building, and Georgetown has not only a Market House but a Clerk to do its business. Summerside has none of these advantages, and, therefore, I do not think they should be neglected in this small matter.

Hon. ATTORNEY GENERAL.—If the fence is for keeping out pigs and cattle, I would advise the hon member to call out his Company, and, instead of giving them the rifle, give them a job of fencing in the Drill Shed.

Mr. McLENNAN.—I am neither a Captain nor a Colonel of Militia, and, therefore, have not the power to call them out. Perhaps the gallant Colonel from Tignish will come down with his regiment and attend to this matter. But I think the Government have been very negligent in leaving these grounds in such a neglected state.

Hon. Mr. HOWLAN.—I suppose the hon member for Summerside is afraid that some of the boys will run off with the big guns. I am quite satisfied that he should have a fence round them. If the pigs get in among them the town might be blown up! But as the Revenue was small last year, and as the wind has broken up a large number of our bridges, causing an additional outlay of six thousand pounds, I do not think they can expect a grant for fencing in the Drill Shed this year. Next year the Revenue may be larger, and I have no doubt the Government will then allow something towards a respectable Market House in Summerside. As a man who was one of the first pioneers in that locality, he should have reserved some public place for such a building. If he gets up a report on this matter, and lays something definite before this hon House, they will take the matter into consideration at another time. If the Town was incorporated the people might fairly ask the Government for a grant to aid them in building a Market House. I am in hopes that next year he will pay more attention to these matters, and, if the Revenue will warrant it, I will not then oppose a grant.

I. OKENHAM, Reporter.

Mr. McLENNAN.—Sir, the hon. member, having the purse-strings in his own hands, is well aware, that it would be no use for me to come in with a petition, unless the prayer of it was approved of by that hon. member who has the honor to represent a great many places, viz: Alberton, Cascampac, Tignish Run, Sea Cow Pond, &c., and therefore thinks very little of a member representing but one place. I recollect reading, in a Halifax journal, a few years ago of an Address being presented by the people of Alberton to the Hon. W. Young, of Nova Scotia, who was then on a visit to the western part of this Island with his brother, the Hon. Charles Young, of this city, and the great difficulty, in Halifax was to find out where Alberton was. They searched all the maps, directories, and public re-



cards within reach, but could not tell whether Alberton was in Vancouver's Island or in the *Magdalen Islands*; at last they discovered that it was a small place in P.E. Island, where there was a few houses built among the stumps, formerly called Cassumpoc, and came to the conclusion that the people were very silly indeed, and thought they might just as well be called Cassumpoc as Albertonians. It is all very well for the hon. member to say that bridges were carried away, and that money was required to replace them, but Tignish Run was not carried away and has commanded much of the interest of the hon. member; yet, notwithstanding all that has been said, I still hope the Government may see their way clear to do something more for Summerside than has yet been proposed.

Hon. Mr. HOWLAN.—I am glad the hon. member has awoke to a knowledge of the requirements of Summerside, for I think it is time that he should do so. It is true I do represent Tignish, and I can assure the hon. member that it is a very fine place, and if at any future time he should happen to come up there, I hope when he takes a look at what is doing, that he will not have any cause to regret that one thousand pounds were granted to Tignish Run. When the Hon. W. Young, in company with his brother, visited Alberton, the people there were aware of his previous active and successful career as a public man, and embraced the opportunity of presenting him with an Address out of respect to him for his able advocacy of principles which we all respect, and when the hon. member undertakes again to taunt me on that score, I will invite him to consider whether the people of Alberton, or those of Summerside, displayed the most taste in the selection of a gentleman most worthy of an address. The Hon. William Young passed through Summerside, and when he came to Alberton was, before his departure, presented with an address by the people; at Summerside the only person that has passed through that town whom they considered worthy of presenting an Address to, was the Indian Commissioner. I mean no disparagement to that gentleman, but will leave hon. members and the country to form an opinion as to which of these gentlemen were the most worthy of being presented with an address. With respect to the claims of Summerside I do hope, another year, that the members for that town will, the first week of the session, place something definite respecting the wants of that town before this hon. House, when I, for one, will be prepared to do my best to meet the wishes of the people of that locality.

The Resolutions of Supply were then reported agreed to by the chairman.

On motion of the Hon. the Attorney General, the House went into the order of the day for the second reading of the engrossed bill from the Council, intitled "An Act for shortening the language of Sheriffs Deeds," which was read and reported agreed to.

Mr. G. Sinclair in the chair.

The House then went into Committee on the Small Debt Bill.

Mr. Bell in the chair.

The consideration of this bill elicited a discussion in which several hon. members took part.

The point which elicited the most discussion was, whether fees should be allowed to a plaintiff. Some hon. members contending that under no circumstances should a plaintiff, when gaining his case, be allowed travelling fees; while the legal members of the House argued that when a plaintiff is examined in his own case, that he then becomes a witness, and is legally entitled to the fees usually allowed to a witness.

R. Gordon, Reporter.

The clause was read relating to the establishment of a Small Debt Court at Egmont Bay.

Mr. GREEN.—I am not aware that any petition has been before the House, praying for the establishment of a Small Debt Court in that locality.

Mr. ASSEBAULT.—I think, Mr. Chairman, that the hon. member for Summerside, could not have been in his place, or he would have known that a petition was received from the inhabitants of the locality referred to, praying for the establishment of a small Debt Court. There is a considerable amount of business done in that place now, and as there is no small Debt Court within fifteen miles, persons, on this account, may be subjected to considerable inconvenience and loss. For instance, a man may be sued for a small sum, and when the Court is so far away, the expenses may amount to as much as the original debt.

This clause and several others were agreed to.

The Committee rose, reported progress, and obtained leave to sit again.

House adjourned.

BALDWIN, Reporter.

SATURDAY, April 18.

The Revenue Bill was read a third time and passed.

Read a third time, as engrossed, the Bill intitled "An Act to revive, and continue certain sections of the Act for the preservation of the Alewives fisheries, and to repeal a certain Act therein mentioned."

The Bill was then passed.

Ordered that the hon. the Attorney General do carry the two last preceding Bills to the Council, and desire their concurrence.

Mr. Reilly, from the Committee of the whole House, on the further consideration of a supply, reported according to order, six resolutions, of the said Committee, which resolutions were again read at the Clerk's table.

The first relates to the grant to the Charlottetown Ferry; the second, to the grant for seed grain; the third, to the distribution of said grant; the fourth, to a grant to the manager of this distribution; the fifth to the sum voted to the members of the Assembly for their attendance, and expenses of travelling during the present Session; the sixth, to a sum voted for the members of the Council for like service, &c.

On motion of the hon. Colonial Secretary, seconded by the hon. Mr. Kelly.

Ordered, That the second and third of the preceding resolutions of the Committee of Supply, in reference to the grant for the purchase of Seed Grain on credit, for destitute settlers, be inserted once in all the newspapers published in this Island.

Resolved, That a Committee be appointed to prepare and bring in a Bill to appropriate the Supplies granted to Her Majesty this Session.

Ordered, That Mr. Reilly, Mr. Bell, and Mr. Sinclair, do compose the said Committee.

The Bill relating to marriages in the Bible Christian Church, was read a second time.

The House then resolved itself into a Committee of the whole on said Bill.

Mr. Bell in the Chair.

The Bill was then read clause by clause, and reported agreed to.

The Speaker took the Chair, and the chairman reported that the Committee had gone through the Bill, without making any amendment thereto.

The Bill was then ordered to be engrossed.

Hon. Colonial Secretary presented to the House the following Returns:

State of the Farmers' Bank of Rustico, on July 4th. 1867.

State of the Summerside Bank, on the 6th of August, 1867.

Ordered that the same do lie on the table.

The Bill to continue and amend certain Acts therein mentioned, relating to Summerside, being read a second time, the House went into Committee of the whole on the said Bill.

Mr. Cameron in the Chair.

Mr. McLennan.—There are no great changes made in this Bill, but there are a few amendments to the old Bill.

After hon. members had made a few remarks the Bill was agreed to without amendment.

The Speaker then took the Chair and the Chairman reported the Bill agreed to without any amendment.

The Bill was then ordered to be engrossed.

A message from the Council desiring a conference on the Bill relating to the Incorporation of Societies for the sale and distribution of Seed Grain on credit.

This was agreed to by the House and the conference then took place.

Ordered, That the resolution of this House, of the 30th March last, viz: "That no new matter on which a Bill can be founded, be introduced to this House after Wednesday, the 8th day of April next," be suspended.

Resolved, That the House do now resolve itself into a Committee of the whole, to consider the advisability of placing a sum not exceeding ten thousand pounds, at the disposal of the Government, so they think at the discretion of the Government, without limit as to price.

The House then resolved itself into said Committee.

Mr. F. Sinclair in the Chair.

Hon. Mr. McAULAY.—I do not think it right to place ten thousand pounds at the disposal of the Government, that they may give the proprietors what price they please for the lands. I know very well the propensities, proclivities and favoritism of man; but perhaps the Government is composed of a superior order of beings. It is my opinion that they should be restricted in the price which is given for the Proprietary Lands. If they give more than fifteen shillings an acre, they will overstep the bounds of justice, and therefore, I should like to see them bound down to some rule of action. If we should like to know what prospect the Government have, I have no doubt: the Attorney General can give an explanation.

Hon. ATTORNEY GENERAL.—There is a rule laid down in the Resolution, to the effect, that the matter shall be left to the discretion of the Government. I do not think it would be advisable to make public what particular lands are likely to be purchased; this should not be done till the purchase has been made. One estate in view, is that of Lord Melville, who, I am in hopes, will yet sell, but if he does not sell, there are one or two others who will do so, perhaps, not at seven shillings and six pence, but at a trifle more. Even under the Land Purchase Bill, lands might be purchased which would not be worth half the amount fixed by that Bill. If the Government do not see

discretion in the intended purchase, I am sure this House will pass a strong sentence of condemnation on their proceedings.

Hon. Mr. McAULAY.—If there was an Act by which we could impeach the Government for breach of power, we might let them have the opportunity of making a purchase; but there is not. I would like to see them strongly bound, for the amount to be placed in their hands is not a small one, and besides, our giving them this power, might have a prejudicial tendency. At the same time, I give the Attorney General credit for doing what he can to purchase the proprietary lands of this Colony.

Hon. ATTORNEY GENERAL.—The late Government exceeded the amount granted for the construction of the Barracks, and therefore, it looks very bad to see the hon. member for Georgetown (Mr. McAulay) so suspicious. The Government may spend a good deal of the public money on their own responsibility, if they choose, as they have a good deal of power in their hands. I believe the hon. member would pass a want of confidence in them, if he could do so, with the least shadow of excuse. If the Government exceed their powers, they can be taken to task next Session.

Hon. Mr. McAULAY.—There was a necessity for the outlay on the Barracks, but there is none in the present case. I should like to see the Government restricted in this matter, and I should like to see them like Cæsar's wife, "above suspicion."

Hon. LEADER OF THE GOVERNMENT.—They are limited in the amount to be expended.

Hon. Mr. McAULAY.—They could give one man five pounds per acre, and another six, if they choose to do so.

Hon. LEADER OF THE GOVERNMENT.—They must have a discretionary power; if they are not given this, the resolution before us will not be required. The Land Purchase Act limits them to a certain price, but as there are small tracts of cultivated land that may be purchased, it is not likely that the Government can get them under the limits of that Bill.

The following resolution, submitted by the Attorney General, was then carried.

Resolved, That the Government be authorized, to the extent of ten thousand pounds, to purchase township lands at their discretion, under the Land Purchase Bill, without the limit, with respect to price, ordained by the said Act.

The Speaker then took the Chair, and the Chairman reported the said resolution agreed to by the House.

Resolved, that a Committee be appointed to prepare and bring in a Bill in accordance with the said reported resolution.

Ordered, That the Hon. Attorney General, Hon. Mr. Howland, and the Hon. Colonial Secretary, do compose the said Committee.

The Hon. Attorney General, from the last preceding Committee, appointed to prepare and bring in a Bill in accordance with the resolution adopted by the Committee of the whole House to-day, presented to the House a Bill, as prepared by the Committee, to empower the Government of Prince Edward Island, to expend Ten Thousand pounds in the purchase of lands, in the said Island; and the same was received and read for the first time, and ordered to be read a second time on Monday next.

The order of the day for the House in Committee appointed to examine, and report on the Public Accounts, being read.

The House accordingly resolved itself into said Committee.

Hon. Mr. Kelly in the Chair.

The Report was then read paragraph by paragraph, and agreed to.

Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had gone through the bill report, and adopted it, without making any amendment.

Said Report was again read at the Clerk's table.

Hon. Colonial Secretary presented a return of one of the hon. members for Charlottetown, of the money expended under a special grant of the Legislature for making a main part of Main Post Road in the County and Commes of Charlottetown.

Ordered that the same do lie on the table.

A message from the Legislative Council, stating that that body agree to the amendments made by the House of Assembly in the Bill intitled "An Act for shortening the language of Sheriff's Deeds."

Also, That they do insist upon their amendments made to the "Bill for the Incorporation of Societies for the Sale and Distribution of Seed Grain on credit."

House adjourned for one hour.

I. O'NEILL, Reporter.

*Afternoon Session.*

On motion of Hon. Mr. Kelly, the House resolved itself into a Committee of the whole on the further consideration of the Bill to amend the Small Debt Act.

Mr. Bell in the chair.

Hon. Mr. Kelly moved a clause for reducing the fees payable to Commissioners of Small Debt Courts, by allowing only two shillings for an Order, and three shillings for an Examination, to be divided between the three Commissioners.

After some desultory debate, during which it was argued that the fees at present were small enough, and that if they were reduced competent persons would not undertake the onerous duties of the office, the clause was disagreed to.

On motion of hon. Attorney General, the second clause of the Bill was reconsidered, amended, and agreed to.

Mr. G. SINCLAIR.—Mr. Chairman, we have been informed during the discussion of this subject that a plaintiff can demand fees and mileage like a witness, and although this has never been done, yet, when the views of the legal gentlemen who have given their opinion on this subject go abroad, it very likely will be; and I think this will be the means of increasing litigation, for persons will be more inclined to sue when they get paid for it. I think the poor debtor has enough to pay without paying the plaintiff witnesses' fees, and I would, therefore, move the following clause:—

"In no case shall the Plaintiff in any suit brought in any Court of Commissioners for the recovery of Small Debts, now constituted under any existing Act or Acts, or to be constituted under this Act, be entitled to any fees for attendance as witness in his own suit."

Mr. KICKHAM.—I second the motion of the hon. member from Malpeque, Mr. Chairman, for I think there is a necessity for such a clause in the Act. If the plaintiff is allowed to claim mileage, he might, when he had a number of persons sued, take them to a Court at a considerable distance, and thus make it a paying speculation.

Hon. ATTORNEY GENERAL.—I think hon. members have taken a very erroneous view of this matter, and the passing of this resolution would be an act of great injustice. A party who owes a debt can confess it after he receives a summons, and not allow the case to go to Court at all. But if he obstinately refuses to do so, and the plaintiff is compelled to go to Court to prove his case, he should be paid for his trouble. I wonder the hon. member for Malpeque, with all his shrewd sense, did not think of putting in a clause to prevent the defendant from getting any expenses. The rule should work both ways. I think it is but fair that either plaintiff or defendant should be allowed to claim expenses.

Mr. BARKER.—Mr. Chairman, I expect the hon. member from Souris (Mr. KICKHAM) will vote against this clause, although he seconded the motion for its adoption, because the reasons given by him does not apply. According to the law, a plaintiff cannot sue in any Court he pleases; he must go either to the one nearest his own residence, or to the one nearest the residence of the defendant. It is virtually the defendant who drives the plaintiff into Court, for when he receives a summons he should go and confess the debt. When the day for the hearing of a case arrives, it may be a great inconvenience to the plaintiff to go to Court; but when he is obliged to do so for the purpose of compelling the defendant to do what he should have done of his own accord, it is but fair that he should be remunerated for his trouble. This clause would prevent the plaintiff from getting any costs, while it would allow the defendant to do so, which would be a most unique principle of law.

Hon. Mr. HOWLSON.—I should like to ask a question for information. Suppose a man in Charlottetown sued one of my neighbors, is he to get his mileage all the way to Casumpeo, and pay for each day he loses besides?

Mr. BARKER.—In a case of that kind, a creditor might sue the man nearest his own residence, but it is not likely that he would sue him, not merely for the sake of getting the mileage. But suppose a man has to hire a horse to attend Court, is it just for him to be put off without any expenses, especially, when, as is often the case, he is driven to sue against his will?

Hon. Mr. HOWLSON.—Gentlemen, in Charlottetown would think it a very pleasant trip into the country to sue a man if they get their expenses paid. I have sued persons in courts at a distance from my residence, and I never received any fees. I have never heard of fees being received by a plaintiff, but if it is the law of the land that such fees can be claimed, it is well to know it. I shall support the resolution, for I think the law, as it now stands, if the construction put upon it by hon. members is correct, places too much power in the hands of the creditor.

Mr. BARKER.—Suppose a creditor in Charlottetown sues a man in Casumpeo, which would be the greatest hardship for the defendant to be obliged to pay the mileage of the plaintiff to that place, or some in Charlottetown himself to settle the case? The idea of a man leaving his ordinary business and going a long distance to sue a man merely for the sake of his mileage, which would be scarcely sufficient to pay his expenses on the way, is absurd.

Mr. G. SINCLAIR.—Hon. members have said that a man should acknowledge a debt, and not allow the case to go to Court; but it is not always easy to do this, for there may be accounts between the parties, and the debtor having been sued for the whole amount, must wait till it comes before the Court to see if he has been credited for the sums he has paid. If a man who happens to be in Court is called upon as a witness, he gets no mileage, he only gets pay for his day, and the plaintiff is supposed to be in the Court, and I think he is not entitled to any mileage. There is another evil connected with this. In case of a dispute between the parties, the defendant would rather pay a small amount more than he owed than allow the plaintiff to be a witness, as he would then be obliged to pay him fees.

Hon. Mr. McANULTY.—It occurs to my mind that the principle of the matter is overlooked altogether. Two individuals disagree about a certain amount of money; the claimant makes a demand upon the other for a sum which he refuses to pay; he is then obliged to incur expense in making his case, and what is right, and in it being that he should have those expenses refunded?

**Hon. ATTORNEY GENERAL.**—If a plaintiff gets no fees there will not be so much inducement to a man to pay his debt without being sued. It has been said that a man cannot always settle a case without going to Court, for there may be an account between the parties; but if a man has an offset against a debt he has only to tender the balance. With regard to a creditor suing a man at a distant Court for the sake of his mileage, I do not think there are many among us who would do such a thing. I must ask this Committee to bear in mind that it is not lawyers' fees we are debating about now; it is the principle that a person who owes a debt has a right to pay it, and if he pays his creditor to the trouble of going to Court, he should pay him for his trouble.

**Hon. Mr. KELLY.**—I am quite certain that more than one-half of the Commissioners of Small Debt Courts in the country never thought that a plaintiff could demand fees, and I never heard any complaints made on this head. I should think it would be iniquitous to make a poor unfortunate debtor pay my expenses as well as his debt.

**Hon. Mr. HENDERSON.**—I think, Mr. Chairman, that there is an assumption at the foundation of this matter, which, perhaps, led to this resolution being tabled, and, that is, that the defendant is always more liable to be harshly treated than the plaintiff, and that the former is less able to bear a loss than the latter. This assumption, I believe, is unfounded, for many persons begin as merchants with very small capital, and give out large quantities of goods on credit. They then find it very troublesome to collect their debt, while they are at the mercy of those from whom they purchased a considerable portion of their goods on credit. Now, in such a case, who would be in the most difficulty, the debtor or the creditor? It would be well to have the law so constructed as to deal out even handed justice to all.

**Mr. P. SINCLAIR.**—Mr. Chairman, the resolution which is before you has drawn out considerable discussion, and I think it is required. We all know that the practice has been that the plaintiff, in any suit, should receive no pay, but as it has been stated that the law, as it now stands, would entitle plaintiffs to mileage and fees, when this opinion gets abroad, they will demand it, and what will be the state of the country? Now merchants send their clerks to collect their debts, but if such a law as this is in force, they will sue all their debtors, and make money by it, perhaps ten pounds a day, if they have a large number sued at once.

**Hon. Mr. McAULAY.**—The argument of the hon gentleman goes to prove that right is wrong. If a man has a right to pay a debt, and will not do so, and his creditor has to incur expense in trying to get it, that expense is a debt and should be paid.

**Hon. ATTORNEY GENERAL.**—The hon member from New London (Mr. P. Sinclair) is incorrect in his statement respecting the profit a creditor would have if he had a number of persons sued at once, for if he had fifteen or twenty he would only get mileage for one of them.

**Hon. Mr. LAIRD.**—The universal custom of the country has been that the plaintiff should get no fees, and I think this should be considered in dealing with the question. Many persons make a practice of giving out things on credit, and a creditor might have a hundred persons sued at once, and if you allow him witnesses' fees, you will be favoring him at the expense of his debtors. There is also another point that should be attended to. When a person happens to be in Court, and is called upon as a witness, he receives no travelling expenses, and I think the same rule should apply to a plaintiff.

**Mr. McNEIL.**—If this question had not been stirred up at all, it would have been well enough, for it was a general belief that a plaintiff was not entitled to any fees

but, since it has been made known, it would be well to have the law amended. By allowing fees to a plaintiff he will have an inducement to resort to the law for the recovery of his debts, and I think there should be something to prevent this.

**Hon. LEADER OF THE OPPOSITION.**—I cannot, Mr. Chairman, see this question in the same light as the last speakers have. It seems to me, looking at the matter impartially, that we have no right to favor the plaintiff more than the defendant, or the defendant more than the plaintiff. We are bound to hold the scales of justice equally balanced. Hon members say that it is perfectly right that if a defendant gains his suit he should get his fees, but that a plaintiff, under the same circumstances, should get nothing; but I think that if there is any distinction made it should be in favor of the plaintiff, for he is obliged to go to Court, whereas the defendant, even after he receives a summons, can confess the debt, and thus save expense. A man is obliged to sue or lose his money, and he may be put to more expense in going to Court than the debt is worth, and it is only fair that he should be paid for his trouble. The way some hon members view this subject may be popular, because there are more defendants than plaintiffs; but in legislating we should know neither rich nor poor, but endeavor to mete out justice to all. As the law now stands, a discretionary power is left with the Court regarding expenses, but the clause now proposed would take away that power.

**Mr. P. SINCLAIR.**—When a man sells goods on credit he knows that he is not to be paid for collecting his debts, and he puts a higher price on his goods in consequence.

There followed some further discussion on the subject, after which the hon Leader of the Government moved that the word *mileage* be inserted in the clause before the word *fees*. This amendment was carried.

BALDWIN, Reporter.

House went into Committee on the further consideration of the Bill relating to small debts.

Mr. Bell in the chair.

Some hon. members having contended that a plaintiff to a suit was not entitled to costs as a witness in his own case,

Mr. BRECKEN said, that if A. B. sues C. D. for £5, if the balance between them is disputed, and if upon the hearing of the case it is found that C. D. is not indebted to A. B., but, on the contrary, that he has a balance coming to him, then the position of the parties is changed, and the defendant, having attained that of the plaintiff, claims his rights, and demands his fees. This is the principle and practice of the Courts here, and it is the same in England. It is a wrong idea to suppose that when a plaintiff becomes a witness in his own case, that he is not entitled to fees.

A Message, asking for a conference, was received from the Legislative Council; after which it was moved that the further consideration of the bill be now resumed, when it was moved in amendment that the word "now" be omitted, and "this day three months" added, which was lost.

The Committee again resumed the consideration of the bill, which was reported agreed to with amendments.

Mr. G. Sinclair moved that the bill be recommitted, for the purpose of amending the same by adding the following clause:—

"In no case shall the plaintiff to any suit or action brought in any Court of Commissioners for the Recovery of Small Debts, now constituted under any existing Act or Acts, or to be constituted under this Act, be entitled to any mileage fees for attendance as witness in his own suit."

This was seconded by Mr. P. Sinclair, and on a division was lost, when the report of the Committee was agreed to.

The public servants relating to the Salary of the Lieutenant Governor being read—

The Hon. the Member for the Government said:— Mr. Speaker, the Government of this Island, when it assumed the payment of the Civil List of the Colony, was given to understand that the Home Government would pay the salary of the Lieutenant Governor of this Island by way public loan had been all passed away by the Imperial Government, and our people being subject to the payment of a tax for the purpose of raising which was intended to the other Provinces, we therefore were in a difficult position, and had not as much revenue as we had in the other Provinces, and besides, it is well known that before Responsible Government was granted to this Colony we had to agree to pay 1000 a year to those officers known as who had received their appointments from Home, before they could be asked upon to resign their situations, and the understanding was, that if the Government of this Island would pay the Civil List, and the Allowances, the Home Government would pay the salary of the Lieutenant Governor, and increase it to £1300; but by Despatches, lately received from the Colonial Secretary, the Home Government seem to think, that from the prosperous state of the Island, and in view of our position with respect to Confederation, it is considered that we should now pay the salary of the Lieutenant Governor; which I think is not fair, and which also I believe is the unanimous opinion of both branches of the Legislature; and to afford hon. members an opportunity for expressing their sentiments on the matter, it is perhaps advisable to report progress, and ask for leave to sit again. I may state though, that among the reasons adduced to show why we should pay this amount, it appears that it has been represented to the authorities at home, that we have not went to support England in keeping Government House in repair, and that the late Government refused to vote a salary for the Lieutenant Governor's Private Secretary.

On motion House adjourned until the 6 o'clock on Monday.

R. GORDON, Reporter.

MONDAY, April 20.

Resolved, That a further Conference be desired with the Legislative Council of the Bill intituled "An Act for raising a Revenue."

Ordered, That the Hon. Attorney General do go to the Council, and desire the said Conference.

Ordered, That the same Committee, who managed the former Conference, thereon, be a Committee to manage this further Conference.

Mr. Speaker communicated to the House the following letter received this day by telegraph from Ottawa, dated April 15th, 1868, and which was ordered to be recorded on the Journal of the House, viz:—

To His Hon. J. W. Johnston, Speaker of the Legislative Assembly:

I am directed by the Speaker of the House of Commons to acknowledge the receipt of your telegram containing resolution of the House of Assembly of Prince Edward Island, expressing condolence on the subject of the lamented death of the late Honorable Thomas D'Arny McGee; and I am further directed to say that Mr. Speaker has the melancholy satisfaction of reading the same to the House of Commons.

GEO. H. McLAURE, Speaker's Secretary, Committee of Council.

Read a Bill which was introduced by the Hon. the Member for the Government, and which relates to the celebration of marriage, on the same relation to the Bible Christian Church.

The Bill was then passed. Ordered, That the Bill relating to Small Debts be engrossed.

Mr. Gordon Secretary presented to the House a Bill intituled "An Act for raising a Revenue" on the 20th day of March, 1868.

Ordered, That the same do lie on the table, until a message from the Council desiring a further Conference on the Bill be received. An Act for raising a Revenue.

The Conference being over, the House adjourned until the 21st day of the month, at 10 o'clock, for the purpose of considering the Bill intituled "An Act for raising a Revenue" on the 21st day of March, 1868, and also various despatches and papers from the Secretary of State.

Mr. Henry in the Chair.

Mr. Gordon in the Chair. The Bill intituled "An Act for raising a Revenue" was read a second time, and the House resolved, that the same do lie on the table, until a message from the Council desiring a further Conference on the Bill be received. The House Government will not continue the grant of the payment of the Salary of our Lieutenant Governor until the present Governor's term of office expires. It is generally known that this matter came before the Legislature in 1865; that it was taken up, and an Address was forwarded to the Home Government, by which body the subject was settled. This Address was well drawn up, and also points that could be of service were ably advanced.

At the request of their Hon. Members, the Chairman here read the Despatch.

This Address includes all the grounds which should be brought to the notice of the Home Government, but it was not taken in regard to the salary of the Lieutenant Governor, but in regard to the salary of the Private Secretary. Before the present Government came into office, the Colony was that Government gave the Private Secretary any allowance, and was the small amount which had formerly been contributed was discontinued. Since that, however, the subject has been reviewed by both parties in this House; but it is a well known fact that the Conservatives were, at one time, pledged not to vote for the salary of the Private Secretary; I have been informed by the hon. Member of the Opposition that this was the case. Hon. members, however, sometimes change their opinion, and they acknowledge it, and cannot agree with one of the statements in the Despatch before us, for we know that a very large sum has been expended on Government House; and that can be proved in the clearest manner. I cannot see that the proposition of the Imperial Government is just or fair in any light in which it is viewed, and therefore I think it to be the duty of the Legislature to press the same facts that were brought forward in 1865. It may be thought that the Home Government will not change their views on this matter; well, perhaps we will not change ours either. They have, therefore, to submit the following resolution.

Resolved, That a Committee be appointed to join a Committee of the Legislative Council to prepare an Address to Her Majesty the Queen, praying that Her Majesty will be graciously pleased to reconsider the determination to discontinue the payment of the salary of the Lieutenant Governor of this Island; and that the present Lieutenant Governor shall cease to administer the Government; as communicated in a despatch to His Excellency George Dundas, Esquire, from His Grace the Duke of Buckingham and Chandos, Her Majesty's Principal Secretary of State for the Colonies, dated 13th October, 1867; and that Her Majesty will be graciously pleased to recommend the Imperial Parliament to continue, as long as they so long, to make provision for the payment of the said salary; and that the same do lie on the table, until a message from the Council desiring a further Conference on the Bill be received. It is a pity that there is not a better House, for I have no doubt that several hon. members who are absent would like to express their opinions on this matter. I do not intend to oppose the resolution, as I have no doubt that because I am still of the same opinion upon this question as

I have held for many years past, and still do, that I think that the Colony ought not to be called upon to pay the salary of the Lieutenant Governor. The Imperial Government have paid that allowance ever since the Island has been a Colony, because we were not placed in the same position as our Sister Province, where the matter was first settled. We have no crown lands, either for ourselves, from which to pay this salary; and when we call the Government that the British Government granted away all the lands of this Colony in one day, without reserving any lands for local purposes, I think the Home Government cannot fairly throw us upon our own resources in paying the salary of Her Majesty's Representative in this Colony. The same reasons cannot be urged against us as in the other Colonies; for they have many resources which we have not, and have always paid their Civil List. When Responsible Government was introduced in 1851, there was a special agreement made between this Colony and the Imperial Government to the effect, that the latter will pay the salary of the Lieutenant Governor from time to time. With these few remarks, I am satisfied that the reasons to be given will be sufficient to change, or at least to engage, the views of the Imperial Government upon this subject. I think they will decide that our paying the salary of the Lieutenant Governor, and the maintenance and support of Government House, are all that should be expected from us under the circumstances in which we have been placed. We have never voluntarily promised nor consented to pay the salary of any Lieutenant Governor to this Colony. If the Imperial Government will give us \$220,000 worth of land, or lands of crown lands, we might take upon us the payment of the Governor's salary; but instead of doing that, they have granted away all the lands in the Colony, and have left us almost beggars.

**Hon. Mr. LAMB.**—The remarks made by the hon. Leader of the Opposition are very much to the point, and I readily concur with the sentiments which he has advanced. The attention in the Mother Country are already acquainted with the circumstances in which we have been placed. This question concerning the lands of the Colony has caused a good deal of excitement and a good deal of trouble also; but we should remember that the Irish Church Question, which has been agitated so long, is about at least to be settled—justice is about to be done to that country in this matter. This should stimulate us to make an effort to have our grievances redressed also; old arguments can still be used, and new ones urged to accomplish this object. When we find men of the stamp of John Bright who advocate the principle that no injustice should be done under the sway of Great Britain, we may still hope for a settlement of our grievances; if it is our prerogative to insist that these grievances shall be redressed. Why not press a settlement of these troubles at once? The payment of the salary of the Lieutenant Governor is only an item when compared to the burden we bear, and therefore if that burden be removed, we can undertake to pay the salary demanded. I contend that we should press hard for a redress of our grievances; for British subjects have the privilege and the inalienable right to do so.

**Hon. Mr. HENDERSON.**—A celebrated man once said that he never knew anything of great and lasting benefit done for a people without agitation. I hold that the question about consideration requires a constitutional agitation; it requires a repetition of every fact that has been brought forward in favor of the Colony. Our reason for not paying the salary required for the Governor or the Lieutenant Governor have been fully embodied in an Address to Her Majesty. That detailed statement embraces every point in connection with our Land Question, down to the granting away of the first estate of the lands of this Colony in one day. It is the duty of the present Government and of the Opposition—there is no Opposition in this matter—to unite and reiterate these statements, and if possible, throw new light upon the matter; this will

give force to our claims on the British Government; and when the Leader of the Government stated on Saturday last, it was clearly understood that when the Civil List was settled in 1851, the Governor's salary was to be disbursed by the British Government; this was part of the compact or agreement at the introduction of Responsible Government. I think the Government should assign stronger reasons than they have ever yet done before the said agreement between the Imperial Government and this Colony is broken up. The British Government has not borne the result of their original error when the fruits of that error are laid before them. I am sorry to say that now what I stated when I was a member of the late Government—I contend that the granting away of the lands of this Colony by the Home Government was an extraordinary act of injustice to the people of this Colony. If we are to experience one hardship after another, it will present an uncomfortable position, and to be treated in a manner so different from the other Colonies, the results cannot be known. Unless the Home Government show some other reason for our paying the salary of the Governor of this Colony, we shall regard this as a piece of injustice towards this Island. They may say that we have been disappointed; but we may state that our prosperity as a people did not absolutely depend upon the assistance we have received from the British Government; it has depended upon the energies and intelligence of our population with favorable seasons for the production of fruits and other crops. But a little defect in the products of the farm, and an unusually severe winter, make a serious inroad upon our small resources; this ought to show the British Government that our prosperity is not a solid prosperity, that in many instances in our markets and failures in the crops, &c., affect our lands. We have six millions in this Colony who could enable us to bear a heavy share in our financial affairs. If our fisheries and crops should both fail, we would be broke at once, but we hope that this will never take place. The Home Government should not be allowed to remain under a false impression as regards our circumstances, and therefore we should lay these matters clearly before them. We should reiterate our claims with greater force than ever before, and ask the British Government to show us some stronger reason for asking us to pay the salary of the Lieutenant Governor than they have ever yet shown. In paying that salary so long, they have acknowledged that they committed a serious error in granting away the lands of this Colony. While other Colonies had to pay their Governor, the Home Government paid our officer to recompense us partially for losses which we have sustained at their hands. If they had said to us "go on and purchase all the land you can, and we will pay your Governor's salary till your land is all free," I would say they were trying to do us some justice, though it would be small. Instead of acting thus, they have never endeavored to remove the hardship which they have forced upon us; we shall all have to submit to rent-paying, or, in other words, taxation, and bear our share of the burden. The British people do not understand our position as they should, and as they have some justice yet left in them, we should insist upon being freed from the new burden which seems about to be forced upon us; therefore I will support the resolution submitted by the hon. Attorney General.

**Mr. McNEILL.**—In the year 1865, the same demand as that now before us was made upon this Colony for the payment of the salary of the Lieutenant Governor and an able remonstrance against it was sent Home by the united Legislature. The Address containing our reasons for not acceding to the request of the Home Government was an able one—honor to whom honor is due. The members of the Legislature of the day went into the whole matter from first to last, and showed clearly the situation in which we were placed, by the Home Government, and the disadvantages under which we labor on account of the leasehold system. It now seems to me to be a strange proceeding on

the part of the Imperial Government, considering the compact entered into when Responsible Government was conceded, to renew the same demand as that made in 1865. I know very well, that although that able document was sent Home, a private Despatch, which destroyed its effect, went along with it. It is a very serious thing when the effect of an Address of this kind can be destroyed by the efforts of a few individuals who differ in opinion from the representatives of the people, and who have some selfish ends to serve by so doing. As the Land Question is yet unsettled, we must still remonstrate with the Imperial Government on the injustice of the demand which has again been made upon this Colony, for it is only by such a course of procedure that we can ever expect to have our rights respected and our wrongs redressed. If we must pay the salary of the Lieutenant Governor, we should have the privilege of appointing that officer. But we have no guarantee that a private and secret Despatch will not again be sent Home with our Address which will have the effect of nullifying all our remonstrances with the Imperial Government upon this demand. We hear a good deal of talk about persons making apologies for their conduct; but as the hon. member for Murray Harbor was a member of the late Government, I was astonished to hear that no apologies have been made by him for the Despatch which was sent Home concerning the Tenant League. I was astonished to hear the hon. Leader of the Government state in this House a short time ago that the persons belonging to the Tenant League agitation should have made some apology for their conduct! Who would draw up that apology? What language should they employ? It would be a curiosity indeed! I should like to know what kind of a document it would be? Would it be kept in some of the public offices in Charlottetown for the Tenant Union men to sign their recantation before it, before being permitted to hold any public office? Was it because the Tenant Union men did away with the religious excitement caused by the hon. members on the other side of the House, that they were to make an apology? There is only one gentleman present who has tried to say one word in defence of the actions of the late Government. The religious excitement got up by that party was the means of causing trouble and serious disturbances, and if these disturbances had not been stopped no man could tell in what they would have ended. Again, are the Tenant Leaguers to apologise because they denounced Confederation—because they protested against the proceedings of the Quebec Convention where there was not one word of sympathy for this Colony? The Tenant Union declared against Confederation, and that declaration had its effect. The British Government knew all about our troubles and the peculiar circumstances in which they have placed us; why then do they make this unfair demand upon us? I, for one, will never give my vote for the payment of the salary of an officer appointed by the British Government, as long as that Government leaves our grievances unredressed. Nothing could show the state of matters here better than that Memorial sent to the Home Government by the late House of Assembly, as a remonstrance against the payment of the Governor's salary.

**Mr. P. SINGLAIK.**—The subject before this hon. House, is one of great importance. The Home Government seem determined to press their demand for our paying the Lieutenant Governor's salary, but I do not see why they should make this demand upon us just now, more than at any other time. If it was just and fair that they should pay this salary up to the present time, it is right that they should continue to do so, for the burden which they imposed upon us, is just as heavy as it ever was. They took away our lands to pay the salaries of their officers in days gone by, which has kept this country in a state of poverty ever since, and has almost caused the people to rise in revolt against British rule. We find that this Colony has been put to an expense of £15,000 on account of troubles arising out of the treatment we have received at the hands of the British Parliament; and now they insist upon our paying the salary of an officer whom they,

themselves, have appointed. We should use all the power we can command to discountenance such proceedings, and we should state more clearly and particularly, the usage we have received, and the manner in which our lands have been granted away—that instead of paying our Governor's salary, we should receive a certain sum from the Imperial Government, for the purpose of purchasing the proprietary lands, that we may be placed in the same circumstances as all the neighboring Colonies. It is the duty of the Legislature to stand firm upon the question, and show the state of the Colony, and the manner in which we have been robbed of our lands, to the Home Government, for the purpose of having our grievances redressed, if possible. Our case is truly a hard one.

**Hon. Mr. HOWLAN.**—I am of opinion that this move of the Imperial Government, is a sort of side wind to work this Colony into Confederation, and that the demand amounts to this, that unless we join the other Colonies, we must pay our own Governor. We may be forced to pay this salary, but it is better to do so, than to go into Confederation. A great question, similar to our own, the Irish Grants—occupies the minds of the statesmen of Great Britain at the present time. This Colony, above all the others, has shown a great wish, in all cases, to carry out the Royal Instructions, and there was an agreement made in 1851, that in consideration of the losses which this Colony has sustained, the Imperial Government would pay the salary of the Lieutenant Governor. It has been shown very clearly, that this Island has been placed in anomalous position by the Home Government. We know that the late Secretary of State for the Colonies, was very much in favor of Confederation, and this is one reason why we are now asked to pay the demand made upon us. I think any Government would be remiss in their duty, if they did not resist this unjust pressure which has been brought to bear upon us, and I do hope that our rights will be sustained. As long as our Land Question remains unsettled, and as long as the Imperial Government refuse to give a guarantee for our Loan, to arrange for the purchase of the Proprietary Lands, this demand will be most unreasonable and unwarrantable. I cannot understand the movements of the British Government in regard to the means of getting this Colony joined to the Confederation, for it has been clearly shown to them, that a very large majority of our people are against it. Why should we be told to pay the salary of our Lieutenant Governor on the one hand, and on the other, that we shall receive \$500,000 if we unite with Canada? At present the British Government will not sanction coercive measures in buying up the proprietors lands; but we are told that if we enter Confederation measures, coercive or otherwise, would be carried into effect for the purpose of giving us free land. As we have neither Crown Lands nor Minerals, from which to draw a Revenue, the demand made upon us is unfair, and therefore if we are compelled to pay our Governor we will appoint him ourselves. I quite agree with the remarks made by the hon. member for Murray Harbor on this subject, and I think we should send home a delegate for the purpose of representing our claims, rather than yield to the demand.

**Hon. Mr. DAVIES.**—It appears to me, Sir, that there must be a misunderstanding between the Imperial Parliament and Her Majesty's Ministers in regard to the position of affairs in this Colony. Many years ago, before Responsible Government was introduced, and when it was intended that that system of Government should be applied to the whole of the British North American Colonies, the British Government contemplated giving it to them all on the same terms. They were to have all the Crown Lands, and all other sources of revenue belonging to the Crown, but each Colony was to maintain its own Governor. The Home Government did cede the Crown Lands with all mines and minerals to the other Colonies, and the latter agreed to pay the Civil List Bill. But this Colony was never given possession of its lands, and a re-

memorandum was sent to the Home Government against paying the salary of the Lieutenant-Governor, because we did not get the same privileges as the other Provinces. This was successful, and the salary was paid from that time by the Home Government. We should show them that we are not now to be put in the position agreed upon when we received Responsible Government, if this demand be enforced. If an enquiry into the state of affairs in this Colony took place, these matters would be clearly brought to light. Mr. Bright has asked the question, "how is it that a sum of money should be given to Prince Edward Island?" and perhaps this question may lead to an inquiry into the condition in which the Colony has been placed by the Imperial Government. We can easily see what an awkward position the Home Government would be placed in, if this enquiry was made. If all the lands of this Island were to be put in possession of its people, as they should be, we could afford to pay our Governor's salary. This would be a great gain to the Colony; but we never obtained possession of any of these lands. But it seems that the Crown had a particular right to the lands of this Colony, from the time it was wrested from the French by force of arms. It appears that the King of France at that time, had personal and private possession of the lands of this Island, and as he afterwards ceded them over to King George III., they became the private property of the King of Great Britain and Ireland. I can prove this from a pamphlet published in Halifax, N. S. This being the case, the Crown, certainly, had a right to dispose of these lands to whom it thought proper. Although the Crown had its representatives in this Colony, from its cession downwards, the Constitution was not fully carried out, because the Governor acted as the Representatives of the Crown only. By-and-by, letters patent were issued, to give the people the benefit of a Legislature; so they, then, for the first time, really became British Colonists. These lands were therefore, held by the proprietors as private property, received direct from the Crown. When the Legislature of this Colony met for the first time, they could not do away with these private grants, but they could compel the proprietors to make good the terms upon which they obtained them, and therefore, some of the lands were ceded to the Colony. Nova Scotia had been free from the very first, and her lands became the property of the Government. Not so in this Colony; we are treated as if this Island had not been a part of the British Dominions. As we have been treated worse than any of the other Colonies, it is unjust that we should be called upon by the Home Government to pay the salary of our Lieutenant-Governor. The Imperial Government are under the impression that these lands are not, by right, the property of this Colony, and view the whole matter in a different light to that by which we look upon it. But they acknowledged that there was an injustice done to this Colony, by their paying the salary of our Governor up to the present time. Why, then, do they now ask us to pay that salary ourselves? I should like to see this whole matter clearly stated by this Committee in the Address to be forwarded to the Imperial Government. We should show that we have never stood in the same position as the other Colonies since Responsible Government was granted to these Provinces, and that the Imperial Government have denied us the right of inquiring whether the grantees are bona fide owners of the lands of this Colony or not. When they are shown that they agreed to place all the Colonies on the same footing, they will perhaps see the injustice done to this Island in not giving our government possession of the lands. These views must be clearly laid before the Imperial Parliament.

The Speaker then took the Chair, the Chairman reported progress, and asked for leave to sit again.

I. OXENHAM, Reporter.

*Afternoon Session.*

A message was received from the Legislative Council stating that they had passed the "Act relating to the

Savings' Bank" the "Act to amend the Charlottetown Incorporation Act," and the "Act for raising a Revenue."

On motion of Mr. McLennan, the Bill to amend certain Acts therein mentioned relating to Summerside was read a third time and passed.

#### DESPATCHES.

On motion of Mr. Reilly, the House resolved itself into a Committee of the whole on the further consideration of His Excellency's message.

Mr. Reilly in the Chair.

The debate on the Despatch relating to the payment of the Governor's salary was resumed.

Mr. G. SINGLAI.—Mr. Chairman, I think we shall all be very much of the same opinion on this subject; we should not agree to pay the Governor's salary without remonstrating and rising every possible argument against it. The Colonial Minister may think it is hard to make Prince Edward Island an exception to the general rule in this respect, but it was made an exception in other particulars. The Lieutenant Governor is an Imperial officer and should be paid out of the funds which are to pay Imperial officers, but the British Government handed over no funds to us for the purpose. They took the public lands, which should have been a source of revenue to the Colony, to pay their public officers whom they should have been obliged to pension, if they had not paid them in this way. It may seem hard that British tax-payers have to suffer for the faults of others, but we know that a large portion of the national debt was incurred in doing what the present tax-payers believe to have been wrong, and they have as good a right to pay our Governor's salary as to pay the interest on the national debt. If the British Government refused to pay this salary now, it would be a violation of the compact entered into when Responsible Government was granted to us; we do not wish them to pay it as a favor but as a right.

Mr. CAMERON.—Mr. Chairman, there appears to be a unanimous opinion in favor of the resolution before the House, and I think it is right that it should be so, for our Colony differs from the sister Colonies in many ways. We have been deprived of the revenue which should accrue from public lands, we have neither mines nor minerals, and I think, in the absence of such sources of wealth, it would be rather harsh treatment for the British Government to call upon us to pay the salary of the Lieutenant Governor. It appears that it is only very recently that such a demand has been made. In 1859, the Secretary for the Colonies stated that he had no reason to suppose that the Imperial Government had any intention of withholding the payment of the Governor's salary, and if it was right that it should be paid then, I think it is so still, for no great change has taken place in the Colony—the proprietors still retain possession of their estates, notwithstanding the efforts which have been made by the Legislature, and the willingness of the people to purchase the land from them.

Hon. Mr. McAULAY.—Mr. Chairman, I think the Government have a right not only to ask the British Government to pay His Excellency's salary, but to pay him a little more than he has hitherto received. I have never been able to see any reason why the Lieutenant



Governor of this Island should not receive as high a salary as the Governor of Nova Scotia or New Brunswick. We have a right to call upon the British Government to pay the salary of the Lieutenant Governor, for they left us without any public land, without a stick to build a ship of war, or any sources of revenue.

Mr. BRECKEN.—I agree, Mr. Chairman, with the remarks which have been made on this subject, for I think we have peculiar claims upon the Mother Country, and however hon. members may differ about the way in which the land question should be settled, they will all coincide in the opinion that a gross act of injustice was done when the lands of this Colony were granted away, and that the British Government has a right to make some reparation of the injury inflicted on the people of this Island by that act. The soil of a new country should belong to its pioneers, and when the soil of this Island was taken to satisfy the claims, real or imaginary, of soldiers and sailors, which they had upon the British Government, we have a right to expect some small compensation to be made by paying the Governor's salary, especially as the Imperial authorities say they cannot interfere with the rights of the proprietors. Some two or three years ago a Despatch, similar to the one now before the House, was received, and a very able memorial was laid before the Imperial Government remonstrating against the injustice of the demand, and I think it is the duty of this House to reiterate these remonstrances. If the land of this Island had been the property of the people, we should have been in a better position to pay the Governor's salary; at any rate, we should have been saved a long land agitation which has been productive of a vast amount of mischief, and has materially retarded the prosperity of the Colony. I think, Sir, it is our duty to remonstrate, and if the Imperial Government turns a deaf ear to our remonstrances, we shall at least have the satisfaction of knowing that we have done our duty.

Hon. Mr. DAVIES.—Mr. Chairman, we are not in the same position as the other Colonies, but, at the same time, it would be well to know whether the British Government consider that we are in the same position or not. I endeavored to show this matter up this morning, and in quoting from a speech of the Hon. Mr. Wilkins, I made a mistake in reference to dates, but I will now read the extract. I may say that the history of this Island is so closely connected with that of Nova Scotia, that it would be well to consider what difference there is between us:

"This country was originally known by the name of Acadia, and was in the possession of the French at one time, and of the English at another—was long, in fact, debateable ground. The French at last made the settlement of Port Royal, now called Annapolis: they fortified it in the early part of the eighteenth century, but an expedition was fitted out by a person of the name of Nicholson, from Boston, who came over and forced the French garrison to capitulate, consequently the Province was, at this time, conquered by the British. In 1713, soon after the conquest, by the Treaty of Utrecht, Louis XIV assigned Acadia to Queen Anne, of England, and her heirs forever. I have before me the language of the Treaty, it is striking and plain: 'Yielded and made over to the Queen of Great Britain and her heirs forever.—From that time to this Nova Scotia has continued to belong to the British Crown, and the first enquiry we meet is this, what was the effect of that conquest and subsequent cession by Louis XIV to Queen Anne? What was her title? Her title was absolute, higher than the title any man in England possessed to his estate—higher than the title possessed by the Prince of Wales when he purchased the other day a hunting-ground in England. The

Prince of Wales held his estate from the Queen, and he may forfeit it to Her Majesty, but that was not the case with the gift to Queen Anne. It was properly transferred and belonged absolutely to Queen Anne, of England, and her heirs forever. For thirty-four years after this, it remained the property of the Queen and her heirs, and she could do with it just as she pleased—just as any man in this House might do with an estate belonging to him—she might put a tenant on it and regulate the covenants under which the tenant should hold it. In 1747, it came into the hands of George the Second, and he, being desirous of having it settled by English subjects, promised the people of England who would undertake the settlement of the country, that he would give them a British Constitution in miniature."

Now, what I wish to show is this, that the land of Nova Scotia actually belonged to the Queen of England, and was made over to proprietors, yet their titles were proved to be void. We have the same right to render the titles of the proprietors void, but as the British Government will not allow us to establish courts for that purpose, they have a right to pay the Governor's salary.

Hon. LEADER OF THE OPPOSITION.—This Island was not ceded to Great Britain until 1759, nearly a century after the death of Queen Anne. The fact that Nova Scotia fell to Queen Anne, as a princely gift, has nothing to do with this Island.

Hon. ATTORNEY GENERAL.—As I understand the matter, this Island was nominally ceded to the Sovereign for the time being, but the Sovereign is a trustee for the people over whom he or she may happen to reign. I do not see the propriety of my hon. friend quoting from the speech of Mr. Wilkins, for he is liable to make mistakes as well as any person else, and if he lays down the doctrine that this Island was ceded for the benefit of the Sovereign, he has made a mistake. In looking over the names of the persons to whom the lands of this Island were granted, I fail to find any who performed any very meritorious act, anything of importance or prominence, that would entitle them to such a reward at the hands of the British Government. It appears that the lands of this Colony were granted away from private and personal motives, and this question has ever since been a source of trouble to us, it has constantly been coming up, not because the people love agitation, but because of the unjust way in which the Island was granted. We are all agreed that there never was a more unjust act than the granting away of the lands of the Colony, taking away from us what should have been a source of revenue to the country. We are dealt with more rigorously than any other Colony—we were charged for the pay of the Troops, and everybody will acknowledge, that the necessity for their presence here would never have arisen but for the action of the British Government in granting away the lands of the Colony. When the conference took place at Quebec, in 1865, this subject was brought up, and it was the general opinion that the payment of the salary of the Lieutenant Governor of this Island should be continued, even though we should unite with the other Provinces. I think if this matter was properly represented to the people of England, they would not think there was anything unfair in it. I think we should remonstrate again and again, but what the consequences will be if both this Government and the British Government refuse to pay a Governor, we must leave for the future to decide. Within the last few days a change has taken place in Her Majesty's Councillors, and perhaps those now in power will look upon this matter

in a different light, and either agree to pay the Governor's salary, or place enough money in the hands of the Government of this Colony to buy out the proprietors' estates.

**Hon. Mr. Henderson.**—It is one of our misfortunes that the people of England cannot properly understand our real state, they cannot understand why we should not be more prosperous while we pay only what they consider a nominal rent. Many persons who came to this Island from England thought they were going to make their fortunes on this Island, but the general result has been that they were totally disappointed. What course should be pursued in order to make a right impression on the minds of the British people in regard to our true state, I cannot say; but I would suggest that the Committee who draw up an address on the subject should point out clearly the fact, that all that this Colony costs the British Government is nothing more than moderate interest on the money belonging to the Colony, which the British Government misappropriated. Another fact which should be brought to their notice is, that while the other Colonies derive a considerable portion of their revenue from their mines and their timber, we have none of the former, and very little of the latter. If the disadvantages under which we labor were seen by the British Government, as they are felt by us, they would never force us to pay this amount.

The Committee rose, reported progress, and obtained leave to sit again.

On motion of Hon. Attorney General, the Bill to amend the Act relating to Education was read a third time and passed.

House again in Committee on the consideration of Despatches.

**Hon. Mr. Callbeck.**—Respecting this Despatch, Mr. Chairman, it appears to me that the demand is an unjust one towards this Colony. The British Government granted the lands of this Colony to their favorites in lieu of pensions or salaries, and we are paying the heirs of those who should have been pensioned from the British Treasury. When the lands were granted, a contract was entered into, and although in that contract it was not stated that the British Government would pay the salary of the Lieutenant Governor for all time to come, yet when we took upon ourselves to pay the Civil List, it was understood that it would be paid as long as we remained an appendage of the British Government. If we had land from which we might derive a revenue, we would have a right to pay the Governor's salary, but so long as absentee proprietors, the heirs of those who should have been paid from the Imperial Treasury, monopolize those lands, we have a right to refuse to pay it. I think it is our duty to refuse to pay this as long as we possibly can, and if we are finally compelled to accede to the demands of the British Government in this respect, we can still say it is unjust.

**Hon. Leader of the Government.**—Mr. Chairman, I stated last evening the reason why we should remonstrate against the payment of this salary, and I think the reasons which were assigned in the Despatch received in 1865, in answer to the Joint Address, were not founded upon the real facts of the case. I will read the Despatch:

“DOWNING STREET.

“I have the honor to acknowledge the receipt of your Despatch, number 30, of 7th April, enclosing a Joint Address to the Queen from the Legislative Council and House of Assembly of Prince Edward Island, praying that Her Majesty will be pleased to recommend to Parliament a continuance of the annual provision for the salary of the Lieutenant Governor.

“I have duly laid this Address before the Queen, but advertising to the very favorable representations as to the resources of the Island, made by both branches of the Legislature in their Address which accompanied your Despatch, No. 37, of the 3d of April, I am unable to advise any departure from the decision of Her Majesty's Government which I communicated to you in my Despatch of 8th February.

“EDWARD CARDWELL.”

The Address referred to in this Despatch was the Joint Address in reference to Confederation, and in that Address there was something in reference to the prosperous state of the Colony. I will read an extract from that Address:

“That if the relative circumstances of Canada and this Island rendered a Union practicable, the injustice of the terms agreed to by the Quebec Conference would prevent their being ratified by this Island. Without entering into full details on this branch of the subject, or advertising to the fact that by the proposed terms of the Confederation, we are called upon to transfer to the confederate exchequer a steadily increasing revenue, and that too under our comparatively low tariff for a fixed and settled annual subsidy of a greatly-diminished amount, we would briefly notice some of the objectionable features of the Report.”

I presume that was the favorable report to which the Colonial Minister referred, and it would seem that the British Government pay particular attention to everything from Prince Edward Island, when they fall back upon an Address on Confederation as an argument against the payment of the Governor's salary. We are now again called upon to pay, not the present Governor's salary, but to be prepared to pay his successor. I consider there was a regular compact entered into when we were agitating for Responsible Government,—the Legislature passed a Bill at that time to increase the Governor's salary five hundred pounds, and the British Government agreed to pay this additional amount, if the Island would pay its Civil List, and I do not think it is right to call upon us now to pay that amount. If our present Lieutenant Governor remains until the Legislature agrees to pay a Governor's salary, he will be here—I will not say too long, because I believe we might go further and fare worse—but he will be very old before he leaves. The Joint Committee, in their Address in 1865, went very fully into the matter; in fact, it appears that the British Government could find nothing in the Address on which to found an argument against it, but alluded to a former Address on Confederation.

Resolution agreed to unanimously.

Hons. Messrs. Hensley, Coles, Laird, Howlan, and Messrs. McNeill and G. Sinclair, were appointed to form part of a Joint Committee of the Legislative Council and House of Assembly to prepare an Address on the subject.

BALDERSTON, Reporter.

Hon. Attorney General presented the Appropriation Bill for 1868, which was read the first time,—when the House resolved itself into a Committee of the whole on the second reading of the said Bill, which was read through clause by clause.

Mr. G. Sinclair in the Chair.

Mr. Speaker resumed the Chair. The Bill was reported agreed to, and ordered to be engrossed.

House adjourned until ten o'clock to-morrow.

R. GOSPOD, Reporter.

TUESDAY, April 21st.

*Morning Session.*

The Hon. Attorney General moved, seconded by Mr. Arsenault, that the engrossed Bill, intitled "An Act to amend the law relating to the recovery of Small Debts, and for other purposes therein mentioned," be now read a third time.

The Hon. Mr. McAulay moved in amendment to the question, seconded by the Hon. Mr. Laird, that the word *now* be left out, and the words *this day three months* added at the end thereof.

And the question being put on the amendment the House divided, as follows:—

Yeas—Hons. McAulay, Laird, Howlan, Henderson, Haviland; Messrs P. Sinclair, Bell, Cameron, Brecken, Owen, Green, McLennan—12.

Nays—Hons. Kelly, Col. Secretary, Atty. General, Callbeck, Davies; Messrs. G. Sinclair, Arsenault, MacNeill, Reilly, Kirkham, McCormack—11.

So it was carried in the affirmative.

The main motion as amended was then put and carried.

A message from the Council desiring a committee from the House to join another from the Council, to prepare an Address to Her Majesty on the Governor's Salary.

Also, stating that the Legislative Council have passed "An Act to continue and amend certain Acts relating to Summerside"; and "An Act relating to the celebration of Marriages in the Bible Christian Church."

The Bill to empower the Government of Prince Edward Island to expend ten thousand pounds in the purchase of lands in the said Island, was read a second time.

The House then resolved itself into a committee of the whole on said Bill.

Mr. McCormack in the Chair.

The Bill was then read clause by clause and agreed to without amendment.

Mr. Speaker took the chair and the Chairman reported that the committee had gone through the Bill without making any amendment thereto, and the report was again read at the Clerk's table.

*Ordered*, That the said Bill be engrossed

*Resolved*, That a Committee of three member be appointed to report on the contingent accounts of the House for the present session, with power to send for persons, papers and records.

*Ordered*, That the Hon. Mr. Howlan, the Hon. Mr. Callbeck and Mr. Owen, do compose the said committee.

*Resolved*, That a committee of three members be appointed to prepare an Address to His Excellency the Lieutenant Governor, thanking His Excellency for his various communications and messages to the House during the present session.

*Ordered*, That Mr. Reilly, Mr. G. Sinclair and Mr. Brecken, do compose the said committee.  
House adjourned for one hour.

I. OXENHAM, Reporter.

*Afternoon Session.*

On motion of Mr. Brecken the Bill to be entitled an Act for the relief of unfortunate Debtors was read a third time and passed.

DESPATCHES.

On motion of Hon. Leader of the Government, the House resolved itself into a committee of the whole on the consideration of certain despatches.

Mr. Reilly in the chair.

The Despatch was read relating to the Confederating of the Provinces of Canada, New Brunswick and Nova Scotia.

HON. LEADER OF THE GOVERNMENT.—This Despatch, Mr. Chairman, merely informs us of the fact that the provinces mentioned in it have been confederated. We might remark, however, that if we take notice of the working of the Dominion, which has lately been formed, we will find that not only has it lost one of its most talented statesmen as we have heard within the last few days, but that there is a great deal of dissatisfaction existing among its people. In fact a delegation has been sent to England from one of the confederated provinces, (Nova Scotia) for the purpose of trying to get a repeal of the Act which unites that province with Canada. In the province of New Brunswick also, if we are to believe what appears in the newspapers, there is a great deal of dissatisfaction. Although we did not join the Union, we may be sorry that those who have done so should begin to complain before they have given the Government of the New Dominion a fair trial. As to whether Nova Scotia will succeed in her attempt, to withdraw from the Dominion or not, is a subject upon which I will not venture an opinion.

HON. ATTORNEY GENERAL.—Mr. Chairman, when in London last year I saw a great placard posted up containing the proclamation which is in that despatch, and I was not sorry to find that our little Island was not included in it. With the doubts we had on the subject, I think it was well to wait and ascertain how the system would work. And now we see that the people of one of the most important parts of that Dominion are very dis-

satisfied, and I think with very good reason, for they were forced into the Union against their will; and if justice is done to that colony I think that before many months we shall see a great change in the constitution of the Dominion. If Nova Scotia succeeds in getting out of Confederation, New Brunswick will very likely follow, for she consented to enter the Union with the understanding that Nova Scotia was also to be a part of the Dominion. It has not worked as well as its promoters thought it would, and I think we may be satisfied that we are free from it.

Hon. Mr. McAWLAY.—There is scarcely an incident, Mr. Chairman, which passes before the eyes of a wise man which does not teach him a lesson, and I think we have learned a lesson from what has transpired in the neighboring provinces. I think we acted the wise part in refraining from joining the Union until we found out what effect Confederation would have on the other provinces. It is a satisfaction also to know that the most ardent unionist in this Island would not consent to join the Union without appealing to the people and obtaining their consent. So soon as it appears that a Union will be advantageous to us, it will be soon enough for us to think seriously of joining it. We have taken the safe course, and we are not affected with that disaffection which prevails in the other colonies. They acted the part of a child springing to grasp something which appeared bright, but the nature of which it did not understand. I hope, however, that the results will not be so disastrous to them as some persons anticipated. I cannot agree with my hon. friend the Attorney General that New Brunswick can free herself from the Union—for she entered it of her own accord, and she must lie on the bed which she made for herself.

Hon. Mr. HENDERSON.—I think, Mr. Chairman, that no hon. member can think with indifference of the subject before the committee. It is true that the New Brunswickers entered the union with too great haste, and the fact that they are now dissatisfied with their position goes to confirm what you, Sir, and others have so often expressed as your convictions, that nothing would justify us in entertaining the question while we could avoid it. But while the people of New Brunswick entered the union those of Nova Scotia were dragged into it by a conspiracy, a conspiracy against the best interests of the whole colony, and a gross abuse to the constitutional power put into the hands of the people's representatives for a very different purpose. Now, Sir, I feel no pleasure at any confusion or disturbance in any portion of the North American Provinces, for whatever tends to disturb any portion, more or less tends to disturb the whole, and we being so closely connected with the rest must sensibly feel the effects of any jarring elements at work within them. But, Sir, it is easy to contrast the first movements of the Dominion machinery with the glorious state of things which the admirers of union would fain have made us believe would be the result. I think that whatever may be said of the future prospects of the Dominion, every person who takes a fair survey of the question will come to the conclusion that for the present, at least, it will be better for Prince Edward Island to retain her isolated position.

Hon. LEADER OF THE GOVERNMENT.—About the time the Dominion Government was being formed, an offer of \$800,000 was made to this Island, and it was thought

by a great many that this would be sufficient to induce the people to go into Confederation, that it would be enough to buy out the proprietors' claims. But it should be remembered that that was an offer of the Nova Scotia and New Brunswick Delegates, and was not confirmed by the Canadians, and if the people of this Island had joined the Union it is very doubtful if those promises would have been fulfilled. I believe the people of this Island are satisfied that they are better off in their present position than they would be if connected with Canada even had they obtained the \$800,000. There was no guarantee that the Dominion Government would pass a compulsory measure to settle the land question, and from the Despatch from the Colonial Minister now before us, we may infer that such a measure would not be sanctioned by the British Government. If the proprietors were unwilling to sell, the Dominion Government although they had offered the \$800,000, would not be called upon to pay it. If ever this Island does enter Confederation it will be when matters are going on more smoothly than at present.

Hon. Mr. DAVIES.—I wish, Mr. Chairman, to say a few words on this subject, chiefly to express my sympathy with the people of Nova Scotia who have been dragged into the Union against their wishes. As far as my knowledge goes, I believe the people of this Island are unwilling to join the Union on any terms. The \$800,000 would nothing like compensate us for the disadvantages to which we would be subjected by entering confederation. I believe that if the grievances connected with the land tenure were far worse than they are, the people would submit to them rather than join themselves to Canada. We may, however, express our regret that the people of Nova Scotia have been forced into a union which they did not desire. There is a strong link connecting us with the people of Nova Scotia, and it is lamentable to contemplate the position they are in at present; but I have no doubt but that they will yet be allowed to secede from the Dominion, and again assume the proud position they formerly occupied.

Mr. McNEILL.—It is true, Mr. Chairman, that the people of the lower provinces entered the union without sufficiently considering the subject, and numbers of the people of this Island thought it would be a benefit. It was a new thing which the people did not understand; we had suffered a good deal from the rent system, and some were under the impression that confederation might be a panacea for that evil. About the time it was first brought to our notice, however, a great many public meetings were held through the country, (for what purpose it is not necessary now to state,) but this matter, among others, was thoroughly discussed. The people of this Island when they take a matter into consideration are quite capable of judging for themselves, and they declared against confederation for this reason, that if they joined it instead of having the management of their own affairs, they would be taxed by a Parliament over which they would have no control, and these taxes would be appropriated without their consent. There was another reason also, they watched the proceedings of the delegates who met at Quebec, and they found there was very little sympathy or respect for Prince Edward Island. Even the talented T. D'Arcy McGee, whose untimely death we have been lately deploring, could not refrain from indulging in a little burlesque on our Island by saying that they would send one of their

steamers and tow it up into one of their lakes. But while we rejoice that we have escaped the evils of confederation, we deplore the fact that our sister province Nova Scotia was not so fortunate. She was sold into confederation by her unprincipled representatives, but her brave and intelligent people, unwilling tamely to submit to such treatment, are at present engaged in a great contest for the recovery of their former rights and privileges. They have just risen to rebel, and it is my opinion that they will eventually regain their constitution and forsake their undesirable alliance with Canada. The Americans were many years trying to gain their independence, and Nova Scotia may also be a considerable time before she gets free, and it is not improbable that another American war may be brought on before the question is settled. Nova Scotia is an injured province, she has been forced into union against the wishes of five-sixths of her inhabitants. The British Government may not however be blameable in this matter, for after the Quebec Conference the delegates went home and stated that all the people were in favor of Confederation. The Lieutenant Governor's of the different provinces received their instructions to carry out this matter, (I was going to say by fair means or foul,) and a pressure was brought to bear which should not have been in a free colony. I think it would be no more than right for this Legislature to pass a resolution sympathizing with Nova Scotia in the struggle in which she is now engaged, and expressing a hope that she will succeed in her efforts, for if she can be forced into confederation against her will, we may be also. It appears that the New Brunswickers are also beginning to be dissatisfied with their condition, but as they voluntarily entered it they must put up with the consequence.

**HON. LEADER OF THE GOVERNMENT.**—I think, Mr. Chairman, this would be an appropriate time to speak of the state of our Legislative Library. Many of the books are missing and others in a dilapidated condition, and I think it is time the Committee appointed to look after the Library had met, and devise some plan of preventing such a state of things. The Legislature have been very liberal to persons wishing to have access to the Library for the purpose of gaining information from any books there; but I do not think it was intended that they should carry the books away with them. Law books especially are very scarce, which I suppose is on account of our law students being so numerous.

**HON. LEADER OF THE OPPOSITION.**—I fully agree, Mr. Chairman, with a good many of the remarks of the hon. Leader of the Government in reference to the manner in which the Legislative Library is managed or mismanaged, which the Legislative Library is managed or mismanaged. I do not believe the Joint Committee of the present Legislature appointed to look after the Library have ever met, and I have great doubts if the one appointed by the late House did. Several magazines are taken for the Library, but members of the Legislature can seldom find one there. Strangers should be satisfied with being allowed to sit there and read. It is contrary to all rule for them to take books away. I have often come across a book belonging to the Legislative Library in a private library, and I have given the Librarian a hint where it might be found.

Several other members expressed their disapprobation of the way in which the Library was at present managed, and hoped that for the future more stringent rules and regulations would be enforced respecting it.

Several other Despatches were read after which the Committee rose, reported progress and obtained leave to sit again.

BALDERSTON, Reporter.

**HON. LEADER OF THE OPPOSITION.**—Mr. Speaker, I heard the hon. the Leader of the Government calling upon Committees to present their Reports. A Committee was appointed early in the Session to report upon the rights claimed by some parties to the seaweed which comes ashore in front of their farms. I was in the Legislative Library one day, and heard several persons examined by a Committee of the Legislative Council, who had been appointed to investigate this subject, but as the matter has not been gone into earlier by the Committee appointed by this hon. House, I hope the further consideration of the question will be allowed to lay over for this Session.

**HON. MR. HENDERSON.**—Mr. Speaker, if laymen had been appointed on this Committee, the Report would probably have been in long ago, but I hope that the hon. member of the legal profession, who has now drawn attention to this subject, will not allow the matter to be lost sight of.

**HON. ATTORNEY GENERAL.**—Mr. Speaker, I may say that the Committee has not been idle, for a meeting was held to-day, and a Report agreed upon, which only requires to be put into shape by the hon. and learned member for the city. But I warn hon. members not to expect much alteration in the Law this year.

House adjourned until ten o'clock to-morrow.

R. GORDON, Reporter.

#### Afternoon Session.

On motion of the hon. Attorney General, the Bill for appropriating certain moneys, therein mentioned, for the service of the year 1868, was read a third time and passed.

A message was received from the Legislative Council, desiring a further conference on the Bill to amend the Act relating to Education.

**HON. MR. HENDERSON,** as Chairman of the Committee appointed to report on the Petitions of certain inhabitants of Lots thirty-three and thirty-four, relating to seaweed, presented a Report, which was adopted.

The debate on the Bill to place ten thousand pounds at the disposal of the Government for the purpose of purchasing lands, was resumed.

**MR. McNEILL.**—Mr. Speaker, it has been said by some that it would be dangerous to give so much money into the hands of the Government to purchase land, without making any restriction as to price. It has also been said that it would be departing from the principle involved in the Minute of Council forwarded to the Colonial Secretary, regarding a compulsory measure; but it was never stated that no estates were to be purchased until a compulsory Bill was passed. It was only for those proprietors who would not sell their lands on any terms that a compulsory measure was intended. The hon. Leader of the Opposition gave us a very temperate speech on the subject, and he rambled over the history of the Land Question so far that I hardly need refer to it again; but, his remarks respecting a Court of Escheat, I cannot agree with. It is well known that we were robbed of our birthright when we were severed from Nova Scotia. The lands of that Colony were escheated, and had we been connected with them we would have participated in the same advantages. But, though the people have complained, yet we never

could regain what we have lost. We never could obtain a Court of Escheat, and proprietors were allowed to retain lands which were liable to forfeiture. Although it may not be considered the best method of settling the Land Question, yet I believe a Court of Escheat might yet be established. Mr. Howe, one of the Land Commissioners, stated that it could. It is well to know this, for it is a system which may yet have to be resorted to. But, Sir, the hon. Leader of the Opposition seems to think that the rent system cannot be abolished.

Hon. LEADER OF THE OPPOSITION.—I stated that the only method of abolishing the rent system was by purchasing the lands on equitable terms.

Mr. McNeill.—I infer from that that he thinks a compulsory law could not be passed. I am of opinion that the present state of things cannot exist much longer, for, although the British Government may not be induced to pass a compulsory measure now; yet if the proprietors continue to hold out, and retard the progress of the country, by perpetuating the rent system, I am satisfied that they will yet be compelled to accede to equitable terms. It is the duty of the Government to throw every obstacle in their way, so that they will see it to be to their advantage to yield to popular opinion, and allow the question to be settled. Although there is now no Tenant Union in the Colony, yet the people are determined never to rest until they are free from the galling yoke of proprietary bondage. I consider the present Government have not had the same opportunities for purchasing land or destroying the rent system as the other party had. When the Award was refused, then was the time the people had fulfilled their part of the contract, and the proprietors should have been forced to fulfil theirs. It is no use to say that the Award was not what it should be. Nova Scotia is engaged in a great struggle, and I hope she will come out of it with the same constitution that she had before. We sympathize with the Nova Scotians, and I believe they sympathize with us in our struggle to get free from rent paying. The Tenant Union has been mentioned, and it has been said that those connected with that organization should make an apology for their conduct; but, although some of them got into trouble, and a large number of the people are yet under ban, this, I believe, will only tend to bind them closer together, and I hope that instead of making an apology, there are some thousands in Queen's County who will not bow the knee to Baal.

Hon. Mr. McAulay.—It has been made manifest to my mind, Mr. Speaker, that the greatest enemies of the Tenantry of Prince Edward Island have been the escheat agitators. Two hundred thousand acres of the land might have been escheated, if the extreme escheators had been willing to act on the principle that half a loaf is better than no bread. I do hope the people will take warning by the past, and not send extreme agitators androdomontade politicians to this House to legislate for them; if they do so, with the expectations that such characters will settle the Land Question, their hopes will end in despair. The British Government recognize the right of the proprietors to the land, and how can we deprive them of it without committing spoliation and robbery. Is it right that a man should be deprived of his rights at the caprice of individuals who are not

capable of taking a calm, dispassionate view of the subject? There has been a great deal of agitation on this subject, but the sooner it dies out of remembrance the better. As regards the observation, that we were deprived of our patrimony when we separated from Nova Scotia, I would ask the hon. member who made that statement, would he be satisfied were he in the position of Nova Scotia now? Any person acquainted with the Land Question must be satisfied that we must either purchase the land from the proprietors or remain leaseholders. The Bill before you is to give the Government power to purchase land; and, although I am as anxious as any person to see the land free; yet I should like to see some limitation put upon the Government in regard to their action in the purchase of land, for, whatever price they shall pay, that will be the price of land in the Colony. I hope, however, that the Government will make a good use of that money, and if they do, they shall have my hearty concurrence in applying it for the purpose intended.

Hon. Mr. Henderson.—Mr. Speaker, there is something strange about the arguments used by members on the Government side of the House in favor of this Bill; if we contrast them with the arguments made use of in regard to the Fifteen Years' Purchase Bill, yet this is a step in the direction of the obnoxious Fifteen Years' Purchase Bill. The price paid for lands under this Bill will be taken as the standard price of lands of the same class.

Hon. LEADER OF THE GOVERNMENT.—There is not a word said about price in the Bill.

Hon. Mr. Henderson.—I am aware of that fact, but it places unlimited power in the hands of the Government. But it appears that the Opposition wish to give a fair chance to the Government to try anything which they think may be a step in the right direction, when they do not oppose this Bill. I understood the hon. member from Cavendish to say that the late Government had a better opportunity of purchasing the land than the present party, but I cannot understand on what basis he found his conclusions. Was it not the cry that the late Government were not the proper persons to settle the Land Question? and as the present party have neither agents nor proprietors among them, they have an advantage which, according to the opinions of certain persons, the late Government were deprived of. I cannot understand how such conclusions are arrived at, unless the Land Question changes as parties change. It is strange to see persons forget the opinions they formerly enunciated, and say the very opposite. Although I deem it my duty to make a few remarks, concerning the apparent anomaly, that there seems to be such a difference between former opinions and those now expressed, yet I do not intend to oppose this Bill. It may be instructive to notice the fact that the Conservative party, who have been denounced as proprietary sympathizers, do not wish to put any obstructions in the way of this Bill.

Mr. Cameron.—I am very happy, Mr. Speaker in giving this Bill my hearty support, for I consider it necessary if, during the recess, the Government should find it feasible to purchase an estate at a price which would be advantageous to the country, but higher than

that allowed by the Land Purchase Bill, to give them power to do so. It is not the intention of the Government to give an unreasonable price for land, but only to purchase if they can procure it at a fair and equitable rate. Compulsory legislation has been referred to, and I cannot see that there would be any injustice in resorting to such means for the abolishment of proprietary rule in this Island. This method has been used for the settlement of the Land Question in Canada, and for the abolition of slavery in the West Indies, and why should it not be tried here? I think it is the duty of the Government to never cease agitating this matter until it is finally settled.

The Bill was read a third time and passed.

The hon. Leader of the Opposition suggested the propriety of going into Committee on the Contingent Accounts, as it was rumored that several hon. members were going to leave to-morrow, and it would be well to have this matter settled previous to their departure.

Hon. Mr. Howlan, as Chairman of the Committee on Contingent Accounts, stated that it was impossible to get all the accounts in as yet, and, therefore, the Report was not ready.

On motion of the hon. Leader of the Government, the House then resolved itself into a Committee of the whole, on the further consideration of Despatches.

Mr. Reilly in the Chair.

After a short time the Committee rose.

BALDWIN, Reporter.

On motion of the Hon. Attorney General, that the engrossed Bill intituled "An Act to empower the Government of Prince Edward Island to expend ten thousand pounds in the purchase of Lands in the said Island," be read the third time,

HON. LEADER OF THE OPPOSITION said: Mr. Speaker, before you put the question I must congratulate the Government on the great contrast which exists between their proceedings to-day, and that expressed in the Minute of Council which was sent home during the recess of the Legislature to the Imperial Government, relative to the introduction of a Bill to compel the proprietors to sell their lands to the Government whether they were willing or not. This is now certainly a procedure that is the reverse of their former reasoning; and, as the great Napoleon has said, there is but one step between the sublime and the ridiculous. That step the Government, in this instance, have taken; for they sent home a lengthy document to the Imperial Government, wherein they complained of the grievances which this Colony has labored under in consequence of the way in which the land of this Island was granted away by George the Third, wherein it was also stated that there was no remedy for the removal of these but by the passing of a coercive measure, whereby the Government of this Colony might be able to compel the proprietors to sell their lands at such prices as might be considered fair and reasonable. In answer to this they received an answer from the Colonial Minister, wherein he states that he cannot allow such a departure

from the principles laid down by his predecessors, and that the memorial set forth no reasons which could induce him to endorse their opinions on this subject, and the Government, I presume, considering that the reasons of the Duke of Buckingham and Chandos were stronger than those set forth in their memorial, have seen fit to change their policy, and to pursue one of a very different nature, for, by this Bill, they show that the highest price set upon the land by the Fifteen Years' Purchase Bill, which was seven shillings and six pence an acre, was not high enough, and, accordingly, have brought in a Bill which admits that the Government should have a credit to enable them to pay any price they may think proper for the land. This Bill, now before this hon. House, is brought forward in consequence of the correspondence that took place during the recess of the Legislature with the Colonial Office. Though they sent home a manifesto equal in bulk to a message of the President of the United States, containing information which, I may say, dated from the year one up to the present time, in which they argued their cause from every point they could to induce the Home Government to sanction their introducing a coercive measure, yet, notwithstanding its great length, it had very little weight with the Colonial Minister. The only effect it had with the Duke was, that he approved of their going, cap in hand, to sue for permission to introduce a measure into the Legislature of this Colony. Of course he would, because it was natural that he would approve of a course which enlarged the powers of the Colonial Office, while it narrowed up the powers of this Colony. We know, Sir, that in other British Colonies where they have a free Constitution, they can introduce any measure into the Legislature they think proper, without asking permission from Home. I think the members of the Government must have been reading the history of Ireland, and, in doing so, have been captivated by the charms of *Peinings' Law*, which was passed in the reign of Henry the Seventh, and which continued in force until the reign of George the Third. One of the principles of this law was, that the Legislature in Ireland could not be called together, or Bill introduced, without the previous consent of the Government in England, and the dues on all bills had to be sent across the channel before they could be laid on the table of the House of Commons in Ireland; and, in so far as I have read history, the principles of this celebrated Law of *Peinings* are now universally condemned. Commentators have come to the conclusion that it placed Ireland in such a position that it would be a farce to say that her Legislature was independent, when they could not introduce any measure without the previous permission of the Government in England, and I am surprised that the hon. member for Belfast, (Mr. Davies), who is so opposed to any measure embracing a principle over two hundred years old, that he should now, after having enjoyed Responsible Government so long, have given his sanction to such a principle. It does appear, too, that his views, a few months ago, were different from what they were yesterday. I think it would have been better, even if the Government thought a compulsory measure would not be agreed to at home, if they thought such a Bill was required to have tabled it, and stood or fallen by it. But now a precedent has been established, and we may yet find that other Governments may act upon it also, unless there is a very strong expression of disapproval of such

a course given now by the members of this hon. House against such a mode of procedure, while I am opposed to compulsory legislation; yet, if the Government have faith in the measure, they should have introduced it here without first consulting if it would be agreed to at the Colonial Office. It looks to me that they have made some pledge to the country which they find themselves unable to redeem, and that they took this way of getting out of the difficulty, and in this way have taken the most effectual way to send it to the tomb of all the caplets, where from can be found for all bad men and bad measures. Certainly the Colonial Minister paid a good compliment to the wisdom of the Government when he said: "The views of former Secretaries of State upon this subject, and the grounds upon which such views were based, have become clearly explained in prior correspondence, that it appears to me unnecessary to do more now than to state that I find no special reason assigned in the Minute of Council which, in my opinion, would justify, on the ground of public policy, the proposed direct appropriation of private property." The Colonial Minister must have looked upon this measure in the nature of one for the confiscation of property. Without reading this motion through, I must congratulate hon. members on the change that has come over them. Last year they threw cold water on the Fifteen Years' Purchase Bill, and said that the property of the proprietors was not worth that much, and yet the hon. member (Mr. Davies) has now risen from seven shillings an acre to any price the Government may choose to give. This is further than the Tory party has ever gone; but now I suppose there will be some hope of settling the question to the entire satisfaction of the proprietors. Whether it will be to the tenants or not I will leave hon. members on the Government side of the House to say. The other day the hon. member for Belfast (Mr. Davies) gave us a history of the acquisition of this Island by Great Britain, and led us to believe that it was acquired with the Provinces of Nova Scotia, and that our sympathies should be with the people of that Province. In that statement the hon. members was a little in error. Nova Scotia was acquired by Great Britain in the reign of Queen Anne, and for fifty years after this Island belonged to the Kingdom of France, and was held with Canada and Cape Breton, and did not fall into the hands of Great Britain until the Treaty of Paris in 1763, which was effected in consequence of the fall of Louisbourg; and, therefore, I say no argument can be drawn from those circumstances to show that we are in the same position as Nova Scotia. The hon. member said also that this Island and Nova Scotia belonged to the King of France as his private property, and that he gave it as a present to George the Third, and that the King of England did not, in the first instance, hold this Island for the benefit of Great Britain. Now we know that when Nova Scotia, Canada, and this Island became, by the Treaty of Paris, the territory of Great Britain, it was in the same way as other Colonies, and that when countries are thus conceded, it is always in the name of the Sovereign, but in this case the country was ceded, not for the personal benefit of the King, but of the nation. Of course the treaty was signed by the King of Great Britain and France, but for and on behalf of the people, and not for the Monarch's own benefit; and however unfortunate it was for this Island that it should have been divided into 67 Townships, and that 56 of these

should have been granted away, yet there was nothing unconstitutional in such grants; and we know that large tracts of land have been granted by the Crown in the same way, but they were not the acts of George the Third, but those of the King in Council, acting upon the advice of his Ministers. I entertain strong opinions on this question myself, for I know that in consequence of the manner in which the lands have been granted away, it has been a bone of contention from the time of our first Parliament in 1767 up to the present day, and all political parties have been attempting to remedy this evil. About the year 1830 the Escheat party was established, and might have succeeded in escheating nine Townships had they not been so grasping, but they let the golden opportunity go by, and the Imperial Government did not then or since sanction the establishment of a court to enforce the conditions of the original grants. You know, Sir, that by the original grants which were issued in 1767, certain conditions were to be complied with, which were not fulfilled; and that, by the Proclamation of the Prince Regent in 1818, the condition in the original grants which required that within a certain time these Townships should be settled each with 100 German Protestants, the time was extended ten years, and the privilege given of settling them with any class of people, and, therefore, if they had not been too grasping, and the Escheat party in earnest, they could have escheated nine, if not ten, townships, for, in referring to the census taken in 1827, Lot 3 had but 48 people residing on it; on Lot 4, 92; on Lot 7, 59; on Lot 8, 39; on Lot 9, 26; on Lot 10, 42; on Lot 30, 95; Lot 44 had but 12; Lot 47, 64; Lot 50, only 4; and Lot 67 had not one, although, I suppose, it is as well settled to-day as any Township on the Island, although, in 1827, it had not one settler upon it, and had the Escheaters in 1830 laid hold of the substance instead of grasping at the shadow, all of these Townships would have been escheated. Now I believe there is but one way of settling the question, and that is by some equitable arrangement, for the British Government, even if John Bright was in power, would not sanction a compulsory measure. I am convinced of this from a speech which Mr. Bright delivered lately in the House of Commons on the Irish question, and we know he is looked upon as radical enough. He was giving his advice, and said that the proper way would be for the British Government to buy out the proprietors, and that he would not advocate that any proprietor should be compelled to sell, and I am sure that statement would not do more for this Island than he would for Ireland, where a large proportion of the tenants hold very small quantities of land, and many of them have no leases at all; and, in consequence, have no inducement to make any improvements. There are 250,000 tenants in Ireland, none of whom hold over 15 acres, and over 400,000 whose largest holdings do not exceed 28 acres. But I will read you, Sir, what Mr. Bright said: "Let the House not imagine that I am proposing to take anybody's land by compulsion. I am proposing to buy in cases where men are going to sell, and to transfer only in cases where men are willing and able to buy. There would be many thousands of such cases in a few years. I would pay to every landlord every shilling he could fairly command in the market for the estate which he proposed to sell. I hope every gentleman opposite will acquit me now of any desire for confiscation. We will not have any other



misunderstanding upon that point." It is utterly futile for people to suppose that a compulsory Bill, similar in principle to that proposed would be sanctioned at Home, even if John Bright was Prime Minister. The only way will be to go forward in a fair, straightforward manner, and give the real marketable value of the lands. I have not got up for the purpose of opposing the Bill now before the House. I intend to support it, for instead of that I think the Bill should occasion joy, although, in supporting it, some hon members may feel that they are performing the sad office of attending the funeral of the compulsory measure.

**Hon. ATTORNEY GENERAL**—Mr. Speaker, I do not object to the course taken by the hon member who has just spoken, for he has treated the subject with moderation, but still I think his statements are not in strict accordance with the facts of the case; nor do I agree with him when he says that it is a departure from the policy of the Government, or in opposition to the despatch or Minute of Council, for if the learned Leader of the Opposition will look into that document he will find that it states that negotiations were pending with Lord Melville and others of the proprietors, and that Minute does not state that the Government had come to the conclusion that unless a compulsory measure was passed that no settlement of the question could be arrived at; nor did the Government say that if an opportunity for purchasing an estate offered, that they were not going to avail themselves of the advantage which would result from purchasing. On the contrary, the memorial set forth that Mr. Ousard's estates had been acquired for seven shillings and six pence an acre, and the Government did not see why other estates, which were no better, should not be purchased at the same rate. They admitted that there might be some exceptional cases where a larger price might be given, and, therefore, I see no grounds for charging the Government with any departure from their line of policy by coming here to ask the House to pass this Bill. If Lord Melville or any other person should be willing to sell at a little over seven shillings and six pence an acre, this Bill would enable the Government to treat with them and effect a purchase. With respect to the obtaining of the views of the Home Government before passing this Bill, I may say that we all know that it was only a question of time, for these views must be consulted sooner or later, and was by no means a novel course, for a similar course was adopted by the late Government by securing the views, not only of the Home Government with respect to the Fifteen Years' Purchase Bill, but also the views of the Proprietors, for one of their delegates went, up in hand, to them and thus addressed them: "The undersigned, &c., submit the following propositions expressive of certain concessions and privileges which, if granted by the Proprietors of land, &c., would be accepted by the Government of that Island as a settlement of the Land Question." Again they add: "The settlement of the Land Question, which would be the result of the acceptance by the Proprietors of the foregoing propositions, the statutory confirmation of proprietary titles, &c., would necessarily have the effect of increasing the value of the proprietary estates." And again: "I beg respectfully to request that Your Grace will be pleased to call the attention of Sir Samuel Ousard to the third proposition of the Delegates, and request that he will inform Your Grace whether that or

any similar proposition will be agreed to by him, or by the large Proprietors resident in this country." They not only went, up in hand, thus humbly to the Proprietors, but took care to represent also that if they would agree to these propositions that it would not only give them a statutory title to their land, but also have the effect of increasing its value. The Hon. Mr. Longworth, in speaking to this question said: "The Delegation was necessary to ascertain the terms which would receive the sanction of the Imperial Government, and the assent of the Proprietors. We had no guarantee that any measure which we might pass would be sanctioned, and a reliance on moral influence would be no basis for us to rely upon. In any position legislation itself is liable to be frustrated, for we are dealing with the acknowledged and vested rights of others." I maintain that this was a sensible course to adopt in 1864, and it is equally so now. It is far better to have the views of the parties who have to be consulted before the Bill is passed, and, therefore, I do not see anything wrong in having gone to the trouble of ascertaining the views of the Home Government before passing a measure that might not receive their sanction. The Minute of Council did not ask to have the property of Proprietors confiscated, or make any unreasonable demands, and if I do not mistake the signs of the times, I think the leading statesman who will be, before long, at the head of affairs in the Old Country, will adopt a measure for Ireland similar to the one proposed in the Minute of Council—a Bill not for confiscating land, but one which will enable the Government to interfere with private rights when these interfere with public interests, and in such cases to be able to compel the former to give way to the latter. I quite agree with the hon member (the Leader of the Opposition) when he says that the name of the Sovereign was used, not for his own private use in these transfers and acquisitions, but in the name and for the benefit of the nation, and, if a contrary opinion has been expressed, I do not feel inclined to agree to it, until I have looked into the matter a little further.

**Hon. Mr. DAVIN**—Mr. Speaker, If I thought this Bill was brought in for any criterion that the lands would be bought up at any price, and that it would have the effect of raising the price of land, I would oppose it. But this is not the object of the Bill, its intention is to enable the Government to purchase any small estates that may be offered to them, some of which have already been offered to the Government, and it has been found that it is necessary, for the good of the country, and for the carrying out of the principles of the Land Purchase Act, to enable the Government to give a higher price in some instances, than is provided for in that Bill. Now, if an estate was offered to the Government, that was fully settled, it would be unreasonable to expect that it could be obtained as cheaply as one that was only partly settled, and, therefore, I consider that it will be an advantage to the country to give the Government the power contemplated by this Bill, especially when we bear in mind that when the Land Purchase Act was first introduced, it chiefly contemplated the purchasing of large wilderness estates, whereas this Bill aims at buying out small estates which are settled, and I do not consider that I can be charged with inconsistency, in supporting it. With respect to the manner in which the Home Government adopted, in

the granting away of the lands of this Colony, there may be grounds apparently for the hon. leader of the Opposition to form such opinions as he has uttered, but I think when the whole conduct of the Home Government is considered, a different opinion may also be entertained. We know the late Government spent much of their time in endeavoring to settle the Land Question. Previous to their coming into power they repudiated the Land Purchase Bill, and had recourse to the Land Commission, who, after carefully considering the matter, recommended three modes for settling the question. The first was by purchase, which was the policy of the late Liberal Government, which was embodied in their Land Purchase Act, and submitted that if the proprietors would not sell, that they should be allowed two shillings and six pence an acre for their land. The late Government, however, accepted the second proposition of the Commissioners, which was to settle it by arbitration, and we must give them credit for doing the best they could under it. This proposition stated that the Proprietors should take the price, which a jury should decide upon. This was plausible, met the views of the Government, raised an extraordinary amount of interest among the people, and to the country generally, was highly gratifying. But finally all the recommendations of the Land Commission were abandoned, for the adoption of the 15 Years Purchase Bill, and when it was passed they said the Land Question was then settled, but, Sir, although they put the country to a great deal of expense and trouble, yet it was as far from being settled as ever. The present Government in coming into power, and in the course they are now pursuing, are only endeavoring to carry out their original policy of purchase, and when a Bill was passed last year, to enable the Government to borrow money for this purpose, it showed that they were in earnest, and sent the Hon. Attorney General home, to see in the first place, if the Loan could be obtained, and in the second place to ascertain if the proprietors would sell. Some would not consent to sell at all, and others who would, asked twenty shillings an acre, with the rents due on their estates. Such terms could not of course be accepted, and I am sure every unprejudiced person who has looked into the question, will say that the Proprietors have no just claim to the land, and that the two shillings and six pence proposed to be given to them by the Commissioners was quite enough for any supposed claim which they might have to the land. I have shown that up to the time that the hon. the Attorney General came from England, the proprietors refused to sell on reasonable terms. The Government, after his return, took what they considered the next best step, and sent home a memorial asking that the Imperial sanction might be given to a measure to compel the proprietors, when a fair price was offered to them, to sell. It was not asked that under any circumstance, a man should be forced to sell, unless full value was given to him for his estate, and it is well to have this question settled at once. One of the principles which the Tenant League laid down, was that if a proprietor was offered the full value of his land, and he would not sell, that he should be forced to do so, and this is a principle of legislation that is acted upon the Old Country, when the public good demands it. But, Sir, we never led the people to suppose that a Bill would be passed. Had we passed such a measure before we knew that it would receive the sanction of the Home Government, it would have been but deceiving the people. The Commission-

ers gave it as their ultimatum, that if their first and second propositions failed, that a Court of Escheat should be established, nor do I see why any objection should be taken to such a court, for if coolly looked into, it is nothing more than this;—If I lay claim to a piece of land, and the Government wish to eject me out of it. If it is brought into this Court, and I can show that I have a proper title for it, then I hold the land; but if I cannot show that I have a just claim to it, then it must be given up, and I do not see why such a course should not be adopted for settling this matter. The reason why the proprietors always opposed the establishment of such a Court, was because they were firmly of the opinion that as they had no claims to their lands their cases would be ruled out of court. I think the Government should now adopt the third proposition of the Land Commissioners, and establish a Court of Escheat; and, Sir, I may say, that it has always been strange to me, that the gentlemen of the bar should be opposed to a measure which is so fair, their opposition has been to me unaccountable. The hon. the leader of the Opposition stated that if the escheators had not been so grasping they might have escheated nine townships. But how could they, in the position in which they then were, do this? The hon. member is well aware that at that time, the escheat party had no voice in the Government of the country, what they asked for was, not that the lands should be escheated, but that a Court might be established. The titles wherein those claims of the proprietors could be examined, and with power to attach all estates found liable to forfeiture. I wish to be distinctly understood that they knew the lands were liable to be escheated, but they wished to have this done in a legally established Court of Escheat, and therefore, I think the arguments of the hon. member falls to the ground. The hon. member thought we were following the principle of the *Pointing Law*, but the hon. Attorney General has fully answered the hon. member on that point: and as to the history I referred to, it was merely an error in the date, which does not affect the argument.

Hon. LEADER OF THE GOVERNMENT.—Mr. Speaker, the hon. the Leader of the Opposition threw out the hint that the introduction of this Bill, was a departure from the policy of the Minute of Council, but, Sir, I contend that it is not, for when the Land Purchase Bill was first introduced, I stated that I felt satisfied that a Bill would yet be required to enable the Government to pay for some estates a higher price than seven shillings and six pence an acre, and I think I alluded to Lot 34, and some other places, where I thought a higher price would have to be given, and Sir, we have been going on acting upon, and carrying out the principles of that Bill for several years, and I think the time has now come for the introduction of this measure, for it is well known that there are some properties, the proprietors of which could not be expected to take for them, the amount which the Land Purchase Bill provides, and where such is the case, the question is, shall each case be submitted to this House, or by passing such a measure as this, leave it to be dealt with by the Government? Some such an arrangement is required, if the benefits of the Land Purchase Act are to be extended to all the people who require them, and that power was now sought, but only to the limited extent of £10,000. I believe the Liberals are just as unwilling to saddle the tenantry with a high price as the Conservatives. As to the Minute of Council and the policy therein enunciated, there are two points which are thus brought out, first the Home Government is asked to give their assent to any other measure which may be proposed for

settling this question, and also if they will give their assent to a compulsory measure, if such assent should be deemed necessary. As to a Bill of this nature, there is a great difference of opinion, but I think the late Government fully carried out the principle, when they took the advice of the Home Government, when they asked the Proprietors compelled to state to the Board of the Commissioners. My view always was to settle the whole question under the Land Purchase Act, but we know there are proprietors who will not comply with the terms which the Land Purchase Bill provides, and we know, too, it is not pleasant or proper to be raising the expectations of the people, by passing Bills here, in which the country feel a deep interest, which may not be agreed to in England. The Government are not in a position to introduce a compulsory measure, but they are in a position to follow up the matter in that way which shall seem best for them to pursue, and seeing the Proprietors refused to take proposals, the welfare of the country requires that the question shall not be given up. The answer from the Colonial Office was not received until after the Legislature was opened, and the Government have had time to consider a rotten measure, but perhaps before another Session we may get the Home Government to agree to some other proposal. I think hon. members will see that this Bill is only another step towards settling the Land Question. I am glad the hon. the Leader of the Opposition does not intend to oppose the Bill.

Mr. Bailett—Mr. Speaker, I must reiterate the statements of the hon. the leader of the Opposition, who said that this Bill is not carrying out the principle laid down by the Government. I took upon it as one step in the direction of that much abused measure, the Fifteen Years Purchase Bill, and the day, I think, is not far distant when that Bill will be treated as the Award of the Commissioners was, for it will be such a hiss and cry was raised against it by the people, yet when they found the Award could not be had, their great regret was expressed by some who opposed it, and the same will be the case with the Fifteen Years Purchase Bill, which is now coming to be appreciated. Now, if that measure was so bad—so rotten by the ears, what would the ultra Liberals say to this Bill? If the terms in the Fifteen Years Purchase Bill were such as ought to satisfy any proprietor, what will be said of this measure, which is allowing the present Government to go further than the late one went. I have listened to the hon. Attorney General, who says that it is not without precedent, as the late Government had done the same when passing the Fifteen Years Purchase Bill; but the clause are not alike, and here is the difference.—The Conservatives did not hesitate to say that great interests and the rights of property were at stake, and they did not say that a treaty must not be entered into respecting them. The difference is this, the present party told the people that they would go for a compulsory measure, they said our position is so strong that we can carry it out without consulting any one. But the Conservatives said we will recognize the rights of property, and did so; the same therefore, are not analogous. I am sure that the principles of the present party are different from those of the hon. member for Belfast (Mr. Davison) who said the Conservative opponents of the Land Purchase Act, and adopted the Fifteen Years Purchase Bill. But the hon. member must know that the Conservatives used the Land Purchase Bill to a greater extent than the Liberals. Did we not purchase the largest estate? When the Ormeau Estate was bought, the backbone of the household system was broken. The honorable member for Belfast may yet find that if at some future time an opportunity should offer for carrying out his favorite policy, that this very Bill now before the House will be an obstacle in his way, for the principle of this Bill was at any time be effectively used as an argument against a coercive measure. This Bill, Sir, is a highly Conservative measure. It was very well for the hon. At-

torney General to say that the Minutes of Council made allusion to negotiations, which were pending with some of the proprietors, but Sir, if they go beyond the limits of the Land Purchase Bill, to purchase from some proprietors, how in the name of that which is fair, can they justify the rest? The Bill is an abandonment of the coercive principle.

Mr. P. Spencer—Mr. Speaker, this Bill has been really well ventilated, and hon. members on both sides approve of it. For my part I think it is but right that the Government should have some extraordinary power, which if rightly used, to the extent proposed by this Bill, cannot fail to be of advantage to the country. We know that last year negotiations were entered into with Lord Malville, and that the Government have offered him ten shillings and six pence an acre, and I think if that property could be bought out at that rate, it would be advisable to do so. At present there are but two acts under which the Government can purchase land, and estates may be offered which the Government could not buy under either the Land Purchase, or the Fifteen Years Purchase Acts, and therefore, I think that notwithstanding the memorial, it is proper to allow the Government to purchase land, even if they should go as high as ten shillings an acre, for we know there are some estates, which can only be had for such a price. If a proprietor is willing to sell his property for the value of his interest in it, and if this is ascertained by reckoning the rent he received as interest, and paying him a sum which would as a principle yield that sum, and if so, not right to allow the Government to carry out this principle. Now unless this Bill becomes law, they will not have this power. I would like to see estates like Lord Malville's bought, though the price should exceed ten shillings an acre. Some parts of the Ormeau Estate cost the tenants as high as thirty and forty shillings per acre, and sold to the tenants at a higher rate, and they would, perhaps, be in equally as good a position. I think it is better to pass the Bill.

Debate and Hours adjourned for one hour.

B. Gordon, Reporter.

Mr. Speaker in the Chair.

The Hon. Attorney General, from the Committee appointed to join the Committee of the Legislative Council to prepare an humble Address to Her Majesty the Queen, praying that Her Majesty will be graciously pleased to reconsider the determination to discontinue the payment of the salary of the Lieutenant Governor of this Island, after the present Lieutenant Governor shall cease to administer the Government, presented to the House the Draft of an Address prepared by the Joint Committee, which Address was signed and on the Clerk's table.

The House then resolved itself into a Committee of the whole on the Draft Address.

Mr. Bell in the Chair.

The Address was then read paragraph by paragraph, and agreed to without amendment.

Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had gone through the Address and adopted it, without making any amendment thereto.

Ordered, That the Address be engrossed.

Resolved, That a Committee be appointed to join a Committee of the Legislative Council to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit the humble Address of both Houses to Her Majesty the

Queen, on the subject of the proposed discontinuance of the payment by the Imperial Government of the salary of the Lieutenant Governor of this Island, after the present Lieutenant Governor shall cease to administer the Government.

The same Committee who prepared the Address to Her Majesty was appointed a Committee on the part of the House to prepare the said Address to His Excellency.

Ordered, That the said Resolution be communicated by message to the Legislative Council.

House adjourned till ten o'clock to-morrow.

I. OXENHAM, Reporter.

THURSDAY, April 23.

*Morning Session.*

A message was received from the Legislative Council, stating that they had passed the following Bills, viz:

"An Act to consolidate and amend the several Laws relating to Education."

"An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord one thousand eight hundred and sixty-eight."

Also, That a Committee had been appointed to join a Committee of the House of Assembly to prepare an Address to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to transmit the humble Address of both Houses to Her Majesty the Queen, on the subject of the proposed discontinuance of the payment, by the Imperial Parliament, of the salary of the Lieutenant Governor of this Island, after the present Governor shall cease to administer the Government.

The Hon. the Colonial Secretary, from the last preceding Joint Committee appointed to prepare an Address to His Excellency the Lieutenant Governor, presented to the House the draft of an Address, as prepared by the said Joint Committee, which Address being again read at the Clerk's table was agreed to by the House.

Ordered, That the said Address be engrossed.

Ordered, That the same Committee who prepared the Address be a Committee to wait on His Excellency with the same.

House adjourned for one hour.

*Afternoon Session.*

Mr. Speaker communicated to the House the following letter:—

GOVERNMENT HOUSE,  
23d April, 1868.

SIR;

I am directed by the Lieutenant Governor to inform you that it is His Excellency's intention to proceed to the Legislative Council Chamber, to-morrow, at 3.30 o'clock, for the purpose of proroguing the Session of the Legislature.

I have the honor to be, Sir,

Your most obedient humble servant,

GEORGE D. ATKINSON,  
Private Secretary.

The Honorable the Speaker of the House of Assembly,  
&c., &c., &c.

The Hon. Mr. Howlan, from the Committee appointed to report on the contingent Accounts of the House for the present Session, presented to the House the Report of said Committee.

Ordered, That the said Report be now committed to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. P. Sinclair in the Chair.

After some time spent therein, Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had made some progress, and had directed him to move for leave to sit again, which the House agreed to.

A message was received from the Legislative Council, stating that they had passed the Bill entitled "An Act to empower the Government of Prince Edward Island to expend ten thousand pounds in the purchase of Lands in the said Island."

Resolved, That the House do now resolve itself into a Committee of the whole to take into further consideration the report of the Committee appointed to examine and report on the contingent Accounts of the House.

The House accordingly resolved itself into the said Committee.

Mr. P. Sinclair in the Chair.

After some time spent therein, Mr. Speaker resumed the Chair, and the Chairman reported that the Committee had gone through the Report, paragraph by paragraph; had amended and then adopted the same; and the Report so amended, being again read at the Clerk's table, was agreed to by the House.

BALDERSTON, Reporter.

A message was received from the Council, stating that they had passed the Bill intituled "An Act for the relief of unfortunate Debtors," with several amendments, to which they desire the concurrence of the House of Assembly.

The amendments made by the Council to said Bill were then read for the first time.

Ordered, That the Tenth Rule of the House be suspended in this case. The amendments were read a second time.

The House then resolved itself into a Committee of the whole, on the said amendments.

Mr. Reilly in the Chair.

After a short time, Mr. Speaker resumed the Chair, and Mr. Reilly reported that the Committee had come to four Resolutions, said Resolution being again read at the Clerk's table, were agreed to by the House, and are as follows:—

1. Resolved, That the first amendment be disagreed to.
2. Resolved, That the second and third amendments be agreed to.
3. Resolved, That clause seven of the fourth and last amendments be agreed to, with an amendment.
4. Resolved, That the residue of the clauses of the said last and fourth amendment, including the Schedules, be agreed to, filling up the blank in clause 5, line 13, with the word "Fifty."

A conference was then desired with the Council, on said amendments.

House adjourned till to-morrow at ten o'clock.

I. OXENHAM, Reporter.

FRIDAY, April 24.

A message was received from the Legislative Council, stating that they agree to a conference on the Bill intituled "An Act for the relief of unfortunate Debtors," to meet in the Conference Chamber, instanter.

The names of the Managers being called over, they went to the conference; and, after they returned,

The hon. the Colonial Secretary reported that the Managers had been at the Conference, and had complied with the instructions given them by this House.

Another message was received from the Legislative Council, stating that they desired a further Conference on the Bill for the relief of unfortunate Debtors.

Resolved, That this House do agree to a Conference, as is desired by the Council, on the amendments made to the Bill intituled "An Act for the relief of unfortunate Debtors."

Ordered, That the hon. the Attorney General do go to the Council and acquaint them therewith.

Ordered, That the same Committee who managed the former Conference thereon, be a Committee to manage this further Conference.

After the Managers returned from the Conference, the hon. Attorney General stated the substance thereof to the House.

Resolved, that a further conference be desired with the Council, on the amendments made to the Bill intituled "An Act for the relief of unfortunate Debtors."

Ordered, That the hon. Attorney General do go to the Council and desire the said Conference.

Ordered, That the same Committee who managed the former Conference thereon, be a Committee to manage this further Conference.

A message was received from the Legislative Council, stating that they agree to the further Conference desired by the House of Assembly, to meet in the Conference Chamber, instanter.

The names of the Managers being called over, they went to the Conference; and, after they returned, the hon. Attorney General reported that the Managers had been at the Conference, and had complied with the instructions given them by the House.

Mr. Reilly, from the Committee appointed to wait on His Excellency the Lieutenant Governor with the Address thanking His Excellency for his various communications and messages to the House, during the present Session, reported to the House that their Address had been presented to His Excellency.

The hon. Attorney General, from the Committee appointed to wait on His Excellency the Lieutenant Governor with the joint Address, praying that His Excellency will be pleased to transmit the joint Address of both

Houses to Her Majesty the Queen, on the subject of the proposed discontinuance of the payment by the Imperial Government of the Salary of the Lieutenant Governor of this Colony, reported that His Excellency said he would comply with the desire of the House, and forward the same to Her Majesty.

A message was received from His Excellency the Lieutenant Governor, by Albert H. Yates, Esquire, Usher of the Black Rod—

MR. SPEAKER:—

His Excellency the Lieutenant Governor commands the immediate attendance of this Honorable House at the Bar of the Council Chamber.

Accordingly, Mr. Speaker and the House went up to attend His Excellency in the Council Chamber, when His Excellency was pleased to assent to the several Bills following, viz:—

An Act to amend the Act for the due observance of the Lord's Day.

An Act to revive and continue a certain Act therein mentioned.

An Act to incorporate the Prince County Agricultural Society.

An Act to incorporate the St. Peter's Bay Agricultural Society.

An Act to incorporate the Minister and Trustees of the Baptist Church of Long Creek, West River.

An Act to prevent accidents to persons travelling on the Ice in this Island.

An Act to amend the Act incorporating the Summerside Bank.

An Act for the incorporation of Societies for the sale and distribution of Seed Grain on credit.

An Act for the better security of the Crown and Government of the United Kingdom within this Island.

An Act to incorporate the Minister and Trustees of the Baptist Church of North River, Lot 32.

An Act to continue and amend certain Acts therein mentioned, relating to Summerside.

An Act to amend and explain the Act passed in the second year of His Majesty King William the Fourth, relating to the celebration of Marriages, so far as the same relates to the Bible Christian Church.

An Act to shorten the language of Sheriffs' Deeds.

An Act for the relief of Unfortunate Debtors.

After which, Mr. Speaker, spake as followeth:—

MAY IT PLEASE YOUR EXCELLENCY:

On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present the following Bills of Aid and Supply, voted to Her Majesty during the present Session, to which I have humbly to request your Excellency's Assent, viz:

An Act to amend the Laws establishing the Salaries payable to the Attorney and Solicitor General.

An Act to amend and explain the Land Purchase Bill.

An Act to repeal the Acts now in force establishing and regulating the rate of Interest, and to make some provisions on the same subject.

An Act to encourage the settlement and cultivation of Public Wilderness Lands.

An Act to consolidate and amend several Acts therein mentioned, relating to the Savings Bank.

An Act in further addition to and amendment of the Act to Incorporate the Town of Charlottetown.

An Act in further amendment of the Laws regulating the Sale by License of Spirituous Liquors.

An Act to consolidate and amend the several Laws relating to Education.

An Act for raising a Revenue.

An Act for appropriating certain Moneys, therein mentioned, for the service of the year of Our Lord One thousand Eight hundred and Sixty-eight.

An Act to empower the Government of Prince Edward Island to expend Ten thousand pounds in the purchase of Lands in the said Island.

To each of which His Excellency was pleased to give his assent.

And then His Excellency was pleased to make the following Speech to both Houses:

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

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

In relieving you from further attendance here, I am glad to express to you my thanks for your assistance and advice.

By the Act which you have passed "to amend and explain the Land Purchase Bill," you have empowered me—so soon as the purchase of any Public Estate shall have proved to be self-sustaining—to relieve, from further payment, tenants on that estate who have paid their full proportion of the purchase money of their farms.

Under this Act, I shall be enabled to comply with the prayer of the petition, which, at the commencement of the Session, I informed you that I had received from certain persons who had purchased their holdings on the Selkirk Estate.

The settlement and cultivation of Wilderness Lands cannot fail to be encouraged by the liberal measure in which you have authorized me to relax, on such parts of the Public Estates as may be deemed expedient, the provisions of the law which regulates their sale.

I have given my assent, with much satisfaction, to the Bill, by which you have placed in the hands of the Government a discretionary power to expend a limited amount of public money in the purchase of Lands whose value may exceed the limits of the Land Purchase Act.

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

I thank you for the Supplies which you have granted for the Public Service.

I earnestly hope, that the timely aid which you have offered to farmers who are unable to procure grain for seed, may avert the suffering to themselves, and the loss to the Colony, which their inability to procure such seed, must inevitably produce.

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

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

The important subject of Education has received your anxious consideration, and I trust that the measure, which you have matured for consolidating and amending the Laws thereupon, may be of benefit to the community.

The able Report of the Committee on Highways, has been laid before you: Although you have not seen fit to take any Legislative action upon it, during the present Session, the whole subject will be carefully considered during the recess, with the view to the adoption, at your next meeting, of a system of management which will afford a better security for the judicious expenditure of the money appropriated for this service.

I now release you from further attendance here by proroguing this Session of the Legislature.

After which the Honorable the President of the Legislative Council said:—

GENTLEMEN;

It is the will and pleasure of His Excellency the Lieut. Governor, that this General Assembly be prorogued until Thursday the Twenty-eighth day of May next; and this General Assembly is accordingly prorogued until Thursday the Twenty-eighth day of May next, to be here then holden.

END OF THE SECOND SESSION OF THE TWENTY-THIRD GENERAL ASSEMBLY.

B. BALDERSTON, }  
I. OXENHAM, } Reporters.  
R. GORDON, }