

THE
PARLIAMENTARY REPORTER;

OR,

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND

FOR THE YEAR

1862.

BEING THE FOURTH SESSION OF THE TWENTY-FIRST GENERAL ASSEMBLY.

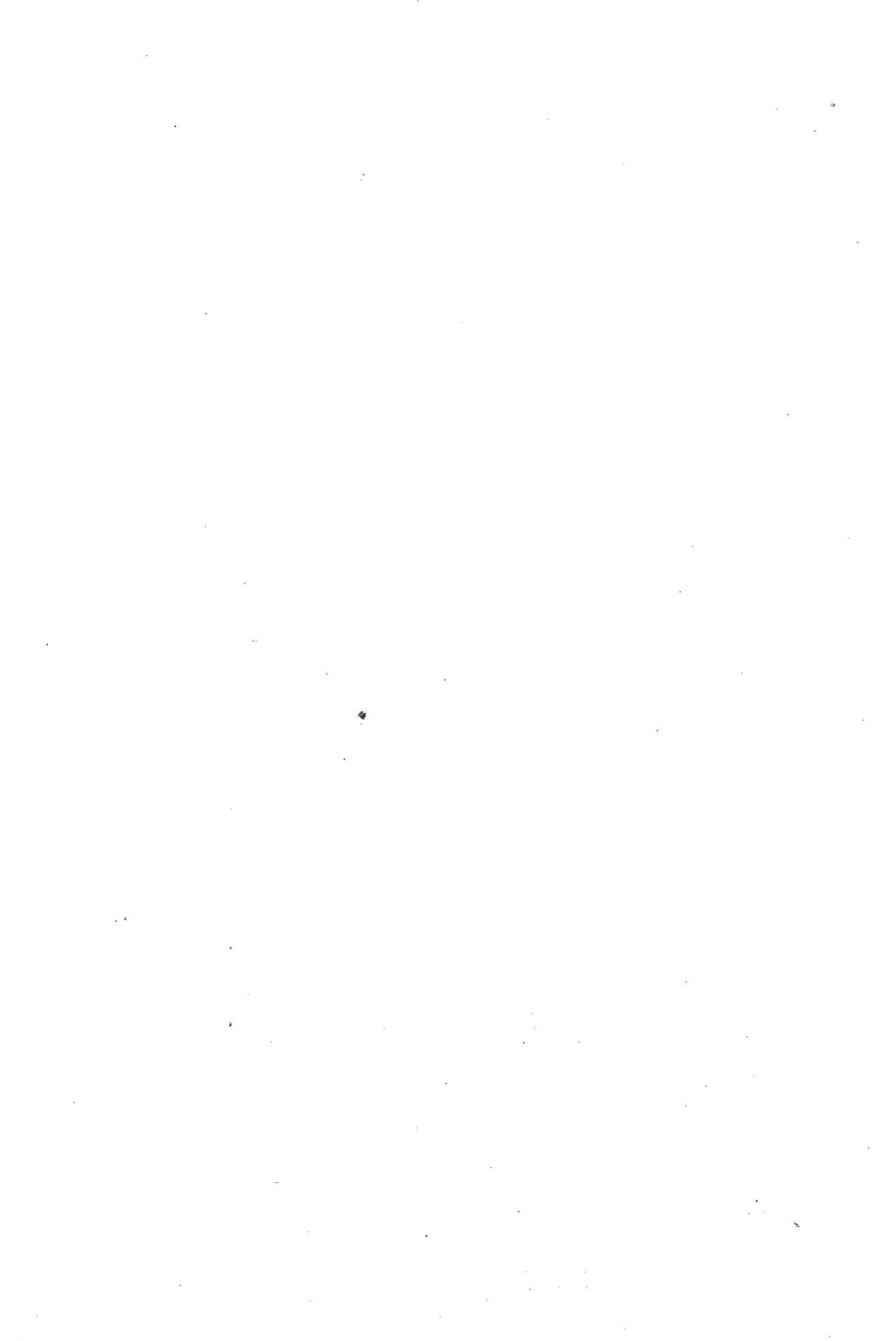
MESSRS. D. LAIRD and W. M. HOWE, REPORTERS.



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THE
PARLIAMENTARY REPORTER.
SESSION 1862.

Meeting of the Legislature.

On Thursday, February 20th, His Excellency Lieutenant Governor Dundas came down to the Council Chamber at 3 o'clock, when he was pleased to open the Legislature with the following

SPEECH:

Mr. President and Honorable Gentlemen of the Legislative Council;

Mr. Speaker and Gentlemen of the House of Assembly;

I have summoned you for the Dispatch of your Legislative Duties; and I have great satisfaction in meeting you at the Opening of another Session.

Since the close of the last Session, the Queen and the Nation have sustained an irreparable loss in the death of His Royal Highness the Prince Consort.

I feel sure that none of Her Majesty's subjects sympathize with their Sovereign in Her affliction more deeply than you do.

Mr. Speaker and Gentlemen of the House of Assembly;

The Estimates for the Service of the ensuing Year will be laid before you—they have been framed with due regard to Economy.

The Public Accounts for the past Year will also be presented to you.

Notwithstanding the serious embarrassments, which the unhappy condition of a neighbouring People has occasioned to our Foreign Trade, I am glad to find that there has been no remarkable decrease in the Revenue of the past year. I regret, however, to say, that the Expenditure during the same period, though it shows a considerable decrease, as compared with the Expenditure of the preceding twelve-months, has not been covered by the Revenue.

Mr. President and Honorable Gentlemen of the Legislative Council;

Mr. Speaker and Gentlemen of the House of Assembly;

Thirty-three of the Acts passed during the last Session have received the Royal Allowance.

I presume that the Act for taking a Census has also been left to its operation.

The remaining three, viz:—the Elective Council Act; the Act for the organization of the Volunteer Force, and that for the Incorporation of the Roman Catholic Bishop, have not at yet, received the Royal Allowance. Despatches from Her Majesty's Colonial Minister, containing suggestions on the subject of the two last mentioned Acts, will be laid before you.

An Act passed in the Session of 1860, authorizing the issue of Fishery Licences to citizens of the United States, for vessels built in this Island, and owned by them, has lately been specially confirmed by Her Majesty. I trust that it will have a beneficial effect on the Trade of this Country.

The Commissioners appointed to enquire into the Land Question have completed their laborious task, and have forwarded their Report to His Grace the Duke of Newcastle.

I have not as yet received any communication from His Grace on this important subject; but I am confident that he will not allow this Session of the Colonial Legislature to pass, without communicating to me Her Majesty's Commands on a question in which the people of this Island are so generally interested, and in regard to which they are known to feel so much anxiety.

The Governor General of Canada has recently forwarded to me a proposal for the Establishment of a Reciprocal Free Trade among the British North American Provinces, and for an assimilation of their respective Tariffs. It is unnecessary for me to direct your special attention to a subject of such paramount importance. Papers relating to it will be laid before you.

I trust that your deliberations during the Session may, under the Divine blessing, tend to the Advancement and Prosperity of the People of this Colony.

The members of the House having returned to the Assembly Room, His Excellency's speech was reported by the Speaker, and again read by the Clerk.

The hon. the Speaker informed the House that he had received a letter from the Sergeant-at-Arms, requesting the House to accept his resignation.

Hon. Mr. McAulay then moved that Mr. Albert Yates be appointed Sergeant-at-Arms in place of Mr. Wellington Nelson, resigned.

Hon. Mr. Coles moved in amendment that Mr. Robert Hyndman be Sergeant-at-Arms.

When the question was put on the motion of amendment it was lost 19 to 8; then the main motion appointing Mr. Albert Yates was put and carried in the affirmative.

The usual Committees were then appointed.

Committee to prepare the List of an Address in answer to the Speech of His Excellency the Lieutenant Governor:—Messrs. Davies, J. Yeo, O. S. Montgomery, McNeill, Howat, and Holm.

Committee on Public Accounts:—Messrs. McNeill, Davies, Beer, J. Yeo, and Hon. Messrs. Wigglesworth, Pope, and Perry.

It was moved by Hon. Col. Gray, and seconded by Hon. Mr. Coles that a Committee be appointed to join a Committee of the Legislative Council in a joint Address of

Condolence to Her Majesty the Queen on the irreparable loss which Her Majesty and the Nation have sustained in the death of his Royal Highness the Prince Consort.— Committee, Hons. Col. Gray, Coles, Longworth, Hensley, Pope and Wightman.

On motion of Hon. Mr. Longworth, seconded by Hon. Mr. Coles, Mr. David Laird was appointed Reporter for the present Session.

On motion of Hon. Mr. Yee, it was resolved that no petition praying aid for Roads, Bridges, and Wharves, or for any object of a local or private nature, be received after Tuesday, the 11th day of March next.

After some desultory conversation in reference to the manner which should be adopted in regard to printing the Debates of the Session, the House adjourned.

FRIDAY, Feb. 21.

On motion of Hon. Col. Gray, William Howe, Esq. was appointed additional Reporter to the House.

Mr. Beer moved that the standing rule adopted by the House last Session, viz: "that the Speaker do take the chair punctually every morning at 10 o'clock, and that this House, at its evening sitting, do rise punctually at 6 o'clock," be suspended.

After some discussion in the course of which Hon. Mr. Coles moved in amendment that the hon. member have leave to withdraw his motion, Mr. Beer's motion was carried 15 to 9.

Hon. Mr. Haviland then moved the following resolution:—

Resolved, That it is inexpedient to incur any further expense in the publication of the Debates of this House, beyond the cost of publishing the same in the Parliamentary Reporter.

The hon. member said he moved this resolution because there had been a good deal of dissatisfaction last year in reference to the grants to the proprietors of newspapers for publishing the debates; and because it was well to have the matter for this Session settled now.

Hon. Mr. Coles admitted it had perhaps become too expensive when there were so many papers in the Island as at present, to give a grant to each. He would not be disposed to grant anything to those papers which did not print all the debates; and as the publishing of them was a political matter, he thought it was sufficient that a sum be given to the *Islander* and *Examiner*, one paper belonging to each party.

Hon. Col. Gray thought the sum of £118, the amount voted for this purpose last year, was money which might be saved. He considered it would be the interest of newspaper publishers to print the debates without being paid for it. As regards which papers it should be granted to, he would either give to all or none. He would support the motion of the hon. member for Georgetown.

Mr. Beer, Hon. Mr. Pope, Hon. Mr. Hensley, Hon. Mr. McAnay, Mr. Davies, Hon. Mr. Longworth and Mr. Howat also expressed themselves in favor of the motion.

Hon. Mr. Perry and Mr. Sinclair spoke in favor of giving something to the newspaper publishers for printing the debates, though perhaps not so large an amount as was given last Session. They together with Hon. Mr. Coles appeared to think that to refuse granting any sum to the newspapers, on the score of economy, was beginning to curtail expenses the wrong way.

Hon. Mr. Haviland's motion was finally carried 20 to 6. Adjourned for one hour.

FRIDAY Afternoon, 21st Feby.

Mr. Davies, from the Special Committee, reported the draft address in reply to the speech from the throne. Made the order of the day for to-morrow. The order on the subject of members' postage, adopted last Session, was renewed.

SATURDAY, 22nd Feby.

Hon. Mr. Pope, from the Committee on printing the Journals, and Hon. Mr. Haviland, from that on printing the Debates, respectively reported in favor of the acceptance of the tenders of Mr. F. W. Hughes, for both services. On the reports being referred to a Committee of the whole House, a desultory conversation occurred, the principal subject of which was the construction to be put upon the letters calling for tenders. Hon. Mr. Haviland was of opinion that the limitation contained in the letters, specifying that the journals should be similar to those of last Session, related not only to the style of printing, binding, &c., but also to the quality of the paper. This view not being adopted by the House, the reports of both Committees were adopted without division.

The consideration of the address having been postponed to Monday next, the House adjourned.

MONDAY, Feb. 24.

DEBATE ON THE ADDRESS IN ANSWER TO THE LIEUTENANT GOVERNOR'S SPEECH.

On motion of Mr. Davies the House went into the order of the day, viz., that the House resolve itself into a Committee of the whole on the Address in answer to the Lieut. Governor's Speech. Mr. Holm in the Chair.

The Chairman read the Address as follows:—

To His Excellency, George Dundas, Esquire, Lieutenant Governor and Commander-in-Chief in and over Her Majesty's Island Prince Edward and the Territories thereunto belonging, Chancellor, Vice Admiral, and Ordinary of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY;

1. We, Her Majesty's faithful subjects, the House of Assembly of Prince Edward Island, respectfully offer our thanks for the Speech with which your Excellency was pleased to open the present Session.

2. We deeply sympathise with our Loved Queen in the irreparable loss Her Majesty has sustained by the death of His Royal Highness the Prince Consort,—a loss which we, in common with all Her Majesty's subjects, most sincerely regret.

3. We thank your Excellency for having directed the Public Accounts for the past, and the Estimates for the current year, to be laid before us. It is satisfactory to learn that the latter have been framed with a due regard to economy. Although the disturbed condition of a neighbouring people has occasioned serious embarrassments to the trade of this Colony, we are glad to find that there has been no remarkable decrease in the Revenue of the past year.

4. We regret to be informed that the Expenditure for the same period has exceeded the Revenue. In view of the large sums annually voted for Education—with a due regard for the other branches of the public service—it is difficult to confine the Expenditure within the Receipts.

5. We are pleased to learn that so many of the Acts passed during the last Session have received the Royal allowance; and when the Despatches referred to by your Excel-

ency containing suggestions in reference to those which have not yet received the Royal assent are laid before us, they shall receive our best consideration.

6. When the unhappy differences existing in the United States, which seriously disturb our trade, shall have been adjusted, we trust the Act authorising the issue of Fishery Licences to citizens of that country for vessels built in this Island will be acted upon, and tend to advance the trade of the Colony.

7. It is gratifying to hear that the Commissioners appointed to inquire into the Land Question have completed their laborious task, and forwarded their Report to His Grace the Duke of Newcastle.

8. We regret to learn that your Excellency has not yet received any communication from His Grace on the subject of their award—a matter in which the people of the Colony feel so deep an interest; but we are pleased to hear that your Excellency is confident that Her Majesty's instructions on this most important question may be expected during the present Session of the Legislature.

9. When the proposal of the Governor General of Canada for the establishment of Reciprocal Free trade among the North American Colonies shall have been submitted to us, it shall receive all the consideration which a subject of such paramount importance demands.

10. We join your Excellency in the hope that our deliberations may, under the Divine blessing, tend to the advancement and prosperity of the people of the Colony.

The first paragraph was agreed to. When the second was read, Mr. Ramsay moved that it be agreed to, and

Hon. Mr. COLES said—I would be sorry to allow such a paragraph to pass without a comment. If words could be found to express our sympathy for Her Majesty more strongly than those contained in the Address, I would be pleased to have them inserted. Though this is a small Colony I believe the people here sympathize as deeply with Her Majesty in her bereavement as those in any other part of her dominions. I have much pleasure in seconding the motion for the adoption of the paragraph.

The motion was agreed to.

The third paragraph was then read.

Hon. Mr. COLES.—Before the question is put on this paragraph—which is perhaps the most important in the whole Address—I wish to make a few remarks. In the first place, I would observe that there is scarcely a paragraph in the whole Address which calls for much consideration, though the matter to which each refers has an important bearing on the interests of the people of this Island. But there are other subjects which I think ought to have had a place in His Excellency's Speech. It is true that this is a small Colony, and that there are not so many matters here which call for legislative action as in the other Provinces; still several subjects which may be expected to come before us, have been unnoticed in the Speech. There is, Mr. Chairman, the matter of the great International Exhibition, in reference to which His Excellency is silent. Now, this subject was brought before this House, by a despatch from His Grace the Duke of Newcastle, on the 6th of March last. This despatch, however, was passed over unnoticed by the majority last Session; and here, now, the Government which are supposed to prepare His Excellency's Speech, have made no mention of the Exhibition, though it is generally understood that they have spent some £400 or £500 in regard to it without the consent of this House. I am somewhat surprised at this omission on the part of the Government. Then, again, there is nothing in the Speech on the principal re-

source of this Island—agriculture; there is not a word to show whether the different societies for the encouragement of this branch of industry are prospering or not. Again, the Volunteer force is unnoticed; no information is afforded as to its efficiency or increase, notwithstanding the grant which was given last Session to encourage the movement. This silence, too, is the more remarkable, when so near a time in which it was thought highly probable that an outbreak of hostilities with the neighboring States might render it necessary to call this force into active service. Nor is there any reference in His Excellency's Speech to a question respecting which I believe the Government are feeling some embarrassment. I allude to Education. Even the new College of Prince of Wales, which has cost the Colony no inconsiderable amount, is unmentioned. Now, Sir, in my opinion Education, which is such a heavy annual expense to the Colony, should not have been passed over in this manner. The paragraph under consideration says that the Estimates for the current year have been framed with a due regard to economy. This I am happy to hear, because, Sir, at the rate matters have been going on of late years, if continued, the Colony will soon become bankrupt. If the expenditure every year is to exceed the revenue by some £10,000, it should be provided for by an increase of taxation. Though we have not the public accounts before us, it is generally believed that the debt of the Colony has been increased last year by about £10,000. Now, Sir, as it is hinted in the Address that this excess of expenditure over the receipts is caused by the large sums voted for Education, the Government should have been satisfied that there was some way of meeting the expense of Education when they added to that expense. They may say that the step which they took was necessary to raise the standing of teachers. But they should have first ascertained whether the country was not satisfied with the teachers as they were, and whether it was justifiable to spend some £3000 for the alleged purpose of raising the standard of education. This, with the increase of schools, has added much to the expenses of the Colony. It was understood, when the present system was introduced, that 200 schools, with an average attendance in each of 30 scholars, would be sufficient for the wants of the Island. But what was done by the opposite party in 1854? They lowered the average attendance from 30 down to 20, and added £5 to the salary of teachers. Lowering the average, immediately caused an agitation to change the boundaries of districts, and increased the number of schools by some 60, which added about £3000 more to the expenses of the system. This, with the addition to the teachers' salaries brought the amount up to about £6000 above what was originally intended. True, the teachers complained that their salaries were too low, and I suppose to gain their support at election times, the increase was made; but by putting them to the extra expense and trouble of re-passing the Board of Education, the Government did not much rise in their favor. If, however, the teachers were clamorous for an increase of pay, the farmers were silent on the point. These, whose wishes should have been consulted, did not greatly care whether the teachers' salaries were increased or not; but had they been required to bear the burden of the increase by an additional assessment on land, they would soon have declared their sentiments. Now either through the inefficiency of the School Visiter, or some other reason, the average of some schools, I am credibly informed, is only about 10 scholars. If this be the case, paying a teacher a full salary to instruct such a small number, is a waste of the public money. However this may be, the Government should have provided some means to meet the extra expenditure which they have incur-

red, and not be continuing to run the country in debt. The balance against the Colony now must be between £70,000 and £80,000. The debt has increased year by year under the present Government, notwithstanding they have not expended much on many public works. But it may be said by the members of the Government that they have undertaken larger works. This is questionable. The late Government husbanded the funds of the Colony in other respects, and built several large bridges, which cost from £900 to £1100, and the whole amount voted for the road service was then from £6000 to £8000 a year. On account of this and the purchase of two estates, the country was somewhat in debt when the late Government went out of power, but only to the amount of £39,000. The debt, however, would not have increased under the late Government had it not been for the failure in the crops the last year or two they were in power, which caused a deficiency in the revenue of nearly £10,000, about the amount which the debt exceeded what it was when the Liberals came into office. Now it is evident, from the increase in the debt for the last few years, that there is mismanagement somewhere. There has been no failure in the crops to cause any material decrease in the receipts. True, the Government have tried to raise a revenue in the best way they could; but if they have failed in their financial arrangements they have to look to themselves for this; it could not be expected that they would receive aid from the Opposition. In respect to one matter, however, I would offer a remark, and that is regarding the collection of the revenue. The late Government, to obtain properly qualified persons, frequently appointed men belonging to the opposite party for Preventive Officers; but the present Administration, when they came into power, turned all out of office who were opposed to them, and the consequence has been that through the inefficiency of the officers at several ports, the duties have not been all collected. I hear a *posse* of men dressed up very finely have been seen around Princetown during the past summer, under the direction of the Custom House officer at that port, who, it is said has grown a very fine field of turnips. The boat's crew, it appears, were not always over plenty of work in boarding vessels, and were sometimes seen with their fine coats off, employed in this officer's field of turnips. This I have heard, but I am not certain as to its correctness. The Government may say that they have expended a large amount on Government House, and also on Prince of Wales' College, which I suppose we shall see when the accounts are laid before us. It was all very well to spend these sums, but the Government should have seen that they had something to meet them. They have laid out considerable to make a cellar under Government House, which I cannot say was much required. I, at least, have yet to learn that it has made the house more comfortable—the argument employed in favor of the outlay. With respect to the sum expended on Prince of Wales' College, I cannot see that the Government was warranted in the alteration which it effected in that institution. The old Academy served a very good purpose, and, with a few repairs on the building, I think the country might have worked along with it very well for a few years. The Government, after expending money as they have done, should not come here in a whining manner and introduce matters into the Address to which no allusion was made in His Excellency's speech. I suppose, Sir, that they thought if these subjects were not adverted to in the speech, the Opposition would have nothing with which to find fault. It is all very well to spend sums like that laid out on the International Exhibition, without the authority of this house, and thus run the country in debt some £5000 or £6000 a year. This is a course pursued in

none of the other colonies; and if the Government intend to continue acting in this manner, expending as they please, they may as well dispense with this House altogether, for what is the use of keeping us here? The Address before you, Sir, goes on to say: "In view of the large sums annually voted for Education—with a due regard for the other branches of the public service—it is difficult to confine the expenditure within the receipts." Now, I do not consider that it was proper to drag Education into the address, which should be but an echo of the speech. Had his Excellency alluded to the expense of Education, there would have been some excuse for this part of the answer. I shall move an amendment to this and the following paragraph—as they are connected—but it will be short. Those paragraphs, I think, might have been better worded. (Laughter). Besides, the increased expenditure should not be attributed to Education. They cannot lay the blame on the late Government, for we provided means to meet what we expended on that branch of the public service. The amendment which I desire to move is the following:—

"We thank your Excellency for having directed the public accounts for the past year and the Estimates for the current one to be laid before us. When the latter will be submitted to us, we will be pleased to find that due economy has been observed in so regulating the Expenditure as to meet the resources of the Colony."

"Although the disturbed condition of a neighboring people has occasioned some embarrassment to our foreign trade, it will afford us pleasure to observe that there has been no remarkable decrease in the revenue of the past year; but we regret to be informed that the expenditure for the same period has exceeded the revenue."

Hon. the SPEAKER.—There is one statement made by the hon. member, in reference to the boat's crew at Malpeque, which I wish to correct. These men were not, as he said, under the direction of the Collector of Excise at that port. The boat's crew were employed to collect Light and Anchorage dues, and not to look after Custom House duties. The Revenue Officer, therefore, had nothing to do with those men to whom the hon. member referred.

Hon. Col. GRAY.—I am somewhat surprised at the hon. member, the Leader of the Opposition, for, Mr. Chairman, of all the attempts to raise a discussion which I have ever witnessed, his this morning has most signally failed. The whole front of his argument was that the present Government have run the country into debt, and the late Administration kept it out of such a difficulty. (?) I shall, in the first place, answer his objections to the paucity of matter in His Excellency's Speech; the International Exhibition, Prince of Wales College, Agriculture, &c., &c., he says were unnoticed. Now, suppose that Her Majesty the Queen were to advert at the opening of Parliament to all the great events transpiring in the kingdom, her speech would be of such a length as to take her weeks to read it. It is unreasonable to think that His Excellency's speech should allude to all the operations that may be in progress in the country. Now, to the other charge that the present Government have run the country in debt, while the late Government ran it out of debt.

Hon. Mr. COLES.—I did not say that the late Government ran the country out of debt; I said they only increased the debt about £10,000, and that this was owing to a failure in the crops.

Hon. Col. GRAY.—Of all the subjects respecting which the hon. member should twit the Government, certainly that of Education is the most surprising. He has charged the

present Government with having increased the expenses of Education £6000.

Hon. Mr. COLES.—I did not say the present Government; I said the present Government and their supporters in 1854.

Hon. Col. GRAY.—The expense of Education, when the present Government took the reins of power, was £14,000, and now it is only about £17,000; so I have swept away half of his amount. The system of Education introduced by the hon. member and his party was one of the greatest schemes for deceiving the people ever devised. The assessment for its support only amounted to about £1000; and they gave the people to understand that this sum would cover the expenses of the system.

Hon. Mr. COLES.—I did not tell the people this; I said the system would cost some £8000 or £10,000 more than the amount raised by assessment.

Hon. Col. GRAY.—I did not affirm that he said so; what I said was that he gave the people to understand this. I have already said that when the present Government came into power the annual expense of Education was £14,000, and the amount raised for its support by assessment was not £4000; and its present cost is about £17,000. All this was brought upon the country by the system introduced under the late Government. The hon. member says the present Government increased the salaries of teachers to gain their support in keeping themselves in power; and afterwards tells us that they punished these same teachers by requiring them to undergo a new examination before the Board of Education. (?) How ungrateful the members of the Government must have been! Evidently it is the large sums required for the support of the present system of Education which have caused an increase of the public debt. It is well known not to be on account of large salaries given to public officers. The civil list of this Island is such as should make us ashamed. The Colonial Treasurer, for example, receives only £230, and the Colonial Secretary very little more. The Government is continually receiving applications for higher remuneration for services performed, which have to be refused, simply on the score of economy. The hon. member has referred to a certain boat's crew, with five coats, which they occasionally threw off to work in a field of turnips. I cannot see what this has to do with the paragraph under consideration. If I, as an officer in the Militia, choose to dress myself in a fine coat, and shortly afterwards throw it off, and put on a homespun one, with much greater comfort, to go and cultivate turnips, what difference does it make to any person? It was decided in this House last Session that persons were to be employed to collect light dues, and that they should wear a suitable dress; and if they did occasionally lay aside their coats to weed turnips, this only shows that they were careful, and that the pay of the Government was not sufficient to support them without having recourse to other employments. Sir, I should have supposed that the proper time to discuss the operations of this boat's crew, would be when the expenditure in reference thereto is laid before the House; then will be the time to consider whether the action taken by this House last session on this matter has or has not met the expectations of hon. members. It perhaps will be seen that the boat's crew have not collected a sufficient sum to remunerate them; but even if so, why charge the Government in the case, since they were employed by the direction of this House, and I see hon. members present on the opposite side who supported the measure. I was also surprised to hear the hon. Leader of the Opposition object to the expenses incurred in improving Government

House. If hon. members complain of the expense of keeping up that house why do they not grapple with the difficulty and petition the British Government to do away with it, and dispense with the services of a Governor in this Colony. But, as I said last year, the salary of the Lieut. Governor, amounting to £2000, is paid by the Home Government, on the understanding that the Colony should provide a suitable house for his residence. I do not care what party is in power, that house must be a matter of expense—even though it be the third party, which, we are informed, is to be got up by an hon. member for King's County. It seems strange that the hon. Leader of the Opposition should twit us respecting the sum expended on Government House, when in 1856 he and his friends voted £800 for repairs thereon, and instead of that amount spent the sum of £1800. It will be seen that the present Government have not expended near that amount last year. The hon. member says the collar was not required. All I know is that successive Lieut. Governor's complained of the want of such a convenience. When the present Government came into power, I once remarked to the hon. Leader of the Opposition that since they had so lately expended £1800 on Government House, it would require no more outlay for some time. But what was my astonishment when I ascertained shortly after that it was still in need of repairs. In the summer following the farm house, which was of brick, tumbled down.

Hon. Mr. COLES.—Who built it?

Hon. Col. GRAY.—Well, I suppose the hon. member or his party did not build it, nor did they build Government House; but certainly whoever it was, the building does no credit to their architectural skill. The farm house lay in a mass of debris all summer; and so much had the whole affair cost a short time previously that the Government were ashamed to ask anything on the following session for repairs. But when the Prince of Wales was expected, I, in company with the hon. member for New Glasgow, who were sent to examine the building, found it in a wretched condition; and consequently patching up had to be resorted to. Last spring the stable appeared as if about to follow suit with the farm house; and His Excellency stated to us that his horses were in danger. Last summer a good wooden stable was built, with a capacious hay loft and other conveniences, at a cost of about £200. Great care has been taken by the members of the Government, and particularly by the leader in the other end of the building and myself, that no money should be unnecessarily expended on the premises, and that the work performed should be of a substantial description. My opinion is that the public will not bear of Government House again for the next ten years, except on account of incidental expenses. Had these repairs not been made, no doubt His Excellency would have represented to the Home Government that the house was unfit to be tenanted, and the result might have been a refusal to support a Governor any longer in this Colony. With the knowledge which I now possess of Government House, and the perishable material of which it is constructed, I am not surprised that the late Government expended £1800 in 1856 without effecting much improvement on the building. I acquit the hon. member of that expense, for I believe he could scarcely have spent less; all that I contend is, that what the present Government have expended has been laid out to greater advantage. I think it will be well henceforth for both parties in the Legislature to let Government House alone. I am inclined, though I should go into opposition to-morrow, never to say another word in objection to the expenses of that building. There is no denying that the finances of the Colony are not in a very

dourishing state, but in my opinion there will be very little improvement until the Government is allowed the right to initiate all money votes. It is almost impossible to keep the expenditure within the receipts, while this hon. member is permitted to move a resolution granting £100 for a steam-boat, and that hon. member £200 for a dredging machine.

Hon. Mr. COLES—The hon. member for Belfast has scarcely done me justice. I did not complain of the expense incurred in repairing Government House; I only mentioned that the Government before they expended so much should have provided the means. At the last election the expenses of Government House were prominently brought forward; and I have been informed that the hon. member then stated that as the new Governor was a Scotchman, and would not be an extravagant man, £50 a-year would be sufficient to keep up the house. The late Government had to provide for various expenses in connection with it. They purchased a piece of land, and had to build a new coach-house. The hon. the Speaker has stated that the boat's crew at Malpeque were not under the direction of the Collector of Excise for that port. If they were not they ought to have been; and, if this is the manner in which they were appointed, I consider the Government has been very remiss in its duty. I did not seek the information respecting these men; one of the supporters of the present Administration communicated with me on the subject. The hon. member for Belfast says that it was the late Government which caused the present debt, by setting on foot the present system of Education. The £6000 which the system costs now more than it did under the late Administration is the result of the alterations made in the Act by the present party in power. I never for a moment thought, or led the country to believe that the amount raised by land assessment would be sufficient to meet the expenses of the system. It was always understood that the greater part was to be taken out of the general revenue. The increased expenditure for Education is, however, chargeable upon the present Government. They may say that they have been endeavouring to perfect the system; but I have yet to learn that it gives more satisfaction than it did before they amended the Act. The School Visitor, it is known, is an inefficient officer. Complaints against him are made by parties on both sides of politics. With respect to the Prince of Wales College, I believe the present Professor of that institution is as competent a person for the situation as could be found; but, Sir, when he came to this Colony, he did not expect that he was to perform the duties of a common teacher. In fact, notwithstanding all the expense of the establishment, it is very little more efficient than the old Academy. The expense of the Normal School has also been increased by the appointment of an assistant master; but that this additional outlay has resulted in any practical benefit yet remains to be seen.

Mr. HOWAT—The hon. leader of the Opposition has stated that the requisite average attendance in the schools was lowered by the present Government, and thereby they have increased the expense of Education. Now, Sir, as I supported this alteration in the Act, I feel called upon to reply. When I came to this House, I heard frequent complaints that the average attendance of 30 was too high; and I received different applications from my constituents to use my influence to have the average lowered, or some of the schools would have to be closed—(and some were actually closed by the then Visitor of Schools, Mr. Irving, on Lot 19, for the want of the average attendance)—and the districts enlarged, a change which would subject many children to the inconvenience of travelling a long distance to school. To obviate this I supported the amendment to lower the

average. The hon. member advocated that two or three districts should be run into one; now, permit me to say that such a proposition would not go down with the people, and as I reside in the country I ought to know something of their opinion.

Hon. Mr. COLES—I did not say that two districts ought to be run into one.

Mr. HOWAT—I have given the fair inference of his statement. He said that 10 was the average in most of the schools throughout the Island, and that 30 was sufficiently low. As 10 goes into 30 three times, I think that this tends to prove that he advocated two or three schools should be run into one. I shall ever oppose such a proposition, as I believe the people would rather bear the extra expense than submit to such a measure. The hon. member says we should increase the taxation, if means be wanting to support Education. This is a subject for the country to decide; and we shall leave this matter until the proper time arrives, when the people may determine whether the assessment shall be increased or the system done away with altogether.

Hon. Mr. LONGWORTH.—I regret that I was not present when the hon. leader of the Opposition made his opening remarks. It appears, however, from what I can learn, that he has censured the Government for not advertising to certain subjects in his Excellency's speech, such as the International Exhibition, the Volunteer force, and Education. Had they introduced all these topics it would have occupied a great part of their time as well as of the time of this House: this we know from the proneness of certain hon. members to discuss some subjects at great length. The topics alluded to by the hon. member will come under consideration when the documents in reference thereto are laid before us; and I cannot conceive that it is necessary they should be twice discussed. With respect to the Great Exhibition, and the importance of having the products and industry of this Colony properly represented on the occasion, it is my opinion that there is not an intelligent man in the Island who would not support the Government in the action which they have taken on the question. As to agriculture, it is too common a subject to be introduced into the Governor's speech. The people of this Island are well acquainted with the capabilities of the soil and the resources of the country; where then the necessity of advertising to such matters. It was also unnecessary to allude to the Volunteer force, as the public are already fully informed in regard to its movements. Nor in connection with this force did the Government think it necessary to advert to the probability of war with the neighbouring republic. This is more a matter of imperial than Colonial policy. This Island is a very small part of Her Majesty's dominions, and whatever course the Home Government may decide on pursuing, we must follow out to the best of our ability. I will now turn to the paragraph under consideration. The hon. leader of the Opposition complains of the expenditure of the present Government, and says that to find an excuse for it, matters should not be introduced into the Address to which no reference was made in the Speech. This House, as the representatives of the people certainly possesses the right to advert to any subject they may consider necessary. I do not say that new matter should be introduced; nor has it been done in this case. The subject of education, mentioned in the Address, has a direct bearing upon the expenditure of the Colony, adverted to in the paragraph of his Excellency's speech under consideration. Why should the hon. member complain of the mention made of education in the address? Is he now ashamed of the system—that pet scheme respecting which he has taken so much credit to himself for originating. He charges the present

Government with not providing means to meet the expenses which it entails upon the Colony. This was his duty, not ours. He introduced the bantling into the world, and should have provided for its support. He should have seen that the taxation imposed was equal to the requirements of the system; and the remark of the hon. leader of the Government in this House was correct when he stated that the country was led to understand that the assessment would meet the expenditure.

Hon. Mr. COLES.—The means provided were sufficient; but the understanding was not that the land assessment would cover the expense.

Hon. Mr. LONGWORTH.—If the assessment was not sufficient it should have been. That the hon. member should introduce a system not commensurate with itself shows his policy to be defective. To render him entitled to the credit which he generally receives, he should have devised means equal to the support of the system for all time. The sum raised by the tax imposed under the provisions of the Bill which the hon. member introduced was less than £4000. I admit that at the time the measure became law the necessity did not exist for a much larger assessment, as the expenses of education then did not exceed £9000; but they far exceeded this amount before the party went out of power, therefore it devolved upon the hon. member to devise some scheme to meet the increasing expenditure. When the present Government came into power the annual cost of Education was some £14,000, and the sum raised by assessment had considerably decreased on account of the purchase of two large estates by the late Administration. At present the expense is about £17,000, and the consequence is as stated in the Address, a difficulty to keep the expenditure of the Colony within the receipts. I advance nothing against the system itself; all I say is, the hon. member should have based it upon a policy that would have borne it through all the storms and waves of existence. He should not seek to blame the present majority if they have been unable to meet the demands of a system which he claims to have originated, and which they have done their utmost to nurture and mature.

Hon. Mr. COLES.—They have only increased its expense.

Hon. Mr. LONGWORTH.—Yes, I say mature the education law, which at first was very defective, but as it stands at present on the statute book improved by the majority of this House it is a credit to the Colony. The Act is about as perfect as it can be, but the great hiatus is the deficiency in the means of support. The hon. member would be delighted if we should impose a heavy tax to meet this want; but did we undertake this responsibility, he would be the first to cry out against us for placing burdens upon the people.

The Committee arose and the house adjourned.

D. LAIRD, Reporter.

MONDAY AFTERNOON, Feb. 24.

Hon. Mr. LONGWORTH.—Mr. Chairman, when the House adjourned this forenoon, I had been replying to the statements put forward by the hon. the Leader of the Opposition, and I flatter myself his arguments have been fully met. It is unnecessary that I should enter into the various details of public expenditure adverted to by that gentleman, as many opportunities of answering him more fully and effectually, than would be appropriate now, will arise during the Session. The Government is quite prepared and ready to meet any charge or insinuation which may be brought against it. When the adjournment took place, I was endeavouring to show that it illly became the Leader of the Opposi-

tion to attribute blame to the Government on account of the charge borne on the Revenue for Education. The present system of Education originated with that gentleman. We, I may say, inherited it, and it became our duty to improve it, as far as possible, but it was not our province to provide new sources of revenue for its support. Had we done so, the hon. gentleman would at once take the credit of having introduced the system, and at the same time blame the Government for incurring unnecessary expense. When the late Government went out of power, the operation of the Educational system cost £14,000. That amount has since increased £8000. These facts, Sir, in my opinion, fully justify the allusion in the Speech to the subject of Education. It is impossible to continue the present system—to keep the expenditure within the income, without a change in the tariff. The hon. gentleman referred to the Prince of Wales College. The question of the establishment of that institution has been before the House in previous sessions; it was constituted by an Act of the Legislature and the necessary funds were voted for its support. It is enough for the Government, therefore, to meet any charge connected with the College, by saying that it is in successful operation. When the hon. gentleman says that it is no improvement upon the old Academy, I beg to differ from him, and I have no doubt that a personal visit would have the effect of inducing him to change his opinion. The College presents a vast improvement, under the able management of its talented principal, over the Academy; and I trust that the day is not far distant when its influence will be felt over the length and breadth of the island, if supported as it should be. True it is, that the late Government kept up the Academy, but in such a manner that in 1859 the Legislature thought it unwise to expend the public money upon it, and granted but £3 for repairs.

Hon. Mr. COLES.—That fact shows that the building was in a good state of repair.

Hon. Mr. LONGWORTH.—It became the duty of the Government to make the building a credit instead of a disgrace to the Island, and the exterior of the building alone now offers to the passer by an aspect very different from that it presented of yore.

Hon. Mr. COLES.—What of Government House?

Hon. Mr. LONGWORTH.—It is unnecessary that I should refer to that, after the statements made this morning by the hon. member Col. Gray. It will be time enough to discuss it when the accounts connected with it shall be before the House, when I have no fear of their being found satisfactory. As that gentleman stated this morning, if we are not prepared to dispense with a Lieut. Governor, we must have a decent house for him to live in. The late Lieutenant Governor, by message, declared the building not fit for his successor to occupy; and surely the hon. member (Mr. Coles) will admit that Sir Dominick Daly's long residence in Government House qualified him to form a reliable opinion on the subject. I think, however, that an inspection of the improvements which have been made would satisfy the hon. member as to the futility of his objections. To revert to the subject of Education; when the hon. gentleman charges the Government with a want of forethought in not providing means to meet the demands consequent upon the constantly increasing number of schools, I ask why it was that for nine long years of his tenure of office no adequate provision was made to prevent the evil of which we now complain. He must have known that the Educational institutions would naturally increase, as well as other branches of the public service. Able financiers have doubted the soundness of the policy of imposing taxes to meet the full amount of the current expenses of Government. I do not advocate the policy

of hardening the energies of a young country by heavy taxation, but a moderate debt would not have that effect. The Hon. Joseph Pope, while a member of this House, was of this opinion. He argued that Government should not be tied down to the exact amount of revenue—that it was quite legitimate that posterity should bear a portion of expenditure, of which they would receive the benefit. This principle is acknowledged by the Imperial Parliament. If it were not for her national debt Britain would not occupy her present proud position. The same policy, to a limited extent, may be applied to a young and growing country. It is, of course, advisable, where possible, to keep the expenditure within the limits of the revenue, but that is not always practicable. I do not intend to go into the details of other items of expenditure and of the causes which rendered them necessary. My honorable colleague (Mr. Haviland) will give the Committee full information with regard to them. I may mention, however, that the visit of the Prince of Wales cost some £3000. The great Exhibition of the industry of all nations to be held in England in May next, rendered it an imperative duty on the part of the Government to see that the products and manufactures of the Island should be represented there. This necessarily entailed some expense. The Volunteer force was also the cause of another exceptional outlay. The grant for that service will be justified by public opinion. The organization of that force was necessary, and was, and will be, approved by the people. As to the deficiency of the revenue, referred to in His Excellency's Speech, it amounts to but £1100. It is matter of congratulation that the decrease is no greater. I would not have been surprised had it amounted to some £6000 or £7000. The interruption to our extensive and rapidly increasing trade with the States, consequent upon the political convulsions which have been and are agitating that country, has necessarily affected the financial and commercial position of the community. Had it not been for that circumstance, it is reasonable to suppose that the revenue of last year would have exceeded that of the preceding by £8000 or £7000. It became, under the circumstances, a matter of impossibility that the revenue should cover the expenditure voted under a condition of affairs which had subsequently ceased to exist.

Hon. Mr. HAVILAND.—As my hon. friend has referred to me in connection with the financial state of the Colony, it becomes my duty to address the committee. When I came to the House this morning I was at a loss to know whether the Opposition would follow the courteous and graceful example set by the leaders of the Opposition in the Assembly of Nova Scotia, who waived all discussion on the address, purposing to meet the measures of the Government as they arose. But, Mr. Chairman, the leaders of our Opposition have been so long concocting their schemes against the Government, that if they did not promulgate them without loss of time, they would meet the fate of the frog in the fable. They could not wait till the various matters came up before the House. But, Sir, I can tell the hon. leader of the Opposition, in answer to the slur he threw out against the Government this morning, when he said that the main object of the majority was to make the debate on this question and all others as short as possible, that we are prepared to meet him on any and every public question which may come up for discussion. It may suit that hon. member to make charges against the present Government, but in his conscience he knows that if the conduct of this Government were put into the scales against that of the last, his side would speedily kick the beam. The hon. member found fault with the Speech because it contained no allusion to the Volunteer movement. He is rather difficult to please on this as on a good many

other subjects, for when the subject was introduced into the Speech last year he was so dissatisfied with the subject that he branded the Volunteers as being an Orange faction. He opposed the Bill for their organization, and he voted against the grant which was proposed for them; but, Sir, on that occasion he was left in a miserable fragment of a minority. But, Mr. Chairman, I was not a little surprised and amazed at the new character in which he exhibited himself this morning. He appeared, forsooth, as a teacher of English grammar. He complained of the style of the paragraph before us. Well, Sir, whoever will take the trouble to look at the amendment to that paragraph will come to the conclusion, that so far from having been abroad when the leader of the Opposition penned that precious document, the schoolmaster must have been locked in, and very securely too. As to the deficiency of the revenue, which he makes a ground of censure against us, I have not the slightest unwillingness to contrast the excess of expenditure over revenue for the three years during which the present Government has been in power, with the last period of the same extent, while that hon. member held the reins, when he

“Was monarch of all he surveyed,
When his right there was none to dispute.”

The present Government, since it has been in power, has expended £27,042 13s. 7½d. more than the Revenue, and Mr. Coles and his Government expended £26,745 12s. 1½d. more than the Revenue during the last three years of their tenure of office. Yet with those figures before him, he presumes to get up and lecture the Government and tell us that we are not competent to manage the finances of the Colony. If he will take the trouble to examine the accounts, he will find how the different balances arose, and he will discover that the present Government has more to show for our expenditure than he has for his. We have bought the Selkirk Estate and Lot 54.

Hon. Mr. COLES—We purchased the Worrol Estate.

Hon. Mr. HAVILAND—Yes, but not within the last three years of your power. Every farthing of the amounts paid for the two properties we bought will be repaid, which we all know is more than can be expected in the case of the Worrol Estate. I was, Sir, astonished at the course of the hon. gentleman on the subject of the cost of the Educational system of the Island. He blames the Government for the natural and inevitable expansion of the system of which he has ever vaunted himself the author. Oh! what narrow-minded, miserable political charity for such complaint to emanate from such a source! I believe he would have been but too happy if the Government had crushed the system. Had such been the case, we would hear long and loud repetitions of the aspirations of former days, when he expressed the hope that the day would speedily arrive when every man, woman and child in Prince Edward Island would be able to read and write. I will now read some of the extraordinary items of expenditure connected with the various branches of the public service since we held the reins of Government, in order to show how we have exceeded the Revenue. The additional Master to the Normal School, £120; the repairs and improvements to the Prince of Wales College, £716; the extra salaries of the Professor and the Master of the College over that of the Masters of the old Academy, £298; the Land Commission expenses, £728; taking the Census, £386; the Selkirk Estate, £9,987 16s. 7d.; Lot 54, £3066 9s. 8d.; interest on the balance of Selkirk Estate, £342 10s. 0d.; the reception of the Prince of Wales, £3000; the Volunteers, £400; repairs to the three County Jails, £852; grant for the International Exhibition, £500; increase of 6 members to the House of Assembly, £600; loss of Land Tax on Selkirk and Lot 54 Estates, £200; increase on Education for three years, £6000; amount charged against present Government in 1859, but which was spent by Mr. Coles's Government in 1858 and 1859, and ought to have been charged to them as appears by the Report of the Committee on Public Accounts in 1860, £5600, making in the whole the sum of £37,000 or £10,000 more than the debt we are charged with by the Leader of the Opposition. Beside these facts, I ask the honorable member to contrast the credit of the present Government with that of which he was the Leader in 1859. Where was then the confidence of the public in his administration? At that time Treasury Warrants were at a ruinous discount—at a discount which was a robbery of every schoolmaster, contractor, and public officer in the Colony. The Government of that day had to seek the solace of Jews' Alley, they paid to a merchant of Halifax 7½ per cent as discount on warrants. At present there are thousands of pounds lying ready for investment in warrants at par, and, I believe, a small premium could

is obtained. The Government need adduce no stronger proof that the public repose confidence in their administration of the public affairs of the Island. Yet, Mr. Chairman, with these facts staring him in the face and patent and notorious to the whole country, he presumes to lecture us on political economy. To qualify himself for that only, I recommend him to go to school for a while. It will not do to cram bunkum down our throats, with reference to our financial management, when warrants are at a par. His arguments are ridiculous and fallacious. He must have drunk of the waters of oblivion and must suppose that we on this side of the House have partaken of them also, if he imagines for a moment that the circumstances to which I allude have been forgotten. The hon. member charged the Government with having bribed the schoolmasters with an increase of salary to advocate their cause at the hustings. As far as I am concerned, and I am sure that I can speak for my colleagues, the imputation is groundless. He has accused us also of having appointed a political partizan to the office of School Visitor. Really, Mr. Chairman, when I heard such a complaint and remembered the antecedents of the hon. member in connection with that situation, I could scarcely refrain from laughing outright. Does he forget Mr. Stark whom he dismissed from office because he would not consent to become a political partizan? Dismissed, because expressly invited to the Island to introduce Stowe's scholastic system, he wished to carry it into practice in its integrity, by having the Bible read in the schools?

Hon. Mr. COLES—I deny that Mr. Stark was so dismissed.

Hon. Mr. HAVILAND—Mr. Chairman, I am content to leave that question to the decision of public opinion and the knowledge of the facts possessed by the people of the Island. But, Sir, who came next? Whom did the Government of the day nominate as successor to Mr. Stark? Mr. Blake Irving. Not by any means a political partizan. Oh no! Quite the reverse. He did not write in the 'Examiner,' abusing one of the most worthy and estimable men and best officers in the Island, the former Postmaster General, the deceased Mr. Owen—a gentleman who modelled not in the political struggles of rival parties, but attended to the duties of his office with unremitting and exemplary zeal. The partizan pen of Mr. Irving was not idle on the events of the three days session. If the office of School Visitor is, as that hon. member stated, a political one, he and his party made it so, and we cannot be blamed by him if we should have followed the example thus set us. I shall not trespass further on the time of the Committee, as I shall have other opportunities of addressing it during the progress of the debate. I rose merely to notice some of the remarks of the hon. Leader of the Opposition, because he is the greatest violator of principles propounded by himself.

Hon. Mr. COLES. As to violation of professed principles, the Hon. member affords quite a striking instance in his own person. I must however, do him the justice to state that he has made a good speech in a bad cause. But, Sir, I will now review some of the statements in that speech, and shall be as brief as possible in doing so. With reference to the Volunteers, what I said was, that from the fact of four hundred pounds having been granted for the service last Session, and in view of the disturbed condition of the United States, some reference to them should have been contained in His Excellency's Speech. In fact, from the promotions which have been made in that body, I thought it likely that it would constitute the most prominent topic. The Hon. member says that the late Government dismissed Mr. Stark from the School-Visitorship. Now, Sir, I deny it. What are the facts of the case? Mr. Stark was engaged by the late liberal Government at a Salary of £200 a year. The Royal Agricultural Society believing him competent, agreed to give him £100 per annum as a lecturer on Agricultural Chemistry. He represented himself as qualified for the duty. When the term of his engagement with the Society was about expiring, that body, on the motion, not of any member of the Liberal Party, but of a member of the Legislative Council, and a member of the present Government, the Hon. Jeremiah Simpson, resolved to withdraw the grant of £100. The Society having communicated their resolution to the Government, that body, in discharge of its duty, notified Mr. Stark of the action taken by the Agricultural Society. In consequence of the withdrawal of the grant from the Society, Mr. Stark resigned his office of School-Visitor, and not on account of the agitation of the so-called Bible question. But, at the instigation of the Tory party, he was, I believe, induced to say that that question led to his loss of office. The minutes of the Executive Council will verify my statements as to the circumstances under which the School Visitorship became vacant. The Tory members were opposed to him, as knowing nothing about agricultural chemistry.

Hon. Mr. HAVILAND. Mr. Stark, however, said that his advocacy of the introduction of the Bible into the schools led to his dismissal.

Hon. Mr. COLES—If he said so, he must have stated what was untrue. With reference to what has been said on the subject of

Education, I contend that the Government were bound to provide for the expense necessarily incident to its expansion. Because the late Government calculated to pay about £3000 for the support of some two hundred schools, it is absurd to say that when the present Government came into power and added one hundred to the number of schools, and as a matter of course, made an equal addition to the number of teachers, and also increased their salaries, that not they, but their predecessors should have provided the means of defraying the additional charge. The hon. member for Georgetown has referred to the increased amounts for the Prince of Wales College and the Normal School, and to the cost of the visit of the Prince of Wales, as items of extraordinary expenditure. There will always be some extra sums to be provided, but, Sir, does he forget the £2000 the late Government voted towards the patriotic fund? Sir, the present Government have not expended on the roads and bridges within £5000 or £6000 a year, as much as we did when in power. The hon. leader of the Government stated that that the bridges are in a very dilapidated state. It is not to be wondered at, if they should be as rotten as the side of Government House, through which the hon. leader pushes foot. With reference to the debt of the Colony, the hon. member for Georgetown admits that in the three years of the present Government the expenditure has exceeded the revenue some £20,000. This admission affords a striking proof of the Government's adherence to their pledges to the people. They made great professions of their intention to diminish the then debt of the Island: instead of doing so, they have largely increased it, and that under a higher tariff than the late Government imposed. When we were in office, we generally saved some £2000 or £3000 a year, to provide for the construction of important public works. The Liberals were in power nine years, and during that period they incurred a debt of not more than £9000, and they purchased the Worrell Estate and Lot 11. They constructed heavy public works, bridges, light-houses, &c., besides paying the Legislative Council.

Hon. Mr. HAVILAND—I must inform the hon. member that the accounts for the purchase of the Worrell estate appear in the journal of 1855, and therefore have nothing to do with the comparative statement I made, which dated from 1856.

Hon. Mr. COLES—Well, if the money was expended in 1855 it was saved in other years. The hon. member has boasted of Treasury Warrants being now at par, and cites that fact as a proof of public confidence in his Government. Well, Sir, the reason why the Warrants issued by the late administration were at one time at a discount was, that when the Bank was established, some £30,000 were required to be paid into its vaults, and that necessarily depreciated the Warrants. Instead of a diminished revenue, the Government, I maintain, should have shewn an increase. The farmers have had good crops and have obtained good prices for their produce, and when such is the case, the revenue receives a proportionate increase. I am glad to hear that the affairs of the Stanfield estate have afforded so much satisfaction to the Government, but it appears that up to the present time but £300 have been received from it. What portion of that property has been sold has been disposed of to favorites of the Government. Parties residing in the neighborhood, on application, were told that the land was not for them—that it was intended for parties resident in Nova Scotia. As it seems, Sir, that the Land Commission has cost the country £726, I hope that the long expected Award will soon be received and laid before the House and country. The reference to opposition in the House of Assembly in Nova Scotia, made by the hon. member for Georgetown, was not very appropriate. The leading public question in that country, is the Railway policy of the Government, as the Land Question is with us. Mr. Johnston, the leader of the opposition, thought it not worth while to get up a discussion which would not lead to any result. The hon. member, Mr. Longworth, has stated that the Hon. Joseph Pope was of opinion that it was not good policy to impose an amount of taxation equal to the current expenses of the year. That opinion may, perhaps, be safely acted upon in countries possessing responsible departmental government, as in Great Britain; but I can assure the hon. member that when Mr. Pope was a member of the Government, he was as anxious as any one to keep the expenditure within the revenue. He also claimed credit for the Government, as being honest and constitutional. As to the honesty of the Government, I shall not say anything; but a more unconstitutional system never existed since the concession of Responsible Government. Some excuse must be found for their having abandoned the principle of Responsible Government, by excluding heads of departments from the Legislature. When their party came back from the hustings with a majority of only two, they naturally felt that if any of them took office and went back for election, some might not be returned. The essence of Responsible Government is the privilege it gives the people of expressing their opinions on the policy of the Government, by a re-election or rejection of its principal officers. The hon. member stated that if a farthing were added to the taxes, I would cry out against it. Sir, it is a bad rule which will not work

both ways. The late Government added 1½ per cent. to the tariff, to meet the deficiency of the revenue. Then a great cry was raised against us. We were charged with oppressing the people by an immoderate taxation. That addition has enabled the present Government to defray a portion of the expense of education. When the Liberals went into power, the revenue of the Colony was about £23,000, and when they went out, it had increased some £20,000. At that time education cost between £13,000 and £14,000. The increase consequently paid the whole charge of education, and left £6000 applicable to the general purposes of Government. The members of the present Government argue that the proceeds of the land tax should cover the expense of education. That is absurd: it was never dreamt of; it would be most unfair to lay all the burden of the educational system upon the owners of land, because many receive benefits of that system who own no land, and therefore it is but just that the balance should come out of the general revenue. As to the grant for representing the Island at the great Exhibition, the hon. member, Mr. Longworth, may flatter himself that the Government have done a great deal towards that object, and that the people will approve of their action in the matter; but, Sir, they did nothing at all until the Charlottetown Debating Club took up the subject. They did not do justice to the people of the Colony; instead of making a bargain with a speculator, they should have come down with the despatch, and thus have given the people ample time to prepare the articles they might have wished to transmit. This course was adopted in other Colonies.

Hon. Mr. LONGWORTH—Not in Newfoundland.

Hon. Mr. COLES—Newfoundland is in a very different situation from this Island. It has no manufactures. Tradersmen and farmers have complained of the shortness of time which was afforded them to prepare for the Exhibition. Several farmers have stated to me that the samples of grain sent are not of as good quality as could have been procured.

Mr. Beer—I do not intend, Mr. Chairman, to follow the last speaker through his various statements. I merely intend to refer to the comparative statement of revenue and expenditure for the separate periods of 3 years of the late and present administration, as made by the hon. member from Georgetown. By that it appears that in the last three years of the late Government, the expenditure exceeded the revenue by about £27,000, without their having purchased any land. The present Government show an excess of about the same amount, but out of that sum, they can show about £15,000 paid for the purchase of land. This proves to my satisfaction that, if the late Government had continued in office for the last 3 years, the debt of the Island would have been £30,000 more than it is at present. The present Government are, in my opinion, entitled to the thanks of the Country. I now, in accordance with the rule we adopted, move that the Speaker take the Chair.

The House adjourned.

TUESDAY, 25th Feb.

Hon. Speaker laid on the table a copy of the Report of the Commissioners of the Asylum for the deaf and dumb, in Halifax, Nova Scotia.

Committee on the Address resumed.

Hon. Mr. COLES—Mr. Chairman, the hon. member for the city (Mr. Beer) stated that the late Government would have spent in the last three years £20,500 more than the present Government have done, had they remained in office. I do not know on what facts he bases his assertions, but I do know that the expenditure of the last year of the liberal Government did not exceed the revenue of the previous one. The depressed state of business in 1859 caused a difference in our revenue of £10,000. Had we continued in power, we would not have gone on incurring debt, as the hon. member alleged, for we had saved from the revenues of previous years considerable sums to provide for the construction of heavy public works. We built the new ferry wharf at the foot of Prince Street, and rebuilt that at Southport which had been carried away. But, Sir, apart from those considerations, it will not do for the Government to say that they are doing no worse than the Liberals did when they held the reins. The present party came in expressly pledged to do better, and if they were not expected to do so, why were the Liberals turned out of office? But a bad excuse is better than none at all. The Government admits that the excess of expenditure over income in the three years they have been in power is greater by some £3000 than that of their predecessors for the same length of time. The hon. member, Mr. Haviland, advanced one statement which I cannot allow to pass without allusion. He said that between the end of our last financial year and the establishment of the new Government, we had expended £4000 or £5000 which had come into the accounts of

the following year. He well knows that any Government must pay its current expenses. The quarterly salaries of the public officers must be paid, and he should bear in mind that, out of the sum he referred to, the expenses of two general elections had to be defrayed. I have no doubt, Sir, that the Government has paid thousands since the end of the last financial year.

Hon. Mr. HAVILAND.—Not one.

Hon. Mr. COLES.—Well, Sir, that will be seen when the public accounts are before us.

Hon. Mr. HAVILAND.—All the Warrants we have issued will be borne out of this year's Revenue.

Hon. Mr. COLES.—It has been admitted that some advances have been made, therefore the Government must have advanced more than the House authorized.

Hon. Mr. HAVILAND.—In the sum to which I referred which was £5600, there was one item of no less amount than £3301. 11s. 10d., the Warrant for which in favor of the vendors of the Werrall Estate had been ordered by the Hon. Member's Government and issued by the present.

Hon. Mr. COLES.—Well, Sir, the Government have received £6000 out of that estate. The warrant referred to, was made out to pay into the Court of Chancery at the time when the vendors of the Werrall Estate had proceeded against the Government for a claim which we disputed. We were told by our professional advisers that it was expedient to deposit that amount to abide the event of the suit. The Government has now been three years in power; but during that period, they have paid nothing on account of that estate, although we were accused by them, when they were in opposition, of being guilty of dishonesty, in not having satisfied the claim of the vendors. If they were sincere in the opinions they expressed at that time, they ought to have paid the claim before this.

Hon. Mr. POPE—Mr. Chairman, the whole of this discussion is irregular in the extreme. All this debate about the comparative expenditure for the last three years of the two administrations can be gone into with much greater propriety, when the public accounts shall have been submitted to the House. This is not the proper time to take up such a question. The paragraph in the address, which has given rise to this irrelevant and irregular discussion is merely expressive of the thanks of this House to His Excellency, for having ordered that the public accounts for the past year shall be laid before us, and of our regret that the revenue has not covered the expenditure. The amendment moved by the hon. leader of the opposition does not refer to Education—that subject might, not inappropriately, be discussed now. But a general attack on the government, and a discussion of all and every charge that the leader of the opposition and his party can rake up against it should be made, not on an occasion such as the present, but when the speaker is in the chair. That hon. member has charged the government with having added some £6000 or £7000 a year to the cost of education, and stated that his government never contemplated drawing from the general revenue, on this account, more than £3000; but, Sir, in 1854 it absorbed £11000. The amendment coincides with the original paragraph, in the expression of regret at the difference between revenue and expenditure; but I cannot give him credit for sincerity as I have no doubt that he is exceedingly happy in the reflection that the difference exists.

Hon. Mr. HENSLEY—Mr. Chairman, the Opposition have been twitted with the course pursued by the House of Assembly in Nova Scotia, which body, in order that no time might be lost in giving expression to the public feeling with reference to the death of the Prince Consort, passed the Address unanimously. We have been recommended by hon. members on the other side to adopt a similar course on this occasion. We might have done so, if here, as there, the Address had been merely an echo of the speech. But, Sir, when topics of discussion are introduced into this Address which are not referred to in the speech to which it is intended as a reply—when the majority see fit to travel out of the record, the blame of delay must rest with those who have challenged discussion unnecessarily, by inserting in the Address an expression of opinion uncalled for by His Excellency's speech. I regret as much as any hon. member, that the expenditure for the past year should have exceeded the revenue, but when we are told in the Address that it is impossible to equalize the expenditure with the revenue, because a certain portion of that revenue has been appropriated to one particular branch of the public service, (I refer to Education) I submit that it is unfair to this side of the House to ask us to give an opinion on a statement of facts, the correctness of which we have no means of ascertaining. The members of the Government have had access to the public accounts and until members on this side of the House shall have had an opportunity of examining those documents, it is premature to call upon them for confirmation of a statement, the truth of which they have no opportunity of testing. If the Government, in possession of all the information on which to found their opinion, have come to the deliberate conclusion that under the existing Education system it is impossible

to keep the revenue within the expenditure, it becomes their bounden duty to provide a remedy for such a state of things. It will not do to postpone from Session to Session action on a subject which requires instant and effectual redress. It is unprecedented for a Government to come before the Legislature with the declaration that the excess of expenditure over revenue was constantly increasing—and that they did not intend to adopt any measures to remedy the evil—that they would continue to hold office and allow the debt to accumulate, because the system which led to the embarrassment in the public finances emanated from political opponents. Sir, if the policy of the party which introduced the present system of Education has been found by their successors in office to be wrong, I cannot for a moment allow the excuse that because their predecessors had introduced the system, they incurred no responsibility, if they allowed it to operate unchanged to the disadvantage of the country. It is not sufficient for the Government to say to the party opposed to them, "You inaugurated the system, which now bears so heavily upon all the revenues of the Colony; we do not intend to trouble ourselves about it. It may take its course. Its continuance may involve the country in ruin, but we will perpetuate it as a blot upon your name." Hon. members on the other side may consider that such treatment of such a matter may be very good policy in a party point of view, but the financial state of the Colony demands the serious attention of members on both sides of the House; and I trust that when the matter shall be fairly and legitimately before us, members of both sides will give it their best attention. For the reasons I have given, Mr. Chairman, I intend to support the amendment; but if the majority will strike out the paragraph which attributes to the Education system the excess of expenditure over revenue, I will have no objection to vote for it. The statement in the Address that it is impossible to keep the outlay commensurate with the income, imposes the absolute necessity of either reducing their expenditure or increasing the tariff.

Hon. Mr. McAULAY—I do not know, Mr. Chairman, what impression the leader and members of the Opposition expect that their long speeches will make on the minds of the people of this Colony. If they have been uttered in the hope of inducing a change in the Government, I can only say that, in my opinion, such anticipations will never be realized, for the only conclusion to which I can bring my mind is, that there has been a prospective saving, in the three years during which the present Government has been in power, of at least £20,000. The inference drawn by the hon. member for the city, Mr. Beer, that the debt would have been increased by that amount, had the late Government retained office, was a perfectly correct and legitimate deduction from their antecedents. They may think it a calamity that the country should not have an addition to its debt of £20,000. But, Sir, the chief complaint is that they have not the offices. They number in their ranks an ex Attorney General, who laments the loss of £350 a year, and an ex Provincial Secretary, who bewails the loss of a similar amount, and he exclaims that it is a great calamity that there is no Provincial Secretary on the floor of this House. There is also, Sir, an ex Queen's Printer, who cries out, "Great is the Diana of the Ephesians," since his craft is not merely in danger, but is gone. They complain that this debate has drifted into a discussion of the financial condition of the Island. Why then, Sir, did they introduce that subject? They are endeavoring to make political capital out of that from which they cannot extract it. Sir, the eyes of the country are open, and the ears of the country are open, and no amount of talk can subvert the consciousness that the Opposition are in the wrong. Therefore, it is, Mr. Chairman, that I say there is no use of prolonging this debate; we had better bring it to a close at once, and then express our sympathy for Her Majesty in her sad bereavement.

Hon. Mr. LONGWORTH—I rise, Mr. Chairman, merely to reply to some of the statements which fell from the hon. leader of the Opposition, last evening, and from the hon. member, Mr. Hensley, this morning. I was surprised at the arguments of the latter gentleman. He censured the Government for not having propounded some scheme by which to provide for the drain upon the revenue for education-

al purposes, and he twitted us with not having kept the expenditure within the revenue. I ask, Sir, did the late Government do so? Yesterday when I argued that it was the duty of the late Government to have provided some measures which would have met the growing demands on the public funds, which, they might have foreseen, would arise from the expansion of the scheme they introduced, I was contradicted, and now the hon. member blames the Government for having acted as his own party did. Where is the line of distinction to be drawn?

Hon. Mr. HENSLEY—The hon. member has misunderstood me. What I said was that when the Government admitted that the expenditure was in excess of the revenue, it was their duty to propose some remedial measure.

Hon. Mr. LONGWORTH—As the case stands at present, it is difficult, if not impossible, to equalize expenditure and revenue. The Act upon our Statute book binds us to support the system; cost what it may, it must be maintained *per fas aut nefas*.

Hon. Mr. COLES—The Civil List is settled by Statute. Hon. Mr. LONGWORTH—The Civil List is charged on the general revenues of the Colony, while education was provided for by a special Act imposing a particular tax. It is not the duty of this Government to lay on taxes to meet charges which the late Government should have provided for by anticipation. The leader of the Opposition asked, who ever heard of a law imposing taxes for 20 years to come? Why, Mr. Chairman, it would be quite proper to do so, and the hon. gentleman should have provided for the evil to come—he ought to have provided the means of support for the system, contemporaneous and co-existent with its progressive expansion. He might have brought in such a law to last for a certain number of years, and it could be amended as circumstances might require. The hon. member, Mr. Hensley, said that the Government should raise a revenue adequate to the wants of the public service. The late Government did not do so; their expenditure beyond the revenue during the last three years of their tenure of office was greater than that of the present for the same period of time. We have bought two estates, and the costs of both are brought into our accounts. With reference to the hon. member's objection to the reference in the Address to the educational system, as at present constituted, I think that it will be wise in the House to adopt it, as it is our great, in fact, I may say, the great cause of the difference between our revenue and our expenditure. Other items of expenditure can be cut down, but this charge is of a different character. The law authorises its extension, almost indefinitely, and renders imperative the payment of the expense. I may state, Mr. Chairman, that the reference in the Address to education emanated solely from the mind of the gentleman who prepared it, and in my opinion he acted wisely in inserting it. Neither the Government nor any member of it suggested to that hon. member (Mr. Davies) the propriety of making the allusion, but, Sir, the Government have not the slightest hesitation in endorsing the statement to its fullest extent, and the hon. member is entitled to credit for having brought the question so prominently forward. I was amused last evening at the assertion of the hon. leader of the Opposition to the effect that the Government had added to the expense of education by increasing the salaries of schoolmasters. Sir, we rendered it incumbent on teachers to go before the Board of Education, and submit to examination, to test how far they were qualified for the proper discharge of the important duties confided to them. Our object was to obtain the services of competent instructors, and our course has, I am happy to say, been productive of a great deal of good. It

appears that a large proportion of the candidates passed the Board. In the year 1860, the sum paid for the salaries of school teachers, was £14,396 6s 8d, and in refutation of the charge preferred against the Government by the hon. leader of the Opposition to the effect that our addition to their salaries increased the working expense of the system, he will find by an inspection of the accounts that in 1861, the amount paid for salaries was but £13,776 3s 7d—we, therefore, effected a saving of £620 2s 11d, in cash, besides giving to the country the benefit of the services of a superior class of men. I have thus shown, Sir, that so far from the charge against the Government, preferred by the leader, of the Opposition being true, that we have not only raised the standard of the teachers as a class, but have effected a positive saving of £620 2s 11d. Those facts will, I think, Mr. Chairman, go far to prove that the present Government are not inattentive to the best interests of the people.

Hon. Mr. WIGHTMAN—No doubt, Mr. Chairman, education is one of the most important interests we have to support; but it has now increased to such proportions that some means must be devised to provide for its cost. That now amounts to £17,000, which, out of a revenue of about £40,000, is entirely too much. A great deal has been said about the late Government having failed in their duty, inasmuch as they did not provide means for the future growth of the system. But, Sir, we contemplated supporting about 200 schools and there are now over 300, and it is only reasonable to suppose that, as new settlements are formed, new schools will be asked for. I must say, sir, that I am not disposed to complain of the increase in the salaries of the teachers. The country has got full value in the improved class of men who are now employed. Really, Sir, a few years since, persons were receiving the public money as teachers in our schools who were a disgrace to the Colony. It is the duty of the House to devise some means of meeting the heavy burden now borne upon the revenue for this service, either by devolving part of the charge upon the parents of pupils, or by some other scheme calculated to relieve the finances. However, Sir, as we shall have this subject to discuss over again, when the public accounts are before us, I think the sooner the question is taken the better.

Mr. DAVIES—As Chairman of the Committee which prepared the Address, I feel called upon to say a few words on the subject of the paragraph before us. Notwithstanding the remarks of the hon. member, Mr. Hensley, I cannot think that the Committee has exceeded their province by the allusion to the large sum required for the purposes of education, as bearing an undue proportion to the resources of the Colony. The Committee deemed it their duty to bring the subject prominently before the notice of the country, for it is evident that additional taxation must be the result of the continuance of the present system. The Government has only been in power three years, and they find the revenue inadequate to the expenditure, by reason of the cost of education. I am aware, Sir, that the present scheme of education is generally approved of by the people, and it is proper to bring the question before the public, in order that, at the next general election, the people may express their opinion on it in connection with its bearing upon the finances of the Colony. It is, in my opinion, not to be expected that the Government should now propose a tax of some £10,000 for this service. Such proceeding before public opinion has been elicited, would damage the Government materially. As the hon. member, Mr. Longworth, stated, adequate provision for its maintenance should have been made when the system was introduced. New school districts have been formed, and it would be no matter of astonishment if the cost should have increased at the

rate of £1000 a year. In a few years we may probably have to pay £20,000 a year if things are allowed to go on as at present. The strictest scrutiny of the public accounts for the past year will show no lavish expenditure on the part of the Government. They have had to incur some extraordinary expenses—such, for instance, as those connected with the visit of the Prince of Wales, the approaching industrial exhibition, the College, &c. With reference to the exhibition, I must say that I think it would have been better had the Government last Session asked the House for a grant; but they did the next best thing they could in advancing money for the collection and transmission of the various articles which the Island could furnish for Exhibition. I may, in conclusion, state that the clause before the Committee was not altered in any way; the original draft was, of course, submitted to the members of the majority, as it now stands, and it met their approval.

Mr. BEER—The hon. Leader of the Opposition stated that the present Government came into power pledged to do better than their predecessors had done. I maintain, Mr. Chairman, that they have done so. When they came into office there was a tremendous leakage; there had been an annual excess of expenditure of £9000 a year for the last three years of the late Government, and they had no lands purchased. Now, Sir, the present Government, exclusively of the lands they have bought, have stopped about £5000 a year of that leak, that is, if they had not purchased the lands they would not have exceeded the revenue more than about £4000 a year. They are not liable to the charge of extravagance. On the contrary, I think, they have been almost too economical, I had almost said niggardly. When the hon. Leader of the Opposition censures the Government for having increased the pay of the schoolmasters, he should bear in mind that that measure was approved of by the members of his own party. The hon. member Mr. Wightman expressed himself very strongly on the subject, and characterized the former style of teachers as a disgrace. But, Sir, it appears that, so far from that measure having entailed additional costs upon the Colony, it has operated as a saving, as several of the old teachers did not present themselves to the Board for re-examination. The consequence has been that some £600 a year have been saved. When we consider this fact, in connection with the higher qualifications of the teachers, I consider that the Government are entitled to commendation rather than censure.

Mr. SINCLAIR—Mr. Chairman, I did not expect that a discussion of this nature would have arisen, for I could see nothing in the speech, which was so cautiously worded, that it said nothing of the past nor alluded to the prospects of the future. Sir, it appears to me that the ship of state is not sailing before a favorable gale—that there are no indications of a prosperous voyage. Notwithstanding the vaunted predictions of their competency to take the helm and their skill in navigation, we find them now, after three years, still buffeting with the storm and drifting on to a lee shore. Instead of manfully beating off they are now throwing out their anchors in the hopes of being able to ride out the gale until the next general election. I think that they should willingly withdraw the charge they made against the late Government of having ruined the country by their extravagance. One member of the Government honorably admitted that the heavy expense incurred by the late Government in keeping Government House in repair, was absolutely necessary; and I think, Sir, that if his colleagues would act with equal frankness and candor, their consciences would probably be easier. The Liberals were in power eight years. When they took office they found the country £22,000 in debt.

They expended vast sums on Education, they constructed important public works, they expended annually on roads and bridges amounts far larger than the present Government has done, yet when they retired from office they left the Colony with an addition to its debt of only £8000. In three years the present Government has increased the public debt about £27,000. For that I would not blame them so much, if it were not for their loud professions of economy. It will not do for them now, when the debt has become so great, and by their own admission is likely to increase, to say that they will wait until the people shall tell them what they are to do. Sir, they came into power on the strength of allegations against their opponents and promises of great benefits to result from their possession of the Government. They denounced the late Government for extravagance; they charged them with lavishing the public money upon themselves and their supporters, and pledged themselves to equalize the revenue and expenditure. How have they redeemed those pledges? The hon. member for Charlottetown certainly gave a strange reason for the praise he bestowed on the present Government for their alleged economy, when he said that if the Liberals had been in power during the last three years the country would have been £20,000 more in debt than it is. How he can prove that assertion I am at a loss to know. I am surprised, Mr. Chairman, that the Education Act should be held up as an excuse for all the debt of the Colony. The Government admits that the scheme was a good one, yet, in the same breath in which they say that, they blame their predecessors for not having, years ago, provided means to maintain a system which they take to themselves the credit of having perfected. Under the late Government the revenue increased sufficiently to meet the increasing demands for Education; and if the present Government have by extending the operation of the system, which is, I presume, what they mean when they say that they have perfected it, thereby adding to its cost, they should at least provide the means of meeting the extra charge, but they now say let us drift into debt until the people come and extricate us.

Mr. HOWAT—Mr. Chairman, in my opinion the only difficulty with the opposition is, that they don't see the Government imposing taxes upon the country. We have been told that the only means to meet the expenditure is by laying on a tax. I was amused at the lawyerlike manner in which the hon. member Mr. Hensley beat round the bush; but I can tell that gentleman that it is but a poor recompense to his constituents to get them saddled with an additional tax.

Hon. Mr. COLES—Mr. Chairman, in the absence of the hon. member Mr. Hensley, I deny that he advocated a tax. What he did say was that unless the expenditure should be curtailed there must be increased taxation.

Mr. HOWAT—Well, Mr. Chairman, the only inference I could draw from what that hon. member said was that the Government should tax the people. We have all heard of the monkey who got the cat to drag the hot potatoes out of the fire. Whoever will propose to tax the people will find he has got a hot berth of it. (Laughter.) I for one am opposed to taxation. I came in pledged to oppose it and I have redeemed my pledge. The question of a tax for Education should go before the people, who are the proper judges of the propriety or impropriety of the matter. It is the duty of the Government to economise as much as possible and go on with Education. That the salaries of the teachers are not too high is proved by the fact that the people have to contribute towards their support, in the different districts, in addition to the salaries paid by Government. I think the

only way to get out of the difficulty will be by knocking the College into a cocked hat.

Hon. Mr. THORNTON—I do not wish to protract this debate, Mr. Chairman, by any lengthy observations of mine, but I must say that it is somewhat singular that while the speech merely expresses regret that the revenue has not been commensurate with the expenditure—while it contains not one word on the subject of Education, the address says that in view of the large sums appropriated for Education it is impossible to keep within the limits of the revenue. Now, Sir, it is not for me to say whether this has been inserted in the address as an excuse for the Government diminishing the number of schools or the salaries of the teachers, or whether it is intended as an anticipatory justification of future taxation. The paragraph would have been quite proper if His Excellency had referred to the subject in the speech. Although we have been told that the paragraph before us was not dictated by the Government, it is not unlikely that some of the Committee on the address may have been instructed to insert something of the kind. I have heard no complaints from the people of the grant for Education; but, Sir, I have heard many with reference to appropriations for other purposes. I last year supported the grant for the Normal School and Prince of Wales College, and my constituents have manifested no disapproval of my conduct. I would ask the hon. member for Tryon, who has expressed such a strong objection to taxation, if he voted for the increased *ad valorem* duty. It was stated that a portion of the charge of Education was to be defrayed from the proceeds of that increase. I have no reluctance to support a moderate increase in the tariff for the purposes of Education, even if my constituents should reject me in consequence of my having done so. If the Government deem it necessary or expedient to increase the taxes they should do so fairly and openly, but when it is not asked for by the Lieut. Governor or the Government, why is the clause introduced into the paragraph under consideration of the Committee? But, Sir, I suppose we shall know something more than we do at present on that subject when the public accounts come before us.

Hon. Mr. KELLY—Mr. Chairman, as so much has been said on Education in this debate, and as hon. members of the Government assert that we on this side ought to be grateful to them for the improvements which they have incorporated into the system, I rise, not so much for the purpose of censuring them for extravagance as of giving them credit for conduct of an opposite character, but whether we have much cause for thankfulness remains to be seen. In a portion of the district which I have the honor to represent, and, I may say, in my own immediate neighborhood. (Dromore Settlement) the number of householders is between 40 and 50. A primary school has been in operation there for several years, the teacher of which, a female, received from the legislature an annual grant of some £18 or £20. This school gave satisfaction to the people and was progressing favourably until last Session, when the usual grant to the teacher was under consideration. We were then told by the Hon. Mr. Longworth and other members of the Government that no further grant would be made to schools of that description—that every teacher must be properly qualified according to the requisitions of the statute, all of the provisions of which must be complied with before a teacher could receive a penny of public money. Now, Sir, in consequence of that declaration from members of the Government, the services of the teacher were necessarily discontinued. But the people, appreciating the benefits of Education for their children, had a plan of the district prepared, shewing the situation of the roads and a list of the number of houses and

of the children, made out by a competent person and forwarded to the Board of Education, with a petition praying that body to sanction the school. After the application had been before the Board from April till November, a magistrate was appointed, as the law directs, to report to the Board. On the receipt of his report the establishment of the school was sanctioned and its immediate operation was approved of. But, Mr. Chairman, when the people set about the erection of their schoolhouse, they were informed that the Government refused to confirm the action of the Board of Education, alleging as a reason that there were no funds for the erection of additional schools. Now, Sir, I deny that this was to be considered as an additional school; it was but a renewal of one which had previously existed. Although the inhabitants of Dromore Settlement have got no school, nor is there any in the vicinity, they have to pay their tax of six shillings and eight pence for every hundred acres of land they hold, besides their proportion of all other taxes of the Island. Under these circumstances, Mr. Chairman, as I do not think my constituents owe the Government much gratitude for what they have done for them in the matter of Education, it is my intention to vote for the amendment.

Hon. Mr. COLES—The hon. member for the City, Mr. Beer, stated that the late Government had expended £9000 a year more than the revenue within the last three years, and he at the same time admitted that the present Government has run the country some £27,000 in debt since they have been in power.

Mr. BEER—I showed that the Government had paid £16,000 for land, while their predecessors had purchased none in the period referred to.

Hon. Mr. COLES—In 1857 we paid £2550 for land, besides £1200 for agriculture. To this latter interest the Government has contributed nothing. They have certainly practised economy with reference to roads and bridges; they spent no more than some £4000 or £5000 a year on that service, while we annually gave about £9000 towards it, and what they saved from the road and bridge service they spent in other ways, not so essentially important. It might become them to talk of economy, if they could show that they had diminished the debt, and when the hon. member talks of their having stopped the great leak, as he called it, I want to know, how it was stopped, if not at the expense of the roads and bridges.

Mr. BEER—If the Selkirk Estate and Lot 54 are nothing—if they are merely myths—then I admit that there has been no saving.

Hon. Mr. COLES—In 1855, the late Government spent in repairs of Government House, and the purchase of a piece of ground in the neighborhood, £1816. The Provincial Building cost us about £1200 in two years. We gave £1216 for agriculture. In 1857, we paid £2550 for the purchase of public lands. The hon. member from Tryon, Mr. Howat, when he says that he is so strongly opposed to taxation, forgets that he voted for the increase of $\frac{1}{4}$ per cent to the tariff.

Mr. HOWAT—I rise to correct the hon. member. I never voted for that measure, and I defy him to prove that I did so.

Hon. Mr. COLES—Then he must have voted against his party. The hon. member, Mr. Davies, said that the Government have been so short a time in office that it was not fair to expect that they should have remedied the financial state of the country by this time. But, Sir, they have had ample time, for this is their fourth Session, and if they ever intended to do anything on the subject, they would have done so before this.

Hon. Mr. WHELAN—Mr. Chairman, of all the members of the minority, I am satisfied that the credit of being the least troublesome to the House will be generally conceded to me. (Laughter.) That character I am still disposed to merit; and I shall, therefore, occupy but little time in the observations I shall make; and I must preface them by the expression of my surprise at the lectures we have received from our political opponents as to the propriety of bringing this debate to an early conclusion. In common with hon. members on this side of the House, I have been edified by the reference to the Nova Scotian Legislature, the action of which body has been held up as an example to us. The hon. leader of the Government, Col. Gray, told the Committee that it was desirable that we should come to a speedy decision on the address, as the English mail will leave in a few days, and it was proper that it should convey an address of condolence to Her Majesty the Queen, on the death of the Prince Consort. I was happy to listen to the hon. member inculcating his opinion; but, Sir, I have to express my regret that his recommendation fell not on acquiescing ears upon his own side of the House, for no

less than five of the great guns of the majority have been brought to bear upon my honorable friend the leader of the opposition. The hon. the leader of the Government, Col. Gray, his colleagues, Major Longworth and Lieut. Col. Haviland, who bears his blushing honors thick upon him, the hon. member from Tryon, and the no less distinguished member for the city, Mr. Beer, all have brought their artillery to bear upon the hon. leader of the opposition. I have not, Sir, heard all that has been said; but I trust I shall be able to console myself with the reflection that it is just possible that I have not lost much; but the fact is, beyond contradiction, that the lesson he wished to impress upon the Committee was unheeded by those who should have been the first to have complied with it. With those brief prefatory remarks, I shall now proceed to consider the merits of the document before us; and, in doing so, I shall endeavor not to occupy unnecessarily the time of the Committee. His Excellency tells us in the speech that the estimates for the service of the ensuing year have been framed with a due regard to economy, and the address expresses the satisfaction of the House that they have been so framed. How are we to know that such is the case? Why should we be asked to submit blindly to such a proposition? I, for one, will never assent to such an assertion, until I have an opportunity of seeing how far it is borne out by proof. When I say this, I would not be understood as doubting the word of the Lieut. Governor; but I hold his ministry responsible for the words they put into his mouth. This, Sir, is one reason why I shall give my support to the amendment. It will be time enough to determine what degree of economy has been exercised in framing the estimates when they shall have been submitted to us. Had the address stated that the House were glad to hear that the estimates had been so prepared, or that they hoped they had been, it would not be so objectionable; but we are called upon to declare our satisfaction at knowing what we have no means at all of knowing. The paragraph goes on to state that "although the disturbed condition of a neighboring people has occasioned serious embarrassments to the trade of this Colony, we are glad to find that there has been no remarkable decrease in the Revenue of the past year." I have no reason, Sir, to believe that any very extraordinary embarrassments in our trade occurred during last year, and many agree with me in the opinion, that the political convulsions in the States have not, to any great extent, affected our commerce injuriously. The staple exports of the Island have commanded good prices—in fact, I believe, that they never brought better returns to the producer—that the prices for all kinds of agricultural produce were, last year, as high as they have ever been. We are told, in the same paragraph of the speech, that there has been no remarkable decrease in the revenue of last year—and by the address we are called upon to affirm that statement. As we are, at present, uninformed as to the amount of the alleged decrease, and as we have no means of arriving at the degree of diminution to which the majority may see fit to apply the term, "remarkable," I am disposed to withhold my assent to the proposition, until we shall have had an opportunity of examining the accounts of last year. Meanwhile, I maintain that it is premature and absurd to bind this House to the expression of any such opinion. To the last part of the paragraph to which I am referring, I most decidedly object, as not being a proper answer to the particular part of the speech to which it is intended as a reply. The cost of Education is, in the address, brought forward as the reason why the public expenditure has not been confined to the limits of the public income. If, Mr. Chairman, the Government were of that opinion, the declaration should have been made in the speech, and a reference to it in the address would have been quite legitimate. But, as it is, I contend that the Committee are going quite beyond the proper and customary mode, by inserting in their reply matter to which the speech contained not the slightest reference. The hon. member, Mr. Longworth, stated yesterday that the Government had the right to frame the speech and the address as they pleased. Sir, I admit that right to the fullest extent; but I claim for myself and others an equal right, when it is attempted to place this branch of the Legislature in an absurd and ridiculous situation, to shew that absurdity; and when I see that it is sought to place this House in a false position, I shall expose the design to the utmost of my powers. And what is the justification advanced for the introduction of the subject of education into the address? It is, forsooth, that the acts of a previous administration had created embarrassment to the present Government; but that assertion is utterly inconsistent with the subsequent allegation, that the only alteration which they effected was an increase of five pounds in the salaries of the teachers—a matter of so trivial importance that it is unworthy of mention.

Hon. Mr. LONGWORTH—I beg to correct the hon. member. The Education Act has been materially altered in many respects. Its framework has been almost entirely reconstructed, and it has been rendered comparatively perfect.

Hon. Mr. WHELAN—If such be the case; why, in the name of common sense, why, in justice to his Government and his party, does not the hon. member inform us of the particular improvements? He

dwelt at length upon the subject of the increase in the salaries; why could he not have mentioned some of the other improvements his government had effected? I call upon him now to specify them.

Hon. Mr. LONGWORTH—The hon. member has either misunderstood, or willingly misrepresents me. I merely referred to the addition of £5 to the salaries of the Teachers, to show that it had not materially increased the expense, but, that, on the contrary, it had effected a diminution of cost, amounting to £220 2s. 11d. I did not adduce this fact, as at all affecting the argument on the general question. If the hon. member will take the trouble to compare the several acts, to which reference has been made, he will be satisfied of the truth of my remarks.

Hon. Mr. WHELAN—The explanation is worthy of the speech delivered by the hon. member yesterday. It is possible that I may not have understood the hon. member's meaning, and probably many others are in the same situation. But, Mr. Chairman, I ask, if it is becoming in a member of Government, when attacked upon their policy, to refer their assailant to a comparison of statutes?

Hon. Mr. LONGWORTH—The Government are quite prepared to defend and justify the act they have passed.

Hon. Mr. WHELAN—The Government are quite willing on all occasions to deal with the future, instead of scrutinizing the events of the past. Whenever any question is put, which they find it troublesome or inconvenient to answer, they tell us to wait until the proper time shall arrive for discussing the particular subject. They have promised that on some future occasion they will give explanations on the subject of Education—the same promise has been made with reference to other matters. I am willing to wait a reasonable time; but there are limits beyond which patience ceases to be a virtue; and, notwithstanding the assertions of the Government to the contrary, the great bulk of the people begin to think that the time for action has nearly arrived. The hon. member asserts that the late Government was remiss in not having, at their inauguration of the system of Education, provided funds adequate for the present cost of it. This is truly a strange charge to emanate from a Government of three years' standing. They obtained power on their declaration that everything was going to ruin, and that they would remedy every grievance; yet now after having the seals of office for three years, having for that period absolute control over the public funds, they say that we, not they, are censurable. The late Government so managed the finances of the Colony, that they found no difficulty in degrading the charges for Education. When the Government found that those charges bore undus proportion to the state of the Revenue, was it their duty to let three years elapse without stirring in the matter, and then blame their predecessors? Had they complained in 1859, their complaint would have been justifiable, and a remedy ought and should then have been provided. I will not anticipate other questions, which will arise during the consideration of the address; but I did not wish to vote for the amendment without having first stated my reasons.

Hon. Mr. LONGWORTH—Mr. Chairman, I have been surprised at the objections to the paragraph which have been advanced by the hon. member. He says that in assenting to the passage having reference to the preparation of the estimates, the House would be blindly affirming what they have no means of knowing. Now, Sir, the address does not say that the estimates have been prepared with a due regard to economy; but that we are glad to learn that they have been so prepared. The language is plain and intelligible, and I must congratulate the hon. member on the distinguished position he occupies of standing alone against the twenty-nine other members of the House, not one of whom, I am confident, would put the same construction on the passage that he has. The second objection he has taken is equally untenable. He denies that the disturbed condition of the neighboring States has produced embarrassment to our trade. In this assertion I was glad to find that he was not supported by the leader, or other members of his party. It has been left to him, and him alone, to deny the truth of the statement in the address, and notwithstanding his assertion that many coincide with him in his opinion, I think he will be left in the exclusive possession of it.

Hon. Mr. WHELAN—The hon. member misunderstood me. I said that no serious embarrassment had resulted to our trade, and I based my opinion on the fact that high prices had been obtained for our articles of export.

Hon. Mr. LONGWORTH—A reference to the records of the Bank will show the hon. member that very serious embarrassments indeed have arisen from the derangement in business, caused by the unsettled state of affairs in the States; and it is no matter of surprise that such should be the case, when the importance and extent of our commercial relations with them is considered. The third objection he adduced is on a par with those to which I have referred. He said that the address exceeded the legitimate bounds of a document of such nature, as it referred to a subject not alluded to in the speech. I tell that hon. member, that as the representatives of a free people, we have a right to refer to what we please. If the hon. member

thinks otherwise, he is placing his faith upon the obsolete practice of old despotic dynasties, which have long since passed away.

Hon. Mr. WHELAN—I did not deny the abstract right. I merely said that as the subject of Education had not been touched upon in the speech, it should not appear in the address.

Hon. Mr. LONGWORTH—The House is perfectly justifiable in reverting to all and any causes which in their opinion operate injuriously to the country. I have thus, I trust, disposed of the three propositions advanced by the hon. member, and shows that he cannot maintain a single one of them.

Mr. BEER—Mr. Chairman, as to the proposition that the troubles in the States have not caused serious embarrassments to our trade, I was surprised to hear such a statement made by the hon. member (Mr. Whelan). I can assure him that most serious derangement of business has arisen from the civil war in the States. Not only has it injured the trade of this Island, but all the other Colonies have been more or less affected by it. Newfoundland has suffered from it more than this Island or any of the other Colonies. The Southerners were in the habit of purchasing great quantities of Northern produce, such as grain, pork, fish and potatoes. In consequence of the cessation of intercourse between the Northern and Southern States, the Newfoundland fishermen have been unable to sell their fish as formerly. One consequence is, that they are unable to purchase any pork as they were in the habit of doing. This is the reason why our farmers can get no remunerative prices for their pork, of which, in previous years, great quantities were consumed by the fishermen of Newfoundland. The extent of our importations has necessarily been affected by the disturbances in the States, and a loss of tens of thousands of pounds have resulted not to this Island alone, but to all the North American Colonies; and, as I said before, to Newfoundland especially.

The question was then put on the amendment, when there appeared for it—Hons. Messrs. Perry, Whelan, Coles, Thornton, Hensley, and Wightman; Messrs. Sinclair and Doyle.—8.

Against it—Hons. Messrs. Gray, Longworth, Laird, Speaker, Pope, and McAday; Messrs. Douse, Ramsay, Montgomery, McNeill, John Yeo, Howat and Davies.—13.

On the question being put on the original paragraph it was carried by the same majority by which the amendment was defeated. The next paragraph (referring to the number of acts which had received the Royal allowance) having been read,

Hon. Mr. WHELAN. I cannot congratulate the Government on the phraseology of the paragraph. The speech says that Thirty-three acts have been allowed,—and I think that had the address followed the speech, and specified the number of Acts assented to, it would have been in better taste than the insertion of the vague expression "so many." However, Sir, I will not detain the House with mere verbal criticism, but I will briefly refer to two Acts which have not yet been allowed. That passed for the organization of the Volunteers has not yet become the law of the land, although last session £400 of the public money were granted for it. As the Government is so apt to deal in futurity, I presume it is needless to ask what benefit has resulted from that expenditure, and I shall be obliged for the information of what good they expect to accrue from it. The Bill for incorporating the Roman Catholic Bishop of Charlottetown has, also, it seems been disallowed, and I ask why a Bill of this nature, should not have received the sanction of Her Majesty? The only reason I can imagine is that sufficient information on this subject has not been furnished by the law officers of the Crown.

Hon. Mr. POPE—Wait till you see the despatches.

Hon. Mr. WHELAN—As usual the government tells us to wait; but, Sir, this is the proper time to ask for information, as the subject is referred to in the speech. Again, Sir, what has become of the Bill for making the Legislative Council elective? In days not far remote, the Council, sitting under the same constitution as the present, were designated as a set of old women, and no measure of ridicule or abuse of them was spared. Yet we are told by the very party who denounced the constitution of that body that the Imperial Government has not consented to change it. An hon. member, high in the Government, stated, last year, that he did not think that the British Government would confirm the act. That has always been my own opinion. The Government has always boasted of their influence at the Colonial Office—that measures of their origination would receive the sanction of the Sovereign, yet here we find no less than three of their Bills gone the way of waste paper, and one of these was the principal plank in their political platform. I have no intention of moving any amendment to the paragraph, my only objection to it being that it is not sufficiently explicit.

Hon. Col. GRAY—The Speech states that the despatches relating to the non-sanction of the Bills, referred to by the hon. member, will be laid before the House, and members will, from them, get the reasons for the cause the Imperial Government has seen fit to adopt with regard to them. As to the Elective Council Bill, it is true that it has not as yet received the Royal assent; but, when it is consider-

ed that an Act passed two years ago which affected our relations with a foreign State was only received here a day or two ago, it is not matter of surprise that a measure having so important a bearing upon our constitution should be subjected to a thorough investigation by the Imperial authorities. I, Sir, hope to see the day when it will be unnecessary to send to England for confirmation of any acts which our Legislature may pass. I trust too see an independent British America. If such should arise there will be no necessity of sending our Bills across the Atlantic previously to their becoming the law of the land. With reference to the Elective Council Bill, it has not been adverted to in any despatch as yet received; but whenever any communication on the subject shall arrive, it shall be laid before the House, if in Session, as soon as possible. With respect to the Act for organizing the Volunteers, which has not received the Royal allowance, it will probably be in the recollection of hon. members that the hon. leader of the opposition stated that there was no difference between the militia and the volunteer force. When I dissented from that opinion I was over-ruled. I was told that I knew nothing about the matter, my military experience went for nothing, and I had to submit to those who entertained the opposite opinion. But, Sir, the Commander-in-Chief and the Secretary of State for the Colonies have decided that the hon. leader of the opposition was wrong—(laughter) and the latter has sent to the Government suggestions on the line of distinction to be drawn. The Bill to incorporate the Roman Catholic Bishop of Charlottetown, having been drawn by my hon. colleague in the Government (Mr. Longworth), he can state the reasons for which it has not been allowed.

Hon. Mr. COLES—I thank the honorable member for the compliment he has paid me, in stating that my opinion had been adopted in framing the Volunteer Act, but, Sir, what I said was that we already had on our Statute Book an act on the subject, by which any body of militia could be enrolled as Volunteers. I thought and still think that our old act is preferable to the new. By the former the militia were liable to be called into service at any time, whereas the volunteers are liable to be called out only in case of invasion. The speech specifies three acts as not assented to, and says that despatches relative to two of them will be laid before the House. That seems to imply that despatches on the Elective Council Bill have been received but will not be submitted.

Progress was reported.

TUESDAY AFTERNOON, Feb. 25.

Hon. Mr. LONGWORTH—I do not think it is necessary, Mr. Chairman, to say much in reference to the paragraph under consideration. The hon. member for the second district of King's County, however, expressed himself desirous to obtain some information respecting the Bills of last Session that have not received the royal allowance. On referring to the Bill to render the Legislative Council elective, he took occasion to say that the present Government does not possess that influence at the Colonial Office of which they boasted. I, as a member of the Government, am not so vain as to lay claim to any superior influence at that office. But we know it is reported that a certain hon. member of the Opposition stated, at the time of the agitation for Responsible Government, that when that system was introduced, it would be unnecessary to have Acts passed with a suspending clause.

Hon. Mr. COLES—That is not correct.

Hon. Mr. LONGWORTH—It was reported in the newspapers, and we never heard it contradicted.

Hon. Mr. COLES—It was contradicted.

Hon. Mr. LONGWORTH—We cannot expect to be independent of the Home Government, but must always submit our measures to their inspection. And it is not to be wondered at that they should take some time to consider a Bill of such importance as one to alter the constitution of the Legislative Council. I need not advert to the Volunteer Bill, as the hon. leader of the Government has already replied to the remarks of the hon. member for King's County. The objections of the Colonial Minister to the Bill are very trifling indeed. As it was passed without a suspending clause, it went into operation as soon as it received the signature of the Lieut. Governor; but the Bill carried through by the

late Government for organizing a militia force had a suspending clause, and, therefore, they had no warrant to act upon it until it received the royal assent. With respect to the Bill for the incorporation of the Roman Catholic Bishop of Charlottetown, some of the objections to its receiving the royal allowance are verbal errors, which have crept into it; but others are in regard to its principles. Questions are asked as to the intention of the Bill. I was one of the Committee who prepared that Bill, and may say that it was merely a transcript of a Canadian Act; but I am not aware whether that Act came into operation in that Province or not. The Bill provided that the Bishop should be incorporated alone, where as it appears that it has not been the practice to incorporate such Bishops without some coadjutors, who are laymen of the same church. When the Despatch referring to the Bill is laid before the House, I consider the proper course to pursue will be to appoint a Committee to inquire into the matter.

Hon. Mr. COLES—I wish to make a remark or two on what fell from the hon. member for the second district of Queen's County, lest his statements, like the report which he heard, should be believed because uncontradicted. I suppose the report is like some more of the statements which have recently appeared in the same paper in reference to the £1000 which it is said a certain person received on account of the purchase of the Worrell Estate—so vile a slander that I did not think it worth contradicting. With respect to the Volunteer Bill, the hon. member says it was different from the former Bill in that it had no suspending clause. The cases under the two Bills are nearly similar; under the Bill of last session money was expended before it received the sanction of the Home authorities; and so also under the Militia Bill, which, though it was passed with a suspending clause, the late Government acted upon, because the Home Government recommended the organization of such a force. But I should like to see the despatch on the Volunteer Bill. The hon. member for Georgetown remarked yesterday that I said the Volunteer force was composed of Orangemen; well, perhaps I did say that the companies were mostly formed of Orangemen and partizans of the present Government, and I would not be astonished if the Duke of Newcastle, who knows a little about Orangemen in the Colonies, should have inquired into the matter, and given the Government a rap over the knuckles. I believe, however, that the Orangemen have acted more honorably than some of the members of the Government. But I will not say much on this subject at present, as it will come up again.

Mr. DAVIES—It is difficult to please hon. members of the Opposition; they complained of new matter being introduced into a former paragraph, and with respect to this that pleasure is expressed that so many of the Acts passed during the last Session have received the royal allowance. The hon. member for Kings County adverted to this, and seemed to think that we had no reason to be thankful that the Acts passed by our Legislature should be allowed to go into operation, but that we might consider it as a matter of right. Now, I do not view the subject in this light; I am of opinion that as a dependent Colony, we have reason to be pleased when our measures are confirmed by the Home Government. The hon. leader of the Opposition referred to a report that he had received £1000 for procuring the purchase of the Worrell Estate by the late Government. I must say that the case is open to strong suspicion, because it is well known that it was hawked about the country for about £15,000. It was offered in England for that sum I know, for I heard of it while there myself. Notwithstanding this, the late Government paid a much larger sum for it—nearly £25,000—and appeared to jump at the offer.

Hon. Mr. COLES—The purchase of the Worrell Estate is open to no more suspicion than that of the Selkirk Estate; the hon. member and his friends may have pocketed £1000 by that transaction, for we know that there was a great deal of secret correspondence with the Earl of Selkirk in reference to his estate. I think the supporters of the Government need scarcely bring forward this charge against me, as it is quite evident that the vendors of the Worrell Estate would only have been too well pleased to circulate such a report, had it been true. I never thought that the hon. member would be a party to spread so base and false a statement; but perhaps for party purposes, he may forget that honor and integrity for which he generally receives credit.

Mr. DAVIES—I did not make a charge; I only said there was room for strong suspicion. And as to the vendors circulating the report, it is well known that if the £1000 was received they were parties to it, and would only be too glad to remain silent on the subject.

After a few remarks from one or two other hon. members the paragraph was agreed to. So also was the 6th.

On the 7th, which relates to the Award of the Land Commissioners, being read—

Hon. Mr. COLES said—Mr. Chairman, this famous Award is a long time in coming to light. We were told, when the resolutions for a Commission were introduced, that the Land Question would be settled in 8 months, and that the country, through the Commission, would receive greater benefits than were ever obtained under the Land Purchase Act. Now, Sir, it is well on to 9 months since the Commissioners completed their Award, and forwarded it to the Colonial Office; yet his Excellency states—and it is not a little surprising—that he has received no communication from the Duke of Newcastle on the subject. From this it appears that he has not even had intimation whether the Award has been received at home. This is certainly strange conduct towards the Government here, and that a Government too which boasts of its influence at the Colonial Office. But, Sir, I think it shows some want of management on the part of the Government. What have they done to promote their own scheme?—this measure which has caused more trouble, anxiety, suing, distress and suffering than any other which has ever been brought forward in the Colony—this Commission which was to settle the Land Question, Escheat, Quit Rents, and the Fishery Reserves. The Commissioners met in New Brunswick last spring and completed their Award; and I believe the Government or Governor were offered a copy of it, but declined, stating that it was better it should go the round of the Colonial Office. The very words used by Mr. Howe, when he came to the Island last summer, were, "that if the Award was not here it ought to have been here." And there is another report to the effect that the Government have been a little penurious in regard to the Commission. They have, I understand, refused to pay certain expenses, such as that of clerks, saying that they had a right to pay only one third; and perhaps an account of this went home, which may be the reason that the Award is not forthcoming, as the Duke of Newcastle might say, "let them wait it until they choose to pay for it." Now, it was mean on the part of the Government to refuse to pay a paltry account of £50 or so for clerks; and I cannot say whether they have paid the Spy or not, but the detailed accounts, when laid before us, will show. I contend it was mean to employ a person to go through the country and endeavour to collect information to prove that every man who came before the Commission was a liar, for I cannot call it by a mere moderate term. Now the presence of this person on the Island must have been known to the members of the Government.

Hon. Mr. HOPE—No.

Hon. Mr. COLES—Well, a member of the Government has admitted that his mission was known to His Excellency and one of the members of the Government, who, I suppose, was the leader. Besides, this Mr. Wightman had the use of an office in this building, and had a letter from a high officer to the different public offices to furnish him with such information as he desired. This was great liberty to receive without the sanction of the Government. Now, Sir, this Spy went round the country gulling the people by talking about building railways and establishing fisheries. He carried with him a list of those parties who appeared before the Commission, and would call on them, and converse with them about some great project of a railway passing that way, such, for example, as he did with a person out about the Ten Mile House, saying "that there must be a railway from St. Peter's to Charlottetown, and we must have a station here, as we cannot have it upon that hill; now, Sir, what will you take for your farm?" The person, with all this prospect before him, thought that he ought to have a good price for his property, and accordingly set a high value upon it. Mr. Wightman then asked if he appeared before the Commission; the person answered, yes, and away went the Spy. I believe that in Bedouque he created quite a sensation, and the great topic of discussion was where the railway would pass. Now, Sir, all this was a most disgraceful piece of deception, and the person who practised it ought almost to have been gibbeted. It is said that up about Mill River the people hung the effigy of Mr. Howe, and burned him afterwards, and threw the ashes into the river. The only person, I believe, who looked on with pity, was a poor Frenchman that tried to save his coat; but the others shouted out, no, no, burn him all! An effort was made in Town to throw the blame of this transaction on the people of Mill Vale; I, however, inquired into the matter, and found that the deed was done by the supporters of the Government—the Tories of New London, who tried to throw the blame of the failure of the Commission on Mr. Howe, instead of on the Government.

Mr. MONTGOMERY—This is the first time I have heard who took a part in that shameful affair. I could never ascertain who the parties were, but it appears there was a Frenchman among the number.

Hon. Mr. COLES—The Frenchman, however, seems to have been inclined to spare him. Sir, the supporters of the Government need not complain of the Award, for it goes at least as far as the resolutions of the majority of this House. I made a remark to Mr. Howe to the effect that the Award was unfavourable to the tenantry; and his reply was, "did you ever hear of an arbitration granting more than any of the parties asked for?" I inquired what he meant; he answered, "we have given you all that the resolutions of the House asked for, and a little more; so you cannot complain of us." The manner in which the Award disposes of the Fishery Reserves must work injuriously in many cases. A person can go and ask for an acre of land anywhere on the reserves, and it must be given him. Even at Summerside, suppose a person were to ask an owner of land there for half an acre, and he were to reply, oh, I cannot let you have it: the person applying might say, but you must as I want it for fishing purposes—appoint your arbitrator. I only allude to this to show that there is more occasion for an outcry now than existed a year or two ago when the late Government thought to settle the question of the reserves. In further evidence than the resolutions of this House, that the Award is as favorable to the tenantry as the Government desired, I have but to refer to the statement of one of its members before the Commission that the people were able to pay 18 or 19 years' purchase—but if my memory serves me right he said 20,—however, take his own statement, 18 or 19 years' purchase, and that too in the face of a lamentable case which was before the Court on the previous evening. He said the people could generally pay 18 or 19 years' purchase, but there were exceptional cases such as the one we had last evening. Now, I do not believe that there are ten such cases in the Island.

Hon. Mr. LONGWORTH—I am astonished at the hon. member making this perversion. The report of my remarks will speak for itself. I appeal to this House if my statements before the Commission were not as favorable to the tenantry as those of any individual who appeared before it.

Hon. Mr. COLES—This statement that the people were generally able to pay 18 or 19 years' purchase, had great weight with the Commissioners. I observed that Commissioner Ritchie appeared quite satisfied, and said I understand you are a member of the Government, a member of the Legislature, and a native of the Island. The Award will be very little benefit to the tenantry, as bonds and warrants have been taken from many of them for arrears; and Mr. Howe said that the Commissioners had no power to interfere with such. When a bond or warrant is given the tenant's property can be taken away, and sold without almost any notice. Such a case occurred here the other day, when a tenant's horse and cow was sold for a trifle. It is the delay in reference to the Award that I

principally complain of, for it is giving time to the proprietors to distrain for arrears, and take bonds which can be collected at any time. By the resolutions of the hon. member for Belfast, the tenant was to pay the instalment money before the rent would cease. This is not equal to the Land Purchase Act, under which the Worrell and Seikirk Estates were bought, and the tenants thereon were forgiven all their arrears, and freed from paying rent as soon as the first instalment was paid. Besides, if the tenant cannot get the proprietor to sell, he has to go to law with him, for it amounts to that by the arbitration clause. This Award, in my opinion, instead of doing away with the proprietary system will only perpetuate it. The supporters of the Government maintain that the Award will do good; well, let them have it. All I say is, that it is not what the people were led to expect. I hear, however, that the members of the Government have been going round the country and repudiating a part of the Award—the clause relating to the loan. I have attended no meetings except one or two in my own district to receive instructions in respect to the report of the Commissioners. The friends of the Government, I believe, are circulating that the Liberals have united their influence with the proprietors to overthrow the Award. I defy them to prove that any Liberal has ever written a line to the Colonial Office on the subject. The Award, by the resolutions of the hon. member Col. Gray, was intended to settle the difficulties between landlord and tenant, but the proprietors were not satisfied with that; they desired the subjects of escheat, quit rents, fishery reserves, and the loyalist question to be included. The loyalists, by the report of the Commissioners, are to receive compensation, but out of the Crown Lands that may be in the possession of the Government. This I consider unjust; the compensation should be from the proprietors and not from the Government. Those men who left their houses and lands and all on account of their fidelity to the British Crown, and came here on a promise from the proprietors that they should receive land, have been shamefully treated. The land, indeed, was divided and drawn for; some few obtained possession of what was allotted to them, but the most of them received none at all. They sought redress, but were denied their rights; at length, however, a law was passed to give them justice, but this was frustrated. These loyalists or their representatives came before the Commissioners, who have taken up their case and decided that they should receive compensation from the Government, which is very unfair, as the people of this Island have no right to pay for the delinquencies of the proprietors. In reference to the quit rents, it appears that there is a certain amount due by the proprietors, but the Government not having urged the claim, nay more, having allowed their Colonial Secretary to go before the Commissioners, and with such documents as he had at his command, endeavour to prove that all had been remitted; and they seem to have taken his view of the matter. The Island, by the Award, has lost not only in the matter of the amount that might be brought in by fishery reserves and quit rents, but also in regard to the price of land. A certain proprietor at home wrote to his agent here some years ago, whether it was probable that the quit rents would ever be demanded. He appeared to be quite alarmed about them. My plan was to make no compromise with the proprietors, but buy out their claims. I dare say, however, that we shall be told before this discussion is over, that the Award will do wonders—that the arbitration clause will bring the matter all right. It has been advocated in regard to this clause that it will operate against the landlords; and if there is any difficulty likely to arise about the appointment of the third arbitrator, the Legislature may pass a law to obviate anything of the kind. Now, Sir, if arbitration is resorted to, it must be conducted in the usual way; and I am surprised that any member of the Legislature should advocate that that body could interfere by imposing any restrictions in regard to the third party. Had the question been left as it was, I believe land could be purchased at a lower rate than it will be obtained under the Award. Sir, I am in favour of purchasing the land, and not going to escheat or anything of the kind. (Laughter.) Hon. members may laugh, but I am not in favour of such doubtful measures as escheat. I think if, through the operation of the award, land can be obtained at 15 years' purchase, it will be a benefit, but if higher than this, I consider it will be better for the people to continue paying rent. I can scarcely think the award will be allowed to do away with the fishery reserves. I never considered that the Commission was to interfere in regard to them; in my opinion it would be rather a dangerous matter for the Crown law officers to advise that they should be broken up. I shall not say much more on this subject at present, because if the award comes—which I think is very doubtful—it will have to be taken up again. All I regret is that the measure which we proposed last session was not carried out. It was in accordance with the recommendation of the Commissioners, who seemed to be sorry that they had not the power to prevent the collection of arrears of rent, and also in accordance with the despatch of the Duke of Newcastle. Had this measure been passed, instead of the famous address to His

Excellency moved by the hon. member for Tryon, to which I believe he received a favorable answer, the people would have been saved a great deal of harassing and vexation. I was applied to by several tenants, who were being proceeded against, and I advised them to wait on His Excellency. I understand, whatever he may have said to the Chairman of the Committee who waited on him with the address, he informed the parties who applied to him, that he could not interfere between landlord and tenant. It required something more than a mere recommendation to prevent not a few of the proprietors from distraining. Several of them have pressed very hard upon their tenants during the past season. Such an Act as we desired to pass, it was objected, would be unconstitutional; I am, however, convinced that a short Act would have received the Royal assent. I dare say there are decisions in the award, quite as unconstitutional. If this famous document comes, it will have to be confirmed by an Act of the Legislature, and this Act may be kept back by a certain officer for five months, as was the case with another, before it is sent to the Colonial Office; so that by the time it returns, and the award becomes binding it will be of very little service to the tenants, as the proprietors will have had time to secure all the arrears. I shall move an amendment to the paragraph of the Address under consideration, and it is this:—

"We are surprised, and regret to learn that your Excellency has not yet received any communication from Her Majesty's Government respecting the report of the Royal Commission appointed to settle the Land Question, which report, we understand was transmitted to Her Majesty's Colonial Minister in the summer of last year. A question in which the people of this Island feel so much anxiety, will receive our best consideration when your Excellency may be enabled to communicate to us, Her Majesty's commands in reference to it."

Hon. Mr. YEO—The hon. member referred to some of the tenants being distrained upon. He knows very well what it proceeded from. The Commissioners advised the tenants to pay one year's rent, and I verily believe that every one who did so was not disturbed. But persons went round the country and persuaded the people to pay none; and because they would not pay any rent they were distrained upon.

Hon. Mr. COLES—I showed last year that several who paid their year's rent were distrained upon for arrears.

Hon. Mr. YEO—Well it may have been in a few cases; but if so, I think it must have happened by a mistake on the books, or something of the kind. I know that on a certain proprietor's estate, the people were threatened, and some of them came to me. I told them to pay their one year's rent and I did not think he would interfere with them. I believe the most of them have done so, and have not been disturbed. What good is all this talk about the Commission going to do? The House can do nothing in the matter while the Award is not before them. About the Fishery Reserves, this is something worth talking about certainly. And as to the loyalists, how can the Government help it if the Commissioners have decided they should receive compensation out of the Crown lands? It is a shame to take up the time of the House discussing this question, as was done last year, at a cost to the country of some hundreds of pounds.

Hon. Mr. LONGWORTH—Mr. Chairman, I did not expect this subject to come up this afternoon, or I would have been earlier in my place; nor I think did the hon. leader of the Government in this branch of the Legislature, or he would have been present, though the elements have not been very auspicious. The question of the Award has been opened up at great length, indeed; and the hon. leader of the Opposition has not failed to endeavor to make political capital out of it. He generally attempts this with every measure he has not introduced into the House. He claims credit for the One-ninth Bill which was brought forward by the late Mr. Duncan McLean.

Hon. Mr. COLES—Who suggested it to him.

Hon. Mr. LONGWORTH—Can the dead speak? What an appropriate question to ask who suggested it to his mind!

Hon. Mr. COLES—I shall explain that matter.

Hon. Mr. LONGWORTH—Oh, yes, we all know what your explanations amount to, and the country also is capable of judging of their importance. The hon. gentleman has acted a most extraordinary part in this matter of the Award; he will not say whether he is openly opposed to it or not. He states that he has attended no meetings except in his own district, and these he called to learn the opinion of his constituents. He desires to keep his hands clear, so that he may

be free to act in future; instead of moving the money courage to go and say to his supporters that they should receive or reject the Award. He knows his past course has been so crooked that he does not wish to commit himself on this question. The subject of Escheat, he says, has been held up as a delusion and a snare; but he never possessed the manliness to state that it could be carried at the present time. All that he would say is that it might be necessary to resort to it some day. If we, however, desire a proof of his inconsistency, we have only to turn to the records of 1855—on which year all the great *minds* of that day gave forth their opinions on Escheat—and compare them with those of a subsequent date, since the Loan Bill was refused. Questions have recently been put to a leading member of the opposite party by a gentleman on the same side in politics, who was once a member of this House in regard to this and other subjects, and how have they been answered? They have been altogether evaded, the reply only amounting to this: our political sands have run out, and we have nothing else to propose. When asked what else they had to bring forward when they found fault with the Award, the answer was unsatisfactory to the gentleman who proposed the question, and we think also the supporters of that party generally. I need not answer for the leader of the Government in reference to his opinion that the question would be settled in 8 months. Many an eminent man in his order for the success of a remedial measure, may miscalculate in the matter of time. The hon. leader of the Opposition will not come out distinctly against the Award—that would be bad policy; but he seeks to make all the capital he can by blaming the Government because they held out that the question would be settled in a short time, and by saying that the Award was not what the people were led to expect. The hon. member has made certain remarks, half in the form of queries, showing that he is very anxious to find out every little matter connected with the acts of the Government. He has thrown out some insinuations with respect to the person whom he calls a "Spy," and attempts to show wherein the government have betrayed their trust. In regard to the Commission, I maintain that the Administration have faithfully discharged their functions as a government. Had they been actuated by a spirit of unfair play, would they have procured such Counsel to advocate the cause of the tenantry as Samuel Thomson, Esq., one of the most talented members of the New Brunswick Bar; and a gentleman in this Colony who is known to be a supporter of the opposite party, and a reasonable and sound-minded man. Still we have been charged with dereliction of duty because we did not appear before the Commission to advocate the question of quit rents, and fishery reserves. All the documents on those subjects were placed before the tribunal; and with respect to the Colonial Secretary, though I am not here to defend that gentleman, is he to be held up to public reproach because he read certain despatches before the Commissioners? The Counsel for the tenantry, as has been admitted by both Mr. Thomson and the Hon. Mr. Hensley, had perfect liberty to advocate all those questions, and that they did so will be seen by the Report. The hon. leader of the Opposition has adverted to my evidence before the Commission. I am quite prepared to stand by it; and if he will read it carefully through he will find it compares favorably with his own, or that of any other person. That gentleman has insinuated that I set a high value on the lands of this Island; what I said was that the tenants might in some cases be able to pay 18 or 19 years' purchase, but not generally, and in some cases little or nothing. I believe my evidence made an impression on the Commissioners favorable to the tenantry, because Mr. Gray remarked, when objection was taken to my statements by one of the proprietors, "what should be aimed at, is the greatest amount of good to the greatest number." The hon. member says he has heard that the Government or the Governor, he does not know which, refused to accept a copy of the award. All I have to say is that he has heard what is not true. He seems to think that the Government by all means should have obtained a copy of the Commissioners' report before this time. All the documents of the award will have to be carefully examined and considered by the proper officers in England; but if in a matter of such importance, a

delay of 6 or 7 months has occurred in forwarding it to this Island, I cannot see why the government should be censured in the case. We are aware that some measures of far less consequence have been detained two or three years at the Colonial Office for consideration, therefore I think as yet we have but little cause to complain. The hon. leader of the Opposition has adverted to the employment of Mr. Wightman by the Commissioners, has characterized him as a spy, and said that he conducted his enquiries with the knowledge of the Government. I deny that the government were acquainted with his mission, and have denied it before. I never knew there was such a person here until after he had left the Island. I have heard since on good authority that he was sent here by the Commissioners, and principally through the influence of the Hon. Mr. Howe, whose friend he was, and who had every confidence in his abilities. He brought a letter from the Commissioners to His Excellency stating his mission, and that it was to be kept secret, besides requesting that he should have access to documents, and that his services should be paid for.

Hon. Mr. WHELAN—Out of the public funds?

Hon. Mr. LONGWORTH—Yes, out of the public funds; there was no other way that he could be paid. This could not be avoided. The Commissioners had full power to act as they deemed advisable; and I understand that he was sent here to obtain information on some points, respecting which they appear not to have had satisfactory evidence. When the Award is made public, it will be seen what information that gentleman has furnished, and how far the Commissioners have acted up to it. I know nothing about his evidence, save what has appeared in the public prints. It has been stated that he occupied rooms in this building, and that it must have been with the knowledge of the Government. I again deny that the Government had any knowledge of the gentleman or his mission. From the synopsis of the Award given by Mr. Howe, it is not correct to say that the Commission has fixed a value upon the land. If we obtain the arbitration clause, the tenantry will be in a far better position than they ever were before. They will have the means within their own power to say, to some extent, what value is to be attached to their farms. What position are the tenantry in at present? It is not in any one's power to turn his leasehold into freehold, except at the pleasure of the landlord. Some of the proprietors will not sell at all, as the Messrs. Montgomery and Mr. Sullivan, who will not dispose of their land even at 20 years' purchase. But if the Award come into operation, they cannot refuse to sell; all they can do is to state their price, and if that be deemed too high, the tenant may demand an arbitration. I do not intend to discuss the Award itself, because I am unable to say what it may contain. It will be time enough when it is laid before us, to enter into a consideration of its merits. I shall, however, advert to a remark of the hon. member's in regard to the fishery reserves. He says that the decision of the Commissioners respecting them will not compare with the Act passed by the late Government. Under that Act a person, if he said he wished to establish a fishery, could turn an occupant of the reserves out of his house and garden. This is the position the tenant would have occupied under that law; but by the Award he is confirmed in the possession of his whole front, with, perhaps, the monstrous grievance of paying 1s. an acre rent! All that he has to complain of is, that an acre of it may be taken at a fair valuation, for fishing purposes. There is one other matter to which I desire to allude, namely, the measure proposed by the hon. leader of the Opposition last session, to prevent the collection of arrears of rent. This was the panacea which he had to offer for all the ills of the tenant. This was the means by which he thought to cut the gordian knot. But when he and his friends were in power, why did they not pass an Act to revert all the lands of the Colony in the Crown to the one would be quite as just as the other. The Commissioners did not recommend the passing of such a measure as he proposed; they only suggested that one year's rent should be paid; nor did the Duke of Newcastle recommend anything of the kind. Had the Legislature passed a short Act to prevent the collection of rent without any direct authority or in-

surrection; they would have received a rebuke, because it ought not to be passed without a suspending clause. I believe that the resolution passed by the majority of this House effected more than that measure would, if permitted to pass, for I know that His Excellency exerted his influence in various instances with agents, not to press so hard upon the tenants. A law of the kind which the Opposition desired to pass, would only have produced the effect of the Legislature receiving a censure at the hands of the Colonial Minister.

The Committee rose, and the House adjourned.

WEDNESDAY, Feb'y. 26.

Committee on the address resumed.

Mr. CONROY.—Mr. Chairman, as I have not yet taken a part in this debate, I deem the present an appropriate occasion for the expression of my opinions. A great deal has been said on the subject of the Award of the Land Commissioners. As one member of this House, I may say, Sir, that I feel very little anxiety as to the arrival or non-arrival of that document. When the Commission was sitting, I confess that I expected beneficial results from their labors. We were led to believe that the leasehold tenure would be done away with, that means would be devised to establish the people as freeholders; but I was disappointed when I read the exposition of the Award as given by the Hon. Mr. Howe. I saw that little or no benefit would result to the tenantry from the action of the Commission. On account of the length to which this debate has extended, it is not my intention to occupy the time of the Committee longer than is necessary to allude to one circumstance connected with the Commission. I was surprised last evening to hear the hon. member of the Government, Mr. Longworth, state that he knew nothing of this notorious Mr. Wightman—that he was not aware that he was in the Island, and was in utter ignorance of his business here. I cannot but think it strange that he should be so uninformed on the matter. Mr. Wightman came into my neighborhood, and employed himself in telling all sorts of stories to the people. At Tignish he held out the idea of running a steamer between that place and Shediac. At Cascumpec he talked of building a railroad to Bedeque; and, after instilling into the minds of the people the belief that great public improvements were about to be made by himself and those whose representative he professed to be, he asked what they would sell their lands for? As was to be expected, the people allured by the prospects he held out, in most cases asked four or five times the value of their properties. Before he left the vicinity, his object was suspected, and the people were cautioned to beware of him. He did all that lay in his power to induce the farmers to put a high price upon their lands, and when they had done so, he recorded the figures in his book; and, Sir, all this was done at the instigation of the supposed friend of the tenantry, the Hon. Mr. Howe. Sir, no one would have supposed that gentleman would have employed such agency to deceive the people of the Island to their own injury. It was disgraceful to adopt such means. Mr. Howe sent on a spy to get evidence to contradict that which he and his fellow Commissioners had openly and publicly received from hundreds of the most respectable men on the Island. And this evidence was to be obtained not from the plain unbiassed statements of the people, but their hopes and expectations were to be excited by falsehoods, to induce them to put an exorbitantly high value upon their properties. This House employed Mr. Howe to protect the interests of the tenantry; instead of doing this, he sent among us a spy to tell lies, for the benefit of the proprietors. Mr. Wightman was in the habit of declaring himself delighted with the quality of the land, and after praising it and talking of the proposed steamer or railroad, or some projected fishery, would induce a man, who would otherwise be glad to get £50 for his farm, to ask, it might be, £500. Sir, that man has been paid to libel the people of Prince Edward Island, to endeavor to prove them liars, and when such is the case, I can feel but little interest in the Award. I am, Mr. Chairman, a tenant, and have paid a considerable amount of rent, and I entertain no bad

feeling towards the proprietor from whom I hold my land. But while I say that, I must also state that I would be glad to get rid of the incubus of rent, by becoming a freeholder on reasonable terms. As I said before, I cannot expect any benefit from the Award, and am sorry that the Commissioners should have acted in a manner which does not entitle their report to any respect.

Hon. Mr. YEO.—The Commissioners were not so simple persons as not to judge of what was right. Certainly if the award comes into operation it will clear off thousands and thousands of pounds of back rents. Hon. members on the other side say it fixes the price of land at 20s. an acre. This is not the case; the highest only is 20s. an acre; but by the arbitration clause the price may be brought down to 5s. I do not think it is right to take up the time of this House now discussing this subject.

Hon. Col. GRAY.—Mr. Chairman; I have to apologize to this Committee for not being in my place yesterday afternoon, which was owing to illness under which I have suffered for the last six or seven weeks, and to the severity of the weather. But as at the hour of adjournment there were two other paragraphs of the Address still to consider, I thought the discussion of this subject would not come up; however though I had been aware of the fact I could not have been present. I will be under the necessity, therefore, of having recourse to the notes of my friend and colleague, the hon. member for Georgetown. I know nothing now on the subject of the award, as it has not yet been received by His Excellency. We have only the synopsis of it given by the Hon. Mr. Howe, and on this account we can say very little respecting its merits or demerits. I shall first answer a few of the objections brought forward by the hon. member for Tignish. He referred to the employment of an individual by the Commissioners, whom they sent here sometime last year for the purpose, it is currently reported, of obtaining statistical information with respect to the value of land. I hope any hon. member will correct me, if this be not the report, viz., to obtain information on this subject better than could be had from proprietors and tenants themselves before the Court.

Mr. CONROY.—A person at Tignish informed me that that Mr. Wightman told him he was sent by the Commissioners to procure such information as you have said. When I was told this, I remarked that he must be mistaken, for I did not believe the Commissioners would resort to such means to obtain information.

Hon. Col. GRAY.—Well I was surprised to hear such remarks fall from one whom I supposed to be a friend of the tenantry, for I understand that this gentleman has furnished information favorable to their cause. The award, I learn, has been printed by the Home Government, and when it arrives here I think the people will find that they are under the greatest obligation to Mr. Wightman. If Mr. Howe's exposition be a fair synopsis of the Award, it speaks for itself. It is—speaking of those on the estates of proprietors who agreed to the Commission—the greatest possible boon to the tenantry. An Award by which £100,000 of arrears of rent have been remitted cannot fail to be attended with the most beneficial results to the country. It is as great a boon as ever I expected, and more than I expected. And if it can be proved that Mr. Wightman's evidence has been the means of correcting the pre-conceived opinions of the Commissioners, certainly the tenantry will have no reason to complain. The Commissioners were empowered to proceed according to their pleasure; they were at liberty to come here and conduct the investigation personally and adopt such other means of procuring information as they might deem expedient. I did suggest to them on their leaving the Island, that if they found it necessary, they might return and open a sub-court on the following year; but it appears they did not consider it needful to adopt this course. I do not agree with the remark of the hon. member from Tignish that the Award is not such as to the people have reason to be thankful for. I believe the Commissioners entered upon their duties with the fullest sympathy for the tenantry; and I was happy to hear that the Hon. Mr. Howe said when here that their decision was unanimous. Until we have seen the report of Mr.

Wightman, it must be premature to pronounce upon it. The hon. member says the Award is not giving satisfaction. I have heard so too; I have heard that the proprietors do not look upon it with favor. I have seen it also stated in the *Examiner*, that some of the tenantry were dissatisfied because instead of paying £50 they might have to pay only £5. What does the Award give? What was the Award for? The resolutions which I had the honor to propose asked for a large remission of arrears of rent, and giving every tenant holding under a long lease an option of purchasing his land at a certain rate, at any time he might find it convenient to do so. The Award does not promise only a large remission of arrears, but all arrears except for three years. I put a paper into the hands of Mr. Thomson to lay before the Court, urging that since tenants at present could be compelled to pay 20 years' arrears, they should at least be remitted all up to four years, as it would require this to place them merely on a footing with other debtors under the Statute of Limitations. But by the Award only arrears for three years can be collected, and thus tenants owing £90, £80, £70, £50, of back rent will be let off for £15.

Hon. Mr. COLES—The hon. member is mistaken. The Commissioners say that they cannot interfere with bonds and warrants.

Hon. Col. GRAY—As regards the price of land, the decision of the Commissioners is all that should be desired. I have nothing to guide me in my remarks except the synopsis of the Award furnished by Mr. Howe; but, according to it, the tenantry will derive great advantages from what is known as the arbitration clause. I will give you an example of what will be gained by the Award. At Little York, where there is excellent land—in short it is almost the garden of the Island—the proprietors, Messrs. Montgomery, will not sell at all; but by the Award they will be compelled to do so at 20s. an acre. Is this not a great boon, when one of the tenants in that locality informed me that if he could only obtain the privilege of purchasing his farm he would be willing to pay forty shillings an acre for it? Again, in another part of the Island, where the Messrs. Montgomery hold land, Lot 59, by the arbitration clause they may not obtain more than 5s. or 6s. an acre, though the rent is about the same as at Little York. This is certainly a great privilege. This arbitration clause is all on one side; it is all against the proprietors, and all in favour of the tenants. I trust, now that I have shown great good will result from the Award, and that the people of this Island will have reason to bless the hour in which the Commission was granted by Her Majesty. I will now refer to my hon. colleague's notes of the remarks made by the hon. Leader of the Opposition, and take them up *serialim*. The first is, that there has been greater harrassing and distraining since the Commission was granted than was ever before on the Island. I am sorry to be necessitated to contradict hon. members, but I must deny that statement *in toto*. There has not been more trouble to the tenant on account of rent; on the contrary vast numbers have paid nothing. Several proprietors have complained that they have not obtained sufficient rent to pay their taxes—that they have not even received the one year's rent which was recommended. Another of the statements made by the hon. Leader of the Opposition was that the Commissioners offered the Government a copy of the Award. I, as a member of the Government, must also contradict this statement. I never heard of such an offer, and I suppose I would not be kept in ignorance of it.

Hon. Mr. COLES—I did not say it was offered to the Government, but that it was probably offered to the Governor, as it would of course be sent to him.

Hon. Col. GRAY—I have ever found His Excellency the friend of the tenantry. It was chiefly through his efforts

that the Earl of Selkirk was induced to sell his estates to the Government; and I am certain if His Excellency had received any notice on the subject he would have communicated it to me, knowing my anxiety for the welfare of the tenantry.

Hon. Mr. COLES—Did he communicate with you on the mission of the Spy?

Hon. Col. GRAY—I have a great many notes to answer, and I dare say the hon. member's query will come up in order. The next point is that the Government have been too penurious, and have refused to pay some £50 for clerks. The Government had no power to grant or refuse in the matter. The Commissioners had all power; they might have employed 100 clerks, and these clerks must have been paid. The hon. member says that the penuriousness of the Government was the reason that the Duke had refused to confirm the Award. I never heard *ill now* that the Duke had refused to confirm the Award.

Hon. Mr. COLES—I did not say that he refused to confirm the Award, but to send it out to the Colony. I only threw out the hint in regard to the clerks to see if the report was correct.

Hon. Col. GRAY—I am only speaking from notes. I deny *in toto* that the Government refused to pay clerks, for the Commissioners never applied to us for anything of the kind. His next statement is that the Governor and the Leader of the Government knew that the Spy was here, and that this person occupied the Secretary's Office.

Hon. Mr. COLES—I did not say that exactly.

Hon. Col. GRAY—Will the hon. Leader of the Opposition then tell us what rooms he did occupy?

Hon. Mr. COLES—He first occupied a room which was formerly the Secretary's private office; but this was found a little too public for him, and he was removed to an office up stairs. He had a person by the name of Job Bevan writing for him, who told me that Mr. Wightman had access to the public documents, and had a letter from the Colonial Secretary.

Hon. Col. GRAY—Well, I presume that the Leader of the Opposition had charge of the building for the time being when Mr. Wightman was here. In the next place, the hon. member says that the Spy had been discussing the project of a railway that was to pass somewhere about the Ten Mile House, with the people of that locality. I do not know what this House has to do with a railway there, any more than if it was a railway to the moon. But I dare say if that person had spoken of an intention to build a railway to the moon the people of Tracadie would have believed him. Then, again, the hon. Leader of the Opposition says the people of Bedeque had a dispute about where the railway was to be. I can scarcely credit this, for I do not think the people of Bedeque are so easily gulled. His next statement is in regard to dissatisfaction with the Award. Well, I have heard a report that the proprietors are quite displeased because the price of land has been fixed so low. Tenants, by the Award, will be able to purchase land worth £3 an acre for 20s.

Hon. Mr. COLES—What made it worth £3? Was it not their own labour?

Hon. Col. GRAY—The hon. member asks what made it so valuable? At Little York it was not solely the labour of the tenants, but chiefly the fine turnpike road which runs through the settlement, and its proximity to the capital. The quality of the soil is, I believe, just as good on some of the other Montgomery estates, yet not having these advantages the land is not nearly so valuable. The hon. member's next statement is that the New London Tories burnt Mr.

Howe in effigy, and there was one Frenchman present. Well, it is known that the French are a polite people, and I suppose this one was present to see fair play. (Laughter.) But, Sir, if the New London Tories performed such a deed it was because grossly false reports were circulated as to the nature of the Award. It was stated in one of the public prints that the tenants would be required to pay 20 years' purchase.

Hon. Mr. WHELAN—I will show the hon. member that statement under the hon. Commissioner's own handwriting, and he may read it if he pleases.

Hon. Col. GRAY—Will the hon. member hand me the document? I must say I think I have some reason to complain that this matter has been concealed from me. What does this document purport to be? Is it Mr. Howe's exposition of the Award?

Hon. Mr. WHELAN—Yes.

Hon. Col. GRAY—This, then, I have seen before, and Mr. Howe does not say that the tenants will have to pay 20 years' purchase for their land; far from it. By the arbitration clause the price may be very much less. And had the people of New London heard the truth of the matter, I believe they would have been satisfied. The hon. Leader of the Opposition denounces the Government because the Award is not what they led the people to expect, and alluded to me as taking credit to myself for originating the Commission. I will refer to the Parliamentary Reporter; what I said is there. I did not originate the matter; it originated in the despatches of the Colonial Minister, as is admitted in the preamble to the resolutions which I asked this house to accede to. [The hon. member here read the preamble and two or three of the resolutions. See Journals of 1859.] I also made a similar admission in my speech on the occasion of moving these resolutions. I read from the Parliamentary Reporter, p. 50:—

“Hon. Col. GRAY—Mr. Chairman, I now rise for the purpose of bringing under the notice of the hon. Committee the subject which, of all others, I consider to be the most important, and which urgently demands the co-operation of hon. members on both sides of the House to bring it to a speedy and final settlement. Sir, we have now before us two despatches from a Minister of State whose high private character, brilliant talents and profound knowledge of all that concerns the institutions of these Colonies, afford me the surest guarantee that never in the history of this Island was there a brighter prospect opened to us for a fair and equitable settlement of the land question.”

This shows I did not take the credit to myself, but attributed all to the despatches.

“Sir, here we find the Secretary of State himself coming forward and meeting us, as it were, half way, and yet, in the face of so much courtesy and condescension, we have those among us who resuscitate from the tomb in which I, and I firmly believe, almost all the people of this Island had supposed it to have been buried and forever set at rest, not only from lapse of time but also by the repeated decisions of the Home Government, a question, the agitation of which, at the present juncture, in the very teeth of these despatches, is not only very uncourteous to the Secretary of State individually, but is also a manifest insult to the majesty of the British Government, and which, if countenanced by this House, although I feel sure that such will not be the case, may produce results but little conducive to the prosperity of this Island, annexation to Nova Scotia or New Brunswick, and the entire deprivation of our rights and privileges as a separate Government. But, Sir, I would ask, are we to leave ourselves open to the imputation that there are those among us who do not desire a settlement of the land question, but who would prefer keeping it open, regardless of the injury they may inflict upon a too credulous people, [such as those, for example, who be-

lieved that a railway was about to be built near the Tea Mile House] and who, by the agitation from time to time of one or more of its phases, would make it subservient to their own aims and selfish purposes. And, Sir, I cannot help expressing my astonishment at the specious reasoning of the hon. member lately at the head of the Executive, to account for his present agitation of what he must well know is but a delusion, a mockery and a snare. However, we have now the Secretary of State himself inviting us to come forward, and I trust a considerable majority of this hon. House will agree with me, and not subject ourselves, by complicity in such agitation, to a deprivation of that kind consideration for the affairs and claims of the tenantry of the Island, which in these despatches we see the Right Hon. Secretary so plainly, although it may be, inferentially promising. Sir, I have therefore to propound, for the consideration of hon. members, certain Resolutions which I have drawn up without partiality, favor or affection, but which, I am convinced, will be found most conducive to the final settlement of this long vexed question—the fruitful source of much of the bickerings and hear-burnings which have for so many years distracted the people of this Island, and which will also give real relief to their present burdens, and designate the only way in which, by a persistent course of honest industry, every tenant in the Island may in a few years become a freeholder, and that without subjecting the people to the enormous taxation which the wild and reckless proposition of the hon. member in his Loan Bill would inevitably entail upon them and their posterity.”

Sir, surely I have read enough to show that it cannot be said in this case that resolutions are one thing and hon. member's speeches another. I have never given the tenantry reason to believe that they would receive anything but what was prayed for in the resolutions. I was desirous that some arrangement should be made whereby the industrious tenant, who had fallen into arrears to such an extent as to have lost all heart, should be relieved; and those wishing to convert their leaseholds into freeholds, might be enabled to do so at a fair rate. Those were the two leading points embraced in my resolutions, and when I proposed them I had come to the conclusion that no more should be asked for, because no more could be granted. But the proprietors, when the resolutions were submitted to them, wished to have the several questions that had so long agitated the people of the Colony discussed, which was agreed to, and consequently the Commissioners entered into an investigation of these matters; therefore it is that we have loyalist claims, quit rents, escheat and fishery reserves all noticed in their report. That the loyalists should have their lands restored to them at this time of day appeared to me, in my most dreamy moments, a very utopian idea. I have the best reason to complain of the loyalists being deprived of their rights, knowing as I do the wrongs my father had to endure, notwithstanding he lost all on account of his attachment to the British throne; but I long ago gave up thinking that agitation on this subject would be of any avail. I have never failed to hold up that escheat, quit rents, and fishery reserves were a delusion and a snare—were such as an hon. member of this House when he had a majority at his back, denominated as “impracticable and absurd.”

Hon. Mr. WHELAN—What is the definition of the term “Impracticable?”

Hon. Col. GRAY—I do not profess to be a great scholar, but I should say something that cannot be obtained. The Colonial Treasurer and other members also in the House of that day, pronounced escheat as impracticable. The hon. member for the third district of King's County only has been a consistent advocate of this question; and had I been in the House some 30 years ago, when he first agitated this measure, I would have co-operated with him. Where I differ from him is, in endeavouring to sail the ship long after she has

gone to the bottom. After she is sunk, and I am left sitting on a spar, I would say "good bye to the ship." (Laughter.) The subject of quit rents I consider something of the same nature. So that it was on these grounds that I concluded it would be useless to introduce these questions into the resolutions which I proposed. And by the Award we have obtained as much as we could expect. We asked for a large remission of arrears of rent, and all have been given up except 3 years—17 out of the 20 that might be claimed. We asked for the tenant an opportunity to purchase on fair terms, and the Commissioners have declared that no proprietor shall demand more than 20s. an acre, even for the most valuable mill site, though it may be worth £500. And, besides, they give the poor man the opportunity of purchasing his land at a fair valuation, whatever may be its quality or advantages. In view of all this I consider the Commissioners have acted as honest and patriotic men.

Mr. DOYLE—I wish to ask the hon. Leader of the Government a question about his statement regarding mill sites. He says the proprietor can receive only 20s. an acre for them, though they may be worth £500. But, if these mill sites are let at a high rent, they may almost cost more than £500, if the price that can be demanded is 20 years' purchase. Again, if the Award says that a proprietor may retain 1500 acres for himself, he will no doubt keep those places, such as mill sites, which yield him the highest rent.

Hon. Col. GRAY—I have not seen the Award; but I understand that the proprietor is to be allowed to retain this quantity of land, as the lord of a manor in the old country, for his own use if he choose. I cannot think that the landlord will be permitted to keep 100 acres here and another there; such I think would be absurd.

Hon. Mr. WIGHTMAN—I think it is irregular to discuss a matter which is not before us. When the Award does arrive, however, I cannot understand how we can do other than confirm it. This House almost unanimously agreed upon the Commission, and it cannot well set their decision aside. There are some parts of the Award of which I approve, and others not. I have consulted my constituents, but they appeared unwilling to express an opinion upon it until it arrives. I will offer one remark on what Mr. Howe said respecting the mission of my namesake, Mr. Wightman. He stated that as there was a prejudice in the minds of the people here, they could not be expected to give fair evidence, and for this reason Mr. Wightman was employed to collect more reliable information. This I consider is a libel upon the people of the Island. I approve of the arbitration clause of the Award, and think it will confer a boon upon the country. This clause, I am of opinion, is the best in it; but I do not consider it necessary to go into a discussion of its contents at present.

Hon. Mr. THORNTON—I did not intend to speak on this subject, but as this debate has taken a wide range, I may offer a few remarks. I conceive that when the Award comes we must confirm it—the whole Award and nothing but the Award. But it appears that the present Government, if they had their own way, would not carry out a part of it; according to their own statements they would set aside the clause relating to a loan. When the Commissioners recommended that one year's rent be paid, it was believed that no more would be demanded; but now it seems that three years' rent will have to be paid. I am not so much in favour of the arbitration clause as some who have spoken; still I admit that it may prove a benefit. I am not opposing the Commission—I did not oppose it from the first, for I hoped that it would effect a settlement of the question. As to sachet I never thought that anything would be gained by it, and as to the loyalists, I think the Commissioners have determined very unfairly that if they can make good their claims, they are to receive compensation out of the Government lands. Since the passing of the first Land Assessment Act, quit rents, I always considered, as thrown to the winds. But there is one part of the Award which is very good, and I shall certainly give my voice in favor of it, namely, the clause which provides that the Indians shall hold Lennox Island, and have the use of the hay lands and all. This discussion I consider is premature, as the Award is not before the House.

Mr. BEER—Mr. Chairman, my only reason for supporting the Government in their general policy, is that I believe they are honestly endeavouring to bring about remedial measures that will eventually prove of immense advantage to the Colony. Had I reason to believe that they are not sincere in their professions, I would not support them, as I have nothing to gain or lose by their retaining or giving up office. I am free to confess that my interests are intimately blended with the prosperity of the farmers or tenantry; the merchant prospers with the increased wealth of the country, but the

distiller thrives by the continued poverty of the country. As a general rule the poorer the settlement the more the distiller gets out of it, as the poor man is obliged to thrash out his barley early in the season, and sell it to him at a low price; whereas the wealthy settler who can afford to wait until he has made the most of all his crop, is then enabled to purchase to a considerable amount from the merchant. I make these observations to show that I am really interested in obtaining for the tenantry as much benefit out of this Land Commission as possible. The hon. member for the third district of Queen's County stated that there has been more distraining and distress occasioned by the Land Commission than ever took place in the Island before. Sir, even if this were true, the Government are not to be blamed for it, as they are endeavouring to give every man the opportunity of converting his leasehold into freehold on the most moderate terms. But I believe there has been very little distraining on the estates of the Messrs. Cunard, of the Messrs. Montgomery, or of Mr. Sullivan. What writs have been issued have been mostly on the estates of proprietors who refused to give their assent to the Commission; and I may say principally on the Tracadie estate, the settlers on which are really to be pitied. We have heard a long story about the Spy, and a torrent of abuse has been heaped upon him. I have nothing to say in his favor, and regret that the Commissioners should have thought it necessary to send a person here to obtain information in such a questionable manner, though I am not surprised at their having done so, owing to the conflicting statements that were made before them. But, Sir, it is possible that the tenantry may obtain better terms than they otherwise would on account of the visit of Mr. Wightman. To come more to the point, I believe from the bottom of my heart that the Award, if correctly made known to us by Mr. Howe, should it become the law of the land, will in the hands of a good honest Government prove a blessing to the country, notwithstanding it has been so thoroughly denounced by the organ of the Opposition. To those tenants who took the advice of the Commissioners, and I am proud to believe that the great majority did, the Award throws off all arrears of rent except those of two years. It remits all arrears up to May 1858; the Commissioners were here in 1860, and as they advised the payment of the then accruing year's rent, those tenants who did so, and again paid their one year's rent in the full of 1861, will not be indebted for two years' rent until May, 1862, though before the appointment of the Commission they may have been £60 or £70 in arrears.

Hon. Mr. WHELAN—According to Mr. Howe's statement arrears are remitted only to 1858, therefore it is clear that those who have paid nothing since, will have to make good four years' arrears.

Mr. BEER—I am speaking of those who have complied with the recommendation of the Commissioners. It may be stated in reply that all arrears were given up on the Worrell estate. Sir, I admit that such was the case, but it was done at the expense of the settlers in all other parts of the Island, for though that estate has been purchased upwards of seven years, it has not yet returned sixpence to the pound of its first cost.

Hon. Mr. COLES—By the account of the Commissioner of Public Lands last year, there was a credit of £24,000 shown as paid from the estate since it was purchased.

Mr. BEER—Yes, but that sum has all been eaten up by expenses and loss of land assessment, so I am still correct. The Selkirk estate was bought on much better terms, and being also better managed, the Government were justified in throwing off all arrears of rent and selling the land at a moderate price, and notwithstanding all this the estate will be self-sustaining. Now, Sir, by the Award the maximum or highest price the proprietor can charge for his land is 20 years' purchase or 20s. an acre. I have no doubt but a few of the farms may be worth 20s. per acre, such as have mill sites, marshes, or are near mussel-beds and an abundance of sea-manure; but the great majority of farms are not at all worth that sum. In these cases the tenant has the privilege of getting his farm at a valuation, should the proprietor refuse to sell it at the price the tenant offers. Oh, but says the Editor of the 'Examiner,' the tenant may as well go to law with the proprietor as attempt to purchase by arbitration; "the first man," says he in his paper of the 9th of September, "who tries it stands a fair chance of being ruined." Sir, the leaders of the Opposition are either hypocrites now in putting forth such statements, or they were hypocrites a few years ago when they introduced the famous Tenants' Compensation Bill, which provided for an exactly similar arbitration in case the tenant desired to give up his farm to the proprietor.

Hon. Mr. COLES—It was different; if the tenant thought he did not receive fair play under the arbitration, he could appeal to the Supreme Court.

Mr. BEER—Arbitration was everything that was good then; but now it is everything that is bad. I have no doubt at all of the working of the arbitration clause; it must operate well. Possibly this

House may have to pass a short Act to fix the amount of expenses in conducting an arbitration, which should be made very small, and also to provide against the contingency of the arbitrators not being able to agree upon the choice of a third man. If I were called upon to act as an arbitrator, I would take as a criterion the prices paid for land on the Worrall and Selkirk estates; and if the tenants get their lands on some such terms as these, I think they will have no just ground for complaint. The hon. Leader of the Opposition stated yesterday that if the tenants get their lands at 15 years' purchase it will be about an equivalent and they ought not to pay more.

Hon. Mr. COLES—I uttered no such words; what I said was, that if they could get it for that the Award might be some advantage, but if they had to give more, they would be better to continue paying rent. And I said also that the proprietors would have been too well pleased to get 15 years' purchase.

Mr. BEER—Well, I was astonished to hear the hon. member utter such sentiments, and I think his constituents will not thank him for such an opinion. I do not hesitate to say that even on Lot 34 there are several farms of poor sandy soil, not worth that money, while on Lots 35, 36 and 37, the greater part of the land is not worth more than 5 years' purchase. In fact the greater number of the settlers on the Tracadie estate are in the most deplorable circumstances; every now and then they are distrained upon, and their stock and crop sacrificed for a trifle. This has been the case with them for the last 25 years. We have heard a great deal about the delay of the Award, and the Government have been twitted for keeping it back. Now, all the delay that has occurred is not to be wondered at. The Commissioners who went home from the other Colonies to negotiate in reference to the Inter-colonial Railway, after waiting months had to come away without receiving an answer. We have then but little reason to complain that the Award has not yet been received here. Hon. members on the other side of the House also object to the Award, because it has confirmed the proprietors' titles. The late Government were those who confirmed those titles when they denounced escheat as a 'will-o'-the-wisp,' and when they bought the Worrall estate and Lot 11. I understand that some of the proprietors are doing all in their power to oppose the Award, and it appears that the leaders of the Opposition are doing all they can to assist them. They have been sending out resolutions to be passed at public meetings to send home to the Colonial Office, to show that the tenantry are dissatisfied with the Award, and thereby get it quashed. Those resolutions, however, did not meet with much favour except by the people of King's County, who are perhaps the most ignorant in the Island. I believe that before long the tenantry will look upon those who have advised this course as the greatest enemies that they have had, as the Award, in my opinion, will prove a great blessing to the country.

Mr. OWEN—The hon. member for Charlottetown has referred to the tenantry of King's County, and characterized them as the most ignorant in the Island. I would recommend to him the words of Robert Burns:

"O wad some power the giftie gie us,
To see oursel's as others see us."

As to the Award I do not think that the people of this Island will gain much by it. With respect to 20 years' purchase, I may say that I would be very sorry to see the proprietors get so much. I have not been in favour of the Award since I heard the exposition of it given by Mr. Howe. In reference to the employment of the Spy, I consider that to adopt such a course of gaining information was a most disgraceful proceeding, because it was taking the people of the country at a disadvantage. Notwithstanding the Award has not met with my expectations, I do not think anything will be gained by its rejection; taking it altogether it may be some benefit. The loan clause I consider is just as good as the rest of it. I was surprised to hear last evening that the Spy was paid out of the public funds. This, in my opinion, is the worst part of the whole affair. I never heard that he was so paid until it was admitted by Mr. Longworth last night; and I must express my belief that it will give much dissatisfaction in the country. If the Award comes—and I do not much care whether it ever does or not—it will be our duty to ascertain if the Spy has endeavored to prove the evidence of the tenantry incorrect.

Mr. COOPER—It is not to be wondered at that the home authorities should take some time to decide respecting the report of the Commissioners. The Crown law officers will have to investigate the whole matter. It is not called an Award, it only receives the name of a report; consequently I think though it be not confirmed, it will be the means of something being done for the Colony. They must know at home that we have a right to a Court of Escheat, and being informed by the Commissioners' report of the state of matters here, will certainly take up the case of the tenantry. But I do not think it is necessary to discuss this question until the Award arrives.

Mr. MONTGOMERY—I was sorry to learn from His Excellency's speech that the Award had not been forwarded to this Island. As regards the result of the Commission, I think two classes of men must derive great benefit from it, namely, those who are in arrears of rent, and those who desire to become freeholders; that is if the Award is what we have heard it to be from the Hon. Mr. Howe. The hon. Leader of the Opposition has referred to a foul and disgraceful act committed at New London. It cannot be denied that it was committed, but by whom I have not yet been able to learn. He says the people of Mill Vale were blamed for the deed.

Hon. Mr. COLES—I did not say they were blamed. I said there was a report to that effect in Charlottetown.

Mr. MONTGOMERY—I do not believe the people of Mill Vale would be guilty of such an act, as they have other business to attend to. I know not who took part in the affair, except the Frenchman as stated by Mr. Coles.

Mr. SINCLAIR—I would have preferred to see the Award before us while discussing this subject. The hon. Leader of the Government remarked this morning that the Award was all that he expected, and more. I dare say he has not been disappointed. The Commissioners as appointed were to investigate all the questions in dispute, whether escheat, quit rents, or fishery reserves; and at the time they received their commission there was a despatch sent out stating that they were to come here, and that the Government was to be prepared to give them all information that they required, but no provision was made to this effect by the members of the Executive.

Hon. Mr. HAVILAND—I would like the hon. member to give the date of the despatch, for I never heard of it.

Mr. SINCLAIR—That was the tenor of the despatch, though I have it not here to refer to.

Hon. Mr. LONGWORTH—The hon. member should be more careful in regard to facts. There was no despatch received to say that we should be prepared with evidence.

Hon. Mr. COLES—These were the words.

Hon. Mr. LONGWORTH—The statement was in reference to making arrangements.

Mr. SINCLAIR—Notwithstanding this despatch, it was the members of the opposition, who laid nearly all the information before the Commissioners which they received.

Mr. HOWAT—Did you say none of the supporters of the present Government appeared before the Commission?

Mr. SINCLAIR—A few of them did, but the most of the persons who came before it, were from the other side in politics.

Mr. HOWAT—Did the hon. member himself appear before the Commission?

Mr. SINCLAIR—I did not; but it was not my duty, whereas it was the duty of the Government to furnish the Court with all necessary information. And because they did not attend to this duty, I suppose the Commissioners had to adopt the course of sending a spy here, who procured his information in a disgraceful manner, by exciting in persons minds the expectations of great improvements in the country. The report of the Spy has been connected with the Award, and sent to the Colonial Office, and I would not be surprised to hear if it should operate there to the detriment of the people of this Colony. The Commissioners' report is not what the people were led to expect. It confirms the proprietors in more than they asked; it says that they are to have full value for their lands, the quit rents are to be given up, and they are allowed to retain possession of the fishery reserves. The Award certainly shows that whatever may be the value of the land, the proprietors interest in it is only 20 years—purchase, so that by obtaining this amount he receives all that it is worth to him, and he makes no sacrifice though the real value of the land should be £2 or £3 an acre, as it might be in the cases referred to by the hon. member for Belfast. But if the land is worth less than 20 years—purchase, they may obtain it for less by the arbitration clause; and this is the only benefit which I see will be derived from the Award. As to the arrears of rent being given up until 1858, I do not consider it will be much advantage to the tenant, because as the Commissioners say, what is left is about as much as the proprietors would ever be able to collect. So that all the benefits dwindle down to what will be gained by the arbitration clause. But I question if ever this will be obtained. When the evidence of Mr. Wightman is examined by the authorities at Home, it will

probably lead them to conclude that the people of this Colony are not to be trusted as arbitrators, since they made such statements before the Commissioners. In regard to the Loan clause, I cannot see that great benefit will result from it, as another part of the Award confirms the titles, consequently the proprietors will not be disposed to sell on such reasonable terms as before. Mr. Howe appears to be blamed by a great many of the people of the Island; but I cannot admit the justice of this, since he has given them more than was asked for by the Government. I do not entertain any very sanguine expectations in regard to the Award, even though it should be confirmed as it is; but I question whether it will come out as it was sent here. Having had the despatch which I referred to, headed to me I will now read that part of it which relates to the meeting of the Commissioners:—

“The time of meeting in Prince Edward Island will be best determined by the Commissioners themselves, who will be able to communicate with you on any points which they wish to ascertain as bearing on the question of the most convenient period for the purpose.

“It will be desirable that previous arrangements should be made as far practicable, for having at hand all witnesses and all documentary evidence which the Commission is likely to require, so that the time needed for their actual sitting in the Island may be reduced within the most moderate compass consistent with the due and complete accomplishment of the enquiry.”

Hon. Col. GRAY—I am waiting for the hon. member to read the despatch which he said was received.

Mr. SINCLAIR—This is it

Hon. Col. GRAY—This is quite a different one; it is not such a despatch as he stated.

Mr. SINCLAIR—It goes to prove that the Government was to arrange that “witnesses and documentary evidence” were to be at hand.

Hon. Col. GRAY—I may explain that I am not astonished at the remarks made by the hon. member, when I consider that he was one of the few who voted against the resolutions which I proposed for the appointment of a Commission.

Hon. the SPEAKER—When the Commissioners were at St. Eleanor's they expressed to me their astonishment at the indifference of the tenants around Charlottetown, in regard to the object of their investigation. I explained to them that it was owing to an impression which had gone abroad that the people were not to be permitted to appear before them. They said it was the people they desired to hear, and not the Government. I am at a loss to perceive then, why hon. members should bring a charge against the Government for a dereliction of duty in this matter.

Committee rose, and progress was reported.

D. LAIRD, Reporter.

WEDNESDAY AFTERNOON, Feb. 26.

Committee on Address resumed.

Hon. Mr. HENSLEY—Before I enter into the merits or demerits of the clause before the Committee, Mr. Chairman, I must thank the hon. member for the city, Mr. Beer, for the complimentary manner in which he referred to the constituency which I have the honor to represent. He saw fit to characterize them as ignorant. I would show myself very ungrateful, Mr. Chairman, after the general and unsolicited support which I received from those to whom the hon. member applied the term, if I allowed his remark to pass unnoticed. It may be that the hon. member is so narrow minded as to deem all ignorant, whose opinions do not coincide with his own. If such be the case, I am afraid that he will find a good many will be included in the same category with my constituents. I wish to cast no reflections upon any other constituency; each has a right to select such representatives as it may please, and if the hon. member was as well acquainted with the electors of the district I represent, as I am, he would probably have hesitated, ere he expressed himself as he has done. And now, Sir, I must say that all our discussion on the Award has been premature. We have been fighting with shadows—contending with an ideal subject. All that we know of the matter is from the exposition given by the Hon. Mr. Howe, during a short visit to the Island. That exposition, I confess, disappointed me in some respects, but it may be that the Award itself, when received, may be more favorable to the tenantry than we have been led to ex-

pect. There can be no doubt that some parties will be disappointed, and it cannot be expected to be otherwise. I was pleased to hear the remarks which fell from the hon. member, Mr. Owen, this morning. That gentleman reflected, I have no doubt, the views of his constituents, and I presume the hon. member for the city will not stigmatize them as ignorant. With reference to the 20 years purchase, I cannot look upon that as any great boon to the tenantry, for, at the rate of £5 11s. annual rent for 100 acres, a man would have to pay £111 for the fee simple of his farm, while if he had funded the sum of £25, he would, at the current rate of interest charged at the Bank, effect a saving of £16 by continuing as a tenant instead of purchasing the freehold of his farm. In the cases to which allusion has been made in which the land may be worth £2 or £3 per acre, that high value has not been caused by the action of the proprietors, but has been created by the industry and capital of the tenant, and therefore, it would, in my opinion, be unjust to make the tenant pay for what he has himself created. As to what has been said about the advantage to the tenant of buying the fee simple of a mill site, under the provisions of the Award, I do not take the same view of it as the hon. leader of the Government, for I think that it will be found that leases covering property of this description will be found to bear a rent proportionate to the value of the privilege, so that those properties will form no exception to the general operation of the Award. Perhaps the case may be different in the instances of leases for no more than 40 years, but these, we have been led to believe, are exempt from the operation of the Award. As I said before, we are premature in discussing the matter at present. The Award may turn out better or worse than we expect, but whatever its nature, I am, thanks to the ignorance of those who sent me here, at perfect liberty to vote on it as I may see fit. The retention by a proprietor of 1500 acres and the Fishery Reserves, and in fact, the various branches of the general subject referred to the Commissioners, cannot, with any confidence, be discussed before we shall have received the Award. It may be that a proprietor may revive the whole question of the Fishery Reserves, by selecting as a portion, or the whole of the 1500 acres, he may elect to retain, a strip of land along the rivers and bays of the Island. I merely mention this, as one among other reasons, why I consider this debate an irregular and premature, as I have shown the purchase of the fee simple at 20 years' rent, will exceed the amount the proprietor at present receives; but it may turn out that the arbitration clause will be found to work beneficially, and I will not prejudice it, until more specific and official information shall have been laid before us. Being anxious that the long agitated land question should be finally disposed of, I agree with the expression of regret at the absence of communication with reference to the Award, embodied in the clause of the address before the Committee, and I am far from charging the Government with any desire of delaying it.—I am willing to believe that they have done all in their power to expedite its receipt. I am always happy to accord praise when I think it merited; and I must give the hon. member from Tryon, Mr. Howat, the credit of having done the best he could for the tenantry, when he appeared before the Commissioners. And, sir, while I freely concede to others the right of dissenting from, and actively opposing, my views, I claim an equal privilege of differing from them; and, if I dislike it, of opposing the continuation of the Award when it shall have been submitted to us, without incurring the imputation of disinterested motives. I must say, Mr. Chairman, that I was surprised at the unparliamentary and uncountenanced references made to myself, yesterday, by the hon. member for Georgetown, Hon. Mr. McAulay. He alluded to me as an ex-Attorney General, and implied that my conduct in this House was influenced by the loss of £350 a year. I have no wish to follow the bad example set by that hon. member, and shall therefore merely give my opinion on his conduct, as being to a high degree unbecoming in a member of this House. With reference to the employment of Mr. Wightman, who has figured so prominently in this debate, I must say, that I think it a strange thing that he should have been employed by the Commissioners in the manner he is represented to have been. Those gentlemen held open Court here for more than a month, and if they deemed that the evidence adduced before them was unreliable, they could have re-opened their investigations. Supposing that Mr. Wightman has been misled, as his employment would seem to prove that the Commissioners had been, and the Award should be framed in accordance with his statements, it would be unsatisfactory to the Government and the Country, especially as being based upon secret information. When hon. members of the Government state that they were unaware of the presence of Mr. Wightman in the Island or of his mission, I cannot doubt their assertion, although previously to their disavowal of all knowledge of that individual, I was certainly under a different impression.

Hon. Col. GRAY—Mr. Chairman, having addressed the Committee at some length this morning, it was not my intention to have spoken again to-day; but I feel obliged to contradict some statements made by the hon. leader of the Opposition. Before I do so, however, I

small remark upon some of the observations which have fallen from the hon. member who last addressed you. That hon. member has pronounced statements which, I presume, he would rather should go before his constituents than before the combined intelligence of the community. He repelled the reference to them, made by the hon. member for the city, Mr. Beer; but if he expects that their intelligence will induce or enable them to swallow the political clap-trap he has uttered, they must be more ignorant than they were styled this morning. He argued, Sir, as though 20 years purchase was absolutely fixed as the price of the lands.

Hon. Mr. HENSLEY—I rise to explain. I did not argue in the manner attributed to me by the hon. member. I stated that the right of buying the fee simple at 20 years purchase was no boon to the tenantry, and I expressly referred to the arbitration clause, which I said might be of some benefit.

Hon. Col. GEAY—I was particular in taking down the words of the hon. member. He said that 20 years' purchase would be no boon. He made no allusion to 5 or 10 years purchase. It may be no boon to a man to make him pay 20s. per acre, who is paying 1s. per acre rent, but will he say that it is no boon to let the tenant who pays that 1s. rent secure the freehold of his land for 10s. or, it may be, 5s. per acre? The Commissioners say that in no case need the tenant pay more than 20 years purchase. Even although he might have previously offered 30 years purchase, he will be in a position to demand it at the former rate. We know, sir, that there are lands in particular localities, such as at Little York, and on the East River, which are worth 20 years purchase, but the Commissioners have had to deal, not with a few isolated cases, but have had to devise a general measure of relief for the tenantry at large—have had to recommend a scheme affecting the interests of thousands who may receive the boon of purchasing for 5 or 10 shillings an acre, lands for which they are and have been paying a rent of 1s. an acre. And I believe that in forty-nine out of every fifty cases, that boon will be conferred, and that the people will duly appreciate it. I am aware that many people hold to the opinion that in politics, as in war, everything is fair, but there is something very suspicious in the constant harping upon this 20 years purchase, as being an established price. But, sir, I will come to the statement made this morning, by the hon. leader of the opposition, to the effect that the Colonial Secretary had given a Circular letter to this Mr. Wightman, who has been the subject of such virulent abuse by hon. members on the opposite side of the House. Having, in consequence of that statement, applied to the Colonial Secretary for information on the subject, I was informed by him, that so far from having given him any letter, he was in utter ignorance of his business and, in fact, never saw him.

Hon. Mr. COLES—Well, Mr. Chairman, I am glad that I have stirred up the government at last. I presume, sir, that my informant had in his hands the letter in question. He was present in an office in this building where Mr. Pope, the Colonial Secretary, was in conversation with Mr. Wightman. When the Secretary found that rather too public a place, Mr. Wightman was put into the Grand Jury Room. And, sir, it was admitted, last night, that Mr. Wightman had been paid by the Government. If that admission is true, there must have been an order in Council to authorise such payment, and consequently the Government must have known something about him and his business. And I maintain that any Government paying from the public funds a man sent here to deceive the public, by making false statements in contradiction of those openly given by the people, are as bad as the spy they have paid. The newspaper which is the organ of the government, stated that only the Lieut. Governor and one member of the government knew that Mr. Wightman was here, but I have reason to know that he was waiting in this building for an official to give him introduction to the public buildings. As to the circular letter referred to, the person employed by Mr. Wightman as his clerk, informed me of the existence of that document. When I was in New Brunswick, last summer, one of the Commissioners, Mr. Gray, in the course of conversation informed me that Mr. Wightman had made a lengthy report. I asked who he was and on what subject he had reported, and then I was told the nature of his business. Mr. Gray answered that the Lieut. Governor was aware of it. On my return to the Island, a gentleman from New Brunswick informed me that he knew that Mr. Wightman had been here, and he was aware of the nature of his business—that he occupied an office in the Colonial Building. Under these circumstances, I maintain that the Government should be held responsible. If the Lieut. Governor had received a note from the Commissioners on the subject of this man's mission, and had kept it to himself, his Government should hold him responsible. The leader of the Government stated at a public meeting that the Lieut. Governor had sent a private letter to England on the subject of the Commission and had received a private reply. I contend, Sir, that all communications on the subject should have been public and official. We have had too many of these private notes on public business.

We have heard of them in connection not only with this Land Commission, but also with the purchase of Lot 54, and the hon. leader of the Government in this house said that he handed a private note to Mr. Thompson, one of the counsel before the Commission, advising him to urge the remission of rents up to 4 years. It would have been better if he had come openly before the Commissioners and stated his wishes publicly. It may suit the leader of the Government to have the tenantry at large bound to pay four years' back rent, when his own constituents have had all their arrears forgiven; but does this prove him a friend to the rest of the tenantry? In a portion of the district which I represent, for instance, Lot 34, the land may be worth 20s. an acre, while, in his district, 5s. would be the value of a great portion. But, Mr. Chairman, it was the labor of the tenants which made the difference in the value of the land. That being the case, I ask what benefit will it be to the tenants on Lot 34 to buy their lands at 20 years' purchase. The object in view should be, not the making of a few freeholders here and there, but the general change of the land tenure. It would be better that the proprietors should sell their estates, as in the instances of the Selkirk and Worrell properties. We have been asked, what policy we may adopt, if the Award be not accepted. Sir, it is not our duty, as a Minority, to propose any measures to the Government, but this I do say, that the country is beginning to find that the plans introduced by the Liberals have made, and are making, more freeholders than it is likely will be settled by this Award. Had it not been for the opposition to the Loan Bill, the Land Question would have been settled. The outcry against that measure was, that the country would be ruined by the immediate burden of £100,000 bearing interest. Now, Sir, that objection was baseless, for it was never contemplated to draw any portion of the money, except what might be required from time to time, as particular properties might be purchased by Government, and on that alone would interest be payable, but the party now in power succeeded in defeating the measure; however, the people have now got their eyes open. With reference to a late meeting, called in King's County, the leader of the Government, as I have been informed, sent a letter to a Captain of a Volunteer Company at Belfast, advising him to proceed with his men to attend a meeting about to be held in King's County, and outvote any resolutions the poor tenants might endeavour to pass. To that meeting they took the Colonial Secretary, who could not show his face in many parts of the County, unless surrounded by Orangemen. [Here an interruption occurred, several members speaking at once, after which Mr. Coles proceeded.] What, I would like to ask, would be said if the so-called ignorant men from the East Point should go in a body to a public meeting at Tryon, and outvote the residents of that place? Would the decision of a meeting so composed be entitled to be considered a fair expression of public opinion? The parties who have acted as I have stated would be the first to denounce the outrage. And we heard, Sir, last evening, from the hon. member, Mr. Longworth, a denial of the truth of the answer he made to Mr. Commissioner Ritchie. I have the report under my hands, and in it I find as follows:—

“Com. Ritchie—Do you think if time were given a person could buy his farm at, say, 18 or 19 years purchase?”

“Mr. Longworth—They could in general, though there are exceptional cases, such as the one we heard last evening, where little or nothing could be paid.”

Then long after the statement had been made, and after the Commissioners had closed their labors, the hon. member got the reporter to insert in the middle of his report some kind of a contradiction or refutation in these words—

“They might in some cases, but not generally, and there are exceptional cases, such as the one we had last evening, where little or nothing could be paid.”

Well, Sir, I do not see much difference in effect between the two statements.

Hon. Mr. LONGWORTH—The hon. member misunderstood the nature of the evidence I gave before the Commission. The whole scope and tenor of it was in favor of the interests of the greater portion of the people.

Hon. Mr. COLES—I understand it quite well. Here is the printed report of what he did actually say. At the time, I thought it extraordinary that the hon. member should try to fix the tenants to the 20 years' purchase. As to the arbitration clause, I do not see how the tenants are to receive much benefit from that—for they are bound to pay the back rents since 1858, and the current rents do not cease until the whole amount is paid up. They are only to receive credit for the instalments they may pay on account of the purchase money. Now a tenant, owing rent from 1858, will have, before he can purchase the freehold of his farm, to pay £27 as arrears. How many are in a position to do that? Much has been said about the Worrell Estate, and perhaps, Sir, the Government have no objection to that property proving a loss to the country; at least, it would appear so,

If we may judge from the way they are managing it. They have sold to one individual, 300 acres on that estate for only 5s. an acre, and this lot is of better quality than any part of the Selkirk Estate. When the present majority was in opposition, we constantly heard their complaint: that the Worrell Estate would ruin the country—that the sooner it was sold off at auction, and the Land Office closed, the better for the public. Well, Sir, would it be any wonder if a loss should result from that property, when the Government are disposing of it at 5s an acre, while they are asking 10s. or 12s. an acre for lands on the Selkirk Estate and Lot 54? We were told, last evening and this morning, by members of the Government and their supporters, that it was necessary that we should pass this address as soon as possible, in order that our address of condolence to the Queen should be sent by the first mail to England. But we found them occupying the time of the House till 2 o'clock to-day, and if they will spend the time of the House in bringing charges against the late Government, they must expect a reply. We have been taunted with having done nothing for the country. That charge comes strangely from the members of the present Government, which has done nothing but run the country into debt, and cause distress to the tenantry. The liberals came into power under every disadvantage. They assumed the Government in opposition to the party which had been in possession of the Government for half a century. The most influential people in the community asserted that Responsible Government would ruin the country; but, Sir, that system first gave to the people the control over their own affairs. It was the same system which obtained in Canada, New Brunswick, and Nova Scotia. It enabled the people to turn out of office any Government, whether liberal or tory. Why, Mr. Chairman, the Education Act, alone, was in many cases, equivalent to the remission of rent, for, previously, a poor man, educating four or five children, would have to pay as much as his rent would amount to. Again, there was the 1-9th bill. When the Currency Bill was introduced by a then member of this House, since deceased, and read first time, I considered that as it then stood, it would compel the tenantry to pay 1s. 6d. the shilling, as it recognized the English shilling at 1s. 6d. I stated my opinion to the late Mr. McLean, who did not object to it, and the 1-9th clause was, in consequence, inserted in the Bill when in Committee. When the measure was sent up to the Council, it was, through the influence of Sir Donald Campbell, sent back to the House with a suggestion that it should be altered, by making the 1-9th clause the subject of a separate Act. The suggestion was adopted, and then in violation of their pledges, the Council passed the Currency Bill, but threw out the other. The 1-9th Bill was opposed by the Tory party in the House, and in the Council it was vehemently resisted. When the liberals came into power we carried the measure in spite of the opposition of the old party. The tenants will find the benefit of that measure, if the Award is adopted. I have not time to enumerate all the acts we introduced for the benefit of the tenantry. But I will mention one. The tenant's compensation Bill—that was a just and equitable measure. It was rejected by the Secretary for the Colonies, because, in England, they were unwilling to assent to it, fearing that if they did so, they would have to pass a similar measure for Ireland. The Bill provided an arbitration as to the value of the tenants' improvements, when the landlord was turning him out of possession; yet we are now charged with hypocrisy, for opposing the arbitration clause in the Award. Hon. members who make that charge should get looking glasses, which would, perhaps, enable them to see as great hypocrites as any in the Island. It has also been stated that the liberals are now advocating Escheat, after having opposed it when in power. I have not heard of their having done so, but I said, when the Commission was talked of, that if the whole Land Question was to be referred to a Commission, we might as well have Escheat at once. Twenty years ago, I said it would be better to give the proprietors a small sum for their lands than contend hopelessly for Escheat. The late Government did what they considered beneficial to the interests of the people, by the Land Purchase Bill, but several of the present Government party voted for Escheat, and the present leader of the Government, when in this branch of the Legislature, stated he would not regard despatches, and did and said all he could to embarrass the Government of the day. No wonder that gentleman should support the Award. A large portion of Lot 1 is owned by his family; now the doubtful title is to be confirmed and the Fishery Reserves are to be given to the proprietors. The reservation of 1500 acres, which the Award allows the landlord to retain, does not limit them to wilderness lands, and if each of the several owners of Lot 1 choose to keep in his possession the full complement of 1500 acres, the whole would be retained. The Montgomery Estate, Lot 34 is owned by, I believe, three parties.

Hon. Mr. HAVILAND—They, and all the other proprietors, with whose properties I have any connection, are opposed to the Award.

Hon. Mr. COLES—Well, Mr. Chairman, this shows that if the Award should be confirmed, and the tenants on Lot 31 should even

offer to pay 20 years' purchase for their holdings, the reservation clause would enable the proprietors to retain just so many of the present tenants as they might select to remain in that state forever. We have been told that the Award, if favorable to the tenantry, would be confirmed by the Government. When the subject of the Commission was first introduced into this House, their decision, it was stated, was to be final and conclusive. The Commissioners themselves said so, and this declaration induced the people to come forward with their evidence. That reminds me that the Government did not comply with the instructions from the Secretary of State, on the subject of providing what evidence might be necessary to enable the Commissioners to proceed with their investigation as soon as they arrived in the Island. The Government deny that they received a despatch to that effect. It is true that a notification appeared in the Royal Gazette, but I know that the copy of the Gazette, containing that notice, did not reach my house until after the Commissioners had opened their Court. How then could the people in the country be sufficiently informed to enable them to prepare their evidence to go before the Commissioners? And, Sir, notwithstanding that we were at first told that all the proprietors were to be bound by the Award, we are now informed that it will affect only those who have signed their consent to the Commission, and the hon. member of the Government, Mr. Haviland, says that even they are opposed to it. No good will result from the Award, although the leader of the Government says that it is better than he expected. Of that, Sir, the people will have to judge. That hon. member also stated that a great boon would be conferred on the tenants by the remission of the arrears of rent up to 1858, and stated the amount of them at £39,000 or £40,000. Assuming these figures as correct, it should be borne in mind that there are about £200,000 arrears of Quit Rents due by the proprietors, and it cannot be shown that they have been forgiven. A conditional offer of their remission was made, but as it was not accepted; those Quit Rents are therefore in the same position as they were sixty years ago.

Hon. Col. GRAY—Mr. Chairman, the hon. leader of the Opposition has gone over a great deal of ground, a large portion of which is irrelevant to the question before the Committee. But there were one or two particulars in his speech, with reference to which I wish to make explanations. The statements to which I allude affect the Government, and the first of them has reference to the official conduct of a public officer, a gentleman who is most able and efficient in discharging the duties which his situation devolves upon him. An attack upon that officer necessarily involves censure on the Government which employs him. The gentleman to whom I refer is the Commissioner of Public Lands. The hon. Leader of the Opposition stated, that 300 acres of the Worrell Estate had been sold at the price of 5s. per acre, while for land of inferior quality, on the Selkirk Estate and Lot 54, Government were asking 10s. or 12s. per acre. Having heard this statement, I made it my business to enquire of the Commissioner of Public Lands the particulars of the sale referred to, and I found that, of the whole area of 300 acres, no more than 180 were fit for cultivation. The remaining 120 being not worth a farthing per acre. From this state of facts it will be seen that the price paid for the only available land was 8s. 6d. per acre. And with reference to the other part of the hon. member's charge, I have ascertained that land of better quality can be bought, on the Selkirk Estate and Lot 54, for 5s. per acre. I may mention also that the 300 acres are situate at a distance of some 6 miles from a road. The other matter has a personal reference. I allude to the assertion that the Leader of the Government had sent a letter to Belfast, advising that the Volunteers and Orangemen should turn out, to attend and take part in a public meeting in King's County. I now ask the hon. member which Leader of the Government he referred to?

Hon. Mr. COLES—I was not aware that there are two leaders of the Government.

Hon. Col. GRAY—The explanation I am about to give reminds me of an anecdote which was current in Canada some years ago. There was a gentleman there, of the name of McNab, who believing himself the head of the clan of that name, was in the habit of leaving at Government House, his card, inscribed "The McNab." After some time, another claimant of the title appeared and his right to the Chieftanship was asserted on his card, under the designation of "The other McNab." (Laughter.) I am happy to inform the hon. member that the Leader of the Government is the Hon. Edward Palmer, the President of the Executive Council. I am content to be recognized as the Leader of the Government in this House. This explanation will I trust be satisfactory to the hon. member. With regard to the alleged letter, if, as I presume, I am supposed to be the writer, especially as it is alleged to have been sent to Belfast, I am happy that I am present in this House to answer the statement of the leader of the opposition. And I now sir, before this Committee and the Country declare that it is utterly untrue and without the shadow of foundation. So far from having acted as asserted, I never put pen to paper, on the subject of a public meeting

except by decline an invitation to be present. And in that letter, I simply stated the reasons for my non-compliance with the request which I had received. Those reasons were two fold. In the first place, I mentioned that the state of my health would not justify my attendance, and further, that I did not consider it advisable to canvass an award not yet received. As a member of this House I do not consider myself as the representative of the people of Belfast alone. I am here, sir, to act, according to the best of my judgement and abilities, for the interests of the whole Island, and if I were guilty of conduct such as I have been charged with, I should consider myself unworthy of a seat in this Assembly. Every hon. member should consider himself as the representative of both friends and foes, and I would never sanction an assemblage of people of any particular political predilections, for the purpose of preventing a full and free discussion of all matters of public interest. Having made this statement, Mr. Chairman, I trust that the hon. leader will give me the name of the party from whom he received his information.

Hon. Mr. COLES—My informant is a member of this House, who was told it, by a person who was present at the meeting referred to.

Hon. Col. GRAY—If that hon. member is at present in the House, I trust he will rise and state the grounds on which he made the communication.

Hon. Mr. WIGHTMAN—As I suppose, Mr. Chairman, that I am the party to whom the hon. member, Mr. Coles's, observation applies, I may state that a Mr. Compton, whose christian name I am not acquainted with, informed me, that the hon. member, Col. Gray, had written to Captain Muax, of the Wood Islands, to muster his forces and proceed to the meeting at Montague Bridge, with a view of preventing the passage of any resolutions the liberals might propose, and supporting those introduced by the supporters of the Government.

Hon. Col. GRAY—I trust that the hon. member is satisfied with my disclaimer, and that he will ascertain, and let me have the name of his informant.

Hon. Mr. WIGHTMAN promised to do so. At a subsequent day, Mr. Wightman named Mr. Joseph Compton as his informant.

Hon. Mr. POPE—Mr. Chairman, the hon. leader of the opposition has asserted that the Government and the Colonial Secretary knew that Mr. Wightman was in the Island, and that the latter had given him a letter, authorizing him to get information on the subject of his mission from the various public offices in the Island. I deny that such was the case, and as he has declared that his informant would not tell a lie, it is but fair that he should give his name, and I now call upon him to do so.

Hon. Mr. COLES declined doing so, without the authority of the party referred to, who, here seated, he did not believe, would state what was untrue.

Hon. Mr. POPE—The hon. member accuses the Government with occupying time unnecessarily, in this discussion. Sir, the Government and its supporters in the House are anxious to pass the address as speedily as possible; but how can it pass, without delay, when he and his party take up the time of the committee, day after day in talking of every matter they can possibly rake up, as foundations for attacks upon the Government? The charges thus made against the Government cannot go abroad, uncontradicted. The case of Mr. Wightman proves this. The leader of the opposition well knows that none of the Government but the Lieut. Governor and hon. Mr. Palmer were aware of that person being in the Island, nor what was his business, yet he gets up and publicly states that the whole Government knew all about him, and that the Colonial Secretary had given him facilities to prosecute his mission. His object is to prejudice the minds of the people against the Government, and, so long as he sees a chance of doing that, he cares but little for the truth or falsehood of his statements. Equally false and groundless is his assertion that the hon. member, Col. Gray, induced the people of Belfast to go out of Queen's County, to control a public meeting in King's. Although the leader of the Government in this House did nothing of the sort, I can recollect the time of my first election, when the hon. member, Mr. Whelan and a parcel of bullies from Charlottetown, came to overawe myself and my supporters, and prevent the people from recording their votes in my favor. The leader of the Opposition says that the Commission has caused distress to the tenantry. If such be the case, the people have only himself and his party to thank for it—as proprietors, seeing the hostility to the Award that they are continually exciting—by

holding meetings in different parts of the country, denouncing the Award and passing resolutions praying for a dissolution, and abusing them through their press would be justified in treating them in a manner very different from that in which they otherwise would. The editor of the Opposition organ, the *Examiner*, at first condemned the Award, and now says that the Government are bound to confirm it. One part of it, they could not but approve, as it recommended a measure which they themselves introduced when they held office. I refer to the loan of £100,000. Now, if any good at all is likely to come from the Commission, they should support it; but if they were half as honest as they profess to be they would wait until the Award comes out, and not be trying to excite the minds of the people against it, before they know what it is. The proprietors, I believe, are generally opposed to the arbitration clause, and they have good grounds for endeavoring to have it rejected, when they can point to the meetings of the tenantry denouncing it. We have heard of Bonds and other securities taken for back rents. For myself, as owner of half of Lot 27, and as, since the 7th October last, agent for Lot 19, I can say that, to the best of my belief, I have taken no bond, note of hand, or other security for rent; nor have I issued a distress warrant, nor adopted any compulsive measures to collect arrears of rent, since the Commission was issued. But when I see the tenantry backing up the Opposition and abusing the Government of which I am a member, I will not promise to continue to act in the same manner. As the hon. member, Mr. Sinclair, said, the proprietors would be great fools if they did not take security for all that was due them. The Government has been accused of deception in connection with this Commission. It has been said that they were not sincere in the professions they made of expected benefits from it. Sir, the resolutions of this House, which led to the organization of the commission, speak for themselves. Remission of arrears of rent and the right of purchase are specially mentioned in them. At the time we passed, the resolutions I said I would support the commission, as, if it did no good, it could do no harm. I held out no false hopes to the people; but I believe good will arise to the tenants of those proprietors who assented to the commission. The remission of the large amounts of arrears will be a great boon to the poor people, and the self-styled liberals are doing their utmost to deprive them of it. And if the arbitration clause can be carried into operation, it would confer great advantages, and if the opposition sincerely desire to advance the interests of the tenants, they should put their shoulders to the wheel and assist the Government in giving effect to the Award instead of doing all they can in opposition to it. If they are of opinion that no good will result from the action of the Government on the land question, why do they not propose some measure on the subject? Perhaps the reason is that they are afraid that a declaration of their policy would turn the present Government out of power and bring them into office against their wishes. (Laughter.) In a late number of the *Examiner* the editor, the exponent of the views of the opposition stated that they would not like to take the reins just now—that the financial state of the colony would cause a great deal of trouble to them, and that therefore they had better not take office at present. (Laughter.) To revert to the subject of Mr. Wightman, or the Spy, as he has been called, other members of the Government have denied all knowledge of him, and for myself, I declare that I never saw him—never knew that he occupied an office in this building, whether it was the Grand Jury Room or any other apartment; and I have reason to believe that the officials employed in the building knew no more of him than I did. It appears that he was sent by the Commissioners with a letter to the Lieut. Governor, requesting that he might have access to the public records of the Island. How was His Excellency to act? Suppose he had refused compliance with that request. In that case the Government would have been charged with having burked the Commission by withholding necessary information after the Commission had expressly asked for it. If it be true, as has been stated, that Mr. Wightman acted as some hon. members have alleged, I do not justify his conduct; but, Sir, are the Government responsible for his acts? The Commissioners sent him here, and I believe he was selected

for the mission by the Hon. Mr. Howe, the Commissioner named by this House. In nominating that gentleman the majority manifested to the minority their desire of satisfying the tenantry, and they are entitled to credit for sincerity by selecting so great a liberal and known friend to the poor as the Hon. Mr. Howe. Whether good may or may not result from the Commission, it is our duty to wait until the result of it is before us. The House is pledged to carry out the Award in good faith. The Government has done its duty in the matter. The hon. member, Mr. Conroy, stated that the Spy travelled in company with friends of the proprietors, and it has been insinuated that he had been appointed by the Government; this has been done with a view of creating a prejudice against the Government. Mr. Wightman may have travelled with a friend of the proprietors in the district represented by the hon. member, but at Bedeque his companion was Mr. Edward Moynagh, who is not generally supposed to be very favorable to proprietors nor the Government. (Laughter.) However, I shall not take up more time in this stage of the discussion, which would not have arisen had it not been for the explanation of the Award, given from memory, by the Hon. Mr. Howe. I thought at the time, and am of the same opinion now, that it was injudicious on the part of that gentleman to give that explanation.

Progress reported.

THURSDAY MORNING, Feb. 27.

Committee on address resumed.

Mr. DOYLE—Mr. Chairman, a great deal has been said about this Award, and the Government have told us that the people will receive great benefit from it—that the tenantry will have the privilege of becoming freeholders on easy terms. But I, for one, do not see much prospect of that under the Award, as explained by the Hon. Mr. Howe. A tenant may tender to the proprietor a price he can afford to pay for the freehold of his land, but, if it is refused, how many of these tenants can incur the expense and annoyance of an arbitration? And what prospect is there that the influence of the proprietor will not prevail on the arbitration? In the case of Township lands owned by several proprietors, the right of reserving 1500 acres to each may take the whole Township out of the Award, and the tenant will not be in a position to have an arbitration, if he wished to do so. It may be said that no proprietor could do so, but on the lot on which I live, which is owned by the Messrs. Palmer, a letter was received from one of them, stating that he would not agree to be bound by the Award. Again, the Award does not affect the holders of leases for less than 40 years. In my opinion these are the very cases which are entitled to protection more than any others. For the poor people, who take such leases, may be turned out and lose their improvements at the expiration of their term. Looking at these facts, I cannot see the great boon that the people are to receive from the doings of the Commission. As to the Spy, the Government say that they knew nothing about him. I do not for a moment say that their statement is false, but it is certainly strange that they should have been so ignorant, for I saw him in my district, and the people generally were told that he had been sent on by a Company to see about the practicability of building a railroad and establishing a fishery, and that he was seeking information about the value of lands with a view to raising sheep. After these representations the people were asked what they valued their lands at, and, as might be expected, they asked more than double their worth. If the Commissioners did not think that the evidence that had been given in their presence was sufficient to enable them to come to a decision—if they thought that the people had told them untruths, and chose to take the evidence of a Spy in preference and base their award on that, I think, with the hon. member Mr. Owen, that it is quite immaterial whether the Award comes out or not.

Hon. Mr. HAVILAND—Mr. Chairman, I was not in the House when the hon. member commenced his speech, but that

portion of it which I did hear was conceived in very bad taste. It is, in my opinion, unhandsome to abuse an absent man, who consequently has no means of answering for himself. I would rather see the adoption of the good old English practice of meeting an opponent face to face, and affording him an opportunity of replying to any charge against him, but the absent and the dead cannot repel any attacks upon their characters. It may be that, if the character of this person who has been stigmatized as a Spy, and accused of telling lies to deceive the people, were analyzed, he would be entitled to be considered as a gentleman fully as much as the hon. member himself. What authority is there for accusing Mr. Wightman of having told lies? Suppose he had asked a farmer what he would be willing to take for his farm, if a railroad should be constructed through or near it, or an extensive fishery established in its vicinity, there would be nothing improper in that. I have never heard that he said positively that a railroad or a fishery would be established. But, Sir, we are, as has been often said in the course of the debate, fighting with shadows. It will be quite time enough to discuss these matters when the Award is before us, and the range which the debate has taken shows that the Opposition care but little for the public time. I shall briefly reply to one statement which was made yesterday by the hon. member Mr. Conroy. He said that this Spy was sent either to the proprietors or to the Government. Sir, I challenge him to prove his assertion—to prove that he was sent to one or the other. For myself, as one member of the Government, I can state that I never knew of his having been in the Island until a day or two before the House rose. As to the inference drawn from the hon. member's assertion, that Mr. Wightman while at Tignish stopped at the house of a friend of the proprietors, I can tell him that the agents of Sir Samuel and Mr. Edward Canard, of Mr. Sullivan, nor my father, who is a proprietor, nor Mr. Candall, never heard anything about him until the great discovery was made by outsiders.

Mr. CONROY—I wish to state that a gentleman of Tignish, with whom Mr. Wightman stopped, told me that he had stated the nature of his business, as I represented it. I told him then that Mr. Wightman was an impostor, and that I did not believe him.

Hon. Mr. HAVILAND—The Government do not and cannot know whether it was judicious or injudicious that Mr. Wightman should be sent here. That was the act of the Commissioners alone, and was matter for their judgment, and they alone are responsible for it. Neither the Government, the proprietors, or the tenants had anything to do with his employment. If the result of his employment should be advantageous to the people, the Commissioners will be entitled to the credit, if the reverse, they are liable to the odium. The hon. Leader of the Opposition harped a great deal on the fact that the Hon. Mr. Palmer knew that Mr. Wightman was here, and that, therefore, the Government should be held responsible. Now, Sir, suppose that gentleman had been told by the Lieut. Governor confidentially, and that the Commissioners wished the fact to be kept secret. It would be only a matter of common honesty and prudence that Mr. Palmer should not reveal it, even to his colleagues. And I contend that if it had been divulged, the press would have teemed with diatribes against the Government. The people would have been told that they could not expect any benefit from the Award, as the proprietors who held seats in the Government had got hold of the party sent to obtain evidence on the matters to be settled by the Commission—that the proprietary party would take care to put their case before him to the exclusion of the other side. When the Commission was once issued the Government had no control, the whole matter rested with the Commissioners. I admit that I think it would have been better if the Commissioners had, instead of employing Mr. Wightman, come back to the Island and judged for themselves, but the matter was wholly and solely within their own discretion. It will, however, be time enough to abuse Mr. Wightman when the evidence he collected, and the suggestions he has made to the Commissioners who employed him is made known. I have heard that he stated, while in the Island, that if the proprietors knew what he would report

about them they would hang him. The Leader of the Opposition stated that the Government sanctioned his employment, basing his assertion on the fact that they had paid him. Why, Sir, what alternative had the Government? They had to pay him, as he was employed by the Commissioners, and if they had not, the Opposition would have charged us with having defeated the Award by our peevishness; and Messrs. Gray, Ritchie and Howe would naturally say that we were indeed a model Government—that we had appointed a Commission to settle our difficulties, and that we had refused to pay the man whom they had sent to the Island for the purpose of obtaining evidence on the subject referred to their decision, and they might, in consequence, throw up their Commission in disgust. In making these observations I must not be considered as justifying any report Mr. Wightman may have made to his employers; nor do I approve of their act in having sent him here in the manner they are represented to have done; but they and they alone are responsible for his mission and its results, whatever they may be, and the Government were bound to pay him.

Hon. the SPEAKER—Mr. Chairman, this debate has taken so very wide a range, that I believe it will be found to be without precedent in any of the other Colonies. It would be more regular and becoming to discuss the Award and the several topics connected with the Commission when these matters shall come before us in another shape. As to this Mr. Wightman, I knew nothing about him until a day or two before the close of last session. I then asked several members of the Government if they were aware of his business, and they professed themselves as ignorant on the subject as myself. I heard that he had been travelling about the western part of the Island, and telling the people that he was endeavoring to ascertain how it would do to establish a railroad. I was also informed that he had employed a clerk, but with reference to what has been said about his recording the prices of land, I was given to understand that he set down his own, not the tenant's exaggerated value. Having been recommended by Commissioner Howe, it is not just or courteous to judge him so harshly as some hon. members have done. The House should withhold its opinion until his report is before us. I am sorry that the example set by the Opposition in Nova Scotia has not been followed here. In that province the address passed unanimously, the discussion on the matters referred to in the speech being deferred until they should respectively come up for discussion. Here we have been wasting time and delaying the business of the country unnecessarily, as all the subjects comprised in this debate will be taken up again separately.

Hon. Mr. COLES—It is all very well, Mr. Chairman, for the hon. Speaker and others of the majority to complain of the time spent in this discussion, but one member has as much right to express his opinion as another, and the greatest amount of talking has come from the Government side of the House. I am not sorry for the discussion. We are holding our own and gaining a little. We gained to-day the information that the Government knew that this Mr. Wightman was here, for the hon. Speaker says now that he found out that fact and communicated it to members of the Government. I stated yesterday that Mr. Wightman had an office in the building, and that he had a letter from the Government. I presumed that, as usual in all such cases, the letter was from the Colonial Secretary's Office. It has been denied that the Secretary wrote the letter referred to. Such may be the case, but I contend that if it came from the Secretary's Office, that office, as the head of the department, is responsible. When I was called upon to give the name of my informant I declined to do so, not feeling myself justified, without his authority. The way I got my information was this. On my return from New Brunswick last summer, a person called on me and asked if I could give him the address of the Commissioners, sitting in that province. I did so, and asked him for what purpose he required it. He told me that he had been employed in preparing certain

papers for Mr. Wightman, which the latter had directed him to forward to the Commissioners in New Brunswick. I then asked him where Mr. Wightman had located himself while engaged in Charlottetown. He told me that they occupied an office in this building, first the Secretary's private office, and next the Grand Jury Room. Several documents were prepared, and use had been made of the returns of the last Census. I asked what authority had Mr. Wightman to obtain access to these papers. He replied that Mr. Wightman had letters authorizing the public officers to give him any information he might require. He went further, and told me that all he had received for three months' services was £2 10s. This is but poor remuneration for such a period of labor, and the case is very hard upon a poor young man with a young family. Having received his permission, I now name Mr. Job Bevan as my informant, and he said that letters from the Lieut. Governor and the Hon. Mr. Palmer were lying about the office. Now, Sir, I maintain that the Government is responsible for the acts of Mr. Wightman. The Leader knew of his business, and gave letters authorizing access to the several public offices, and even to that of the Clerk of this House. I have now given the name of my informant, and I do think it a very strange thing that Mr. Wightman and his assistant should occupy an office in this building, and the Government be ignorant of the fact.

Hon. Mr. POPE—The hon. member stated that his informant told him that Mr. Wightman had a letter from the Colonial Secretary.

Hon. Mr. COLES—Well, Sir, if it came from the Secretary's office, it was an official document, for which the Government must be held responsible. It is immaterial who wrote it, whether the Secretary or a Clerk. As to the report of Mr. Wightman, perhaps the Government are acting wisely in keeping it secret; but when that individual was here, he might have conferred with members of this House on the subject of the value of the lands, and would, after hearing their several opinions, have been better able to form a just estimate than by the course he adopted. It has been admitted that his business was known to some hon. members while the House was still in session. The hon. member, Col. Gray, made an erroneous statement with reference to the relative value of land on Lot 34 and the Selkirk Estate. The real difference is not more than about 4s. per acre. It has been reported that the proprietors are not pleased with the Award—it may be so—but if they think that before the Commissioners the people valued the lands too low, there is every reason to believe that, induced by Mr. Wightman's misrepresentations, they estimated them far too highly. I was glad to hear the explanation given by the hon. member for Georgetown, as to the appointment of Mr. Wightman, for it relieves me from the statements made by one of the proprietors, to the effect that I had been the means of his being sent here. The Lieut. Governor may have been quite right in telling the leader of his Government of his mission; and if that gentleman thought his colleagues leaky—that they could not keep a secret, he was quite right in not communicating the matter to them. But this only shows what a chain of sand the Government is, the moment you shake it a little it falls to pieces. If any of their measures happen to succeed, they are very ready to take credit for it, as a Government measure; but let anything go wrong, and the chain at once falls to pieces—they then throw the responsibility on the Lieut. Governor. Their conduct reminds me of a juggler who was in Charlottetown last summer, and exhibited a chain, the links of which he shifted and transposed into every variety of combinations. When I was in

the Government, we were always careful to assume the responsibility of our measures, and not put it on the Lieut. Governor, but at present no one can tell where responsibility rests. The members of the Government have done the best to exonerate themselves from any connection with this Mr. Wightman; and, while I believe that they did not know from the first that he was in the Island, but after they did know of his presence, they should have let others know it also.

Hon. Mr. McAULAY—Mr. Chairman, we have been listening for the last three days to harangues which some hon. members may consider entitled to the designation of speeches. They have had but little reference to the paragraph before the Committee, which, unlike the remarks made upon it, is short and appropriately worded. "It is gratifying to hear that the Commissioners appointed to enquire into the Land Question have completed their laborious task, and forwarded their report to His Grace the Duke of Newcastle." I know that it is gratifying to all those who desire the welfare of the Island, though it may not afford pleasure to some others—I refer to those who opposed the Commission from the first—it is but natural to suppose that they will oppose the Award, and will say that it will confer no boon on the people. They would fain have it in their power to exclaim with Hamlet, "Oh, my prophetic soul." I do not intend to follow in the wake of those who have occupied the public time merely in the gratification of their propensity to talk. The Worrell and Selkirk estates, Lot 54, Escheat, Quit Rents, Fishery Reserves, and in fact every public matter which has engaged the attention of Government or of the Legislature for the last 10 years has been dragged into this discussion; and, lest there should be a dearth of irrelevant matter, the Award has been discussed without our knowing what it is. But, Sir, whatever the issue of the Commission may be, the tenants owe a debt of gratitude to the Government for having appointed as their advocates two able gentlemen of the legal profession to act as their advocates. What more could be expected of the Government? The very suggestion of the Commission was an admission that there was something to be settled, and the settlement was left to three distinguished gentlemen, two of whom are known as being possessed of a high degree of legal acumen, and the reputation of the third is too well known to need any panegyric from me. Those gentlemen, it is admitted by all parties, were fully capable of grappling with all the features of the subject, which had agitated the people of the Island for half a century. The great Liberals had been tinkering at it for, I know not, how many years, and it had baffled all their efforts, and now they say that no good can result from the labours of the Commission. When they seek to invalidate the titles of the proprietors I ask who purchased the famous Worrell Estate? If the title to that property was defective, why give the public money for it? If it were good, then the titles to the other proprietary lands are also good. The hon. Leader of the Opposition boasted that his Government, by the purchase and management of that property, made more freeholders than any other party or plan had done. Now, Sir, I want to know how many men were so made freeholders. The purchase of the Worrell estate entailed a debt of £20,000 on the Colony. The property was paid for by debentures to that amount. For the payment of these every man, freeholder or tenant, is liable in proportion to his means, and, therefore, this vaunted scheme has the effect of putting freeholders in the same category as leaseholders, as far as the freedom of their properties is concerned. This is the freedom, this is the boon the Liberals conferred upon the people, while in contrast to it, the Government can point with pride and satisfaction to the

purchase of the Selkirk estate and Lot 54, which properties will not entail a charge on the revenue to the amount of a single farthing. A great topic in this debate has been the employment of a Mr. Wightman, or as some hon. members style him, "the Spy." He has been held up as a perfect bugbear. I was not so surprised, as hon. members profess that they were, when I heard that the Commissioners had employed an agent to collect evidence under circumstances which would enable them to form a judgment on the actual merits of the case. Last session I made some allusion to the probability of some person being employed to ascertain the actual condition of the people, and said that he might be within reach of my voice. An hon. member on my right said to me last summer, McAulay you must have been in the secret. I was not, but it was merely a surmise of my own. I am accustomed to trace effects to their causes and causes to their effects, and I thought it likely some person would be so employed by the Commissioners. The hon. Leader of the Opposition said that it was reported that he had been the cause of Mr. Wightman being sent here. It is not improbable that such may be the fact, for I find the Hon. Col. Swabey, himself a prominent Liberal, and by far the most talented and respectable of the whole crew, telling the Commissioners that it was necessary to receive the statements of witnesses with caution. Acting on this suggestion, the Commissioners, who are beyond the influence of Island Toryism or Snatcherism, sent a shrewd practical farmer from Nova Scotia to personally see the condition of the people, the style of their houses, their manner of living, and from what sources the freeholders were enabled to purchase their farms. Because this gentleman did his duty according to his instructions—because when he was asked what business he had here, he chose to talk of railroads or fisheries, he has been denounced as a Spy. It may be that his visit will be found more beneficial to the Island than that of any man who ever put foot in it. Nothing but the purest and most exalted motives could have induced the Commissioners to have sent him here. I was amused last evening to hear the hon. member, Mr. Hensley, finding fault with the Award. Sir, if there is one member of this House who, more than another, should approach this question with modesty, it is that hon. member, for, in reflecting upon the Award, he reflects upon his own character as one of the advocates for the tenantry before the Commission, as his observation implied that he had done that justice to them which it was his bounden duty to do. I would not have addressed dry legal arguments to the Commissioners. I would have presented the equitable features of the case to show that the leasehold tenure was a consuming canker and a curse to the Island. I would have supposed the case of a loyal, sober and industrious poor man going into the green woods to provide by his labour a home for himself and his family. Soon the forest yields to the axe. After burning the fallen trees a little crop is scratched into the virgin soil among the stumps, around which, in another year, small patches of verdure may be seen. By and bye a cow is procured, which contributes to the sustenance of the settler and his young family. In the course of another year a young colt may be obtained, to the delight of the poor man's children, who adopt it as the pet and idol of their forest home, for so they have begun to regard the rude log hut which shelters them from the weather, and fondly call that little colt their own.

Hon. Mr. WHELAN—Nothing about a little calf? (Laughter.)

Hon. Mr. McAULAY—Yes, and there may be a little ass, too. (Laughter.) By and bye the landlord comes, demanding his rent. The settler is unable to pay it. He takes

away the wolf. The young ones, when they behold him driving off the animal, around which their young affections had entwined themselves, and which they had considered as their own, regard him as a thief and a robber. A bitter feeling of antagonism is created in their breasts, towards not only the individual who, they believe, has robbed them, but also to the very system which enabled him to act as he had. From such a state of things evils arise which the Award of the Commissioners will extinguish. As the Commissioners say, the adoption of the Award will cause a new era in the history of the Island. I do not expect that the Award will be sent out this winter. It contains a money clause. The loan of £100,000 cannot be sanctioned by the British Government without the intervention of the Imperial Parliament, so that it is probable that the question will not be finally disposed of till near the end of next session. Whoever shall endeavour to impede the operation of the Award I consider an enemy to the best interests of the Island. Any man of common sense and sagacity need not wonder that the proprietors are dissatisfied at the Award, because they will lose money by it, and, Sir, if they lose, who will gain? The tenants, as a matter of course. A proprietor of a quarter of a township, in stating his opposition to the Award, told me that he would lose £700 by it. If equal results should be experienced over the whole Island, the tenantry would be the gainers by at least £150,000. Whatever benefits the tenantry may gain from the Award they will have no reason to thank the hon. Leader of the Opposition for it. I am afraid that he thinks that the Commission will dig deep the grave of his popularity. If he is not inclined to support the Award, what does he propose to do towards settling the matter? He hopes to find, in contention and strife, the road to a return to power, knowing that peace and contentment would soon show him that his occupation was gone.

Hon. Mr. THORNTON—Mr. Chairman, the hon. member from Georgetown has favoured the Committee with half an hour's talk about the Award, as if it were before us, and I hardly know what subject he has not touched upon. Not satisfied with giving us his opinion on the past and the present, he lifts the veil of futurity and assumes the character of a prophet, for he says that he is sure that no debt will arise from the Selkirk estate and Lot 54, while the Worrall estate is to entail a ruinous burden upon the country. He became quite poetical in depicting the hardships to be met and overcome by settlers in the forest. But, I would ask him, what aid towards their relief did he give when the Commissioners held their Court in Georgetown? When he was asked if he would go before the Commission and give his opinion on the subject of their enquiries, he said he would. It is true, Sir, he was present in the Court, but it is equally true that while there he remained quiet. Why, if he is so convinced of the struggles of the poor people of this Island, did he not give evidence before the Commissioners? Why is all his sympathy to be expressed in this House, where he knows that it can have no practical influence? With reference to this Mr. Wightman (I suppose it will not do to call him a Spy, as we have been told that it is ungentlemanly to apply that term to him) we are not in a position to judge of the result of his employment, because the Award is not yet before us. But I have no hesitation in saying that the manner in which he came, and the character in which he travelled about the Island, are anything but creditable. If the Commissioners were not satisfied with the statements made openly before them, and, in consequence, sent this Mr. Wightman with instructions to act as he is reported to have done, and shall have based their Award upon his statements, the tenantry need not expect much benefit from the Commission.

At Sturgeon, I was informed that a strange gentleman had been staying at Mr. Kearney's, and was daily driving about the country. I asked what was his object. That was not known. He talked of buying land; asked if there was a good place to establish a Fishery in,—supposed the people would ask a pretty good price for their lands, and made other remarks in a similar strain. He took notes of the replies he received. He acted in the same manner on the Sheriff's road. Sir, I say that such conduct is a disreputable mode of throwing discredit on the evidence of hundreds of respectable individuals given openly before the Commission. As to the arbitration clause in the Award, as explained by Mr. Howe, I think it would have been better for the people if the Commissioners had fixed a definite value on the lands say 10s. or 12s. or even 15s. per acre than have adopted a scheme so cumbersome and difficult of operation.

Hon. Mr. LONGWORTH—I have no wish, Mr. Chairman, to protract this debate, the length of which is not attributable to the Government side of the House, although the Leader of the Opposition and some of his supporters charge the duration of the discussion to the speeches of the majority. The whole course of the Opposition shows that they are actuated solely by a desire to thwart the Government and hold it up to ridicule, if they possibly can, and not by any regard for the interests of the tenantry. The hon. Leader of the Opposition at first stated that he did not intend to go into the merits of the Award, but in his anxiety to damage the Government, he gradually opened up the whole subject, and he has singled out particularly the arbitration clause and has disingenuously argued as though the 20 years' purchase had been the rate definitely fixed by the Award. He has been told and well knows that rate is the maximum price; if it were positively fixed no one would support it. If the Award shall appear to be beneficial to the people it will be confirmed, if otherwise, or if it is to be frittered away piecemeal, then it will be opposed.

Hon. Mr. COLES—The Government are opposed to the Loan.

Hon. Mr. LONGWORTH—The Award must be taken in full. The hon. member would like to reject the arbitration and take the loan. A resolution to that effect was proposed at a public meeting, which was lost, and that submitted in opposition to it to the effect that the whole Award should be adopted, was carried. If the present Government shall be in power when the Award becomes law, I admit that, if we could buy up lands at such prices as would enable us to resell them to the people at low rates, without loss to the Treasury, we should do so. Notwithstanding what has been said against it, the Award, judging of it from the synopsis given by Mr. Howe, will compare favorably with any plan hitherto devised for the settlement of the land question. I admit that the hon. Leader of the Opposition did all in his power for the tenantry, but he himself admits that he failed. His policy was devious, he adopted different views at different times. He complains of having been foiled by the proprietors in the Loan Bill and other measures he introduced. In 1855 he was most strenuous in denouncing Escheat; it was then a "delusion," a "chimera," the day for it had gone by, it was utterly unattainable. Now he has changed his tactics. But, Mr. Chairman, if the Loan Bill had passed, I doubt if the Government of that day could have purchased lands on terms which would have enabled them to resell at reasonable rates. The proprietors, knowing that the purchase of their lands was part of the settled policy of the Government, would unite and demand a price which would preclude the Government from reselling to the tenants except at a serious loss of income. It may do to buy, as the present Government has done, lands when they are offered at low prices, but if once the purchase of lands was part of the policy of the Government, the experience of the Worrall Estate would be repeated. The loan may work very advantageously with the arbitration clause of the Award, but

it would not do to adopt the former as the main source of relief. The one may be a useful handmaid to the other. If the Award shall appear to be beneficial to the country I hope it will receive support from both sides of the House; but I think the opposition fear lest the Government should effect a change in the present relations of landlord and tenant. I was amused yesterday at a statement which fell from the hon. member from Princetown, Mr. Sinclair. He coolly attacked the Government for not having appeared as the advocates of the tenantry alone. He censured us, as a Government, for not having gone before the Commission as partizan advocates. This is certainly novel doctrine. I had given that hon. member credit for some knowledge of constitutional principles, but when he made the statement I refer to, he must have forgotten that it is the duty of the Government to hold the scales of justice equally between both parties. Any Government, descending into the arena, as suggested by the hon. member, would deservedly forfeit the confidence of the people. But, Sir, the Government appointed two able legal gentlemen to advocate the interests of the tenantry, and bring their claims as prominently as possible before the Commissioners. Will the hon. member say that these gentlemen did not do their duty, that they did not put the tenants' case in as favorable a light as possible before the Court? I was surprised to hear such a charge made by that hon. member, when I recollected that he had received a letter inviting him to go before the Commission. Did he do his duty, Sir, and give the Commissioners his opinion? He did not. If his constituents are tenants, as I believe the majority of them are, why was he not present to establish their case? Is it honest or fair that he should charge the Government with dereliction of duty, for not having improperly taken upon themselves duties which it was incumbent on him to have performed, and which he omitted either from policy or cowardice. He may select whichever horn of the dilemma he prefers. The hon. member stated that the Commissioners sent Mr. Wightman here because they had no faith in the evidence adduced before them. If the opposition are such friends of the tenantry as they are fond of representing themselves, it is passing his party but a poor compliment to say that the Commissioners did not believe them. The hon. Leader of the Opposition attacked me on the nature of the evidence I gave before the Commission, and stated that I put an immoderate value on the lands; but, Mr. Chairman, I would be perfectly willing to place my evidence in contrast with that given by himself, and let the public judge whose was more favourable to the interests of the tenant. I put a reasonable value on the land, and the idea to be gleaned from my statements was that of a sliding scale of valuation, for I know that some lands may not be worth more than 4s. or 5s. per acre, while others in particular localities may be worth as much as 20s. My opinion may be wrong, but I was sincere in the expression of it; however, I am content to let it speak for itself. When all the other planks of his political platform had slipped from beneath his feet, then the subject of the Quit Rents was brought up by the hon. member before the Commission. Years ago, when Mr. B. Davies, then a member of this House, brought in his report on this subject, it was generally believed that the hon. member laughed it out of the House. After his opposition to Mr. Davies's views on this question, the matter had been allowed to die out, till its ashes were raked up and the hon. member, not being particular as to the value of consistency, went fully into the subject before the Commission. He should have guarded the right of the Colony to the quit rents during the eight years he was in power.

Hon. Mr. COLES—I did so, as a reference to the Civil List Bill will show, and I deny that I ridiculed Mr. Davies's views. I differed with him as to the bearing of the land tax on the question, and recommended an address to the Home Government to ascertain what had been paid on account of those rents. All quit rents were surrendered on our paying the Civil List Bill.

Hon. Mr. LONGWORTH—Yes, and so were all mines and minerals, but what is the use of words in the Act if we have not the articles they designate? In reviewing the proceedings of the Commissioners, the hon. Leader of the Opposition

was very unfortunate in charging them with neglect of the interests of the tenantry. The Award gives the occupier the right to the reserves, but by the Bill introduced some years since by the hon. member it was provided that they should be vested in the Crown.

Hon. Mr. COLES—In the Government which is responsible to the people.

Hon. Mr. LONGWORTH—Then they would be vested in the hands of a few individuals who would have the power to coerce poor men into the acceptance of whatever terms they might choose to impose, and the tenant would have no right to them. It is certainly a boon to the occupier that the Commission has confirmed his possession. As to the employment of this Mr. Wightman, as has been stated by my hon. colleagues, the Government are in no wise responsible for his appointment or the manner in which he discharged the duties confided to him. It was the Act of the Commissioners alone, and all that the Lieut. Governor could do was to comply with their request to facilitate his investigations and not divulge his errand. It was necessary that His Excellency should confer with the Leader of the Government, who was by every consideration bound not to make the matter known. The members of the Government, with the exception of the Hon. Mr. Palmer, knew nothing about him, and I never heard of him until he had closed his mission and left the Island. Had the Lieut. Governor refused to accede to the request of the Commissioners, they would have been justified in abandoning the whole question referred to them, and the Secretary for the Colonies would have, in all probability, approved of their course. The hon. member, Col. Gray, is entitled to every credit for having carried the Commission into practical working, although the idea of it emanated from another source. While the Government is conscious of having done its duty, it fears no attacks of its opponents. And I hope the day is not far distant when we may receive the benefits of the Award. I may be disappointed in some particulars of it, but until we have the document before us our opinions are premature. I may mention, as a proof of this, the reservation by a proprietor of 1500 acres. Now, I take it, this reservation must be in one block, and that it is not contemplated to let the proprietor select different lots at his pleasure. If, however, it should be so, I will not approve of that portion of it, but it cannot be decided until the Award arrives. The hon. member, Mr. Thornton, objected to the delay in the transmission of the Award. He supported the Commission and has no reason to object. When he considers the important interests involved, and the various questions to be considered, he should not be surprised if even three years should elapse ere the Award had undergone the searching scrutiny which it will receive from the Imperial Government. We know that Government requires time and consideration to mature a measure of this nature, and that Bills comparatively unimportant have been longer under consideration at the Colonial Office than the Award. It has probably been printed in England, with a view to examination by proprietors resident there, and also for submission to the proper officers whose opinions it may be requisite to obtain.

Progress reported.

THURSDAY AFTERNOON, Feb. 27.

Committee on the Address resumed.

Mr. SINCLAIR—The hon. member, Mr. Longworth, I suppose, considers that he has demolished my arguments, and scattered them to the winds. When I was adverting to the duty of the Government to furnish information to the Commissioners, I had not proceeded far before I was twitted by the hon. member for Tryon, and asked if I appeared before the Commission myself. I was present at the Commissioners' Court during two days, but I made no statement before them; and I consider that if the hon. member for Tryon had done the same, he would have rendered as great service to the country as he did, because when he was asked the value of land in his district, he declined to answer.

Mr. HOWAT—I did give a value, and if I had the pamphlet I would prove it.

Mr. SINCLAIR—The hon. member was asked the question, but declined to answer it; he was asked again, and still declined to answer; but afterwards, I believe, he came forward and volunteered a statement. Now, such conduct on the part of a member of this hon. House, must have produced an injurious impression on the minds of the Commissioners. I was not acquainted with any particular grievance in the district which I have the honor to represent, and as the people there knew that others amongst them were more competent than I was to bring their case before the Commissioners, they consequently appointed delegates for that purpose. Having, however, received a circular from the Commissioners to attend their Court, I did so; and so full was the evidence which I heard presented to them that I knew nothing more which I could state for their information. They received almost too much evidence, for it was not so much this they required as that the subject should be presented clearly to them by those having the control of public affairs. But what did I see in that Court? What but the hon. leader of the Government in this House acting the part of a catechist, and putting so many questions to an hon. gentleman who was addressing the Court, that he refused to answer them, saying they were impertinent, and if I mistake not, the Commissioners also checked him. I need not be ashamed to name the gentleman to whom they were put; it was the Hon. Mr. Warburton, who was giving valuable evidence, indeed, to the Commission. Now, I contend such conduct on the part of a member of the Government was calculated to bring the whole matter into ridicule, and weaken the force of the evidence which was being laid before the Court. The hon. member, Mr. Longworth, says he considers it was improper for the members of the Government to advocate the cause of the tenantry; but he appears to be proud that he himself gave evidence before the Commission favorable to the tenantry; and I would ask, is he not a member of the Government? If they purposed to extend the same justice to the proprietors as to the tenants, why did they not also employ counsel for the proprietors? The fact that they employed counsel for the tenantry only, shows that they considered themselves to be on one side, and that the proprietors were another party altogether, as they undoubtedly were, since they had to pay a third part of the expenses of the Commission. I believe the Commissioners were led to believe that the members of the Opposition were doing all they could to oppose the Government, and therefore they did not attach so much importance to their evidence as they would have done to that of the members of the Government, had it been furnished. This was the reason, I imagine, that the Spy was sent here, namely, because the members of the Government did not give evidence.

Hon. Col. GRAY—I shall only advert to the hon. member's statement in regard to what passed between Mr. Warburton and myself, viz: that the Commissioners had to check me. I have to say that the whole statement is incorrect, and like the one made by the hon. member the other day, is without the shadow of foundation. I believe he must be labouring under serious error, or he would not have made such an assertion. The Commissioners never checked me on any point; on the contrary, I received from them the utmost courtesy. I believe, however, the proprietors found fault because I appeared before the Commission. I made a statement yesterday in reply to the hon. leader of the Opposition, who said that there had been more harassing and distrains during last year than ever was before on the Island. Since I contradicted this assertion, I have taken the trouble to ascertain how far I was correct from the agents of some of the largest proprietors who have agreed to the Commission, namely, the Messrs. Cunard, the Messrs. Montgomery and Mr. Sullivan; and I have been informed that not one case of distraint has occurred on the estates of those gentlemen, where the tenant had paid his one year's rent. And I ask the hon. member to name me one who has been distrained upon since last year on the estate of a proprietor who has agreed to the Commission?

Hon. Mr. COLES—I could name 50, yes, 100, if required. What do those advertisements mean which state that unless arrears of rent be paid up on certain estates, the tenants will be immediately proceeded against. I showed last session that

several had been distrained upon, though they had paid their one year's rent. Yes, and this very season the stack of tenants has been seized and sold here on the public square, though they had complied with the recommendation of the Commissioners. We need not go to Cunard's estate, for, perhaps, as he was one of the principal parties in getting up the Commission, he may not have caused distraint warrants to be issued. Are we, who are the friends of the tenantry, going to be catichised in this way by members of the Government, who get agent This, and agent That to whisper in their ears from the benches behind them? Sir, there has been too much whispering of that kind in this House. It has been stated that we are aiding the proprietors to thwart the Commission, but when do we see any of them or their agents coming to whisper to hon. members on this side of the House? It cannot be denied that all this oppression and tyranny on the part of the proprietors, of which we hear, has been caused by the Commission. What, then, can be the motive for all these questions? If the hon. leader of the Government does not know what is going on in the country, he ought to know; he should come out among the people, and not keep himself caged up in his market-house of a cottage, so that no person can see him.

[Some altercation took place here, the Hon. Mr. Haviland rising to order, and insisting that the hon. member ought to be taught to use proper language, and not allowed to make disparaging comparisons in regard to the private property of members of this House.]

Hon. Mr. COLES—I can tell the hon. leader of the Government that agent This or agent That, of course, will not admit that there is oppression in the country; but we have the people to speak for themselves, as we had here yesterday, in the case of a tenant who told the tale of his distress with tears in his eyes. The proprietor had sent the bailiff to seize some of his property, and it was brought in and sold on the Square. I believe the hon. member for Charlottetown himself took pity on the poor tenant, and enabled him to buy in his horse. With this and other cases known to hon. members, I am astonished that the hon. leader of the Government should ask such a question.

Mr. SINCLAIR—I was surprised to hear the hon. member, Col. Gray, affirm that my statement in regard to the questions which he put to Hon. Mr. Warburton was wholly without foundation. Will the hon. member say that when he was putting a question to Mr. Warburton that gentleman did not state that he would not answer it, as he considered it was impertinent?

Hon. Col. GRAY—I wish the hon. member would confine himself to facts. There are four other hon. members present in this House who attended the Commissioners' Court at St. Eleanor's, and I appeal to them to decide between us.

Mr. SINCLAIR—The only part of my statement which the hon. leader of the Government can question, was where I said that if I mistake not, the Commissioners also checked him. But I qualified this expression. It is all very well for the hon. gentleman to say that my statements were wholly unfounded, because I suppose he imagines his assertions will go farther than mine; but, Sir, I believe my word will be considered in the country just as good as his.

Mr. HOWAT—I feel called upon to make an explanation, as the hon. member for Princetown has stated that I declined to give an answer before the Commissioners when questioned in regard to the value of land. I said it was worth 10s. an acre when the rent was at 1s. This statement was respecting the Lot on which I reside, but as I consider the land on it is something better than on the other Townships which I have the honor to represent; when asked the general question as to the value of land, I felt at a loss to answer. That night, however, I went out to Lot 19, and the next day I made such a statement as I and the people whom I consulted thought fair. Having ascertained the opinion of my constituents at some public meetings held in the district, I afterwards came down to Charlottetown and handed into the Commission a statement in writing of what I considered the price of land should be. The hon. member, Mr. Hensley, admits that I made a fair statement before the Court. I cannot understand

why the hon. member for Princetown should be offended because I asked the question: Did he appear before the Commission himself? I did so out of no ill-will; for I must say that I entertain for him a very high respect. He admits that he made no statement before the Court, yet he complains of the evidence submitted to it. If anything is said which affects himself, how soon he is on his feet; then why did he not show equal readiness to take up the cause of the tenantry, when he saw it was necessary that the Commissioners should be furnished with correct information. A person scarcely knows what to make of his statements, for one time he says the Commissioners were supplied with too much evidence, at another he says they had too little. In regard to the Spy, if it is proper to designate him by that name, I must candidly say that I do not approve of his being sent here by the Commissioners, because I consider they had other means of obtaining ample information. The Government employed able counsel, one of whom was the Hon. Mr. Hensley, a gentleman well acquainted with the records of the Colony, and qualified to furnish evidence of that kind, therefore I can see no necessity for the course which the Commissioners adopted. I suppose they had full power to send such an agent here, still I cannot approve of the step; but I will not accuse the Government in the matter, as they were not aware of his mission. In reference to the Act which the Opposition desired to pass last Session, I say that had it been carried through the Legislature, it would have urged the proprietors on to distrain for arrears immediately, for it is known that every Act must receive the Royal assent, and that none can be returned to the Island in less than seven months after they are passed here, so that during that time the proprietors and agents would, no doubt, have pounced down upon the tenants in a wholesale manner. Had the Government allowed such an Act to pass, and those consequences followed, the hon. leader of the Opposition would then have turned round and said you have ruined the country, and I knew all the time it would be the case. When asked what provisions his Act would contain, he would not explain, but said the Act would speak for itself. I should like to know what a *short Act* would speak for. He was asked by his hon. friend, the member for East Point, if the Act was intended to include more than those proprietors who agreed to the Commission, he would not give a direct answer, showing that he could scarcely be sincere in the matter. When he and his party passed the measure respecting the Fishery Reserves, why did they not also pass a *short Act* to prevent the collection of rent on the reserves, in the meantime. In regard to the Award, since it is not here, I am unprepared to discuss its merits. So far as I am acquainted with its contents, I am disposed to support its passing into law. I believe the arbitration clause will be a benefit. As to the provision respecting 20 years' purchase, if that was all the Award contained, I believe it would do very little good, in fact, none at all. I understand that the members of the Opposition are generally opposed to the Award. I see it stated in the *Examiner*, the organ of the Liberal party, that the arbitration clause will be no advantage to the tenantry, because the farmers of this Island, being backwoodsmen—that is bushmen, people knowing nothing—they will not be able to cope with the lawyers who will be appointed by the proprietors as their arbitrators, and consequently the arbitration will always go against the tenant.

Hon. Mr. WHELAN—If the hon. member pretends to give a statement from a newspaper, he should give it correctly; but I say that he has given this one most incorrectly.

Mr. HOWAT—Well, the latter part of what I said may not be exactly as the statement appeared in the paper, but the first part is, because I distinctly remember the term backwoodsmen being used. Now, I think the most of the people in the country, though they may not be so well informed or learned as the lawyers and people about town, yet they are just as capable of forming a sound judgment. Petitions were got up by the Liberals over the country praying for a dissolution of the House in order to test the opinion of the country on the Award, but lately a whining article appeared in the *Examiner*'s to the effect that the Liberal party better let the Government alone for the present, and let the majority of the

House go on as they please. Hon. members on the other side appear to be like Job's comforters, they have nothing to say to encourage each other, but all look downcast and melancholy. I heard a statement in the Debating Club the other evening from a gentleman who was once a supporter of the opposite party, which I consider important. He said that no Government in this Island ever did more to confirm the proprietors' titles than the late Government, of which the hon. Mr. Coles was leader.

Mr. SINCLAIR—I claim the right to reply again, as there is no point on which I am so sensitive as being accused of making false statements. I hold that the hon. member for Tryon in his remarks has corroborated my statements in regard to his evidence before the Commissioners.

[Some interruption occurring here, the Reporter could not take satisfactory notes.]

Hon. the SPEAKER—I am one of the parties in this House who was present at St. Eleanor's when the dispute is said to have taken place in the Commissioner's Court, between the hon. member, Col. Gray, and Mr. Warburton. The published report says some altercation took place, and if I remember correctly, it was Counsel Palmer who interrupted. I do not believe that anything said at the Court by the hon. member, Col. Gray, had an injurious effect upon the opinion of the Commissioners, for I heard a person state that he never considered Col. Gray was sincere respecting the Commission until he heard him at St. Eleanor's. After what he heard there, he said, he could not doubt his sincerity.

Mr. MONTGOMERY—I was present, at the Court at St. Eleanor's, and believe the published report is correct.

Mr. JOHN YEO—I was also present, and may say that I did not hear any of the Commissioners check the hon. Col. Gray.

Mr. SINCLAIR—I have not read the report, but the facts are quite distinctly in my mind.

Mr. MONTGOMERY—I think I heard Mr. Warburton say that a certain question was impertinent.

Mr. DAVIES—Mr. Chairman, it has been said that we are irregular in discussing this question when the Award is not before us; but I consider we are quite in order, as the subject is referred to in the Address, and we have the evidence given before the Commission by both sides before us, and also the speeches of the Counsel. The speech of one of the Counsel for the proprietors has not all appeared, as it seems he did not return the MS. to the Reporter. I am sorry for this, because I should like to have seen it all, as it is said to have been a very able one. We have the speeches of the Counsel on the other side, and certainly they do them credit. It is no wonder that the hon. member for East Point advocated Escheat, for the learned Counsel, Mr. Thompson, says that had the Island been under the government of New Brunswick, the lands would all have been escheated long ago. Had I been in this House some 20 years ago, I certainly would have been an escheator; but I consider that the time has now gone past, owing to properties having changed hands, which renders it difficult to deal with the question. The present Opposition when in power endeavored to bring in remedial measures, and passed the Land Purchase Bill; but that gave dissatisfaction on account of the high price paid for the Worrell estate, which, as it could not be sold at a rate to pay expenses, subjected the country to debt. I said the other evening in regard to the purchase of that estate, that it was open to suspicion that the report is correct which says that the hon. leader of the late Government received £1000 from the vendors for taking it off their hands at such a price. I am still of the same opinion, as there appeared to be no danger of the estate then passing into other hands. The reason may have been that there were parties at that time in need of office. The purchase of the Selkirk estate will fully clear itself, but the receipts from the Worrell estate have been nearly all eaten up by expenses. When the present party came into power, they were all desirous to provide some remedy for the difficulties of the tenantry, and the Land Commission was the result. The Commissioners have completed their Award, and though it is not before us I suppose the synopsis of it given by Mr. Howe is a fair exposition of its contents. This Award, in my opinion, will prove a material benefit to the tenantry, at least, the opposite party have nothing better to propose. The remission of the arrears of rent itself will be a great advantage. The hon. leader of the Opposition says that some of the proprietors have taken bonds for arrears, and that they can thus be collected at any time. I think this cannot be the case; if so, it is in direct violation of the Award. The proprietors may take such bonds, but if it can be shown that they were taken for arrears that would be remitted by the Award, they will

certainly be void. It is said that few of the tenantry will be induced to purchase through the result of the Commission; but I believe that the arrears being cleared off, many of them will take heart anew, and endeavor to convert their leaseholds into freeholds. I am aware, within my own knowledge, that not a few have left the country on account of the burden of arrears. It has also been said that the tenantry will not be able to buy their farms, because 20 years' purchase is more than they can pay. But I have no doubt that the arbitration clause will be the means of lowering the price of land in many cases, and placing the power of purchase within their reach. Another statement put forth is, that the proprietors since their titles have been confirmed by the Award, will not be disposed to sell at a low rate to the Government. I cannot see that this will be likely to affect the price of proprietors' lands generally, because it is admitted that escheat was impracticable. Under the operation of the arbitration clause I think they will be as pleased to get clear of their lands as ever. Statements have been made in reference to cases of oppression by the proprietors; it is true there are such cases, but I am at a loss to conceive what this House can do in the matter. That there should be oppression is to be regretted; yet it is not in our power to remedy the evil. Then again in regard to Mr. Wightman, the so-called Spy. I fully believe the members of the Government when they say they had no control over that person. If the Commissioners considered that the evidence which they obtained on the Island was partial, they, of course, were at liberty to send an agent here to procure further information; but I would much rather that they had come to their decision without this aid. I presume, however, that the person sent here, was not in the interest of the proprietors, and would therefore give a fair and impartial statement respecting the value of land. The hon. member for Princetown appears to think that the Liberals were the only friends the tenantry had before the Commission. I have been looking over the reports, yet I cannot see that this has been the case. The hon. member should bear in mind that it is not extreme statements that carry the greatest weight. It was probably on account of statements of this kind that Mr. Wightman was sent to the Island.

Hon. Mr. KELLY—Mr. Chairman, the hon. member for Belfast asked to be told of cases of oppression which occurred since the last session of the Legislature. I can give him many of them if it will be of any service; but at present I will content myself with one which took place in the month of August last. The amount of the tenant's arrears, to whom I allude, up to the previous May, was only the trifle of 40s., which he went and offered the agent, but which was refused to be accepted without being accompanied by as much more. This tenant, Sir, came to me as his representative, saying that he feared he would be distrained on as he had incurred the agent's ire by appearing before the Commission, and requesting to know what he should do in the case. I told him if he had his rent on hand, and was sure he owed no more, his best course was, when the distraint came, to pay the money to the bailiff. Very soon after, Sir, the bailiff was sent to him with the distraint, and both of them came to my house, where the tenant paid the bailiff every penny he owed up to the previous May, and got the bailiff's receipt. But the next day, the agent despatched no less than three constables to make a clean sweep of all that the tenant possessed, who was then under the necessity of procuring bail to double the value of his stock, and of travelling 17 or 18 miles to retain a lawyer, and effect a reprieve with the sheriff of the County. But, Sir, when the next term of the Supreme Court was approaching, the said agent, well knowing that if his proceedings came before a jury his case would be dismissed with costs and his tyranny exposed, came to the attorney of the tenant and told him that he would make a virtue of necessity and proceed no further. And I was sorry to hear the poor tenant lament that he lost all the costs, as his lawyer refused to compel that tyrannical agent to make good the same. Now, Sir, with regard to the Award, I am sorry to say I have no hopes of its being a benefit to the tenantry. On the property which I live myself all rents and arrears of rent due, and much that is not due, have been secured by notes of hand with interest from date; or, if not so, they have been sued for and judgments obtained against the unfortunate tenants. As regards the 20 years' purchase clause, I know that most of the tenants care nothing for it, but would prefer to continue paying rent than to purchase on such terms. In Little York, referred to by the hon. leader of the Government, the tenants mostly pay only 1s. an acre with one-ninth added, therefore, I think, they would be very careless about buying their farms at 20 years' purchase. I hold my own farm, which is fully as good land as that in Little York, at the rate of 1s. currency an acre, and could any one imagine that I would be foolish enough to pay £160 for its purchase, when by funding only £83 6s. 8d. in Treasury Warrants, their interest at only 6 per cent., would pay my rent until my lease expired? The hon. member for Charlotte-town, Mr. Beer, seems to entertain the same opinion respecting the tenants of Little York as the hon. leader of the Government, and appears to have much sympathy for my constituents on Lots 35, 36,

and 37 generally, for their poverty on account of the very poor quality of their land. Now, Sir, I would say the greater number of the people on these Lots do not look so much for the hon. member's pity as they do for justice from the Legislature; and I can assure the hon. gentleman, that many of these tenants, poor as he may consider them, could fork over their £1000 if required; yet, notwithstanding this, they would prefer paying their rents as usual than converting their leaseholds into freeholds at 20 years' purchase.

Mr. BEER—I am glad to hear that the people on that estate are in such good circumstances. I always pitied the tenants on that Township, because I considered they were the most oppressed on the Island. I have felt sorry to think that they would receive no benefit under the Commission; but I hope this may not be the case, as the Duke of Newcastle in one of his despatches almost holds out a threat over those proprietors who would not agree to abide by the Award. There have, no doubt, been cases of hardship lately—one tenant's cattle being sold for £8. This, however, is nothing new; it has been occurring on the Tracadie estates ever since I became acquainted with that part of the country.

Hon. Mr. HENSLEY—The hon. member for Georgetown, Mr. McAuley, gave me a lecturing this morning because, as I happened to be counsel for the tenantry, he thought I should not utter a word against the Award.

Hon. Mr. McAULAY—The hon. member is inbarring under an error; what I said was that he should speak of the Award with extreme modesty.

Hon. Mr. HENSLEY—That is in effect what I said; I, however, do not agree with that doctrine. It would just be as reasonable to say that a lawyer should be bound to be satisfied with the decision of a court in regard to his client's case, as to say that because I was counsel for the tenantry I should say nothing in opposition to the Award. All that I said respecting it was, that I could not look upon it as so great a boon to the tenantry as some hon. members appeared to consider. I also said it was premature to discuss the Award at present, because, according to Mr. Howe's exposition, difficulties might arise in reference to the 1500 acre clause and other points. The hon. member for Georgetown said that the counsel for the tenantry should have delivered speeches before the Commission such as he gave this morning. As my learned friend, Mr. Thomson, is not here to speak for himself, I must say that I would much rather listen to his speech than that of the hon. member. His description of the hardships of a tenant in the backwoods would no doubt have had a telling effect; how the children were affected by the loss of the cow, and then the donkey; but when he came to the donkey it appears he also came to the donkey's bridge, for he proceeded no farther in his description. Much has been said respecting what the Liberals did before the Commission and what the supporters of the Government did. I have no fault to find with either. Whether it was the leader of the Government, Mr. Howe, or any other member of this House, I believe all exerted their influence for the benefit of the tenantry.

Hon. Mr. HAVILLAND—Mr. Chairman, I wish to put a question to the hon. member from Fort Augustus, Mr. Kelly, who has given a very pitiful tale of the sufferings of some poor tenant in his part of the country, and then boasted of what others could pay if required. Is the gentleman who owns the estate on which that tenant lives one of those who agreed to the Commission, because, if not, it was useless to mention the case here?

Hon. Mr. KELLY—The hon. member for Georgetown well knows that the proprietor of Fort Augustus did not agree to the Commission; but are we on that account to be prevented from mentioning our complaints and applying for justice before the only tribunal where we may hope for redress?

Hon. Mr. HAVILLAND—The case occurred, then, on the estate of the proprietor of Fort Augustus, the Rev. John McDonald.

Hon. Mr. KELLY—Mr. Burke is the agent; I do not think the proprietor knew anything about the proceeding.

A motion then having been made that the progress be reported, and the House do adjourn, it was, after a short discussion, agreed to.

FRIDAY, Feb. 28.

Committee on the address resumed.

Paragraph relating to the Land Commission, and Hon. Mr. Coles's amendment thereto, again read.

Hon. Mr. PERRY—Mr. Chairman, the difference between the amendment and the paragraph would not, I think, warrant any person to vote against the latter; but I consider that every hon. member should express his opinion on the report of the Commissioners as explained by Hon. Mr. Howe. I think, however, that that gentleman ought to have obtained for the Government a copy of the Award. Certainly there were three parties interested, the Crown, the pro-

proprietors, and the tenantry; and I think it was the duty of the Commissioners to furnish each of these three with a copy. Had this been done we would have been able to discuss the Award on its own merits. Though it were to come now, as it is said to be a voluminous document, it would perhaps take two or three months to read it and understand it thoroughly. I repeat that I think our reserve ought to have furnished us with a copy of the Award; this is the least that we ought to have had, as the whole affair has cost the country nearly £1000. But, Sir, if Mr. Howe's report is a fair synopsis of the Award, I think we have very little for our expense and trouble. It is said that arbitration is easily understood; and that this clause of the Award will be productive of great benefit to the tenantry. I do not anticipate it will effect much good, particularly as the appointment of the third party cannot be interfered with by this House. Such legislation would not be sanctioned at Home. It is well known that back lands are let at nearly as high rent as front farms, consequently arbitrators would be likely to say that as those lands are rented at the same rate, why should not the purchase price be also the same amount? 20 years' purchase does not mean 20s. an acre, as appears to be taken for granted by some hon. members, the amount which will have to be paid under this clause altogether depends on the rate of rent. This being the case, the clause will be of no benefit, for, as has been very well observed, it will be better to continue paying rent. It is said that the Governor was offered a copy of the Award, and would not accept of it; however this may be, I think the Government should satisfy this House that they asked for a copy and were refused it. It was important that the Award should be here months ago, because if it is received now, the country may perhaps be saddled with a law to render it binding before they are aware of its nature. Now, Sir, with respect to the Spy, I believe there was such a person here; but I do not blame the Government in the matter, or say that they assisted him. That person was in my neighbourhood, still I am not aware that any one in that part understood the object of his mission, as he spoke of building railways and the like. Had he come here and simply stated to the people that he wished to know the price of lands in their wilderness state, there would not have been so much dissatisfaction. But with all the information which was before the Commissioners, I do not consider that there was any necessity for them to send this person here to check the evidence. The Award now cannot become binding before 1863, consequently there will be 5 years' arrears of rent to pay. Owing to this remission of arrears up to 1858 cannot be looked upon as a very great boon; however, if the Award be the means of wiping off some arrears it will effect good. But, Sir, when we consider that a number of the townships are liable to forfeiture, I do not think this remission of arrears is an equivalent for what they owe the Colony. When the Award becomes the law of the land the proprietors' titles will be confirmed, and they will then, so doubt, ask a higher price for their properties than at present, which will be an injury should the Government think of purchasing any more estates. I must say that I think Mr. Howe has not behaved in a very gentlemanly manner to his colleagues, nor to the people of this Colony. If he could give nothing better than a mere exposition not worth 2d., he would have acted more wisely to have given nothing at all. (Hear, hear, from Hon. Col. Gray) It has been stated that the Spy was paid by the Government. This was not right, if the Commissioners employed him on their own responsibility they should have paid him themselves.

Hon. Mr. HAVILLAND—Pay for it themselves.

Hon. Mr. PERRY—Yes; and I think the Commissioners themselves should not have been paid until they furnished a copy of the Award. We know this is the case with a common arbitration. I think we are not warranted in expressing an opinion on the Award, but only on the report given by Mr. Howe. I do not understand what his exposition was given for.

Hon. Mr. McALLAY—Mr. Howe said himself it was to correct certain false statements given in the *Examiner*.

Hon. Mr. PERRY—I was not aware that Mr. Howe made such a statement. If the Award is likely to be any benefit to the people of the Colony, I will give it my support. I cannot but help thinking that it must be better than we were led to believe by Mr. Howe's report. It is said that his effigy was burned in some part of the country. If this was the case it must have been because he did not bring a copy of the Award with him. This deed is said to have been done by the people of New London.

Mr. MONTGOMERY—It appears to have been done by a Frenchman.

Hon. Mr. PERRY—It would rather seem that the Frenchman was the only liberal-minded man there, for when he could not save the body, he tried to save the coat. In my opinion, before the Award is confirmed, the people should be made acquainted with its nature. I believe they would be willing to pay a little to have it printed, though it might never be any benefit.

Hon. the SPEAKER—The hon. member has stated that Mr. Howe should have furnished the Government with a copy of the Award. I am of opinion, however, that he should have taken no action in the case, not even to give an exposition of its contents, but allowed it to come to this Colony through the proper channel. Mr. Howe was no doubt nominated by this House, still he received his commission from the Crown as well as the others, and it was therefore a part of his duty along with his colleagues to lay their report at the foot of the Throne, and let it come through the Colonial Office to the Government here. As to the nomination of Mr. Howe, I think I may take as much credit to myself in the matter as any member of this House. I had thought of his suitability for the appointment, and I heard the opinion of an hon. member of the opposite side, who said that if Mr. Howe was named there would be no opposition to him.

Hon. Mr. COLES—Name him.

Hon. the SPEAKER—The hon. member for East Point, Mr. Cooper. So that if Mr. Howe has not done all that was expected of him by the people of this Colony, I do not think any blame can be attached to the Government.

Hon. Mr. COLES—I cannot admit the propriety of hon. members bringing charges against Mr. Howe, for it was stated by the hon. leader of the Government the other day that the Award was better than he expected. He also stated that he put in a private note to the Council for the tenantry.

Hon. Col. GRAY—The hon. member must have misunderstood me; I put in no private note. All that I did was as clear as noon-day. What I handed in was a paper setting forth that it was a great hardship that tenants had to pay it might be 20 years' arrears of rent, when by the Statute of Limitations ordinary debts could be collected for only 6 years back. This hardship in the case of tenants was what I desired should be brought before the notice of the Commissioners.

Hon. Mr. COLES—Well, then as the Award remits all arrears up to 1858, more has been granted than what he asked for; and this being the case wherein is Mr. Howe to blame. Then again the arbitration clause, which I believe was suggested by Mr. Howe himself, when he found that the other Commissioners were in favor of 20 years' purchase, and finally they agreed to the suggestion,—that clause was more than was asked for in the resolutions proposed by the hon. leader of the Government. With respect to the 40 year lease clause, that is according to his own resolutions. I believe 100 years was the term first named by him, but it was brought down to 40 years at the suggestion of my hon. friend Mr. Thornton. Now, I would like to know what the Government intend to do for the tenantry. Before the Award can be confirmed, those who have paid no rent since 1858, will have 5 or 6 years arrears to pay, and this sum would be more than is paid for land on the Worrell and Selkirk estates. As I said before I cannot sit here and listen to hon. members accusing Mr. Howe, when the hon. leader of the Government says that the Award is more than he expected.

Hon. Mr. POPE—The strongest language which I have heard against the Commissioner for the tenantry, was that made use of this morning by one of the hon. member's own friends; still he tries to make us believe that it is members of the Government, who are bringing charges against Mr. Howe. Which of them said anything of the kind?

Hon. Mr. COLES—I will tell who; when the hon. member Mr. Perry was speaking this morning, the hon. leader of the Government said, hear, hear! (laughter) and the direction of the straws shows how the wind blows. The hon. member for Georgetown says that the reason Mr. Howe gave his explanation was to correct what was stated in the *Examiner*. All the difference between the statement in that paper and the explanation given by Mr. Howe was not worth mentioning. The error in the statement was, that Mr. Swabey—as it is known to have been he who wrote from Halifax—said he understood the Government were to appoint the arbitrators. Mr. Howe gave his report at the suggestion of Mr. Whelan and myself, and that no party might be dissatisfied he mentioned his intention to the Government. He gave the explanation in his own room at the Terrace House, and I believe it will prove to be substantially correct. Mr. Swabey wrote from Halifax that the Award ought then to be here, and so also said Mr. Howe when he came to the Island. But it appears that His Excellency the Lieut. Governor intimated to the Commissioners that it was better to forward it through the Colonial Office, and perhaps this was the proper channel which it should come; still that need not have prevented the Government from obtaining a copy, and having it published for the information of the people of the Colony. The hon. member for Georgetown finds fault with the Council for the tenantry because they did not make better speeches, and still all the members of the Government are taking credit to themselves for having retained such able men. He seems to think that if such a speech as he made here yesterday, had been given before the Commission, all would have been right. But, Sir, I think I

did more to awaken the sympathies of the Commissioners than he would have done with his cow-and-calf story. I drove one of the Commissioners from Georgetown to Charlottetown round by the Head of St. Peter's Bay; and I thought as I had an opportunity I would show him some of the effects of the tenant system. As we were passing through a certain settlement, I hauled up opposite a hut, and said it was about tea time. We saw a woman, and I asked her if tea was nearly ready. She answered that they had no tea in the house, and nothing except a few potatoes. The Commissioner being amazed began to ask questions, and thus elicited information. The hon. member, Mr. Longworth, says that I have advised the people to reject all the Award except the Loan clause. Now, I deny this *in toto*. I never advised them to reject any of it. All I said was that without that clause it would not be worth having.

Hon. Mr. LONGWORTH—You said more; you voted against the Award.

Hon. Mr. COLES—I never did.

Hon. Mr. LONGWORTH—Where is the resolution passed at your own meeting.

Hon. Mr. COLES—I did not vote for that; it was passed by my constituents.

[The resolution was here read by Hon. Mr. Longworth.]

Hon. Mr. COLES—That does not prove that I am against the Award; nor am I under any pledge by the resolution. I have been very cautious in expressing myself about the Award, for many of my constituents, who are in large arrears of rent, might be greatly benefited by it, were they not bound down by bonds and warrants. It was a strange statement also made by the hon. member that I had admitted that my policy for settling the Land Question had failed. I never made any such admission. What do the Commissioners say—those gentlemen who are allowed to be as competent as could be found in the Colonies to decide the question? They say that the Loan Bill was the best scheme ever devised to relieve the tenantry; therefore they recommend a Loan in the first part of their award, and if this cannot be obtained, they then recommend 20 years' purchase and arbitration. Under the Loan clause, they think land may be purchased at 2s. or 3s. sterling an acre.

Hon. Mr. LONGWORTH—You know that is a mistake.

Hon. Mr. COLES—Well, I do not know that it is; it is their opinion. Then, again, the Worrell estate is being continually referred to here. One on the Government side commences, and all the others follow like a pack of hounds; one says bow-wow-wow, and away they go. (Laughter.) Then what about that dreadful estate? When I go up there, what do the people say? They say you are the best friend we ever had. The members of the Government are continually making comparisons between the Worrell and Selkirk estates; now, what is the difference between them? The late Government introduced the Purchase Bill, and the Worrell estate happened to be the first bought under it. Had it not been that we passed that Bill, the Selkirk estate could never have been purchased by the present Government. No thanks to them though it should prove more self-sustaining than the other, as they had the machinery for working the scheme all ready to their hand, and our experience as a guide. The Earl of Selkirk was even induced to sell his estate, owing to correspondence entered into by the late Administration, though it has been stated here that it was His Excellency the present Lieut. Governor who prevailed upon him to dispose of his property to the Government. It has been brought up in this debate that I said to the Hon. Col. Gray I would not give £3000 for the Worrell estate. I admit that I said so; but I said it to him as a private gentleman, because I did not know but he might be desirous to purchase the estate. It would be folly to hold a Government responsible for the opinions of a person given outside. I said I would not give £3000 for it; no more I would. I would not hold a large estate on almost any terms. The hon. member, Mr. Longworth, says that if the Loan Bill had been assented to, it would have been the ruin of the country. Sir, how could this be the case, for the money was not to be drawn unless there was land about to be purchased. He also says that it was circulated by our party that if the loan was granted the money would not require to be paid back. I believe the hon. member, Mr. Cooper, said that if the money was handed over to the Colony, the British Government *ought not* to demand it back; but I deny that the members of the Liberal party circulated such a report.

Mr. HOWAT—I have one question to ask the hon. member. Would the Colony, under the Loan Bill, have had to pay the interest of more money than was required?

Hon. Mr. COLES—I am glad the hon. member has asked the question. I have explained before that £5000 or so might have been drawn at a time, and interest would have to be paid only on what was drawn. The hon. member, Mr. Longworth, seems to be quite pleased, because there is, as he says, some little desertion from the Liberal ranks. He states that I opposed Mr. Davies in regard to quit rents. I did not oppose him, but when he came in with his

statement that there were £300,000 due, I laughed, not because I believed it incorrect, but at the black looks of the Tory members of the House. Where I differed with Mr. Davies was, that he wished to send an address to the Governor inquiring how much was paid, whereas I said that the address ought to be sent to Her Majesty. But, Sir, if the members of the Government believe that that gentleman is so honest that he would do nothing wrong, they must admit the truth of his statement before the Land Commission. [The hon. member here read from the report of the Land Commission resolutions passed at a meeting of delegates, complaining that the Government had not presented the claims of the Colony before the Commission, which resolutions Mr. Benjamin Davies and Mr. Howat were appointed to lay before the Court.] Certainly, then, if this gentleman's opinion holds good with respect to the late Government, it is of equal force in regard to the present Government. The hon. member from Tryon says he heard Mr. Davies state in the Debating Club that the late Government did more to confirm the titles than any other. That may be his opinion, and certainly the purchase of the Worrell estate was confirming the titles so far, as the title of that estate was then made secure.

Hon. Mr. LONGWORTH—I do not rise to make a speech, but to clear up a certain matter. What I said with regard to Mr. Davies was that I believed he did not receive that support from the hon. leader of the late Government to carry out his views respecting quit rents which he expected. The hon. member says he did not oppose Mr. Davies; but here is an extract from his speech in the debate on the quit rent question in 1852, which shows that he did oppose him:—

"Hon. Mr. COLES said he would be happy to have it in his power to think that there was the least chance that any good would arise from Mr. Davies' motion, but as he could see no probability of any, he felt bound to vote against it. He even thought that evil might arise from it, and that the Tenantry might be again subjected, on account of it, to such losses and vexations as they had formerly undergone from its execution."

Hon. Mr. COLES—I opposed the address to the Governor, because I considered that the proper course was to address the Queen.

Hon. Mr. LONGWORTH—The proposition before the House was to address His Excellency first; and even Mr. Mooney found fault with the hon. leader of the late Government for his conduct.

Hon. Mr. COLES—I knew that the Lieut. Governor had no means within his power to grant the prayer of the address, as absentee proprietors were permitted to pay their quit rents in England. But it appears that Mr. Davies carried his address, and the reply given by His Excellency was that the information could not be afforded here. An Address to Her Majesty was then passed, according to my suggestion, praying that the information might be afforded from the records of the Colonial Office.

Hon. Mr. WHELAN said—Mr. Chairman; some statements made in the course of this debate, in connection with which my name has been freely used, require a few observations from me. I attempted to do this at an earlier stage of the discussion, but did not succeed in attracting your attention. I was not, however, disposed to trespass on the time or patience of the House, and would be quite willing even now to forego the small gratification of making a speech, if I thought my silence would be the means of expediting the business of the Colony. Besides, there is nothing peculiarly attractive or novel in the discussion after members on both sides of the House have consumed more than four days in elaborating their views on the several questions which have been brought to our notice. Members on the Government side have been particularly pertinacious in advancing their opinions,—or, arguments, as they may please to call them; for, on a moderate computation, no less than five speeches have been made by each of the principal debaters on that side of the House; and I am quite sure that impartial listeners will agree with me—(if there were listeners who had patience sufficient for the test)—that one speech from each honorable gentleman would have answered all the purposes of this debate, because the succeeding speeches from the same lips were merely repetitions of their predecessors. I may be told that some members on this side—and particularly my friend the Leader of the Opposition—have been afflicted with the diarrhoea of words as well as the gentlemen opposite. My friend the Leader of the Opposition requires no defence from me; but a sense of justice compels me to say that he would have had more than human patience if he did not address you so frequently, when he was so frequently assailed by gentlemen on the other side; and it must be a source of consolation to him, as it is to his friends, that on all occasions he has been more than a match for his political opponents. Members and supporters of the Government pretend to regret the delay which has occurred in bringing this debate to a close, as they profess to be anxious to adopt an address of condolence to the Queen on the death of the Prince Consort, in time to send it by the Mail which will leave here to-morrow evening; but which address cannot be adopted until the Governor's Speech be disposed

of. They cannot, however, censure me for having delayed them, for I have shown no disposition to obstruct the business of the House. I would have been most happy to have offered any aid to the Government, which it might be in my power to afford, with the view of giving a full expression to the feeling of regret that pervades the minds of Her Majesty's subjects in this Colony on the melancholy bereavement which has cast a gloomy shadow upon the royal house of Great Britain; and I am sorry that a subject of such painful interest—affecting, as it does, the minds of many millions of people—has been deemed worthy of only a very trite and common-place remark in the speech with which the Queen's Representative opened the present session. At the commencement of the discussion a charge of encouraging agitation in the public mind, in reference to the Land Commission, was made against certain members of the minority, who, it was said, were occupied in preparing resolutions in Charlottetown to be passed at public meetings in the country. This charge is altogether unfounded. The public meetings were, for the most part, confined to Prince County, and were convened at the request of the Hon. Mr. Warburton, without previous consultation with his friends in town. Neither Mr. Coles nor myself attended those meetings, although we were invited to them. Such was not the case, however, with members and officers of the Government, who, with or without an invitation, manifested much eagerness to influence public opinion at those meetings. If we were desirous of creating or keeping alive excitement, we had another opportunity for doing so at the New London meeting, to which Mr. Coles and myself were invited by a numerously signed requisition; but it was the settled opinion of my honourable friend and myself that we should keep aloof from all those meetings, as we were well aware that the charge of arousing public discontent would be made against us. Our absence from the meetings has not, however, prevented the charge from being made. The Montague meeting, to which Mr. Coles and myself were also specially invited, deserves something more than a passing notice. If ever unreasoning and insensate phrenzy disgraced any occasion—if ever the freedom of speech was grossly and infamously outraged, it was at that meeting; and the individuals who committed the outrage, and earned for themselves the disgrace, were not Liberals, but the adherents of the party in power—a wild and ignorant rabble, drummed out of Queen's County to overawe peaceable and well disposed people in another County. I understood that those rowdies were determined to offer personal outrage to Mr. Coles and myself, as it was supposed we would attend the meeting; and they were sadly disappointed when they found themselves balked in their humane intentions by our absence. I make no objection to the circumstance of persons going from one County to attend public meetings in another, if they do so without any improper designs on individual or general liberty, and conduct themselves as rational men and good members of society; but I cannot too strongly condemn—and I am sure every right thinking man will join with me in the condemnation—the conduct of those who would send an ignorant multitude—who have no knowledge of public affairs, no honourable motive to inspire them—governed solely by their own criminal and brutal passions—to prevent free discussion in a part of the country where they have no landed or local interests.

Sir, I will now notice a few remarks which fell from the honourable and learned member from Queen's County, (Mr. Longworth), to whom I have always listened with much attention, and often with pleasure. He has accused me of attempting to make political capital out of the Land Commissioners' Award. But I think I have fully met this accusation by what I have already said respecting the public meetings held in various parts of the country. If any party are open to the charge of attempting to make "political capital" out of the Commission, they are certainly those who constitute and support the Government. It is a theme of which they never weary. Every member on that side asseverates in the most solemn manner that vast benefits will be conferred on the tenantry by the Award,—yet that charmed instrument is not here; and its admirers—affecting to discredit Mr. Howe's explanation of it—profess the most profound ignorance of the principles embodied in the original document. Now, then, in the absence of the Award, will the advocates of the Government inform us what has been done, during their three years' possession of office, to advance the interests of the tenantry, for whom they profess so much sympathy? The Commission itself, if it should ever come to any good, is not so much the result of their exercise of power as of the agitation which was kept up by their predecessors against the evil working of the leasehold tenure. The appointment of the Royal Commission was merely a concession to the long agitated claims of the tenantry—claims which have been strenuously and uniformly resisted by the party in power; it was an acknowledgment by the Crown that the tenantry had grievances to redress; and those grievances would never have been pressed upon the notice of the Sovereign if it were not for the exertions of the Liberal party. I may be told that the present Government have purchased the Selkirk estate, and have thereby done much to promote the welfare of a

large body of tenantry; but the merit of that measure is not due to them, but to their predecessors who passed the Bill under which the purchase was effected; and if they could, they would have prevented the Purchase Bill from holding a place on the Statute Book. Hon. members on the Government side have charged us with inconsistency in regard to the expression of our views on the Escheat question, and have attempted to show that the opinions we held in 1855 differed very materially from those advanced by us in 1859. I challenge our opponents to prove that there was any irreconcilable discrepancy in our views at the periods mentioned. In 1855 we had a well defined policy to pursue. We believed at that time—and we believe so still—that the most speedy and effectual method for settling the Land Question was to purchase out the claims of the proprietors on moderate terms. The experiment had been tried with the Worrell estate, and afforded reasonable hopes of success. The Government at that time were anxious to conduct their operations on a larger scale, and passed the Loan Bill as a supplementary measure to the Purchase Bill. While the Liberal Government had these measures in contemplation, they knew it would be worse than useless to agitate the old question of escheat. Would they not have made themselves eternally ridiculous by going to the Imperial authorities with the Loan Bill in one hand, asking for money to buy out the claims of the landlords; holding forth in the other hand the original grants, and contending that the proprietors had no just claims to sell? But in 1855, neither myself nor my political friends wholly repudiated the doctrine of escheat. We merely regarded it as a measure that should be left in abeyance until the purchase scheme was fairly tested. In 1859, when our hopes with regard to the Loan Bill were entirely frustrated through the machinations of the proprietary clique and the party now in power—we saw no alternative but to go back to first principles. We advocated then the right of the Colony to the establishment of a Court of Escheat,—we had never denied that right,—the Land Commissioners and the Counsel for the tenantry declared in open Court in Charlottetown, that such a right was inherent in the Colony; and we considered that by strenuously urging it, if we did not get escheat itself, we might wring some concessions from the British Government and the Proprietors. But is it graceful or prudent for members opposite to charge our party with inconsistency in reference to this matter? They themselves supported the establishment of a Court of Escheat—or "Enquiry," as they called it—in 1855. If they were sincere in their advocacy of it then, surely they should have taken some steps towards establishing it when they came into power in 1859.

Hon. Mr. LONGWORTH—The hon. member should not make such a statement; many of the members of the present Government were not in the House in 1855.

Hon. Mr. WHELAN—I am aware of that; but the principal men of the honourable gentleman's party were in the House then. His own colleague, now a member of the Government, the Hon. Alexander Laird, was in the House in 1855, and was a strenuous advocate of Escheat—the Hon. Francis Longworth, now holding one of the first offices in the Colony, was also in the House in 1855, and warmly advocated the Court of Enquiry. Even the Leader of the present Government, Mr. Palmer, gave it his support.

Hon. Mr. HAVILAND—Mr. Palmer was not in favour of the resolution moved on that question.

Hon. Mr. WHELAN—No, he certainly did not vote for the resolution, but he spoke strongly in favour of it—declaring that the Colony had a perfect right to a Court of Escheat, and that no ministerial despatches should deter him from advocating it if he thought the Colony required its establishment.

[The hon. member made a few further observations in reply to some remarks from the hon. member from Georgetown, Mr. Haviland, and from the hon. member from Queen's County, Mr. Longworth—when, at the desire of the Committee, the debate was adjourned, with the understanding that Mr. Whelan would continue his speech in the afternoon. Progress was then reported, and the House adjourned.]

FRIDAY AFTERNOON, Feb. 28.

Hon. Mr. WHELAN—Mr. Chairman, when the Committee rose this morning I was alluding to a remark made by the hon. member, Mr. Longworth, to the effect that the Government are entitled to the gratitude of the country for the benefits they have conferred upon it, and he arrogated to his party the exclusive credit of sincerity in their political action. I asked for the proofs of his assertion, and I repeat the enquiry. I referred to the financial condition of the Colony, and showed by statements, the correctness of which cannot be impugned, that they have added enormously to the

public debt, and so far from having proved themselves the friends of the people their management of the finances has a direct tendency to retard the prosperity of the Island. When the late Government was in power, the present majority were continually declaring that the country had been brought to the verge of ruin, but I defy them to show a parallel to their own management of the public purse during the whole time the Liberals were in power. Look, Sir, at their conduct on the subject of the Bill to make the Legislative Council elective. I have, on different occasions, given my views on the merits of that question, so that I need not repeat them now; but I ask, what has been the result of the measure introduced and carried by the Government? Why, Sir, the leader of the Government in this House pronounced the Bill of last session unworthy of the consideration of the Imperial authorities. In what other branch of the public service are we to look for the improvements they have effected? They complain of the cost of Education as being altogether beyond the resources of the country, and introduce this subject into the address, although it is not in the speech. Yet, why do they not propound some scheme which would provide the necessary means to maintain the system. Their predecessors did so, and found no difficulty in meeting the expense. In the mode of collecting the Revenue the Government has made no alteration, although my hon. friend, Mr. Coles, when he adopted it, was blamed for having caused a great deal of embarrassment to the mercantile community. Where, then, is the improvement? Not certainly in diminished taxation, for they have added $1\frac{1}{2}$ per cent. to the *ad valorem* duties. Not in the public finances, for they have increased the debt; not in the collection of the revenue, for they have made no change in the plans of their predecessors. If they had diminished the debt, they might have taken credit to themselves for benefits conferred by their administration. They denounced the principle of Government purchasing lands, declaring that it would lead to disastrous results; but now they make a merit of having done so, and it is rather curious that now, for the first time, they place upon the desks of hon. members this printed paper. (The hon. member referred to a printed statement connected with the Worrell estate.) Why is it that the correspondence relative to the purchase of Lot 54 and the Selkirk estate is withheld? That correspondence was much more recent, and has been repeatedly asked for by members on this side of the House. While all the information about the Worrell estate can be found on the journals, I ask why have the Government not produced the correspondence relating to the two properties they have purchased? Are they ashamed of their proceedings, or are they apprehensive of a charge of bribery being made against them, as has been most unfairly advanced against my hon. friend, Mr. Coles? It is well known that there was not the shadow of a foundation for the vile and infamous imputation. The character of that gentleman stands high in comparison with that of the present Government in the purchase of public lands. The late Government gave publicity to all documents referring to the Worrell estate, while no information is communicated as regards the two other properties.

Mr. DOUSE—As agent of Lord Selkirk at the time of the sale of his estate, I can state that the Government are not liable to any blame. They acted honestly and fairly, and the transaction was conducted and concluded in a proper manner.

Hon. Mr. WHELAN—I make no charge against Lord Selkirk or the hon. member as his agent. I am merely comparing the conduct of the present with that of the last Government. They ostentatiously produce the correspondence

connected with the Worrell estate which has been published for years, but take care not to show that relating to their own transactions. It is unfair to make such a charge in the newspapers or through any other channel, and especially discreditable is it that it should emanate from the Colonial Secretary who, having been one of the principal vendors of the property, knew the utter groundlessness of the allegation.

Hon. Mr. POPE—There is no charge in the 'Islander.'

Hon. Mr. WHELAN—The Editor of the 'Islander,' who is also Colonial Secretary, gave currency to the slander. The few remarks I make, Mr. Chairman, will necessarily be desultory, in consequence of my absence from the House during a portion of the debate, and I will here briefly refer to the statements of the hon. member, Mr. Longworth, in reference to the 1-9th Bill, the paternity of which he endeavoured to transfer from the hon. member, Mr. Coles, to the late Duncan McLean. I, Sir, had a seat in this House in 1849 when that gentleman brought in a Bill to regulate the currency. That Bill, as introduced, had not the 1-9th clause, and it was not until after conference with Mr. Coles and others that it was incorporated into it. But even if the clause did not originate with Mr. Coles, the measure was not *un fait accompli* until it was carried by him. The Colonial Minister sent out the Bill, as defective in some matter of detail, but the principle of the 1-9th clause was affirmed. The Government are trying to cover themselves with borrowed plumes, after having followed the policy of their predecessors in other branches of the public service, they now wish to appropriate the credit of the 1-9th Bill. They might, with equal propriety, claim for themselves the introduction of our Educational system, which they and the proprietors petitioned against. I make these remarks, not so much as accusing the Government as defending the principles and acts of the party with which I am associated, and, in doing so, I cannot refrain from noticing the imputation of interested motives which the hon. member, Mr. Longworth, charged influenced the conduct of the opposition. He did not tell us what the particular motives were, but it is a reasonable presumption that he alluded to a supposed desire on our part to obtain possession of the public offices. Sir, I admit fully that my political friends and myself would be glad to take those offices, and I ask those who impliedly censure us for such desire, if it is in any degree dishonorable or dishonest? I accord to the Government the right to the possession of the public offices during their tenure of public confidence; but, Sir, why should we be taunted with seeking to gratify an honorable ambition, by earning our right to them by a faithful performance of our public duties? Has not my hon. friend, Mr. Coles, who has been some 50 years in the Island, and has contributed so largely to the development of its resources, and has paid enormous sums in the shape of taxes, as good a claim to the Secretaryship as Mr. W. H. Pope? What has that gentleman ever done to give him a preferential claim to the office and its emoluments over Mr. Coles? Take the Registrar of Deeds and other public officers of Government, the Treasurer, Messrs. Morrison and Currie, what claim to official situations could they adduce over hon. members on this side of the House, who have obtained seats here while the officials I have referred to would not know where to look for a constituency? On the subject of the Award the hon. member, Mr. Longworth, stated that it was not true that the Lieut. Governor had refused a copy of the Award. I may differ from the hon. member as to the particular meaning to be attached to the word "refused." It may not have been refused, but Mr. Commissioner Gray offered to send a copy here, and Mr. Howe told Mr. Coles and myself that a copy had been prepared for His Excellency and his

advisers; and a gentleman, on whose word all reliance can be placed, told Mr. Coles that the Lieut. Governor had informed him that he could have a copy if he desired one. He may not have positively refused, but he may have intimated, and I think it probable that he did intimate a desire not to receive it until it should be transmitted through the Imperial Government. One thing is clear, a copy might have been obtained, and its publication would have been of great service. The hon. member, Mr. Longworth, said that it would be most improper that the Government should interfere with the progress of the Commission, but, in the next breath, he claims great credit for the appointment of two gentlemen so eminent in their profession as Messrs. Thomson and Hensley, to whom it is alleged every facility was afforded by the Government. But I know that Mr. Thomson in his speech declared, that so far from having been furnished with all sources of information relative to the investigation, he had received from Government only the Act we had passed and the resolutions introduced by the Hon. Col. Gray, and these latter were not recognized as the basis of the Commission. And the Act, when handed to the Counsel, was not the law of the land. It had not been sent home. What more flagrant proofs of their insincerity do we require when we hear a member of Government say that in giving the Act and resolutions they had rendered all assistance to the learned counsel for the tenantry? The excuse that hon. member makes for the non-arrival of the Award, is, I am glad for the sake of variety, different from that which was advanced to account for the detention of it in the other end of the building. There the delay was attributed to the difficulties in the United States and the death of the Prince Consort. But the last excuse for the absence of the Award is still more untenable. In this case we are told that the questions to be considered were so difficult, and the documents to be printed so voluminous, that a long period of time must elapse between the report of the Commissioners and the final decision of the Colonial Minister on it. Why, Mr. Chairman, those questions have been before the Colonial Office for many years, and I supposed the settling of them had devolved on the Commissioners, and it would not take any long time for the Colonial Minister to decide what instructions on the subject he should send to the Lieut. Governor. As to the voluminous nature of the documents, their volume could have only have been occasioned by the Spy to whom allusion has been so often made, and to whom I intend to refer. But as to the alleged time required to print them it is a silly excuse, for if they were ten times more numerous than they are, and I know from Mr. Howe their probable size, a few days would suffice for printing them.

Hon. Mr. LONGWORTH—I merely referred incidentally to the printing. It was the least weighty reason I adduced. I expressly assigned the importance of the interests involved as the great cause of delay.

Hon. Mr. WHELAN—I beg the hon. member not to interrupt me. I have correctly stated his remarks. I come now, Sir, to the case of the Spy, and my reference to him shall be brief. The hon. member denied all complicity with him or his employment, and asserted that he knew nothing about him until after he had left the Colony. Other members of the Government say the same thing. I believe a communication was received by the Lieut. Governor from the Commissioners, introducing Mr. Wightman, and requesting that he be paid from the public funds of the Island. We are told that the members of Government had no knowledge of his appointment, with the exception of Hon. Mr. Palmer. Now, when it is admitted that the other members of the Government were kept in ignorance of it, I say it is a most

humiliating position for any of them to be placed in. His mission was known to the Lieut. Governor and one member of his Council. It was known that he had an office in the building; with an official letter from the Colonial Secretary or his Assistant.

Messrs. POPE and LONGWORTH—It is false.

Hon. Mr. WHELAN—It is true. He had a letter to the Collectors of Land Tax, authorizing them to give him every information in their power. Now, if his mission was considered creditable, why are members of the Government so anxious to screen themselves from any supposition of complicity with him?

Hon. Mr. POPE—There is no anxiety of the kind; the members referred to are only anxious not to allow false statements to pass uncontradicted.

Hon. Mr. WHELAN—Will the Government deny that Mr. Wightman was here? That his mission was known to the Lieut. Governor, and that he was paid out of the public funds?

Hon. Mr. HAVILAND—If the Government had not paid Mr. Wightman they ought to have done so, and in fact were bound to.

Hon. Col. GRAY—I, for one, have no desire to shrink from any responsibility. I will say that I approve of the appointment by the Commissioners of the gentleman alluded to, and I think that, so far from meriting the censure passed upon them, the Commissioners acted as men of honor and integrity.

Hon. Mr. WHELAN—If my remarks are productive of no other result, they have at least elicited the admission from hon. Col. Gray and Mr. Haviland, that they will assume the responsibility of having paid him.

Hon. Col. GRAY—It is only a minute or two since that I heard for the first time that the Government declined the responsibility.

Hon. Mr. HAVILAND—If the honorable member had been in his place yesterday morning he would have heard me state that I approved of all the Commissioners had done.

Hon. Mr. WHELAN—I may have lost a good deal by my absence, but I trust that I shall be able to bear up under the privations. As I know the hon. member's mind and train of thought, I consider it more profitable to spend my time elsewhere.

Hon. Mr. HAVILAND—The hon. member may suit himself as to whether he shall attend in the House or not, but he must not put into my mouth statements which I never made use of.

Hon. Mr. WHELAN—Well, Mr. Chairman, I have no disposition to quarrel with hon. members opposite. But it having been conceded that the Spy was here with the knowledge of the Lieut. Governor and Hon. Mr. Palmer, it follows that he did not prosecute his mission without their concurrence. He was allowed access to the Public Records of the Colony.

Hon. Messrs. LONGWORTH & HAVILAND—It was his right—any one can have the same privilege on payment of their legal fee.

Hon. Mr. WHELAN—Those interruptions only show the soreness of the Government on this subject. He came here in an odious character. Had he come here openly and fairly, and asked for what information the Commissioners required, stating the difficulty they had experienced when in the Island, from the impossibility of their going personally through all the districts of the Island, there could be no objection. I would be the last to offer any opposition to his employment or his payment by the Government. I willingly stated my opinions to the Commissioners, and to the best of my ability assisted in facilitating their investigation. But this Mr. Wightman came like a thief in the night, to worm out information in an odious and contemptible manner, and the Government by paying him have sanctioned his proceedings. It is their consciousness of the dishonor, odium, and contempt

which attaches to the character of a Spy which renders the Government so sensitive. I care not which one of the Commissioners or whether the whole of them appointed him. The Government adopted him, and therefore they should take their share of the responsibility. The day is not far distant when the opinion of the people will be given on the subject of sending to the Island a Spy, to go into the people's dwelling houses, asking what their farms would be worth, if Fisheries and railroads, and large sheep farms were established in the respective neighbourhoods. It is disreputable to any party to give the public funds for such services, and the people think so too. The employment of this individual has been justified in the organ of the Government, the *Islander*, on the ground that the evidence of the people given before the Commissioners was of so scandalous a nature, that it was not to be credited, and that the evidence given to a stranger, under misrepresentations, is to be taken in preference; and then, forsooth, we are told we must wait patiently for the Award, because there has not been time to print documents emanating from so polluted a source. When that document comes, what benefits are to be expected from it? It is admitted that the Messrs. Montgomery are opposed to the arbitration clause. And we know that only 5 or 6 out of some 40 proprietors consented to the formation of the Commission. It may be said that others have expressed their willingness to be bound by the Award, but what public proof have we that they would submit to it? When we find that the Arbitration clause is obnoxious to the proprietors generally, and has received their strenuous opposition, all hopes of benefit from the Award may as well be abandoned at once. If the arbitration clause be abandoned, what other boon need the tenantry expect? The titles of the proprietors are confirmed. The Fishery Reserves are also in the same position, as hon. Mr. Howe's exposition informs us. What improvement has taken place in the questions of the Quit Rents and Loyalist lands? The Colony is entitled to receive a large amount from Quit Rents—formerly the exaction of them was attended with difficulties, but now the question will come under a different aspect. I ask what benefit the tenants will receive from allowing the proprietors to withhold their rents?

Hon. Mr. HAVILAND—The tenants by their leases are bound to pay the Quit Rents.

Hon. Mr. WHELAN—If the land tax act should expire tomorrow the Government could enforce the payment not only of the prospective, but also of the antecedent rents. As to the 20 years' purchase, I have been informed that Mr. Haythorne offered his land in Lots of 50 and 100 acres at 15s. per acre. And the hon. member, Mr. Douse, has often said that the leases of the Selkirk Estate contained clauses giving right to purchase at £1 an acre.

Mr. DOUSE—On Lot 31, £3 per acre had been offered; that Lot was valuable on account of the wood on it and its proximity to town.

Hon. Mr. WHELAN—That does not contradict the statement of £1 per acre being inserted in the leases, to which I referred. As to the arbitration clause, I am at a loss to see how that scheme can improve the condition of the tenant. How can a poor tenant with a young family, occupying, it may be, a farm some 50 or 60 miles from Charlottetown, contend successfully with his landlord? Earning by his daily labor his daily bread, and burning with anxiety to get rid of the shackles which oppress his energies, he travels to Town to effect the purchase of his land from his landlord. The latter demands the 20 years purchase of the rent. The former offers half that price. It is refused. It is futile to suppose that any satisfactory result will follow, for not even a comparatively wealthy farmer can enter into a contest with the proprietor, and incur the expenses and annoyance of the frequent journeys which his attendance at the arbitration would necessarily cause. He had better pay the 20 years purchase at once. So much for that part of the Award, and are the tenants benefited by other portions of it? Take for instance the right of reserving 1500 acres. That right does not compel the sale of any particular farm, even if 3 times 20 years purchase were offered. The proprietors may select, say 15

of the best paying tenants and keep them forever in proprietary bondage, and thus make them pay for the delinquency of others. Would it be just or equitable for a proprietor to say to a good tenant, to one whose industry had enabled him to improve his farm and pay his rent, "You being a man of such good character and conduct, I will not release you from your fetters, but keep you as a tenant, while I will allow others, not so deserving, to purchase their lands in fee?"

Hon. Mr. LONGWORTH—Does hon. Mr. Howe say that the proprietors can select 15 different farms. The hon. member is fighting a phantom.

Hon. Mr. WHELAN—Mr. Howe states that the proprietor can reserve 1500 acres. And, in cases where the whole of an estate is under lease, he must have the right to take such farms as he pleases, and he naturally would select the best tenants. I shall now merely make one more reference to the Award. I now allude to the remission of arrears of rent. That has been represented by hon. members of the other side as conferring a great boon. Mr. Howe states that the arrears up to 1858 are to be remitted. It is now the fourth year since that date and the Award cannot be law until next Session, or at least next autumn,—because, if it comes out this Session, it cannot be enforced until the Act confirming it shall have been passed and assented to by the British Government. That will leave 5 years rent due. Truly, a great advantage will arise from that. The proprietors will get all they can expect, and great diligence, we know, has been used in the collection of rents and the taking of Bonds and other securities for the arrears. If the Award were the law of the land tomorrow, those securities would not be nugatory by the operation of the Award. The hon. member for the city, Mr. Davies, said yesterday, that if proprietors enforced the collection of those securities they would violate the spirit of the Award.

Mr. DAVIES—I said that if Mr. Howe's exposition was correct, the arrears were to be considered as cancelled, in cases where the rent since 1858 had been paid, and that then the tenant could avail himself of the right of purchase.

Mr. WHELAN—Does the hon. member mean that there is to be no remission of arrears, unless the tenant is prepared to purchase?

Mr. DAVIES—I understand all arrears up to 1858, are remitted, irrespectively of the purchase clause.

Hon. Mr. WHELAN—Mr. Howe states that the arrears must be paid before the purchase can be effected. I may say, that I have not been disappointed in the result of the commission, for I never had any expectation of benefit from it. The only good feature in the Award as explained by Mr. Howe is the Loan, and even that is rejected by the Government. And when it is considered that the Government is composed principally of proprietors and agents, it would be unsafe to carry out the Loan clause while they are in power, for they would then be selling their own lands to themselves at their own prices.

Hon. Mr. LONGWORTH—Mr. Chairman, the hon. member has been arguing on the subject of the Award for more than an hour. He appears to have some objection or other to every clause. I would like to understand if he is opposed to the whole of it.

Hon. Mr. WHELAN—Yes.

Hon. Mr. LONGWORTH—I am glad to get that admission, as other members of his party, although they are opposed to the Government, have yet stated that they will not oppose the Award—that they are unwilling to throw any obstacles in the way of the Government on this question. Now, although it is true that the hon. member is not ostensibly the leader of the opposition, yet we all know that he has great influence in their councils—that his opinion carries great weight. He is their mouthpiece, and in fact, I might almost say that the opposition lives and moves and has its being in that hon. member. He differs in opinion from others of his party and, on that account I am not sorry to hear him dissent *in toto* from the Award. In the *Examiner* of the 19th August last, the hon. member, in his capacity as editor, told the public that it would be the duty of the liberals to take the Award as it was explained by Mr. Howe. The following passage will substantiate my statement. "They (the Liberals)

will be willing to take it with all its defects and imperfections." It is true the editor adds—"for the sake of securing the loan, by means of which only the proprietary Estates in this Island can be converted into small freeholds;" but this style of reasoning was quite consistent with the policy of that party, and any reason for covering their defeat and justifying their assent to the Award was better than none at all. Now sir, I have no doubt that this was the expression of the hon. member's actual opinion and that the passage was written by himself. But now he declares that he will not take the Award at all, he can see no redeeming point in it. He has not however proposed any scheme in lieu of it,—he is silent on that point, and during his long address, of an hour and-a-half, he has not adduced a single argument calculated to induce conviction of the soundness of his views. The hon. leader of the opposition put his view of the case far more strongly. At this late hour and after so protracted a debate, it is unnecessary to review his arguments. They have been fully answered already and, no new matter has been brought in by the hon. member, Mr. Whelan, whose remarks on the Government in connection with Mr. Wightman, are in very bad taste, and cannot affect the Government in any shape or degree. The Government, as has been so often stated, in the course of this debate, had no right to interfere. The Commissioners did as they thought best, and Government had nothing to do with the matter. As I have said the hon. member's arguments have been fully met, and I will only add that I cannot compliment him on the speech he has just delivered. I have often listened to able speeches from that hon. member, but I never witnessed a more signal failure than the present.

Hon. Mr. COLES—The hon. member, when he charges the hon. member, Mr. Whelan, with inconsistency, may recollect that, some time ago, the present Colonial Secretary, in the *Islander*, recommended a Loan of £200,000 to buy up proprietary claims, and the hon. leader of the Government, Mr. Palmer, expressed his opposition to a loan in any shape. Now, if the Government are in favor of a Loan, they are as inconsistent as the hon. member (Mr. Whelan.) But I maintain that, under the present circumstances, the liberals are at perfect liberty to exercise their individual judgment without mutual consultation. If they were in power, it would be otherwise, but now they have no opportunity of conferring on the course they, as a party, might adopt. One may reside at West Cape, another at East Point or Murray Harbor. If they had the Government, there would of course be consultations and mutual concessions of opinion, and a final agreement as to their course. The hon. member then referred to the subject of the official letter alleged to have been given to Mr. Wightman, which has been already alluded to. When he was told that such a letter was in Mr. Wightman's possession he naturally supposed that it came from the Col. Secretary's Office. He had been informed of the existence of the letter by Mr. Bevan. The Col. Secretary had written to that person and had obtained a reply. He read the correspondence which was as follows:—

"DEAR SIR,

"It has been stated on the floor of the House of Assembly by the Hon. Mr. Coles, that you told him you had seen a letter from the Colonial Secretary, or from the Colonial Secretary's Office, in the possession of Mr. Wightman, the Agent of the Land Commissioners, to whom you acted as Clerk for some time, authorising that Gentleman to apply to certain officers of the Government of this Island for information—or certain officers to furnish him with information.

"Will you please inform me whether you ever said to Mr. Coles anything to warrant the statement which he has made, and whether, during your intercourse with Mr. Wightman, you ever heard that gentleman state that he at any time received from the Colonial Secretary any information or assistance whatsoever."

"Yours truly,

"W. H. POPE."

"CHARLOTTETOWN, Feb. 27 1862.

"SIR,

"In reply to your letter of this date, I beg to say that I never said to Mr. Coles anything to warrant the statement you allege him to have made, nor did I ever hear Mr. Wightman allude personally to you or to your office, nor did I ever see any letter to Mr. Wightman from you, or from your Department."

"I am, Sir, yours truly,

"J. P. BEVAN.

"W. H. POPE, Esq., Colonial Secretary."

As his clerk was present when Mr. Bevan told him about the letter, he had asked him if he recollected what had taken place and requested him to put his statement in writing. He had done so and the hon. member then read the following certificate:—

"CHARLOTTETOWN, Feb. 28th, 1862.

"I hereby certify that I heard Mr. Job Bevan say to Mr. Coles that there was a letter in Mr. Wightman's possession, authorising the different public officers to give the said Mr. Wightman every information he required, and that he, the said Mr. Wightman, had letter from his Excellency the Lieut. Governor and the Hon. E. Palmer, and further that he Mr. Bevan, was employed by Mr. Wightman as Clerk, and occupied the Secretary's office first, and the Grand Jury room after; and after working for three months preparing documents for the Land Commissioners, he was not yet paid."

T. M. PREEDY."

The mode in which Mr. Bevan's letter was concocted could be inferred from the fact that when he sent to his dwelling for him, the messenger was informed that he was at the 'Islander' Office.

Hon. Mr. POPE said that the assertion of the hon. member had not been borne out by facts. He first said that the Colonial Secretary had given the letter; when that was denied, he next said that it came from the office; that was denied, as was the allegation that Mr. Wightman had occupied the private office of the Secretary. Mr. Morrison, the Assistant Secretary, stated that he never occupied either of the offices of the Secretary; that he had never seen him. With reference to the Award, the whole day had been wasted by the leader of the Opposition and Hon. Mr. Whelan, in endeavouring to bring the Government and the majority of the House into contempt and ridicule. He represented one of the best constituencies in the Island, and he considered the abuse of those hon. members the best of certificates of character. No one was more anxious than himself that the Award should be here. It ought to have been sent out.

Hon. Mr. Coles, afterwards, referring to the conversation with Hon. Col. Gray, on the probable price which his Government would be willing to give for the Worrell estate, asked whether the latter had understood him as speaking in an official or personal character, when he named £8000 sterling as the maximum price? Hon. Col. Gray explained that he had made the inquiry of Mr. Coles as the leader of the then Government, and, of course, supposed his reply to have been made in that capacity. That, holding a mortgage of £9000 currency upon that property, and being aware that there were £3000 currency, in addition, charged upon it, he, of course, abandoned all idea of purchasing it for £8000 sterling, which would only cover the above claims. Hon. Mr. Coles replied, that he had only meant that *he himself* would not give more than the sum stated. That he could not have given the opinion of the Government, the members of which he had had no opportunity of consulting. The Land Purchase Bill had not then become law, and if it had, it would have been requisite to submit the subject to the consideration of the Government.

The question on the amendment proposed by Hon. Mr. Coles was then put, and the House divided. For the amendment—Hons. Messrs. Coles, Whelan, Thornton, Wightman,

Perry, Kelly, Hensley; Messrs. Conroy, Doyle, Sutherland, Sinclair, Cooper.—12. Against it—Hon. Speaker, Col. Gray, Hon. Messrs. Laird, Longworth, Pope, Haviland, Messrs. John Yeo, Beer, Montgomery, Douse, Ramsay, McAulay, Howat, Davies, McNeill.—15.

Hon. Mr. Yeo and Mr. Owen were absent.

The next paragraph, referring to the despatch of the Governor General on the subject of Intercolonial Free Trade, was agreed to and the address was reported.

In the House Mr. Coles moved his amendment, which was lost on the same division, the relative sides being changed, and Mr. Holm, who had been Chairman of the Committee, voting with the majority.

Adjourned.

SUMMARY.

March 3.

The following petitions were presented:—By Mr. Montgomery, from William McKay, Lot 21, setting forth his inability from ill health to maintain himself, and praying relief; also from inhabitants of Junction Road, Lot 67, praying for a grant to repair two bridges. By Mr. J. Yeo, from inhabitants of Rix's settlement, Lot 7, praying for a grant to erect a bridge; from inhabitants of Lots 12, 13, 14 and 15; from inhabitants of Indian point—both praying aid to improve their road communications; also from inhabitants of Lots 10, 11, &c., praying a grant to complete the bridge across Lot 10 river. By Hon. Mr. Perry, from Charles S. Huat, Deputy Sheriff, Prince County, praying to be reimbursed certain sums of money disbursed by him, and to be remunerated for certain services performed by him in that capacity. All 7 preceding petitions laid on the table.

Hon. Mr. Haviland, a member of the Government, presented to the House the following documents:—Impost and Excise accounts for the Port of Charlottetown, and Impost and Light Duty accounts for the different outposts of P. E. Island; Road Correspondent's accounts of the expenditure on roads, bridges and wharfs for the last year; and Road Commissioners' Returns of Statute Labour. Said documents laid on the table.

Hon. Mr. Haviland likewise presented to the House the Blue Book for 1860. Laid on the table.

The Bill for the naturalization of Aliens was read a second time, and committed. Hon. Mr. Haviland briefly explained the object of the Bill. So many applications had been made for Bills of this kind, that he thought it was better to have a general law. It would save expense, and prevent the Statute Book from being filled up with private Acts. The Bill was agreed to with an amendment.

Hon. Mr. Whelan presented a petition from Thomas Hickey, Land Surveyor, praying payment of a balance for services performed in surveys on public lands on the Worell estate. Referred to Special Committee. Also a petition of Patrick Connelly, praying compensation for building a bridge in 1861.

Hon. Mr. Longworth presented a petition of inhabitants of Lot 65, praying a grant to repair a road, and repair two bridges on the Old Tryon Road.

Hon. Mr. Thoratton obtained leave of absence until Thursday next. Adjourned.

TUESDAY, March 4.

The following petitions were presented:—

By Mr. Cooper—from Andrew Campbell and others, Lot 46, for compensation for damage to farm, caused by road. From Michael McCulla and others, Lot 46, for grant to open a road. From inhabitants of Greenvale, Mill River and vicinity, for grant to improve road. Laid on the table.

By Hon. Mr. Perry—from inhabitants of Nail Pond, Lot 1, and vicinity, for opening a road. Referred to Special Committee on new road petitions.

By Mr. John Yeo—from inhabitants of Township 8 and 9, to establish a Post Office at or near the residence of James H. Moore. Referred to Special Committee on new post offices.

Hon. Col. Gray, by command, submitted the following copy of a despatch:—

"DOWNING STREET, May 30, 1861.

"SIR—I have the honour to acknowledge the receipt of your despatch, No. 35, of the 29th of April last, enclosing a joint address of condolence to the Queen from the Legislative Council and House of Assembly of Prince Edward Island, on the death of Her Royal Highness the Duchess of Kent.

"I have laid the Address before the Queen, and I am commanded to express Her Majesty's sense of the feelings of loyalty and of sympathy by which it has been dictated.

"I have the honor to be, Sir, &c. &c.

"NEWCASTLE."

"Lieut. Governor Dundas, &c. &c."

Hon. Col. Gray also presented copies of several other despatches, which were made the order of the day for Monday next.

Hon. Mr. Haviland introduced an Act in amendment of that organizing the Volunteer Force.

WEDNESDAY, March 5.

The following petitions were presented to the House:—

By Hon. Mr. Yeo—A petition of divers inhabitants of Townships Nos. 17 and 15.

By Hon. Mr. Perry—A petition of divers inhabitants of Egmont Bay and vicinity.

By Mr. Owen—A petition of divers inhabitants of Townships Nos. 52 and 53, and vicinity. A petition of divers inhabitants of Sparrow's Road, Georgetown and vicinity.

By Mr. Sutherland—A petition of Callaghan Walsh and others. A petition of John McLachlan and others. All praying aid to improve their road communications.

By Mr. Conroy—A petition of Alexander McDonald, for expenses defrayed by him in the repairs and hire of a scow, as also for the use of his own scow at Louis's Ferry, Mill River, Township No. 5.

By Hon. Mr. Hensley—A petition of Stephen Rose, Peter Campbell and others, North Lake and vicinity, Lot 47, for a grant as compensation for rebuilding a bridge.

By Mr. Owen—A petition of Hugh McPhee and others, inhabitants of Grand River, Townships Nos. 54 and 55, for a grant to build a bridge on Narrow's Creek, between said Township. A petition of divers inhabitants of Grand River, South Side, Township Nos. 54 and 55, for a grant to erect a wharf at the end of the chapel road.

By Hon. Mr. McAulay—A petition of divers residents of Georgetown, Bradenell River and other settlements, for a grant to extend the wharf north side of Bradenell River. Laid on the table.

Hon. Col. Gray, by command, presented copy of Despatch on the subject of the Elective Legislative Council Bill. Made order of the day for 1st instant.

Hon. Mr. Perry, Hon. Mr. Kelly, Mr. Davies, Hon. Mr. Pope and Hon. Mr. McAulay, were appointed Committee on school petitions.

A petition of John O. Arseneaux, Egmont Bay, was presented by Hon. Mr. Perry, praying for a grant of ten pounds, being deficiency of salary claimed by him. Referred to the above Committee.

A petition of Michael Fitzgerald, Township No. 14, was presented by Hon. Mr. Perry, praying for bounty on destruction of two bears. After a short conversation the petition was withdrawn on motion of Mr. Beer.

A petition of the Sons of Temperance of this Island was presented by Hon. Mr. Hensley, for a renewal of their Act of Incorporation. Referred to Committee on expiring laws.

A petition of Allan McDonald and others, of St. Margaret's, was presented by Hon. Mr. Hensley, against the removal of the post office of that district. Referred to post office Committee.

A petition of Abercrombie Willock was presented by Mr. Howat, detailing alleged grievances arising from the Land Question. Laid on the table.

Hon. Mr. Haviland, by command, presented the following documents:—

Accounts and Returns of the Commissioner of Public Lands for the year ending 31st January, 1862.

The Public Accounts as arranged and classified by the Auditors for the financial year ending 31st January, 1862.

The Estimates of the Expenditure of the Government for the current year.

Accounts and Returns of Fees, and account of suits in various Courts of Commissioners for the recovery of Small Debts, for the year 1861, in pursuance of the Act 23d Vic., Cap. 16.

Hon. Mr. Longworth had leave to introduce a Bill to authorize grants of the shores of this Island. Read a first time.

An Act for the naturalization of Aliens read a third time and passed.

Hon. Mr. Haviland moved the second reading of the Bill, in amendment of the Act organizing the Volunteer force; and, in doing so, stated that there were two objections to the Bill passed last session. It did not regulate the relative rank between officers of the militia and those of the volunteer force. It was easy to obviate this objection by leaving the matter subject to the Queen's Regulations. The other objection was that the period specified for drill was too short, especially for Cavalry. Committed.

The first clause passed, and the second having been read,

Hon. Mr. Coles thought that 8 days' drill in six months was too much.

Hon. Mr. Haviland—The Duke of Newcastle thought otherwise.

Hon. Mr. Coles referred to the rumored dissatisfaction at recent appointments to the Volunteers, which would not be experienced if the parties had the privilege of electing their own officers. Under the old Act which was a transcript of one passed in the reign of Geo. the Third, the militia were liable to be turned out on all occasions, at present they were not, except in case of invasion. He could see no reason why there should be any distinction between the militia and volunteers. The militia ranked higher than the volunteers. He thought, however, that it was better to bring them under the operations of the Queen's Regulations. Bill agreed to.

Hon. Mr. Haviland presented the accounts and returns of the commissioner of public lands for the last year, and the classified public accounts for the same period, the estimates for the current year, and, also, return of fees and number of suits from the several small Debt Courts for 1861.

In reply to a question of the Hon. Mr. Coles, Hon. Col. Gray informed the House, that the last mail from England had brought out a copy of the Award and Report of the Land Commissioners, accompanied by a despatch on the subject from the Colonial Minister. But one copy of the Award had been received, and that was in print. It was a lengthy document, and would be submitted, with the despatch as soon as it should be received from the Queen's printer, to whom it had been handed, immediately on its receipt, in order that members might be furnished with copies.

THURSDAY, March 6th.

The following petitions were presented—

By Hon. Mr. Wightman, from inhabitants of Township number 61, and from inhabitants of Township Nos. 61 and 62.

By Hon. Mr. Kelly, from inhabitants of Townships Nos. 35 and 36, all praying aid to improve road communications.

By Hon. Mr. Thornton, from Launching Place and vicinity, for grant to repair wharf.

By Hon. Mr. McAulay, from inhabitants of Georgetown, for a grant of £100 towards completing School house. Laid on table.

By Hon. Mr. Wightman a petition of inhabitants of Township Nos. 59 and 61, for opening a road from Sturgeon to Widow Ross's on Whim Road, and extending to St. Mary's Road, Lot 61.

By Hon. Mr. Kelly, from Hugh and Angus Campbell, Township No. 35, against the opening of certain road prayed for. Referred to committee on new roads.

Supply made order of the day for to-morrow.

Hon. Mr. Kelly presented a petition from trustees of Marshfield school, St. Peter's Road, for remuneration to Alex. McEachern, for his services as teacher, for 3 months and 10 days, he not having been licensed as required by law. Withdrawn, as being against rule of the House.

Hon. Mr. Haviland presented copy of a communication received by the Lieut. Governor from Commander Hancock acting in charge of St. Lawrence survey, on the subject of the inadequate buoyage of Charlottetown Harbor, and containing suggestions of improvement.

Hon. Mr. Longworth reported from the committee on expiring laws.

The House went into Committee on the report. Mr. Sinclair, chairman.

The Act for regulating the standard weight of grain and pulse, being the first on the list of expiring Acts, as reported by the committee, the petitions relative to it, praying a reduction in the standard, were referred to the committee.

Hon. Mr. LONGWORTH, referring to the petitions, could not bring his mind to the opinion that any good would result to the farmers from the reduction asked for. If, as was requested, the standard for oats were reduced from 36 to 33 lbs. per bushel, the price would decline proportionately. It would be futile to think otherwise. The standard weight had been, for a long period, fixed at 36 lbs. and any change would only lead to confusion, without benefitting either buyer or seller. He was opposed to the adoption of the old plan of weighing by beam and scale, as a retrograde movement, when a better mode had been introduced. The subject was one more particularly within the cognizance of other members, who were in the ha-

bit of purchasing grain, but he did not think the House should interfere by arbitrary legislation, unless frauds in the operation of the present mode of weighing were proved to have been committed. In the Fairbanks' scales, mentioned in some of the petitions, were liable to get out of order, a question might arise for their consideration.

Mr. OWEN agreed that no good would result from a reduction of the standard. Last year, although oats generally were light, they would, if properly cleaned, weigh over 36 lbs. The merchants would of course reduce the price in proportion to the reduction of the standard weight.

Hon. Mr. YEO—The reduction would be of no benefit to the farmers. He had bought large quantities of oats at the weight of 36 lbs and had got many of them, when properly cleaned, weighing 41 lbs. In England the standard was 45 lbs. If oats were of merchantable quality and properly cleaned, no object would be gained by reducing the standard. On the contrary, it would operate injuriously to the country by depreciating the character of its grain abroad.

Hon. Mr. THORNTON was opposed to any alteration in the present scale. The reduction asked would only have the effect of inducing careless farming—rendering a farmer indifferent to the quality of seed. Any farmer conducting his business properly could raise oats weighing 36 lbs to the bushel. Oats of his own raising weighed, generally, 37 or 38 lbs, and he had raised them of the weight of 40 lbs.

Hon. the SPEAKER approved of the system of selling by weight, and coincided in the opinion that lowering the standard would induce farmers to bring an inferior and worse cleaned article to market.

Mr. CONROY opposed the alteration. The people were accustomed to recognise 36 lbs as the standard. It would make but little difference if it were reduced to 33 lbs, as the price would fall in proportion.

Hon. Mr. LAIRD was of the same opinion. Oats properly cleaned would weigh, generally, more than 36 lbs. He was in favor of selling by measure as well as by weight, for it might be that a struck bushel of oats would weigh 40 lbs, and would consequently be worth more than one which weighed only 36.

Mr. MONTGOMERY would oppose any alteration. His own experience satisfied him that oats properly cleaned would weigh 36 lbs, and a reduction in the standard of weight would depreciate the character of Island raised grain.

Hon. Mr. PERRY thought that the weight would regulate the price, and *vice versa*, and that the law should be amended by imposing a penalty on a party purchasing oats weighing more than the standard, without a lowering for the difference, unless in cases where special bargains had been made.

Mr. DAVIES—The standard ought not to be too low. If it were reduced to 33 lbs, merchants would reduce the price in the same ratio. But a greater objection would be found in the depreciation of the character of our grain in foreign markets. In London, oats were sold by the Imperial bushel which exceeded the Winchester by 3 per cent. The best oats in the London market were worth 3s 6d per bushel, which was a shilling more than Island oats would bring. If any alteration were made in the standard, he would prefer raising to lowering it. The present standard of 36 lbs represented, he thought, the fair average weight of our oats. He had shipped some cargoes which averaged about 35½ lbs, but others had exceeded 36. In the United States the standard weight of oats was 32 lbs, and the quality of their grain was very inferior. It frequently did not weigh even 30 lbs. His experience had taught him that they who shipped grain did not make money. A shipowner might make a reasonable freight, but where a party chartered a vessel, as was the general mode, he would, in a majority of cases, lose money. The reduction from 36 to 33 lbs, would not benefit the petitioners, for they need not expect to receive as much for 33 as for 36 lbs. As to Fairbanks' scales, they were liable to get out of order. In his own business he had found it a good plan to have a set of stamped weights by the side of his scales, by which he could at any time test their accuracy. The adoption of this plan would have a good effect in the country, as it would satisfy both seller and buyer. As to Charlottetown, the regulation of the matter might be left to the City authorities.

Mr. HOWAT.—It appeared that the petitioners had but a small chance of success. Perhaps the reduction they asked was too great, but he did not agree with those who opposed any reduction at all. He had received a letter from an influential farmer at Bedeque, stating that the farmers in that district generally considered 36lbs. for oats and 48lbs. for barley, as too high an average. The letter referred to the standard for those articles in New Brunswick and Nova Scotia. He was not aware what the standard weight in those Provinces was, but he certainly considered that 36lbs. exceeded the average weight per bushel of Island oats, and that 48lbs. was too high an average for barley. A farmer might sell grain of these weights, by selecting for market the best of his produce, and leaving the rest of it at home. If they intended to pass a law which should fix the weight per bushel, it would not necessarily follow that the stated number of pounds would fill a bushel. As to what had been said about the character of Island grain being injured if the law should be altered, last year, when it was sold by weight, the quality was inferior to that of previous years when it was sold by measure. Besides, under the latter system, the purchaser saw what was the quality of the article he was buying, which he did not when he purchased by weight. He was disposed to meet the views of the farmers to a certain extent, and would therefore propose that the standard weight for oats be 35lbs. and for barley 46lbs.

Hon. Mr. WIGHTMAN had taken oats last year at the weight of 34lbs. per bushel, while others required 36lbs. It was necessary that some specific weight should be established by law. A great difference existed between different places, in reference to this subject. In Halifax oats were sold by measure; in Boston by weight of 32lbs. per bushel; in Bermuda it was required that the bushel of oats should weigh 36lbs. He did not consider that any reduction of our standard would alter the relative positions of buyer or seller, for the latter would not get the same price for grain which fell short of the standard as he would for that which reached it, while he would receive the rateable advance on that which exceeded it. He was aware that dissatisfaction existed with reference to Fairbank's Scales; the people were anxious that public weighing scales should be established at the different shipping places. He approved of the practice adopted by Mr. Davies, of having stamped weights to test the accuracy of the platform scales. He would not reduce the standard of barley, which was the same in Halifax as here; but he would, in deference to the wishes of his constituents, reduce that of oats to 34lbs.

Mr. OWEN was at a loss to know what benefit would result from reducing the standard to 34lbs. The party purchasing could contract for whatever weight he chose. The reduction would operate as a positive injury to all good farmers, for it would remove any inducement to their having their oats properly cleaned. No difficulty need arise from the use of Fairbank's scales, for a public assayer could always test their correctness; and if they should be, in any instance, found to be inaccurate, a fine could be imposed upon the owner of them.

Mr. COOPER was in favor of the prayer of the petitions. The people in his neighborhood were in favor of a lower standard; where there was but little competition the merchants had the opportunity of taking the advantage of the producer. He did not doubt that the standard weight could be obtained by good farmers. But on the whole he thought it better to lower the standard for grain, and encourage agriculture by other means.

Mr. BEEK opposed the alteration, as calculated to damage the character of Island produce abroad, and it could be productive of no benefit to the farmers, who would have to take a price proportioned to the weight of their grain. As to the idea which seemed to have suggested the petitions, namely, that the buyers of grain were not doing them justice, a reference to the history of those who, for the last 20 years, had been in the habit of purchasing grain for exportation would show that the majority of them had been nearly ruined by the business. The farmers had received the benefit of the trade, not they who had purchased their produce. He would not advocate anything having a tendency to injure the farmers, but injury would result to them from lowering the standard

weight of grain, for the character of their produce would be depreciated by the reduction.

Hon. Mr. KELLY.—The general feeling in the country was that the standard was too high. He was in favor of reducing it, in accordance with the wishes of the people.

Hon. Mr. POPE was opposed to the proposed reduction, as conferring no benefit on the farmers; it would have a contrary effect. Having been in the habit of purchasing large quantities of grain, he would give his opinion that the lower the recognised standard weight, the lower would be its character abroad, and the demand for it would be proportionately diminished. The consequence would be that shippers would retire from the trade in disgust, finding it to be unprofitable. Well cleaned oats would exceed 36lbs. to the bushel. He had had shipped cargoes averaging 38 lbs. If the standard were reduced, dirt and rubbish would be mixed up with the grain, and the general character of our produce would be depreciated; besides, the price would be regulated by the weight, for a merchant making his calculations for a speculation in oats, at 36lbs per bushel, would reduce or increase the price proportionately to the excess or deficiency of weight. The farmers thought the standard weight too high, because last year, oats were generally light. He was as anxious as any to benefit the farmers, but in justice to them and the other classes of society in the Island, he would oppose the reduction of the standard. He considered 36lbs a fair average for oats, although he had known them to weigh as much as 41lbs. With respect to barley, he was not disposed to alter the present standard, for, although the four rowed kind might not always weigh 48lbs per bushel, the two rowed, which was the more generally cultivated, would. In England the standard for barley was 60lbs to the bushel.

Mr. DOYLE could see no benefit to the farmers from the reduction of the standard, for the merchants would pay according to weight. It might be that 35lbs would be a fair average for oats, but the difference being but that of 1lb in a bushel was so trifling that it was not worth while to alter the present standard. Wheat was generally sold at the weight of 58 or 59lbs per bushel. He knew instances where merchants had taken it at the weight of 60lbs. At present there was no law to fine a party who took advantage of a poor man ignorant of his rights. A poor man in debt to a merchant must sell his produce on whatever terms the latter may think fit to allow him. He thought 48lbs too high a standard for barley. The dissatisfaction with Fairbank's scales arose from the people of the country not being acquainted with them. The beam and scale formerly in use gave general satisfaction because the people were accustomed to them.

Hon. Mr. YEO.—If the oats were properly cleaned there would be no occasion for complaint of the standard weight as being too high; and the same observation would apply to barley. As to the adoption of the beam and scales, in lieu of the platform scales at present in general use, it would cause a great deal of inconvenience and expense to introduce them, to supersede the others. He had bought thousands of bushels of grain by Fairbank's scales, and had heard no complaints of them.

Hon. Mr. PERRY thought the House had better renew the Act. The reduction proposed by Mr. Howat, was so trifling that no practical effect would result from it; but even if it were otherwise the price would fluctuate in proportion to the weight of the grain.

Mr. CONROY.—There should be a penalty imposed on parties purchasing at a weight beyond that fixed by law. He knew of cases where wheat, the standard weight of which was 58lbs, had been taken at 60lbs.

Mr. HOWAT would ask, if the reduction of the standard would have the effect attributed to it of lowering the character of the grain, would the raising of that for oats to 50lbs per bushel, elevate it?

Mr. DAVIES.—Yes, it would induce the farmers to be more particular and careful.

Hon. Mr. McAULAY.—The principal object of any legislation on this subject, should be the creation of a demand for our produce; that demand having once been created, there would be no doubt as to the supply being furnished adequate

to it. If a law passed, lowering the standard weight, which must be regarded as representing the average of Island grain, its character must necessarily be depreciated, and the demand for our produce, as an article of exportation, would diminish, or perhaps cease. The farmers would be injured by the establishment of a reduced standard, as the price would be regulated by the weight. In Great Britain the standard was higher than with us, and we could not expect to equal the quality of grain raised there. If our grain trade was confined exclusively to the United States, there might be no objection to reducing the standard, but the proposed change would be injudicious, in view of the present state of our commercial relations.

Hon. Mr. COLES—A reduction of the standard would induce an inferior quality of grain. The present standard was a fair one. It was true that last year the oats were light. The farmers could not expect good crops unless their seed grain was of a reasonable weight. Years ago, when he commenced business, he bought oats by weight, and got quantities which weighed 40 lbs a bushel, while others, who bought by measure, got those of an inferior quality. The standard was then 38 lbs. and it was afterwards reduced to 36. If the standard were lowered, merchants would not give as much as they would for grain of a superior quality. As the standard was fixed and generally known, it would be unwise to disturb it. It might be that four rowed barley would not average 48 lbs. per bushel, but the two rowed would reach 60 lbs. The difficulty about the scales could be easily obviated by making it incumbent on the assayers of weights and measures to test the scales at the several shipping places once a day.

Hon. Mr. THORNTON moved that it was inexpedient to reduce the standard.

Mr. DOUSE said there was room for improvement in the relations both of buyer and seller. He had witnessed instances of gross fraud on the part of some sellers of grain. In one case large quantities of sand were put into the bags with the oats, and the fraud was not discovered until the sacks were being emptied into the hold of one of his vessels. Proper officers should be appointed, whose duty it should be to see justice done between buyer and seller. The latter is in many cases not conversant with figures and is consequently in doubt whether he has received his just rights. It would not be advisable to reduce the standard weight; as at present fixed, our Island grain had a high character in Mark Lane, and a reduction of the standard would depreciate it. If the farmers would pay more attention to the cleansing of their grain, there would be ample market for it.

Hon. Mr. Longworth's resolution—to the effect that a Committee be appointed to bring in a bill to renew the old act—was carried.

Mr. Howat's resolution was lost—Messrs. Cooper, Kelly, Wightman and Howat only voting for it.

THURSDAY AFTERNOON, March 6.

The Bill to amend the Act to provide for the organization of a Volunteer Force was read a third time and passed.

Hon. Mr. Kelly presented a petition of Ebenezer Doull and others; a petition of divers inhabitants of Lot 37, and a petition of divers inhabitants of Pond Settlement, Lot 36,—all praying aid to improve their road communications.

Hon. Mr. Haviland asked leave to introduce a Bill to authorize the Lieut. Governor to sell certain pews in St. Paul's Church, Charlottetown, now held by the Government of the Island. The hon. member explained that if these pews were sold, it would do away with the necessity of the House voting a sum every year to pay the assessment thereon, and prepare the way for refusing all grants for rent of Legislative pews in the different churches in the City. The annual grant for this purpose had caused no little contention; and in this Colony where there was, properly speaking, no established church, he thought it was improper for the Government to hold pews.

Hon. Mr. COLES said that the Government held pews in the Roman Catholic Church in the City in the same manner as they did in St. Paul's. The Legislature voted a sum to-

wards the Roman Catholic Church, when it was in course of erection, for the purpose of securing pews therein.

Hon. Mr. HAVILAND—if that be the case, let the hon. member bring in a Bill to authorize their sale also, and he shall have my support.

Hon. Mr. COLES said he did not intend to support the sale of pews in either of these Churches at present.

The Bill was then read a first time.

Hon. Mr. Haviland moved the House into Committee on the further consideration of the first report of the Special Committee on expiring laws. Two resolutions were reported to the House and agreed to, the first stating that the Act to regulate the floating of logs, &c., down the rivers in this Island be continued and amended; and the second that the Act to incorporate the Grand Division and Subordinate Divisions of the Order of the Sons of Temperance in Prince Edward Island, be continued.

Mr. Davies presented a petition of Samuel W. Mitchell, late keeper of the Lunatic Asylum, praying for a grant in payment of a claim on his part for improvements in and about the Asylum.

Mr. BEER explained that as one of the Trustees of the Asylum, he was acquainted with the nature of the claim set forth by the petitioner. He had furnished the Trustees with a long account amounting to upwards of £120; they thought this entirely too much, and offered him £75, which, after some time, he agreed to take. This sum was paid to him, but owing to some oversight, a receipt in full was not taken from him, and now he was petitioning this House for the balance.

After a few remarks from other hon. members, the petition was referred to a Special Committee to report thereon.

The following petitions were then presented to the House by Hon. Mr. Whelan, viz.: a petition of inhabitants of Lot 38, and a petition of James Walsh and James Clooney—both praying aid to improve road communications. Also a petition of James Walsh for a grant of £2 for repairing a road; and a petition of James Webster, Lot 41, praying remuneration for extra expense in rebuilding the bridge across the Head of St. Peter's Bay last year. These four petitions were laid on the table.

Hon. Mr. Longworth from the Committee appointed to bring in a Bill for establishing the standard weight of grain, &c., presented a Bill, which was read a first time.

Mr. Sutherland received leave to absent himself from the House until Thursday next.

Adjourned.

FRIDAY, March 7.

The following petitions were presented to the House:—By Mr. Owen—a petition of inhabitants of Brudenell River, praying a grant to extend the wharf at south shore of that river. By Mr. Davies—a petition of Mary Kelly, widow, praying aid in the support of her idiot children. By Hon. Mr. Haviland—a petition of Hugh Logan, late jailer of King's County Jail, praying remuneration for his long services in that office. By Mr. McNeill—a petition of Donald McRae, praying the refunding of expenses of a prosecution brought against him for cutting timber from the vacant land on the Selkirk estate, to build a bridge. By Mr. Beer, a petition of John Affleck, praying aid to sustain himself and family.

ROAD SERVICE.

The order of the day for the House in Committee on the consideration of the supply granted to Her Majesty, was then read. Ordered, that the estimates and the communication of Com. Hancock, presented to the House yesterday, be both referred to the said Committee. Mr. Davies took the Chair of Committee.

Hon. Mr. HAVILAND said he had moved the House into Supply rather earlier than usual, as the season was advancing rapidly towards spring, in order to afford opportunity before the snow disappeared to provide timber for repairing several large bridges. The sum voted for the Road Service last year

was £6000; this year he intended to move for a larger amount, as would be seen by the resolution which he would now read:—

Resolved, That the sum of Seven Thousand Pounds be granted for the service of roads, bridges, and wharfs, for the present year, including all Special grants, and that the same be appropriated to each County, in the following order:—

Queen's County, including Charlottetown and			
Royalty,	£1300	0	0
Prince County,	1100	0	0
King's County,	1100	0	0
Special grant for Queen's County,	1200	0	0
Special grant for Prince County,	950	0	0
Special grant for King's County,	950	0	0
Road Compensation Act,	100	0	0
Contingent Expenses of roads, bridges and wharfs, to be equally divided between the three Counties,	300	0	0
	£7000	0	0

Mr BEER suggested the propriety of leaving the words "Charlottetown and Royalty" out of the resolution. They conveyed a wrong impression, because part of the money said to be appropriated for the City and the Royalty was expended on the roads leading therefrom for a distance of ten miles.

Hon. Mr. COLES referred to the necessity of something being done to keep the streets of the City in more efficient repair. Last autumn they were in a wretched state, and still no person was to be seen at work on them. If the Corporation could not keep up the police, and pay a little towards repairing the streets, we would be better without it. He thought in view of the large bridges that had to be kept up in Queen's County, the sum allowed for it in the resolution was too small. Mount Stewart Bridge was in a very dilapidated state. The large bridge at New London had been damaged by a storm last autumn, and was also in need of repairs. He was of opinion that the time had arrived for some new arrangement in the management of this branch of the public service. An officer should be appointed to superintend the whole.

Mr. BEER admitted that the streets of Charlottetown were in a bad state last fall, but it was principally owing to the long continuance of wet weather. He was also of opinion that the division of money for the Counties should be different. The principal traffic on Mount Stewart Bridge was by the people of King's County, and he considered it but fair that the members for that County should appropriate out of their share of the money a large part of the amount required for the repair of that bridge.

Hon. Mr. PEHRV thought that if £7000 was all that could be allowed for the service, the division of the money was as just as could be made. There were large bridges also in Prince County to be kept up, and some debts to pay off, one of which was £130 on Summerside wharf.

Hon. Mr. LONGWORTH was happy to hear that hon. members from Prince County were satisfied, and they had much more reason to be so than those of Queen's County. Mount Stewart Bridge, Poplar Island Bridge, and Fyffe's Ferry Bridge,—the latter of which had taken it into its head to move out of its place—all large bridges in this County, required considerable grants. However, as other hon. members appeared to agree to the scale proposed he would not object to it. But he would remark that the members for the other two Counties should be satisfied with a smaller share of the money, as the roads in these Counties were generally in good repair, and that for a good reason, because the traffic on them was small, and the country comparatively level.

Mr. BEER thought there should be some means adopted to make wharfs self-sustaining, and also bridges which were used for shipping purposes. He was in favour of a resolution being introduced requiring a small wharfage to be collected at all such places. If Queen's County was to receive justice, as it possesses nearly double of the population of any of the other two, it ought to have as much expended upon its roads as both the others.

Hon. Mr. YEO said the soil in some parts of Prince County was very soft, and consequently the roads were difficult to keep in repair. If Queen's County had a population greater than the other two Counties, it ought to have a greater amount of commutation money to keep up its roads. He mentioned the bridge at Malpeque, and one or two others in Prince County that would require repairs.

Hon. Mr. THORNTON remarked that he seldom objected to the road appropriations, and if £7000 was all that could be granted for the service, he thought the division was very fair. No doubt there was more travelling about the capital, but there were also more people to keep the roads in repair by their commutation money. He observed that neither of the members for St. Peter's was present, and therefore would take the liberty of stating that he had heard that the Morrell Bridge was in a very dilapidated state, being propped up with piles. This bridge should not be overlooked, as it was a more important one than Mount Stewart Bridge, being on the great artery of communication with the eastern part of the Island.

Hon. Mr. COLES said the hon. member, Mr. Yeo, had referred to the population of Queen's County being greater than that of either of the other two, therefore more should be done in that County towards keeping the roads in repair by statute labour. But he (Mr. C.) did not believe much in statute labour, as he understood that in some districts no overseers had been appointed last year. He supposed the people in those districts would not have obtained their certificates, as might be found out at the next election.

Mr. CONROY said the district which he had the honor to represent would require all the money which he could get; but if Road Commissioners were to be allowed to go on and expend money on by-roads for which it was not voted, it was no use to make out a scale. A certain Commissioner in that district had expended £40 without any authority from this House.

Mr. DOYLE referred to the same case, and said when a Commissioner acted in that manner he should be made responsible for the payment of the money himself.

After two or three other hon. members had expressed similar opinions on the resolution to those given above, it was agreed to.

PETITION OF JOHN SAUNDERS.

Hon. Mr. COLES presented a petition of John Saunders, Belle Creek, setting forth that he was the rightful occupier of 43 acres of land on Lot 62, a part of the Selkirk estate sold to the Government; that his name was put on the Government plan of the property; that he paid his first deposit therefor; after which, and having improved the same, the land in question was conveyed to other parties by the Commissioner of Public Lands, by order of the Government, and praying the House to redress his wrongs in the premises. The hon. member read some correspondence showing that said Mr. Saunders had spoken to Mr. Douse respecting said land about the time of the purchase of the estate by the Government, or, according to petitioner's statement, when there was a talk that it would pass into the hands of the Government, and that Mr. Douse had put his name on the plan of the property; that after the purchase was effected, Mr. Saunders came to the Commissioner of Public Lands, who seeing his name on the plan, received his first deposit and conveyed to him the land; that parties having applied for the land for a church, it was subsequently conveyed to them; and that the Government had recommended said parties to pay Mr. Saunders £12 for his improvements. The hon. member said he considered Mr. Saunders had been hardly dealt with, and though he would be sorry to deprive a congregation of any property which they might possess, still the right of private individuals should be respected. The land should not have been given to the people of that congregation without the consent of Mr. Saunders.

Hon. Col. GEAY said he could satisfy the House by the admission of the petitioner himself, and under his own signature, that the date of his application to Mr. Douse for the land was after the 30th of April, 1860. The hon. member then read a petition to the Government signed by 67 of the most respectable of the residents of Woodville, dated Nov. 5th, 1860, stating that they had made some arrangement with Mr. Douse for the land about two years previously. He also said that there was no talk of the estate passing into the hands of the Government until the matter was brought up in this House and the purchase then decided upon, which was about the latter end of April. The Government denied the right of Mr. Douse, at

the time he is said to have done so, to grant permission to the petitioner to occupy the land; but he (Col. G.) had it in Mr. Douse's handwriting that such permission had not been given. The hon. member also read a minute of Council, showing that the Government had made most diligent enquiry and taken a great deal of trouble in the case. He explained that the petitioner had written to the Government, stating he had cleared and improved the land to the value of £12, and that they had recommended the congregation to pay that amount in order to settle the matter, which he (Col. G.) understood was a very good tender for what was done on the place, as very little improvements could be seen. He moved that the hon. leader of the Opposition have leave to withdraw the petition.

Hon. Mr. COLES said that this was a very summary way to deal with the petition, when, by the hon. member's own showing, the petitioner had been unfairly treated. He (Mr. C.) maintained that Mr. Douse had power to give permission to occupy the land as long as the deeds of the estate were not handed over to the Government. He considered that the Commissioner of Public Lands was the best judge in the matter, and he must have thought the petitioner's claim good when he received his first deposit for the land. He (Mr. C.) then read a letter from the petitioner, stating that he had sown a quantity of wheat on the land, and that the offer of £12, when made, was altogether unreasonable. He (Mr. C.) thought the least the House could do was to appoint a special Committee to inquire into the subject, and he would make that motion. He believed that if the petitioner had money to take his case before a Court, no jury would give a verdict against him.

Hon. Mr. HAVILAND thought he would be better to keep the money in his pocket, for no jury, unless biassed, would give a decision in his favor. The whole case was contained in a nut shell. He says himself that he did not apply for the land until some time in June, and the offer of the Earl of Selkirk was accepted by the Government towards the last of April. The only course which the House could pursue, if desirous to favor the petitioner, was to grant him a sum to enable him to carry his case through Court.

After several other hon. members had expressed their opinions on the merits of the petition, it was set aside by a motion made by the Hon. Mr. McAulay and carried, that the House do adjourn.

For the motion—Hons. McAulay, Pope, Yeo, Laird, Haviland, Longworth, Gray; Messrs. Ramsay, Davies, Holm, Howat, McNeill, Bear, Montgomery—14.

Against it—Hons. Coles, Perry, Whelan, Kelly, Wightman, Messrs. Owen, Sinclair, Conroy, Doyle—9.

FRIDAY AFTERNOON, March 7.

Hon. Col. Gray presented the reply of Messrs. William and Francis Herring, to an application made to them in accordance with an address passed last session, on behalf of Peter Francis and other Indians, desirous of obtaining an Island in Murray Harbour, of which Messrs. Herring were the proprietors. The reply stated their willingness to dispose of their interest in the property for the sum of four hundred pounds with the privilege of next season's crop.

Hon. Mr. Longworth, from the Committee on expiring laws, reported a Bill in accordance with the resolution adopted yesterday, renewing the Act regulating the standard weight of grain and pulse.

The discussion which it elicited being merely a repetition of the arguments and opinions already given needs not to be reported.

A motion of Mr. Howat, to reduce the weight of barley to 46 lbs. and of oats to 35 lbs., was lost. Yeas—Hon. Mr. Kelly, Messrs. Howat, McNeill, Cooper, Doyle—5. Nays—Hons. Messrs. Longworth, McAulay, Hensley, Wightman, Whelan, Coles, Thornton, Perry, Pope, Laird, Haviland, Yeo, Messrs. Conroy, Sinclair, Holm, Davies, Douse, Owen, Bear, Montgomery, Ramsay—21.

Hon. Mr. Haviland presented the detailed public accounts for last year.

Hon. Col. Gray presented several documents addressed to the Lieut. Governor in Council and referred to the House, the majority of which were severally referred to their appropriate committees, and the rest were laid on the table.

Mr. McNeill presented a petition from Thomas Reynolds, of Georgetown, for a grant, for 5 or 7 years, in aid of a sailing packet between that place and Picton; and from inhabitants of Township No. 59, for a grant to open a road on the division line between Townships Nos. 59 and 61.

Hon. Mr. Pope obtained leave of absence till Tuesday next.

Monday, March 8.

Hon. Mr. Coles had, in the debate on the address in answer to the Lieut. Governor's speech, referred to the employment of a boat's crew at Malpeque. He had since ascertained that the crew were engaged in the collection of light and anchorage dues, and were under the direction of the Harbor Master, over whom Mr. Bearisto had no authority or control. He made this explanation in justice to Mr. Bearisto.

Mr. Davie, from the Committee of Supply, reported a resolution appropriating £7000 for roads, bridges and wharfs, to be divided as follows:—

Queen's County, including Charlottetown and			
Royalty,	£1800	0	0
Prince County,	1100	0	0
King's County,	1100	0	0
Special grant for Queen's County,	1200	0	0
Special grant for Prince County,	950	0	0
Special grant for King's County,	950	0	0
Road Compensation Act,	100	0	0
Contingent expenses, to be divided equally between the three Counties,	300	0	0
	£7000	0	0

Hon. Mr. COLES—The returns of last year show that out of the contingent fund one district received no less than £119 8s. 6d., while some others got £2, and some nothing at all. The fund should be fairly administered.

Mr. BÉER explained that fund was designed to meet any sudden emergency which might arise, and it might be that the necessity for expending any portion of the fund might occur in only one district.

Hon. Mr. COLES—Such expenses should be defrayed out of the following year's road money for the district.

Resolution passed

Hon. Col. Gray presented a copy of a despatch from the Colonial Minister, transmitting copy of the report of the Land Commissioners. Made the order of the day for Tuesday the 18th inst.

Mr. Owen had leave of absence until Thursday next. Hon. Mr. Hensley until the rising of the Supreme Court at Georgetown.

The Bill to continue certain Acts was read 2nd time, committed and agreed to.

Messrs. Perry, Doyle, and Wightman had leave of absence until Thursday next. Mr. Conroy for a week.

The following petitions were presented:—

By Hon. Mr. Yeo—From inhabitants of Cross Rivers, Lot 14; from inhabitants of Lot 17.

By Hon. Mr. Coles—From inhabitants of Baitouag, Point de Roche.

By Mr. Montgomery—From inhabitants of South West River, New London and vicinity; from inhabitants of Long River and vicinity.

By Hon. Mr. Kelly—From inhabitants of Lot 37; from inhabitants of Donagh Settlement and vicinity; from inhabitants of Suffolk and Mill Cove settlements; from Mill Cove settlement,—for aid to roads and bridges.

By Mr. Howat—From Richard Cotton, John Townshend and others, for grant to build a breastwork on the road between Wilmot Bridge and Duggan's Bridge, Lot 19.

On Monday, Tuesday and Wednesday, March 10, 11 and 12, the Speaker adjourned the House for want of a quorum.

THURSDAY, March 13.

The following petitions were presented:—

By Hon. Mr. Kelly—From William C. Bourke, for a grant in aid of a proposed new steambot to ply between Charlottetown and Mount Stewart; from inhabitants of Tracadie Sandhills and vicinity; from inhabitants of Townships Nos. 35 and 36; from inhabitants of Townships Nos. 48 and 36; from inhabitants of Township No. 37; from J. R. Bourke, junr., and others, Township No. 37; from John Jenkins, Nicholas Robertson and others, Township No. 48; from

George C. Worthy, Gordon P. Gill and others, of Townships Nos 36, 37, 38 and 49,—all praying aid for the service of roads and bridges. From Patrick Hand, praying remuneration for labor performed under a contract for building a bridge at Worthy's mill; from Patrick McGuinis, for grant to improve the new road from John McKay's to Savage Harbour. The preceding petitions were laid on the table.

By Hon. Col. Gray—From Alexander Cautley and others of Wood Island settlement, Lot 62, praying that the amount of a certain fine imposed on him may be refunded. From inhabitants of Pisquid Road and others, for aid towards their road communications. Laid on table. A petition from inhabitants of Lot 48, for grant in aid of individual subscription to erect a bridge on the Old Georgetown Road was withdrawn, the remedy being elsewhere.

FRIDAY, March 14.

The order limiting the time for the reception of private petitions was extended until the rising of the House to-morrow, and the following were presented.

By Mr. Boer,—a petition of inhabitants of Little York, Lot 34; and a petition of inhabitants of St. Peter's Road,—both praying aid to improve road communication.

By Hon. Mr. Coles,—a petition of inhabitants of Lot 37; a petition of inhabitants of Covehead Road; a petition of inhabitants of Friston and Stauhope roads; a petition of inhabitants of Black River,—all praying aid for the service of roads and bridges. Also a petition of inhabitants of Lot 37, setting forth the decay of Mount Stewart bridge, and its dangerous state to travellers, and praying that it be examined by competent persons who may report to the House while in Session; a petition of inhabitants of Lots 34 and 35, praying a grant to extend the wharf at Appletree farm, and repair the road leading thereto. And a petition of Thomas A. Dougan, Constable, setting forth that in the execution of his duty as a constable to apprehend two persons, that he called on James Keefe, another Constable, by direction of a Justice of the Peace to aid him, who refused to do so; that upon his complaint of Keefe's refusal, a summons was issued by another Justice of the Peace against Keefe in his the petitioner's name, whereupon judgment was given in petitioner's favor; that subsequently, on appeal, such judgment was reversed, and the petitioner subjected to costs, amounting to £15 14s. 6d, and praying a grant as a reparation for the loss he sustained—petition referred to a Special Committee. Also a petition of Henry Fisher and others, praying for the opening of a road.

By Hon. Mr. Laird,—a petition of inhabitants of Loyalist road and others, praying that the said road be opened throughout.

By Mr. Davies,—a petition of Lucretia Pringle, Teacher, of the female department of the Normal School, praying an increase to her salary as such; and a petition of the trustees of Minor School District Darrynane, Lot 66, praying remuneration for an unlicensed teacher.

By Mr. McNeill,—a petition of said teacher, Emma Jane Richards, with a similar prayer.

By Mr. Montgomery,—a petition of Trustees and teacher of a School, Old Town Road, praying a grant for services of said teacher.

By Mr. Howat,—a petition of trustees of Back Settlement School, Tryon, praying a grant for services of an unlicensed teacher.

By Hon. Col. Gray,—a petition of W. C. Bourke and H. P. Welsh, lessees of the Charlottetown ferry, praying a grant to compensate them for placing an additional steamer on the said ferry during 34 weeks last year. Also a petition of Catherine Matheson, Murray Harbour road, praying aid to support an imbecile child.

By Mr. Owen,—a petition of inhabitants of Lots 51, 52, New Perth and vicinity, praying that the standard weight of grain for the Island be 34 lbs. for oats, 45 lbs. for barley, and that at each port where large quantities of grain are exported, a proper person should be appointed to superintend the weighing of the same. Also a petition of inhabitants of Dundas; a petition of John Dogherty and others, Lot 52; and a petition of inhabitants of Lots 51 and 52, west of Morell River,—all praying aid for roads and bridges.

By Hon. Mr. Laird,—a petition of inhabitants of Rustico and adjacent settlements praying a grant in aid of subscription to erect a wharf, at the south side of Wheatley River.

By Hon. Mr. Montgomery,—A petition of inhabitants of Strathalbyn, Lot 67, praying a grant in aid of subscription towards building a Temperance Hall; a petition of inhabitants of Graham's Road, praying a grant to repair a bridge; and a petition of divers inhabitants of Old Town Road, praying a grant to repair that road.

Hon. Mr. Haviland, a member of the Executive Council, presented to the House a report of the Superintendent of Public Works, on the

state of Mount Stewart Bridge, with an estimate of the probable cost of rebuilding the same.

The Bill for establishing the standard weight of grain and pulse, &c., was read a third time, and on a motion being made that it do now pass, Mr. McNeill moved in amendment that it pass this day three months. The motion of amendment was lost, 12 to 2, the yeas being Messrs. McNeill and Howat. The motion that the Bill do pass was then put and carried.

The Bill to continue the act relating to floating logs down streams, and the Act incorporating the Grand and Subordinate Divisions of the Sons of Temperance was read a third time and passed.

Hon. Col. Gray, a member of the Executive Council, presented to the House return of amounts paid and received on account of public lands from 28th December, 1854, to 31st January, 1862.

The following petitions were presented to the House:—

By Hon. Mr. Laird—A petition of George Hooper and others, praying the establishment of a Post Office about the junction of the New Glasgow Road with the Rustico Road.

By Mr. McNeill—A petition of divers inhabitants of Whim Road, &c., praying for a Post Office on that road; a petition of inhabitants of Sparrow's Road, Lot 66 and 51, and a petition of inhabitants of Brother's Road, Lot 66,—both praying for a Post Office at Edmond's on the main post road.

By Mr. Y. Yeo—A petition of the inhabitants of the Brae Settlement, Lot 9, praying for a post office.

By Hon. Mr. Whelan—A petition of inhabitants of Lot 56, praying a reduction in the present standard weight of grain to 46 lbs. per bushel for barley, and 34 lbs. per bushel for oats; a petition from Big Marsh Settlement; a petition from Lots 41 and 42; a petition of John Walsh and others; a petition of Patrick Connolly and others; a petition of Patrick Donnelly,—all praying aid for roads. Also, a petition of W. H. McEwen and others respecting a gate on the road to St. Peter's Harbour.

By Mr. Douse—A petition of Angus Nicholson and others, Orwell, praying that the standard weight of grain may be lowered; a petition of Thomas McPherson, Lot 57, praying compensation for extra work on China Point Wharf contract; a petition from Lot 62, praying a grant to repair the road from Woodville cross roads to the shore.

By Mr. J. Yeo—A petition from Lots 12 and 13; a petition from Lots 3, 4 and 7; a petition from Casumpeec,—relating to roads, bridges and wharfs.

By Hon. Mr. Haviland—A petition from Georgetown, praying a grant for the thorough repair of the wharf there; a petition from Dundas, relating to a wharf; a petition of Archibald McKinnon, late teacher Georgetown Royalty, praying a grant to compensate him for books, &c., burnt when schoolhouse of said district was consumed by fire; a petition from North River, &c., respecting inconvenience for want of an Inn at Marshhead Corner, Lot 32; a petition of Archibald McRae, Point Prim, branch pilot, praying an amendment of the Act relating to pilots. Referred to a Special Committee.

By Mr. Douse—Petition of trustees of the Albion School, Lot 48, praying a grant of £5 towards discharging a debt for building said school.

A motion being made by Hon. Mr. Laird that the hon. member have leave to withdraw the petition, it was carried.

By Mr. J. Yeo—A petition of W. B. Dean and others, praying the establishment of a Small Debt Court at Campbellton, Lot 4.

Mr. Yeo moved that the said petition be referred to a Special Committee, which motion was carried, 8 to 6.

Adjourned for one hour.

FRIDAY AFTERNOON, March 14.

Mr. Holm presented a petition praying for an Act of Incorporation of the Presbyterian Church, Brookfield, Lot 23. Referred to Messrs. Holm, Howat and Davies, as Special Committee.

The Bill was reported and read first time.

Hon. Mr. Haviland moved the second reading of the Bill authorizing the sale of certain pews in St. Paul's Church, Charlottetown, held by the Government. He had deferred his motion for some time, having been told by the Church Wardens that the Government had no right to interfere in the matter, that the property in the pews was not in the Executive, but he found that it was. In 1835 a warrant for £100 was issued to the building committee of the Church, which was the current price for two double and one single pew. The Government owned three pews. That for the Legislative Council and the one for the Assembly were double, while the military pew was single. The Government had also a claim to a

pew in the Roman Catholic Chapel in Charlottetown, there having been a grant to the building committee of that Church for a pew. This he was not aware of when he introduced the Bill. He would move an amendment in Committee to include that pew in the Act, as he considered that the Government should cease to be pewholders in any place of worship.

Hon. Col. GRAY—It was high time that church and state should be separated in the Colonies. The case might be widely different in England. He wished to have no more governmental dealings with denominations and particular places of worship. Last year, the House paid £72 among certain churches for pew accommodation. One body had very properly declined to receive the sum voted to it, and now, if by the Bill we could get £100 and save £72, he would support the measure.

Mr. DAVIES thought it not necessary that the sale of the pews should be by public competition. The Church Wardens might effect the purchase by private contract.

Hon. Mr. COLES was sorry that he was not present when the Bill was read 1st time; he would oppose going to Committee. The Government had no right to sell these pews, for, although nominally in the Government, the property was really in the Church.

Hon. Mr. HAVILAND read a copy of the warrant for £100 issued in 1855.

Hon. Mr. COLES—If the Government of that day did give £100, it was not for the purchase of these pews. The Church had generously set apart a pew for the use of the Lieut. Governor and his family. If Government could not get out of their financial embarrassments without resorting to so extreme a measure, they must indeed be hard up.

Hon. Mr. HAVILAND acted on the principle that Government should not be pew-owners.

Hon. Mr. COLES took the statement of the hon. member, Col. Gray, as the ground from which he inferred that the Bill was introduced from economical considerations—that the price of the pews was to aid the Government in getting out of debt. It was mean to sell property of that nature without ample cause. It would be better, if it was considered that the public pews were more numerous than were required, to let them, as the military pew was, and the rent might be applied towards the payment of the assessment.

Mr. BEER would support the Bill. The people were taxed to support these pews, which were not used by those for whom they were intended, but by parties who could not get other pews. As the hon. member, Col. Gray, had stated, one congregation had declined the grant and he hoped others would follow the example. It appeared that anything calculated to effect a saving in the public expenditure was objected to by the opposition, particularly by the hon. member, Mr. Coles, who would however be the first to turn round and abuse the majority for expending too much.

Hon. Mr. COLES—The hon. member talked of saving money, but he did not appear to think the saving of souls of much importance. For, according to his view, there would be no accommodation in a church for strangers. He would be sorry that they should be excluded from the pews.

Hon. Mr. HAVILAND'S motive in introducing and advocating the Bill was not to save money, for, if the Treasury were overflowing, he would adopt the same course. He had held the same opinion for years, but until this session, he had not got the true history of the case. He had always told that the Government had no right to these pews, but he had at last discovered that there had been a special grant for them. He had no objection to the amendment proposed by the hon. member, Mr. Davies, as to selling the pews by private contract; he was only desirous to get rid of them.

Mr. MONTGOMERY—If the Church Wardens wished to get these pews by private sale, he did not suppose the House would object.

Amendment carried.

Hon. Mr. HAVILAND, in moving that progress be reported, gave notice that he would move an amendment, to include the pew in the Catholic Chapel when more of hon. mem-

bers belonging to that communion should be present. It would be improper and unfair to move in the matter during their absence.

Progress reported.

Hon. Mr. COLES asked for the detailed accounts of the expenses connected with the Land Commission.

Hon. Mr. HAVILAND—They could not be obtained until the return of the Hon. Mr. Palmer from Georgetown.

SARACON, March 16.

Hon. Col. Gray presented a copy of the despatch of the Lieut. Governor, requesting the Colonial Minister to furnish him a copy of the Award of the Land Commissioners.

Hon. Mr. COLES asked the Government to produce copies of any correspondence with the Land Commissioners while sitting in New Brunswick.

Hon. Col. GRAY had no objection if there were any such correspondence. He was, however, not aware that there was any.

Hon. Mr. COLES hoped the despatch accompanying the copy of the Award, and also that requesting it, would be printed for the use of hon. members.

Hon. Col. GRAY had no objection if the House desired it. Ordered.

The following petitions were presented:—

By Hon. Mr. Pope—From inhabitants of Barbara Weit and others, Lot 19.

By Mr. Holm—From inhabitants of Backwoods settlement, West River, Lot 30, for grant to build a bridge.

By Hon. Mr. Coles—From William Swaby and others, for protection to their hay from cattle trespassing on the marsh lands.

By Hon. Mr. Pope—From members of the Presbyterian Church at Bedeque, for an Act of Incorporation.

Referred to Messrs. Pope, Howat and Laird, as a Special Committee.

By Hon. Mr. Coles—From inhabitants of Lots 34 and 35, for opening a road from Mill Cove to Black River.

By Mr. Holm—From A. Stewart and others, for grant to open a road from Beer's mill to Sandy Point; from inhabitants of Argyle Shore, Black Point and others, for an alteration of the road from Tryon Road to Argyle Shore.

By Mr. Montgomery—A petition against the prayer of the preceding.

By Hon. Mr. Whelan—From inhabitants of Cable Head, praying for reduction in the present standard weight of grain; from Edward Coffin and others, St. Peter's Bay, for aid to repair a road; from James Hickey, for payment of his services while employed on the Worrell estate, from 1855 to 1859, inclusive.

The latter was referred to Special Committee on James Hickey's petition.

Hon. Mr. HAVILAND moved the second reading of the Bill authorizing limited liability in partnerships. The principle of the Bill had been recognized in Great Britain since the year 1855. It had been adopted in the neighbouring Province of New Brunswick. He was not aware whether it was in force in Nova Scotia, but believed it was in operation in Canada. Great difficulties existed in obtaining the co-operation of parties having money, in testing the value of any new business with the practical details of which they might be personally unacquainted. As an example of the necessity of the Bill, he supposed the case of a party wishing to establish a fishery, who invests £5000 in it. Another party may be willing to encourage the enterprise to a certain extent, say by investing £2000, which amount he would be willing to risk in the speculation; but, as the law now stood, he would be liable, equally with the original projector for the whole of the debts which might be incurred. The party who invested the sum of £2000 might have all his remaining property swept away. The object of the Bill was the alteration of the law, so as, in case of joint stock companies, to obviate the necessity of special Acts of incorporation, and to restrict individual liabilities to the amount of stock held by the partners

respectively. The Bill provides that the public may have protection, by means of the knowledge of the amount of stock held by the special partners. It requires that a record of the amount of each individual's interest in any mercantile association, must be registered in the offices of the Prothonotary, or of his Deputies, in the Counties of King's and Prince, and be published in the *Royal Gazette*. There would still, however, be two parties liable to the full extent of their means, as at present. The principle of limited liability had been found to have had a beneficial effect in the encouragement of trade, and, *a fortiori*, its adoption would be advantageous to a new country like this, by inducing an increased circulation of money, and consequently encouraging and extending enterprise by enlisting the co-operation of capitalists, who would not wish to risk all in a speculation, as they would be compelled to do under the law, as it stands at present.

Hon. Mr. COLES had no objection to the Bill, as explained, especially as it had no retrospective effect on existing partnerships.

The Bill was then committed. Mr. John Yeo, Chairman. Mr. BEER approved of the Bill. It would have the effect of associating capital in enterprise. The union of several small capitalists would still represent a large amount of capital. It would not be necessary to get special acts of Incorporation; this would be a benefit to the Colony, by facilitating associations of individuals.

Mr. DAVIES—In England he had observed the word "limited" on signboards over the doors of companies of limited liability. He thought it was required by law to have them. He highly approved of the principle of the Bill, for men with capital do not care about investing their means in speculations, where they are liable to lose all their property. For instance, the Government advertised for two steamers to ply between the Island and Nova Scotia and New Brunswick. If these vessels should be owned in the Island, it would be of great benefit to the Colony, as keeping a large amount of money here. The boat last employed spent nothing in the Island. Without some such measure as the present, parties here would not, probably, be willing to unite and embark in this speculation.

Hon. Mr. HAVILAND—While he had no objection to the signboard referred to by Mr. Davies, yet it was hardly necessary in this Island, although the case was different in Great Britain, where the places of registration were so numerous that a party could scarcely know where to look for the information he might require.

Mr. DAVIES, on consideration, thought it not necessary.

Hon. Mr. POPE—The Act was required, and great advantages would result from the impetus it would give to enterprise, for which a wide field would be opened, by the encouragement it would give to speculation.

Progress was reported.

Hon. Col. GRAY in answer to the question put by the Hon. Mr. Coles could now state that no correspondence had taken place between the Government and the Land Commissioners, while in New Brunswick, nor had there been occasion for any.

MONDAY, March 17.

Mr. Owen presented a petition of John Crawford, setting forth that there remains due to him a balance of £24 19s 6d. on his contract for work on Cardigan Bridge, for which he received an order from the Road Commissioner, for payment out of the subscriptions in aid of the erection of the said bridge; but that he (the petitioner) has no hope that the sum can be collected from that source, and praying the House to grant such sum and make such order as will afford the desired relief. Mr. Owen said that he had asked the Government the other day whether they had required the returns of the Small Debt Court at Georgetown to be made to them in conformity with the statute. His reason for asking this question was because the subscription list referred to in the petition had been given into the hands of the clerk

of that Court to collect several of the sums subscribed, and he (Mr. O.) was desirous to know how much had been paid in this manner; but as no returns had been furnished from that Court, he was unable to ascertain. He presented the petition of the contractor, however, stating that a certain balance was due, and praying that it might be made good. He scarcely knew what motion to make in regard to the petition, whether that it be laid on the table or referred to a Special Committee.

Hon. Mr. LAIRD thought the general way in such cases was to leave the contractor to look to the subscribers for their respective amounts. The House should not be troubled with this matter.

Hon. Mr. McAULAY said this was a special case, and deserved the particular attention of the House.

The petition was laid on the table.

Mr. Owen presented another petition of said John Crawford, praying a grant for the extra work performed by him on said bridge. Referred to the members for the district.

A petition of inhabitants of Covehead, Stanhope, and adjacent settlements, was presented to the House by Hon. Mr. Coles, praying a grant to repair Cass's bridge.

Hon. Mr. Coles called attention to a Road Commissioner's return, that of John McMillan, in which an oath was signed that he had sent a faithful report of all monies received and expended in his district, and there was not a word in the return as to the amount of statute labour performed, or commutation money paid.

Adjourned for one hour.

MONDAY Afternoon, 17th March.

Mr. Sinclair presented a petition from certain inhabitants of Lot 18, for grant to repair a road.

Mr. John Yeo presented a petition from divers inhabitants of Lots 12 and 13, for aid to repair a road and bridge.

Mr. DAVIES moved that the House resolve itself into a Committee of the whole to take into consideration the propriety of prohibiting the exportation of juniper timber, or imposing an export duty on it. It was of the utmost importance to retain within the Island the small quantity of juniper which remained. It formed the staple of our sole manufacture of any consequence, namely shipbuilding. That business furnished employment to a large number of mechanics, such as shipwrights, sail and blockmakers, blacksmiths, &c. And the farmers experienced the benefit of it by the sale of their grain to shipowners. It was well known that freights from the Island to Great Britain were generally low, and parties were in the practice of buying oats as giving them better freights for their vessels. That market for grain would not exist unless it was required to earn freights for new vessels. He had no desire to encroach on the principles of free trade, but we were very differently situated in this respect from Canada or New Brunswick. In those Colonies, there was an abundance of valuable timber for exportation. If the Island juniper were exported in its rough state, we would have no manufactures. Ships built of juniper were the only vessels which could be profitably constructed. That class of vessels brought higher prices than any others built of Colonial wood. He was induced to make this motion in consequence of having seen an advertisement calling for tenders for a large quantity of juniper railway sleepers. Some 15 years ago, large quantities of juniper knees were contracted for, and of them a very large number had been left on the hands of the farmers, who lost heavily in the transaction.

Mr. BEER seconded the motion.

Hon. Mr. COLES objected to the motion, as legislation on the subject would be in violation of the Reciprocity Treaty with the United States. The British Government would not sanction the Bill if it were against that Treaty. It was unjust to dictate to a farmer, what use he should make of the lumber growing on his land. He had as much right to dispose of it as he had of the crops he raised. It would be class legislation if they protected the shipbuilder at the expense of the farmer.

Mr. BEER was in favor of an export duty. He denied that the measure would be one of class legislation. It would be so, if a distinction were made, by allowing free exportation to Britain, and imposing an export duty on that shipped to the United States. The farmer would be benefited by having manufactures in the Island, as thereby a greater demand for his produce would be created.

Mr. MAULAY—If the material on which their labor is to be expended should be sent out of the country, our artisans must, of necessity, follow it. If shipbuilding ceased the consumption of excisable articles used in that employment would cease also. As the number of our ships decreased, so would that of our sailors. Trade would languish until it finally ceased. In this small Island vessels were an absolute necessity, and if we did not build them ourselves, we should have to bring them from abroad. To do that, we would have to send our money away. If we retained our lumber, our mechanics would remain and we would save the price of our vessels.

Mr. SINCLAIR—With reference to the argument of the hon. member Mr. Davies, that it would be disadvantageous to export unmanufactured timber, he might as well impose a tax on wool exported, as that article was shipped for the purpose of being manufactured abroad. The measure proposed would be one of class legislation. The matter should be left to regulate itself. The owner of the lumber should have the right to do with it as he pleased. It would be unfair to compel the preservation of the timber, for the benefit of a few shipbuilders—thus preventing the farmer who had timber from exporting it himself, or allowing others, who might be willing to do so, to purchase it from him. According to the principles of Free Trade, everything would find its natural level. A few years ago there was an export duty put upon juniper knees, but it was taken off shortly afterwards. A similar impost was placed upon oysters, which only led to violations of the law. The export duty on timber would cause general dissatisfaction. He would vote against the motion.

Hon. Mr. LONGWORTH—The enactment of the special law proposed might militate against the Free Trade secured by Treaty, and it had better be considered in connection with the despatch received from the Governor General. When he said Free Trade as secured by Treaty, he did not mean that we had it absolutely, it was merely partial. Specious arguments had been adduced in favor of retaining the timber, yet the principle was unsound, and should be included in the same category as bounties. He was not inclined to encourage one branch of industry at the expense of others. The motive of the member who had moved for the committee was doubtless good, yet it was contrary to sound principles. As to the effect on our artisans, of allowing the timber to leave the country, unmanufactured, he considered that there would always be inducements to people of that class. The necessities of life were here so much cheaper than in other countries, that facilities would exist for the employment of mechanics in this Island. If manufactures were properly carried on, they would be found as remunerative as in the neighbouring Colonies, where the price of living was

far higher. We had Free Trade with Canada, yet the Canadian manufactures did not interfere with ours, for there were no Canadian manufactures imported, which appreciably interfered with our internal trade. The farmers are not likely to sell their timber at a rate below its value—they are duly alive to their own interests. Juniper was a valuable wood. It remained longer in the soil than other kinds. Hardwood generally succeeded soft and *vice versa*. With juniper it was otherwise. It grew in succession to hardwood, and juniper would succeed to a growth of its own species. If the House decided that they repudiated the principle of Free Trade, there would be no impediment to taking up this question. He did not recollect the particular articles specified in the Reciprocity Treaty, but if wood was included in it, the proposed law would militate against it.

Mr. DOUSE, would be sorry to see the juniper taken off the Island. Timber was becoming very scarce. The Birch was nearly all gone. At Belfast, shipbuilding had nearly ceased, in consequence of the scarcity of timber. Shipbuilding circulated thousands of pounds, which would not be the case, if the raw material for the business no longer existed. As well might the brewer carry on his business without malt, or the shoemaker without hides. In short, every mechanic would be unemployed without the materials for his business—as the shipbuilder in his business, without timber. He was in favor of a small export duty.

Hon. Mr. LAIRD—It was right to encourage manufactures, but they should do it honestly; not tax one class to benefit another. If they taxed timber, they should tax all other materials exported. He would have no objection if all articles of export were taxed alike.

Hon. Mr. POPE—The principle involved did not commend itself to his favorable opinion; but circumstances alter cases. In this small colony, the only manufacture was shipbuilding. In a few years the timber would be used up, if we allowed the little juniper we had left to be destroyed, for, as in the instance when the knees referred to were got out, the bulk of the tree was left to rot, so it would be in the case of sleepers—only a small portion of the trunk would be used. All our mechanics would suffer and be compelled to leave the Island. The hon. member Mr. Sinclair's allusion to the export of wool bore no analogy to the case of timber, as the supply of the former was renewed and probably increased annually. It had been said that the measure would be one of class legislation; if it were so to a certain limited extent, it must be borne in mind that individual interest must give way to the general good. In England a transit duty of 10 per ton had been imposed on Colonial ships. New Brunswick had imposed an export duty of 2s. 6d. per ton on timber exported to Britain. We must depend for prosperity as well on manufactures as on agriculture. We have no articles of export but agricultural produce, and the exportation of that was unfettered at present. Free Trade with the other Colonies would have the effect of letting in articles which would injure the Island in many respects. For instance, in Canada, spirits could be bought for twenty-five cents, a gallon,—and we might therefore be overflowed with an article far worse than that manufactured here.

Mr. DAVIES hoped that when the question of Free Trade came up for discussion, the advocates of that principle would be consistent. It was well enough in theory, but we had no free trade. We were excluded from the coasting Trade of the United States. He was not a large shipbuilder himself, but he could not shut his eyes to the importance of retaining the timber in the Island. There was no analogy between the cases of wool and this of timber, for the more land that was brought into cultivation, the more

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sheep would be raised. The same remark applied to grain. The case of timber was different; in its rough state it was of little or no value, and it received its value from the manufacture.

Hon. Mr. HAVILAND—The question was so important, and the interests involved so extensive, that hasty action should be avoided. He was, on principle, opposed to protection, being convinced of the soundness of the doctrine of Free Trade; but the present case may be an exceptional one. It might be for the interest of the Island to foster the growth of juniper and export it in its manufactured rather than in its rough state. He was in favor of going into Committee on the subject.

Hon. Mr. THORNTON would prefer submitting the question to a committee of the whole House. He had partially made up his mind on the subject; but from what he had heard in debate, his opinion had wavered. The export duty on knees had been found to operate injuriously, and had been repealed. A similar result might follow the enactment of the law now proposed.

Mr. OWEN—Shipbuilding benefitted the revenue as much as all the grain that was shipped from the Island. One small juniper ship of 500 tons, was equal in value to all the grain shipped from a country district. Juniper ships were the only ones which there was any inducement to build, and they required freights, consequently the builders had to buy the oats and other produce of the farmers, who thus received great benefits from the consumption of their timber in the construction of ships. The case would be far otherwise, if we had to buy the vessels necessary for our exports of grain.

Mr. DAVIES then moved the House into Committee of the whole.

Hon. Mr. COLES moved this day three months.

For the amendment—Messrs. Coles, Whelan, Sinclair and Sutherland—4.

Against it—Hons. Pope, Haviland, Longworth, Laird, Thornton, McAulay; Messrs. Owen, Davies, Beer, Montgomery, Ramsay, John Yeo, Douse, Howat, Holm—15.

House in Committee, and progress reported.

TUESDAY, March 18.

The following petitions were presented—

By Hon. Mr. Wightman, from Inhabitants Lots 59 and 60, for grant to build bridge across Sturgeon; from Henry Brebant and others for aid to repair a water course at Graham's Hollow. Laid on table.

By Mr. Beer, a petition of John Ross of Charlottetown, Printer, for grant towards having representations of certain of the public buildings placed on a map of the City of Charlottetown; laid on the table. From J. Mackieson and others praying the serious attention of the House to the system of retailing spirituous liquors. Referred to the special Committee appointed last session on the subject of the licence law.

By Hon. Mr. Longworth, from John Wares, Lot 23, Road Surveyor, for £2 12s. disbursed in prosecuting a party for not fulfilling a contract in repairing road. Referred to the members of the district.

Hon. Mr. Pope brought in Bill to incorporate the Presbyterian Church, Bedeque; read first time and referred to Committee on private Bills. The Committee reported, and the Bill was committed and agreed to.

By Hon. Mr. Longworth, petition of Rev. William Ross and others for Act of Incorporation of the Presbyterian Church West River, Lot 65. Referred to Hons. Messrs. Longworth and Laird, and Mr. Howat, as special Committee.

The following petitions were presented:—

By the Hon. Mr. Kelly—A petition from Lots 36 and 37, praying for the opening of a road under the Road Compensation Act, from the shipyard of Robert Longworth to the new church on the farm of Alex. Hayden; a petition from French Fort, Battery Point, &c., praying a grant to extend the wharf at Battery Point. Also a petition of John McNally, praying a small grant to enable him to continue keeping up a light at Battery Point, for the purpose of guiding benighted travellers on the ice of the Hillsborough River.

Hon. Mr. Kelly moved that the last mentioned petition do lie on the table.

Hon. Mr. Haviland moved in amendment that the petition be withdrawn by the Hon. Mr. Kelly, which amendment was carried, 15 to 8.

Mr. Howat, from the Committee appointed last session, to report this session, by Bill or otherwise, on the subject of the Bill then introduced, to alter and amend the laws regulating the sale by license of spirituous liquors, presented to the House the report of the said Committee, which was read and ordered to be committed to a Committee of the whole House to-morrow.

Hon. Mr. Haviland presented to the House a report of the Commissioner of roads for the first district of King's County, on the subject of a proposed new line of road prayed for by inhabitants of Coscovoy settlement, Lot 38; also, a petition of the ministers, elders and others, of Brown's Creek congregation, praying that two aged sisters—Flora and Christy McLeod—one of whom is blind and the other bedridden, and both in indigent circumstances, be placed in the poor house or house of industry, or relief otherwise extended.

Hon. Mr. Haviland moved that the Bill relating to limited partnerships be read a third time.

Hon. Mr. LONGWORTH said he did not rise to oppose the Bill, but as he had not an opportunity of expressing his opinion on the Bill at its second reading, he might be permitted to do so at this stage of its progress. Though the principle of the Bill was new in this Colony, it had been acknowledged in the other Provinces for some time, and was based upon a law passed in the mother country some time ago. It was found that the British law relating to general partnerships worked injuriously to those parties who were called "sleeping partners"—men who furnished capital but took no part in conducting the business transactions of the firm. The injury to which those partners were exposed under that law was that when a failure occurred through mismanagement of the business, though they had no part in this, yet they had frequently to pay the heaviest share and in many cases the whole of the liabilities. To protect partners so circumstanced, therefore, Parliament passed an Act whereby they could be held liable only to the amount of the capital which they had paid into the firm, and those partners who conducted the business were made liable to the whole extent of the loss. It was considered in England that the Act would greatly facilitate trade, as monied men might invest their capital without being subject to a greater loss than the amount which they subscribed. As such a law might possibly be a benefit here to enable some parties to extend their business for manufacturing purposes or otherwise, this Bill had been introduced; but he did not think it would be acted upon to any great extent by the mercantile community, as he was of opinion that few would comply with the provisions of the Bill, which

required the amount of capital invested, and other particulars to be registered in the ordinary transactions of mercantile business. It will, however, be useful in establishing a new branch of industry in the Colony, in which some parties might volunteer to allow their capital to be employed by some person who understood the business, but had not means at his disposal for carrying it on.

Hon. Mr. HENSLEY made some remarks of a similar nature. Since there was such an Act in force in Britain, he considered it was perfectly safe to pass the Bill. He thought, however, that there should be some provision in it for enabling parties to ascertain whether the amount subscribed by the partners had been urged in the business or not; but perhaps it might be said that persons should look out for themselves, and be on their guard respecting those with whom they deal.

Hon. Mr. COLES said there was an evil which might creep in under the Bill; for example, the partners transacting the business, as had been the case recently with respect to some banks, might run off, and creditors of the firm would then have no remedy.

Mr. DAVIES thought that sleeping partners should bear a fair share of the loss; but it was unjust, as at present, when they could be made liable for the whole.

The Bill was then read a third time and passed.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church, Brookfield, Lot 23, was also read a third time and passed.

Adjourned for one hour.

WEDNESDAY AFTERNOON, March 19.

The consideration of the Award of the Land Commissioners was made the order of the day for Friday next.

Hon. Mr. Haviland introduced a Bill to regulate proof of certain documents in suits wherein foreign corporations doing business in this Island are parties. The Bill provided that the policy should be prima facie evidence of the contract. Read first time.

Hon. Mr. Longworth presented a petition of John Morris and others, for the repeal of the section of the Small Debt Act which prevented the imprisonment of debtors for sums under Ten pounds.

The Bill to incorporate the Presbyterian Church at Bedeque, was read third time and passed.

Hon. Mr. Wightman—a petition of inhabitants Lot 66 and others, for grant to repair Brothers' Road.

Hon. Mr. Hensley presented a petition of inhabitants of Souris, Bay Fortune, Rollo Bay, and the North and South sides of East Point, for grant to extend a breakwater at Souris. He trusted that it would receive the favorable consideration of the House, to which he thought it was entitled, from the fact that the people had, at their own expense, constructed 303 yards of the breakwater already. Laid on the table.

Hon. Mr. LONGWORTH, in moving the second reading of the Bill authorising the granting of the shores of the Island, stated that an Act on the subject had been passed in 1860, which contained a suspending clause. By a despatch from the Colonial Minister under date of the 2nd January 1861, it appeared that he thought it was, in some manner, connected with the question of the Fishery Reserves. The Act gave the Lieut. Governor in Council power to grant the shores of the Island between high and low water marks for the purpose of constructing wharves, breakwaters, slips, &c., for commercial purposes. The Colonial Minister was of opinion that the powers proposed to be conferred by the former Bill were not sufficiently defined. The present Act would affect merely the space between high and low water marks, and the only question on which a difference of opinion might arise, would be as to the mode of protecting the rights of parties occupying lands fronting on the shores. If they should refuse to allow a party to erect a wharf or other work in front of their farms,

it appeared but fair that they should be heard on the subject of their objections. The Colonial Minister used the term proprietors, but there is no doubt that he meant the parties in occupation of the land: for a man having a long lease would be as much interested in the frontage of his farm as if he had the legal estate in fee simple. The Bill specifies that the consent of the owner shall be a pre-requisite to the obtaining of a grant, and defines the application of the term to mean any person having an interest of 100 years' duration in the land. If the House decided on giving the privilege without the consent of the owner of the land, the latter would be entitled to compensation. When the original Act was introduced, it was not contemplated to allow the grantee of the shore to attach buildings to the land, without the consent of the owner. It was merely intended to convey what should be specified in the grant itself, but it was not expressed with sufficient distinctness. The present Act clearly defined the rights of the owners, whose consent to erections attaching to their premises, must be obtained, or some mode of adjusting the value of the part so to be occupied, must be devised. There were difficulties in the way of arbitrations on the point. The Bill was not a Government measure. The Government had no interest in the matter. It only affected individual rights and interests.

Hon. Mr. COLES—if it was not a Government measure, it ought to be. It dealt with the right to occupy the shores between high and low water marks, which were vested in the Crown. The rights of the occupants of the farms merely extended to high water mark, except where they had been specially extended to low water. He would not say that the owner should not be paid, but he should at least be heard in his own behalf, as is done in the case of shutting up a road where three parties are appointed to make their report to the Government. The Government should have had the Bill matured, and not have brought it to the House to be adjusted in Committee. He did not, however, object to the second reading. House in Committee on the Bill.

Mr. HOWAT saw no reason why the consent of the owner should be necessary. The public had the right to all below high water mark. As at present drawn, the Bill would be a dead letter—for no party could avail himself of it, without paying an exorbitant sum, if it were demanded.

Hon. Mr. HENSLEY thought it would be better to give the right of preemption to the owners. If the question were left to the action of the individual owners, the Bill would in many cases be a dead letter. The Bill by making the consent of the owners of the backland necessary before a grant of the shore could issue, was limiting the power of the Crown, which had the absolute right in the lands to be affected by it.

Hon. Mr. LONGWORTH—it was not in the power of the Government to enforce these regulations without the intervention of the Legislature. The Government were merely the trustees of the people. That being the case, it was proper that the legislative action should be taken to define the relative rights of parties. The Bill would facilitate trade, by sanctioning the occupation of the space between high and low water marks; but it should be borne in mind that the Crown had no right to the land above the former, and the grant would not be worth the parchment on which it was written, unless the grantee could obtain the privilege of attaching any erections he might put up to the adjoining bank, connection with which would also be necessary for the purpose of road communication. As the part granted might be used for different purposes, and to various extent, it would be impossible to ascertain the quantum of benefit or damage to the owner of the adjacent soil, as was done under the Road Compensation Act; and, therefore, it was better that the grantee should make his own bargain with the proprietor.

Hon. Mr. COLES—The better plan would, perhaps, be to authorize the Government to grant the shore to the occupiers of the land abutting on it, who might by the Bill be prevented from going from one part of the shore of their farms to another, in consequence of a wharf projecting.

Hon. Mr. THORNTON was satisfied with the Bill so far as it did not disturb the possession of the holder of the soil, whether tenant or freeholder. He could, however, see no reason why tenants holding leases for periods less than 100

years should be excluded from the operation of the Bill. He was unwilling to give to any Government the power which the Bill would confer.

THURSDAY, March 20.

After the reading of the Journals, Hon. Col. Gray rose to call the attention of the House to the report of what fell from him in the debate on the evening of the 26th February, in which the words, "The explanation I am about to give reminds me," &c., occur as having been used by the hon. member. The words which the hon. member used were, "In asking for this explanation, I am reminded of an anecdote," &c.

Hon. Col. Gray had asked the hon. member, Mr. Coles to explain which leader of the Government was alluded to, as the hon. member, Mr. Coles, had distinctly alluded to acts affecting both Hon. Mr. Palmer and Hon. Col. Gray.

The following petitions were presented:—

By Hon. Mr. Yeo, from Archibald Gillis and others, for compensation to William Gillis and ——— Bearisto for right of way through their farms to the Tignish road.

From inhabitants of the Linkletter settlement for aid to complete a new road.

From inhabitants of Summerside, St. Eleanor's, &c., for opening a new line of road to Summerside.

Referred to the Committee on new roads.

From Angus Campbell, Cascumpec, for indemnification of loss sustained by him as surety for John McDonald—withdrawn.

Inhabitants of Lots 13, 14 and 16, for grant to extend the wharf at Ellis River.

Inhabitants of Lots 14 and 16 for grant to complete the road on the line of division between these Lots.

Inhabitants of Lots 14, 15 and 16 for grant to build a bridge across Trout River, and to open a road in connection with it.

By Hon. Mr. Longworth, from inhabitants of Lot 65, and others for grant to complete the wharf at McEwen's point.

Another for grant to extend the wharf at Rocky Point. Tabled.

The House then went into Committee on the report of the special Committee appointed last Session to report upon the Bill to alter the License law. Mr. John Yeo, Chairman.

The first clause having been read,

Hon. Mr. HENSLEY moved that it be agreed to. At present the City Council of Charlottetown had no power to limit the number of taverns. Any party who could get two members of the Council to sign his certificate could obtain a license. The alteration which transferred the application to the judgment of the majority of the Council was, in his opinion, a good one, and would obviate the objections which had been made to the present system.

Mr. BEER seconded the motion as wise and beneficial. At present it was competent for a party to obtain a license if he procured a certificate of two Councillors, although all the rest of the Council might be opposed to his application. There was no doubt that the intention of the law was that all tavern licenses should be subject to the decision of the Council as a body.

Hon. Mr. COLES had been informed that there were but two Councillors who would sign the necessary certificates. He did not think it was a question for Charlottetown's sole decision, as the people from the country were interested in having proper accommodation when they came to town. On market days great numbers of them came here, and people would not be induced to keep public houses unless they had the privilege of selling liquor, from the sale of which alone

they would derive any profit. The opinion was pretty general that it would be as well to do away with the Corporation altogether. It entailed a heavy tax without conferring adequate benefits. The civic affairs were in a worse state now than when the old system was in force. The Corporation had neither money nor credit, and before increasing their powers, it might be as well to see if they should not get rid of them altogether. If undue obstacles were thrown in the way of obtaining licenses, illicit traffic would increase, on which there would be no check, except through the agency of informers, whose employment was not a very respectable one. If parties were licensed and provided sufficient accommodation, the authorities could exercise control over them, and if it should be found that the taverns were too numerous, the evil would cure itself, for the business then would not pay. From the country parts of the Island petitions had been received, complaining of the refusal of magistrates to sign the certificates in cases where the accommodation was necessary for travellers. If people could not get licenses which would allow them to sell spirituous liquors, there would be no places at which a traveller could get accommodation for himself or his horse.

Mr. DAVIES was not aware that only two Councillors would sign the certificates. He agreed with the hon. Mr. Coles that if they made the law too stringent, illicit traffic would increase, but the number of licensed taverns in the city should be matter for the decision of the Common Council. It was true that the City was in debt, but it should be borne in mind that their means were small. The repairs of their wharves has run them £1000 in debt, and it was impossible to carry out any public improvements without the requisite funds.

Hon. Mr. LONGWORTH—Many experiments had been tried with a view of preventing the improper granting of licenses. The object of erecting Charlottetown into a Corporation was that it should have the control of its own affairs. The rejection of the clause before them would be a denial of the legitimate functions of the Common Council. It was not to be presumed that they would exercise their authority adversely to the wishes and interests of those whom they represented. He agreed with the hon. Mr. Coles that it would be impolitic to withhold licenses, so long as they derived a revenue from the importation and manufacture of spirituous liquors. If the granting of licenses for their retail was contrary to morality, it would be equally improper to authorise their introduction into the Colony, and while they were imported they would be sold. He could not agree with those who would stop the sale of liquors. If such a course was adopted, illicit traffic would be the result. It was impossible to legislate a man into morality. The only way was to regulate the traffic. If no licenses were granted, they would be proclaiming to every man that he might sell as he pleased. Every licensed tavern could be under the surveillance of the police, and, if licenses were abolished, a policeman would be powerless to deal with places, many of which were hotbeds of evil. He thought that the present provision in the Act requiring the approval of the majority of the resident householders of a school district was a wholesome restriction on the improper granting of licenses. The householders of a district were the best judges of the necessity of a tavern in their neighbourhood. A certain number must be established for the accommodation of travellers, who would otherwise be without food or shelter. With reference to the City, it was but reasonable to assume that as in a multitude of Councillors was wisdom, so a majority of the Common Council would be found as capable of dealing properly with the subject as two of their body.

Mr. BEER—The hon. member, Mr. Coles, had misrepresented the Common Council, when he stated that but two of their number were willing to grant licenses.

Hon. Mr. COLES had been told so by a member of the Council.

Mr. BEER believed that no more than two were in favor of increasing the number of licenced houses in the City, and the Councillors were justified in trying to limit their number. The Council needed all the funds they could procure from licenses, and were desirous of obtaining them to any extent consistent with propriety, but they did not wish to see every third house a grog shop. They wished to have the power of diminishing the number of taverns, the increase of which should not be left to the discretion of two members. As to the debt of the City, alluded to by the hon. Mr. Coles, it was well known that it was occasioned by the cost of the wharves, which should have been defrayed out of the general revenues.

Hon. Mr. LAIRD could see no good reason for any alteration. It was true that the City Council was elected by the people of Charlottetown, but each Ward elected its two representatives, who were enough to decide upon the number of licenses, and should have the same power as the Act gave to two Justices of the Peace in the country.

Hon. Mr. HENSLEY reminded the hon. member that in the country it was requisite to obtain, in addition to the signatures of two Justices, the recommendation of a majority of the householders in the school district in which it might be proposed to open a licensed tavern. It was but right that the Common Council should have the regulation of the number, and supervision of the character, of houses of that description within the limits of its jurisdiction. He did not doubt that the hon. member, Mr. Coles had been told that no more than two of the Council were in favor of granting licenses. The members of that body would grant them if they thought them necessary. They were not opposed to the system of licensing on the principle of the Maine law. They were unwilling to deprive themselves of the source from which they derived a principal portion of their civic revenue. The occupation of a tavern keeper was as lawful as that of an auctioneer, or any other which required a license and was so acknowledged by the fact of a license being required. He did not recognise the truth of the assertion that taverns could not be sustained without the sale of liquors.

Hon. Mr. McAULAY could conceive no objection to the clause, with which the solvency or insolvency of the Corporation had nothing to do—and an allusion to which was quite out of place. It was but reasonable that the majority of the Common Council should control the minority, as was the case in every corporate body. If two of them were wise the chances certainly were that four would not be fools. He would support the clause; it was merely wasting the time of the Committee by offering opposition for which there were no tenable grounds.

Hon. Mr. POPE—As the Common Council was responsible for the proper management and regulation of the City, it was but right that they should have the power given them by the clause. He agreed with hon. Mr. Hensley, that the same check did not exist in Charlottetown as in the country, where, in addition to the certificates of two Justices of the Peace, the recommendation of a majority of the householders of a school district must be obtained before a license could be granted. If the citizens of Charlottetown should be dissatisfied with the conduct of their Councillors, they could elect others in their places. The clause would not effect licenses already issued, but he thought it would be an improvement

if it should, and if two thirds of the present number of taverns were suppressed. He supported the clause with pleasure.

Hon. Mr. HAVILAND—The law tended to create confusion. In the country, no one could obtain a license in opposition to the wishes of a majority of the householders within the school district. Charlottetown was divided into five Wards, each represented in Common Council by two members; as the law was, any two of them could certify for a license in any Ward, although the majority of the inhabitants and the two Councillors of the particular Ward might be opposed to it. As an illustration, it might be that Ward number Five had taverns enough, or more than enough, but, notwithstanding that, a party had only to apply to the two Councillors of Ward number One, and he could get his license at once. Now, if the application were made to the assembled Council, it would be fairly and fully discussed, and a deliberate decision arrived at. There was no doubt that the number of taverns in Charlottetown was excessive, and exercised a demoralizing influence. If their number was decreased, the character of the remainder would be improved. Many houses which have obtained licenses had not the accommodation for travellers which the law required. They were merely places where a man could only get a glass of grog and then go away.

Hon. Mr. COLES—If such were the case, it was not very creditable to the authorities of Charlottetown, for the law gave the Councillors the right of supervision, and power to suspend the licenses, in cases where the Act had not been complied with.

Mr. SINCLAIR—Did not object to the clause, in so far as it related to Charlottetown, which had a representative government—but he was, on principle, opposed to all monopolies. In the country districts he would prefer seeing strict regulations established, and then leave the sale of liquors to free competition. The best kept House would then get the best custom.

The clause was then agreed to.

The 2nd clause, providing for renewals of licenses was agreed to.

The 3rd, which provided for the treatment of confirmed drunkards as lunatics, having been read,

Hon. Mr. COLES expressed his approval of the principle involved; for a man who had reduced himself by habitual drunkenness to so disgraceful a state as to be unable to take care of himself, should be declared a lunatic and treated as such—but he presumed that, when he became sober, he would not be prevented from managing his own affairs, and resuming control over his property.

Mr. DAVIES—In such case, a jury should decide, and if they deemed it necessary, trustees should be appointed to take charge of his property. There was a similar law in the States, and it had been attended with good results.

Hon. Mr. THORNTON—The principle was a good one. A confirmed drunkard should be pronounced insane, but he would like to know where he was to be put? The present Lunatic Asylum was already full to overflowing. Was it intended to build another to be known as the drunkard's Lunatic Asylum? (Laughter.)

Hon. Mr. HENSLEY—There would be no necessity that the party should be sent to the Asylum. The Master of the Rolls could declare him a Lunatic, and put him in charge of two of his friends. As the hon. member, Mr. Davies had said, the principle had been adopted with advantage in the States; as the principle appeared to meet the approval of hon. members, the details could be adjusted when the Bill should be before a committee of the House. Every day bore testimony to the evils of drunkenness and to the necessity of

a remedy. A great deal of distress would be prevented by putting the drunkard's property under the management of his friends.

Mr. SINCLAIR had no objection to the principle, but any Bill based on it should be carefully guarded, particularly with respect to the expenses of working it. A case had recently occurred in England, where an enormous amount of costs had devolved upon an individual, in proving his sanity.

Mr. DAVIES—If a man would get drunk whenever he could get liquor, he must necessarily be incapable of managing his affairs.

Mr. BEER—Perhaps, if magistrates had power to put an habitual drunkard into the Asylum for the space of two or three weeks at a time, if there was room in that institution it might induce a change of habits.

Mr. HOWAT—Although he had been chairman of the special Committee, he was not pledged to the clause, which was only a suggestion. The suggestion of the hon. member Mr. Beer, that a drunkard should be sent to the Lunatic Asylum for two or three weeks, might, if carried into operation have the effect of frightening him into a better course of life; but there might be instances of men getting drunk and continuing so, for three or four weeks at a time, for the purpose of being sent there, for the House had reason to know that many now applied for admission in vain. It was necessary to act with caution.

Hon. Mr. LONGWORTH—There was no doubt that a confirmed drunkard was insane; but he doubted the policy of incorporating the principle of the clause in a Bill. The law at present was sufficiently explicit. A lunatic and his property could be consigned by order of the Master of the Rolls to the care of his friends, and a magistrate could confine any degraded sot whom he found incapable of taking care of himself. If a man should be pronounced insane, on the certificate of two medical men, no matter from what cause his insanity might have arisen, his relatives could apply to the Master of the Rolls for the appointment of a committee to take charge of his person and property. If the recommendation of the special Committee be adopted, complicated machinery must be introduced, and if the lunatic had no property the general revenue would have to bear the expenses of his support.

Mr. DAVIES—The object was the relief of the drunkard's family. All habitual drunkards were madmen, and all knew that murders were frequently committed by individuals of that class. As the law at present stood, no one had authority to enter their dwellings.

Clause agreed to.

Hon. Mr. HAVILAND called the notice of the Committee to the subject matter of a petition from the North River, complaining of the difficulty of obtaining a license. The difficulty arose from the locality of the proposed tavern, which being opposite the house of a magistrate, he refused to sign the certificate, as, naturally enough, he did not wish to see a tavern established in that situation. The report of the special Committee contained no allusion to that petition.

Mr. MONTGOMERY—The petitioner would have to take his chance with the others. They could not legislate on special cases.

Hon. Mr. LAIRD—The petition should have been notified by the special Committee. It was referred to them last year, for the purpose of obtaining their opinion on it this Session.

Hon. Mr. KELLY—Last year it was considered that any two Justices out of the five nearest might sign the papers.

Mr. HOWAT—The special Committee did not feel bound to deal with individual cases. The law specified two *neigh-*

bouring, not the two nearest Justices. If a license was improperly refused, the House could not interfere by legislation on an individual case.

Hon. Mr. HENSLEY—Some difficulty had arisen, as to the interpretation to be put upon the word *neighbouring*. It was desirable to define its meaning in the Act, as the law should be explicit. A short clause would settle it.

Mr. BEER—There might be one or two cases of hardship, but it could not be expected that the Committee was to investigate the details of them, and recommend legislation to meet the particular circumstances of each. They might involve inconvenience to the travelling community, but the residents of any particular district might consider that the granting of a license to a particular individual, or sanctioning a tavern in a particular spot would inflict greater injury on the neighbourhood than inconvenience on travellers. The law, as it at present stood, was, in his opinion, sufficient with reference to this branch of the question.

Mr. SINCLAIR—It was an extraordinary power to confer upon two individuals, to say whether there should or should not be a licensed tavern, irrespectively of the wishes and opinions of the people. He was in favor of giving the majority the right to rule in all cases. The Justices of the Peace were not elected by the people, but received their appointments from the Government of the day, on account of their particular views. It would be right to allow two Justices to examine the houses, and give certificates as to the accommodations required by law, but not to decide whether a tavern was required or not. Such a system was placing the magistrates in an invidious position, for if they should conscientiously believe that it was not necessary, they would necessarily refuse to certify for it, and might thus be placed in opposition to the majority of the people of the district. The Committee then rose.

On motion of Hon. Mr. Hensley—Hon. Mr. Hensley, Messrs. Howat and Davies were appointed a Committee to prepare a Bill in accordance with the Report.

THURSDAY AFTERNOON, March 20.

Mr. Davies presented a petition of Ann Cullen, widow of the late William Cullen, formerly clerk of this House, setting forth her destitution in her declining years, and praying a small grant to relieve her necessities. Laid on the table.

HOUSE IN COMMITTEE ON DESPATCH OF DUKE OF NEWCASTLE CONTAINING OBJECTIONS TO ELECTIVE LEGISLATIVE COUNCIL BILL.

The order of the day for the House in Committee on the consideration of the despatch—presented to the House on the 5th of March instant—from the Secretary of State for the Colonies to Lieut. Governor Dundas, containing objections to the Bill to change the constitution of the Legislative Council, &c., being read.

Hon. Mr. HAVILAND said—Mr. Speaker, I move that the House go into the order of the day, and in doing so scarcely think it necessary to enter into any explanation on the subject, as the principle of an Elective Legislative Council has been frequently discussed in this House and is admitted by a large majority of its members. All that remains now is to decide how this principle is to be carried out. The Duke of Newcastle has shown himself to be very liberal. The argument of the small minority who opposed the Bill, that the Home Government would not assent to the principle being carried into operation here, has been set aside by his despatch, for he in effect says that he is unable to refuse it since it has been sanctioned in Canada, Australia and Tasmania. This all along was my argument; besides the fact

that the principle was acknowledged by some of the most distinguished members of both Houses of the British Parliament, who said that there were only two principles, the nominative and elective, and admitted that the former had been a failure. His Grace, however, is of opinion that the electors for the Council should have a different qualification from those for the Assembly. This is his view, and I think it is a sound one, because with the qualification the same in both cases, we would have as it were two Houses of Assembly, one meeting in each end of the building. The Colonial Minister also appears to think that the only qualification necessary for an elective Councillor is that he be a British subject, resident in the Colony, and 30 years of age. It seems to be a general opinion that there is some virtue in this age. I suppose it is because a person is then supposed to have sown his wild oats, and become prepared to view questions on their own merits. The other points referred to in the despatch are in reference to the wording of some clauses. I think there can be no cavilling about the despatch, as all must admit it to be a very able document. I suppose there is no alternative left us if we desire to have an elective Legislative Council, but to carry out the suggestions of the Duke of Newcastle.

Hon. Mr. COLES—I have much pleasure in seconding the motion of the hon. member for Georgetown. I agree with him that the Duke of Newcastle has shown himself to be very liberal; even more so, I believe, than many hon. members expected when they voted for that Bill. And I mainly attribute the liberal sentiments of His Grace on this subject to the visit of the Prince of Wales to these Colonies. The Duke undoubtedly saw then that the principle of nomination for Legislative Councils was not working efficiently. He has taken the very proper view in reference to the qualification of Councillors, that money does not make the man. I certainly think a great concession has been gained.

The House then resolved itself into Committee. Mr. Holm in the chair.

Hon. Col. GRAY—Mr. Chairman; I am rejoiced at the prospect before us. It is but proper for me to state to hon. members on both sides of the House that I now find myself in a position to give my cordial support to a measure for an elective Legislative Council. All objections which I formerly had have vanished away. I have no objection to any amount whatever of the democratic element in this House—no desire to curtail the right of any man to vote for a member to sit in this branch of the Legislature; but I have decided objections that members of the Upper Chamber should be chosen by such electors as would render that body only a reflex of this House. Doubtless every person is desirous to avail himself of the liberty which he possesses, and I, as a native of the Island, would be sorry to see any of the electors for this House deprived of their privilege; but if members for the other House should be chosen by the same electors there would be continual contention between the two bodies. Though it would scarcely do to make the assertion last year, yet now I may almost say that such a principle is simply absurd. I consider that the manner in which the Government intend to take up the despatch of the Secretary of State for the Colonies, is worthy of a loyal people. What says the document? After alluding to the necessity of making the property qualification for the electors and not for the elected, His Grace remarks, “I would enforce a *tolerably high* property qualification in the case of the electors.” Now, what is a “*tolerably high*” qualification? The Government propose that the person who has a freehold or leasehold interest of the value of £100 shall be entitled to vote. This, I cannot say, is a *tolerably high* qualification;

but it is, I think, a fair one for this Colony. I cannot but again express my satisfaction at the prospect of our having an elective Legislative Council. What has been my principal objection to the departmental system of Government is this, that the members of a nominated and irresponsible chamber should share in the offices with those of a body elected by the people. True, the members of the Council are said to be the nominees of the Crown; but who was the Crown that nominated the large majority of the members that were in that body, when the present Government came into power? who but the hon. member opposite, the leader of the Opposition?

Hon. Mr. COLES—The same may be said of the leader of the Government with respect to the last nomination.

Hon. Col. GRAY—Not of this McNab, but the other McNab. (Laughter.) Under the proposed measure no nominee of that description can hold an office. When the late Government were in power, some four or five members of this House held office, besides two or three from the Legislative Council. The contemplated measure will open the way for the departmental system again, as I think it will remove the principal objections to offices being held by members of the Legislature. I may state that if the contemplated Bill, embodying the suggestions of the Duke of Newcastle, be disallowed, it is doubtful whether any measure of the kind, which this House may bring forward, will receive the Royal assent. It behoves this Committee, then, to consider well what they are about in proceeding to decide upon the provisions of a Bill that is to regulate a body which will have the power to thwart the measures of this House.

Hon. Mr. COLES—I entertained the hope that the hon. member, who has just spoken, would have made some motion; but I suppose I may offer a few remarks on the general subject. He states that his principal objection to the Bill in former years was, that the qualification of electors was the same as that of those electing members for this House; but, Sir, I observe by his remarks on the measure last year, that his main objection to it was that the property qualification for candidates was not high enough. When the Bill was sent to the upper House, this was also the principal complaint in that body, and they proposed that it should be £1000 instead of £500; so I presume that the opinion of the hon. member agreed with that of the other McNab, in the other end of the building. I again express my conviction that the liberal views of the Duke of Newcastle on this matter, are owing to his visit with the Prince of Wales to these Colonies. I expect he had seen the memorial forwarded to the Colonial office complaining that the members of the Legislative Council were persons possessing no property, and when here kept it in remembrance, and was looking round a little. He probably saw some that had property, and one who was said to have none; and perhaps he thought as he stood before this intelligent gentleman dressed up in his red coat and other regimentals, that he would make a more efficient Councillor than those possessing property. I will read an extract from a pamphlet which, as it was written by a person holding a high office in the present Government, shows the views of, at least, some of that party:—

“With an independent Governor, let the Colony have an independent Legislative Council—the members of which shall possess each a freehold or leasehold estate in the Island, of the value of £500 sterling—and be appointed by the Governor, without consulting his Executive Council. Such a Governor and such a Council, would soon do away with the feeling of insecurity which pervades the minds of all who possess property in the Island, and prevent men of independent means from leaving our shores, to seek a home where property is protected, and its possession does not mark the owner as an object of insult and plunder. During the past five years there have been driven from this Island, by disgust at its Government, several gentlemen with families who spent nearly £10,000

000 a year in the Colony. Her Majesty's Government may remedy those two evils without any danger of severing the union between this Island and the mother country—a company of fifty regular troops, supported, as they would be, by large numbers of the population, would suffice, at all times, to maintain the supremacy of the law, and preserve order—and should the Assembly refuse to proceed with the general business of the country, and co-operate with the Legislative Council and the Lieutenant Governor, in their joint endeavors to carry on the Government of the Colony on just and honest principles—let Her Majesty's Government annex the Island to one of the neighbouring Provinces of Nova Scotia or New Brunswick."

I am glad that the hon. leader of the Government in this House is coming round; he says that the Elective Legislative Council will open the door to carry out the departmental system of government. I suppose, then, if the door be opened, we shall soon have the whole affair. He states that under the late Government there were seven or eight members of the Legislature holding office; but what difference does it make as long as the members of the Government can appoint their own relatives and friends to office. The hon. member might have spared his allusion to the appointments to the Legislative Council, made by the late Government; their conduct was, at least, no worse than that of the present party, who had appointed five to be their subservient tools. I think this question should have been a Government measure, and that a Bill ought to have been brought down framed in accordance with the despatch of the Duke of Newcastle. I suppose there will be very little opposition to any part of the Bill, except it be in regard to the amount of qualification for electors.

Hon. Mr. HAVILAND—The hon. leader of the Opposition, of course, must oppose everything which proceeds from this side of the House. He objects because a Bill was not brought down by the Government; but, Sir, I think it would have been very dictatorial on our part to have pursued such a course, when the Duke of Newcastle says that his despatch was to be laid before the Legislature. As the hon. member desires something to speak about, I will read a resolution:—

"Resolved, That any male person of the age of twenty-one years or upwards, who shall own a freehold or leasehold qualification of the value of one hundred pounds currency, and shall have been in possession of the same for a period of at least twelve months previous to the date of the writ of Election, shall be entitled to vote for a member to serve in the Legislative Council in this Island."

I think we cannot well make the qualification lower than this; to fix it at a less amount might endanger the measure, by again preventing it from receiving the Royal assent. I was certainly amused at the probable reason assigned by the hon. leader of the Opposition why the Duke of Newcastle came to the conclusion that members of the Legislative Council do not require a property qualification, viz, because a certain individual, when His Grace was here, wore a red coat and cocked hat. I am a little astonished to hear that the Duke could be convinced on this point by such things. Had the hon. member said that His Grace had formed this opinion on account of the gentleman's talents, we might believe that there was some truth in his statement.

Hon. Mr. HENSLEY—I do not rise to express my views on the resolution just submitted, but to state that I have strong objections to the manner in which this question has been brought up. Had it been introduced by a Bill, we would not be called upon to vote upon any point immediately; but as this resolution has been proposed, it may be necessary to vote without having time to give the subject due consideration.

Hon. Mr. HAVILAND—I consider that the course which has been taken is preferable, because an opportunity is afforded to vote on the resolutions which may be submitted, and on the Bill through all its stages.

Hon. Mr. HENSLEY—I cannot agree with the hon. and learned member for Georgetown on this point, because I do not approve of voting hastily upon a measure of such importance.

Hon. the SPEAKER—Though this question had been brought up by a Bill, yet it would not have removed the objection of the hon. and learned member for East Point, as clauses containing numbers or amounts are generally inserted with a blank.

Hon. Mr. COLES—It would have been all very well had this matter not come here as the dictum of the Government. But, Sir, I contend that this resolution will deprive a great many respectable and comparatively wealthy people of the privilege of voting for Legislative Councillors—those who hold property by possession. Further, I consider the qualification is entirely too high; I think a property of the value of £50 is quite sufficient. I move in amendment that the amount be £50 instead of £100.

Mr. DOUSE—I think the qualification mentioned in the resolution is sufficiently low. I am in favor of keeping up the respectability of the Legislature, and think that the qualification of electors should be fixed at £200, and that they should be required to have the titles to their property put on record.

Hon. Mr. COLES—If the hon. member for Belfast entertains that opinion, he should have supported a measure introduced some years ago requiring proprietors to put their titles on record. That Bill, however, was objected to by the Secretary of State for the Colonies, and I suppose if a clause were introduced into the Council Bill, requiring electors to do the same, it would also be refused the Royal assent.

Mr. BEER—When I look at the despatch of the Duke of Newcastle, where he says, "I would enforce a tolerably high property qualification in the case of the electors," I must say I entertain some doubt whether the Bill with a clause fixing the qualification at £100 will meet his approval. I certainly think that were we to make it £200 instead of £100, the Bill would be more likely to receive the Royal assent. £100, however, appears to be as high as the circumstances of the Colony will admit of.

Hon. Mr. LONGWORTH—Mr. Chairman; I cannot admit the force of the objections of the hon. and learned member for East Point respecting the manner in which this question has been brought up. It was very properly remarked by the hon. the Speaker that if a Bill had been introduced it would have been submitted with a blank. When the Bill is brought in, the subject may be discussed again, and that will give hon. members an additional opportunity. The Government have no desire to force a division on this question; if members of the Opposition are not prepared to vote, the resolution can lie on the table for the present. In regard to the measure passed last session, it was in consequence of the recognition of the principle in the Canadian Act of a property qualification for members that we were led to introduce it into our Bill. We thought if the principle was applicable in that Province it would be equally so in this Island. But it appears that His Grace the Duke of Newcastle thought that the law in South Australia and Tasmania, where a tolerably high qualification is required for electors, but none whatever from the elected, worked better than the Canadian Act, and hence the suggestion contained in the despatch before the Committee. Now, when I have considered the two principles I think there is no comparison between them. It does not seem proper that a person who has no property should be required to vote only for one who has this qualification. His Grace does not state that the Councillors should not have any property—that they should have might naturally be expected; but he recommends that those who vote for them should possess this qualification. The desirableness of there being a difference between the qualification of electors for the Council and those for this House must be apparent. It is sufficient that one branch of the Legislature should represent all classes of the community from the highest to the lowest. We have that secured in regard to this House, for every person who is 21 years of age, and who pays a tax for road service, is entitled to vote; is it necessary, then, that the same principle should be carried out, when it is deemed advisable to form an elective upper chamber?

Hon. Mr. COLES—I did not say that the qualification of electors for both Houses should be the same.

Hon. Mr. LONGWORTH—I understood nothing of the kind; but the fact that the hon. member has moved that the

qualification should be £50, shows that there is a disposition to equalize them; and I believe if the Government had proposed this sum, he would then have moved for something less. He is at liberty to make the most of it. When we proposed that the qualification should be £100 leasehold or freehold, I think we named it so low that every person who ought to have a vote will possess one. The farm, whether leasehold or freehold, must be poor indeed which is not worth that amount. It is better to fix the qualification on this principle than to name a certain annual valuation or annual rent, because in the latter case it might be necessary in some cases to hold 100 acres of land to ensure a right to vote. I consider we should not fritter away that part of the Duke's despatch which relates to this matter; for if we fix the qualification of electors at too low a rate it will defeat his object, and we shall lose the benefit of his experience. The remarks of the hon. leader of the Opposition in reference to the principle on which the present and all preceding Legislative Councils in this Colony have been appointed, were out of place. All that my hon. colleague, the leader of the Government in this end of the building stated was, that he considered it a very great objection to the principle of departmental Government, that the members of a nominated body should have an equal privilege of holding office with the representatives of the people; and I think his remarks were quite just, because officers from such a House may be said to have no responsibility, they are only parchment lords as is said in the British Parliament—they hold their seats merely at the pleasure of the Crown—they can be created and dismissed at a breath.

Hon. Mr. COLES—Surely the hon. member does not mean to say that the Legislative Councillors are in that position now.

Hon. Mr. LONGWORTH—Oh, there are many ways of getting clear of Legislative Councillors. They are merely the nominees of the Crown, and have no responsibility.

Hon. Mr. COLES—How is it with the lords in Britain?

Hon. Mr. LONGWORTH—Their case is quite different; they hold their titles and position by a long hereditary right. The views of the hon. member for Belfast were perfectly correct, and I cannot understand why the hon. leader of the Opposition should take objection to them.

Hon. Mr. THORNTON—With regard to the principles laid down in the despatch of the Duke of Newcastle, one of them is that there should be no property qualification for members of the Council. That principle, so far as I am aware, is not disputed by any party in this House. With respect to the case of electors, his Grace says he would enforce a "tolerably high property qualification." This is pretty strong language; but I should like to hear from those better informed than I am what the property qualification of electors is in South Australia and Tasmania. We would then be in a better position to judge of what would be a fair qualification for this Colony. The case of these Colonies, however, is quite different from this Island. I imagine the majority of the people there are not as here, tenants, and many of them tenants at will; besides, those Colonies possess greater resources than ours, and consequently afford greater opportunities of acquiring property. The hon. leader of the Government in this House appears to be delighted at the prospect before us, and seems to approve highly of the suggestions of the Duke of Newcastle; but, Sir, there was no greater advocate last session for a high qualification for candidates than the hon. member himself. The Bill was sent to the upper House with that qualification given at £500; it was sent down with the amendment of £1000, which seemed to be nearer the views of the hon. gentleman; some hon. member suggested that it should be £600, and this was agreed to. But here the Secretary for the Colonies says it is useless to have a property qualification for members at all. With respect to the qualification for electors, I do not think it is perhaps necessary to adhere so closely to the letter of the Duke's despatch as some hon. members appear to consider.

Hon. Mr. McALLAN—This is a very important matter. When I look back upon my conduct years ago in supporting this measure, I am astonished at my own tamerity. We know that the talented Sir Charles Fox, the celebrated Burke, the

famous Pitt, and the no less renowned Sheridan, who were contemporaries, had this subject under consideration, and decided in favour of nominated Legislative Councils. I am not aware whether the Duke of Newcastle is a scholar or not—we know that a ducal coronet has often adorned an unworthy brow,—but the despatch before us, Sir, has evidently been dictated in wisdom. In referring to the provisions of the Bill of last session in regard to the qualification of a candidate for the Legislative Council, his Grace says:—

"He must have resided in the Colony for five years; he must possess six hundred pounds (£600) worth of land, and (what is most unduly restrictive) his residence or his property qualification must be within the district for which he is elected.

"Moreover, he will lose his seat if he lose his property qualification—that is, if he changes his farm from one electoral district to another.

"I entertain a strong opinion that these provisions are most injudicious, and that in order to make a Council what it ought to be, the property qualification should be applied, not to the candidate, but to the voter."

Now, mark, he says *the* qualification, not *a* qualification, should be applied to the voter, having reference to the £500 before mentioned, as must be plain to any person possessing a common understanding of the English language; therefore, I think we would be only carrying out the recommendation of the Colonial Minister did we make the qualification of electors £600. In the British Government we have the democratic element in the House of Commons, the aristocratic in the House of Lords, the patriarchal in our sovereign, and then we have the despotic in the laws which emanate from the whole. We should endeavour to carry out this noble system as far as practicable in this Colony. I think we ought not to come to a decision on this resolution at present, as I feel that I should give the subject more consideration. After deliberating over the matter in my chamber, I might be prepared to give my vote on the resolution before you.

Mr. COOPER—I think the qualification of electors should not be higher than £50, as this is the sum required to qualify members to sit in this House; but I do not say that we should go lower than that amount.

Hon. Mr. POPE—As the Duke of Newcastle has said that we should have a tolerably high qualification for electors, I consider we would be going right in the face of his suggestion to fix it at a lower amount than £100. We cannot go lower than that sum unless we are resolved to pay no attention to his recommendation, which course would, no doubt, endanger the Bill.

Mr. SINCLAIR—I do not consider as some appear to do that there is any cause for rejoicing in regard to the suggestions contained in the despatch of the Duke of Newcastle. An elective Legislative Council will increase the expense of the Legislature, which now amounts to over £3000. This sum shows that we have already altogether too expensive machinery for this small Colony; nor does it seem to be required, for most of the Bills passed here are only transcripts of Acts in force in the other Colonies. Under these circumstances, I would rather vote for doing away with the Legislative Council entirely. But I suppose if the Council be continued, we must have an elective one. The Duke in his despatch says that "an upper chamber is generally intended to represent not only the settled principles, and what on a large scale is called the traditional policy of the country, and also to a certain extent *its property*, experience and education." I consider, then, as he appears to desire property should be represented, that *all* landholders should have a voice in electing members for that branch of the Legislature; and that if the qualification of electors for Councillors be made too high, property will only be partially represented, and there will be danger of the interests of the two bodies clashing together, thus preventing their harmonious working. There are many farmers in the country whose property is not worth £100; such as those living in new settlements, where land may not have acquired much value. His Grace says that he would enforce a tolerably high qualification for

electors; but as he appears to think that a £600 qualification in this Colony for Councillors would restrict the choice to too few, I am of opinion that he would consider that £100, which is one-sixth of the sum he objected to in the case of members, would restrict the number of electors too much. By making the qualification £50, which I consider sufficiently high, we would include nearly all the landholders in the Colony, and leave some hope that there might be harmonious working between the two branches of the Legislature.

House adjourned.

FRIDAY, March 21.

Committee on despatch respecting elective Legislative Council resumed.

Mr. SINCLAIR—As I did not conclude my remarks last evening I will return to the subject. I was going on to refer to that part of the despatch of the Duke of Newcastle, which relates to the Council being so composed as to reflect the settled wishes of the people. For this purpose it is provided that only one half of the Councillors can be elected at a time, and then they are to hold their seats for a period of eight years. Notwithstanding this, we are told that the Council may claim equally with the Assembly to speak the voice of the community. Now, it appears to me, with a Council so constituted, the very evil which we are endeavouring to remedy will be increased, namely, that when a change takes place in regard to the position of parties in this House, the Council is then likely to be opposed to the majority. It has been remarked by some gentleman that unless we fix a high qualification for electors the Bill will not probably receive the Royal assent. I have read the Duke's despatch over carefully, and consider that nearly all his suggestions are in regard to the candidate. What he says respecting the qualification of electors is only his opinion; he does not state that he would require us to agree to it. Referring to this subject brings to my recollection the remark of the hon. member for Georgetown last evening, that as the Colonial Minister recommends that the property qualification should be applied, not to the candidate, but to the voter, he must relate to the £600 qualification of candidates contained in the Bill of last session. I must say that I often envied that hon. member for the beautiful language in which he can clothe his ideas, but I never envied him for his discrimination of judgment; and in regard to his view of the meaning of the Duke's despatch on this point, I may say that it appears to me simply ridiculous. The hon. leader of the Government in this House says that he always was of opinion that electors for the Council should have a property qualification; but, Sir, it appears that the clause respecting electors in the Bill of last year passed without opposition. And I must say that considering the aristocratic tendencies of some of the members on the other side of the House, I was not a little astonished that the Bill was introduced so as to allow the same electors to vote for Councillors as for members of this House. With all deference to the superior knowledge of the Duke of Newcastle, I do not agree with him in reference to the necessity of a difference in the qualification of electors for the two bodies. I think there would be a sufficient difference between the Council and this House resulting from the different manner in which the elections are to take place. We know, Sir, that in the natural atmosphere a cloud arises, the lightnings flash, the thunder rolls, and the rain descends in torrents, but as soon as the cloud has passed over, all is again quiet and still. So with the political atmosphere; elections for this House generally take place amid agitation and turmoil; but after they are over in a short time everything is calm. In this quiet period, after the storm of a general election has subsided, an election for a part of the Council may take place, and the returned candidates to the upper chamber reflect quite different sentiments from those held by members of this House. Another reason why the Council might reflect different sentiments from this House is, that three or four constituencies of this body are to be thrown into one for the upper chamber. But as the Colonial Minister seems to think that there should be a property qualification for electors, perhaps it would be well for us to fix a small rate. I think if he knew that the qualification for members of this House was only £50, he would agree to that amount for the qualification of Council electors.

Mr. HOWAT—I think we shall scarcely require any more almanacs after such a description of thunder storms. But to come to the point, the hon. member appears to think that the majority were not sincere in supporting the elective Council Bill of last session.

Mr. SINCLAIR—What I said was that I was surprised considering the aristocratic tendencies of some of the hon. members of the majority, that they brought in the Bill without a clause requiring a property qualification for electors.

Mr. HOWAT—It appears that the hon. member was wrong

then and he may be wrong still. It is evident that whatever qualification this House may propose, he will give it his opposition. His conduct is just like that of a schoolboy who would undertake to lead one of his mates through a snow bank, and instead of doing so push him farther in. The Duke of Newcastle has recommended a property qualification for electors, and we cannot do otherwise than fix one if we desire the Bill to receive his approval. Did we not provide for such a qualification, and the measure thereby be lost, the hon. member for Princetown would be the very first to censure us. Both sides of the House are dissatisfied with the present mode of appointing Councillors, and I, for my part, am willing to give the elective principle a trial; but I would prefer doing away with the Council altogether. And if we must have a property qualification for electors, I think to make it lower than £100 would probably endanger the Bill.

Mr. BEER—I think this House has proved its liberality by passing the Bill last year on the universal suffrage principle; but as the Colonial Minister has said that he would enforce a tolerably high qualification, it is very doubtful if the measure would receive the Royal assent, did we insert a less amount than £100. Hon. members on the other side propose £50; but had the Government moved that sum, I have no doubt that the leader of the Opposition would have moved one-half the amount.

Hon. Mr. HENSLEY—The hon. member for Charlottetown appears to think it will be very difficult to please hon. members on this side of the House. I may have cause to differ from the supporters of the Government; but if so, my opposition will not arise from factious motives. I supported the Bill of last session through all its stages. I think it would facilitate the decision of this Committee if we had information respecting the amount of the qualification of electors in Tasmania and South Australia. I see by the Canadian Act that the qualification of candidates is £1000; that, however, is not much to the point at present. I, however, observe by "Martin's British Colonies," that the qualification of electors for the Legislative Council at the Cape of Good Hope is a property of the annual value of £25, and that it is stated the reason it is made so low is to give the Hottentots a right to vote. (Laughter.) But that sum is not much criterion for us in this Colony, because I see that the salaries of the public officers there, such as the Chief Justice and others, are about six times as high as they are in this Island. I will support the motion for £50; but I reserve the right, if I should think proper, to change my opinion before the Bill has passed through all its stages. I am not altogether in favor of having no property qualification for candidates; I think it would be preferable to fix a £50 qualification for electors, and also a small qualification for candidates. I am not aware that a property qualification for candidates has been dispensed with in any of the Colonies.

Mr. COOPER—I would not object to require a qualification of the Candidate, for a member might be sent to the Council who was unable to support himself. I think it would be well to have a qualification for candidates.

Mr. MONTGOMERY—I am sorry that the Bill was not assented to without a qualification for electors. But as the Duke of Newcastle appears to decline recommending the measure to Her Majesty's approval without such a qualification, I suppose we must agree to the resolution before the Committee.

Mr. DAVIES—I expressed my views on this subject last year, and then stated that as the present system of appointing members to the Council did not work well, there was a necessity for a change in the constitution of that body. The Duke of Newcastle says he would enforce a tolerably high qualification for electors; but of the candidate he would only require that he should be a British subject, resident in the Colony, and thirty years of age. These are his opinions or suggestions; but I think though we even passed the Bill with just the same provisions as the one of last year, he would not object to submit it for Her Majesty's approval. I, however, agree with the Duke, that a respectable constituency will choose a respectable representative. As this is a constitutional question, I think we ought to adopt the suggestions of the Colonial Minister, and reap the benefit of his experience in those matters.

Hon. Mr. LONGWORTH—I do not consider that there is any necessity to prolong this debate; however, I wish to offer a remark or two, as I conceive that some of the principles laid down by two or three hon. members on the opposite side of the House cannot be supported by sound reasoning. I am somewhat surprised that they should advocate a property qualification for candidates; and particularly that this course should be taken by the hon. and venerable member for East Point, who has always been in favour of the democratic principle. The whole scope of the Colonial Minister's despatch is to give power to constituencies, and is in accordance with the enlightened sentiment now beginning to prevail in England, that it is not necessary to require a property qualification of candidates. We have had a lengthy speech from the hon. member for Princetown, but he has not thrown much light on the subject. His whole reasoning appears to have been intended to prove that by requiring a property qualification of electors we would bring about antagonism between the two branches of the Legislature. He seems to think that a person who possesses no property, or a property of the value of £50, is a safer man to deal with, or one less likely to bring about a collision, than the individual who owns property worth £100.

Mr. SINCLAIR—The hon. member has misunderstood me. I said that two classes of electors would be likely to cause a clash between the two branches of the Legislature.

Hon. Mr. LONGWORTH—I understood his remarks perfectly, and what I have said is a fair inference to be drawn from his statements. He pictured out political storms, and I may assume, from his manner of reasoning, that he thought if there was no property qualification for Council electors, or a qualification of only £50, these storms would be prevented so far as the two Houses are concerned. A qualification of £100, I contend will include nearly all the landholders in the Colony. There is danger also in fixing the qualification too low, as the elector is to be the judge of the value of his own property. The hon. member for Princetown certainly paid the majority a high compliment, when he said he doubted their sincerity in supporting the Bill of last session.

Mr. SINCLAIR—The hon. member puts a forced construction on my words. I said I was agreeably surprised at the liberal provisions which the Bill contained, and that considering the aristocratic tendencies of some hon. members of the majority, I could not account for their supporting it on any other ground than that they thought it would not receive the Royal assent.

Hon. Mr. LONGWORTH—The hon. member has not improved his statement by this explanation.

Hon. Mr. COLES—The hon. member for Princetown is quite correct. Did not the hon. leader of the Government in this House state the other day that he did not think it would receive the sanction of Her Majesty?

Hon. Mr. LONGWORTH—In his opinion the Bill was too liberal, and perhaps he did not expect it would receive Her Majesty's assent; but he was not alone in this opinion, for the friend of the hon. leader of the Opposition, the member for St. Peter's, also thought it would not meet the approval of the authorities at home. We cannot obtain at present correct information respecting the amount of qualification for electors in South Australia and Tasmania. The only authority in the library in regard to the British possessions generally is that referred to by the hon. and learned member for East Point, which does not give the qualification in these two Colonies. The qualification proposed in the resolution before the Committee is not at all equal to that required at the Cape of Good Hope, which is the annual value of £25. The interest of £100 would be about £3 6s. 8d.; this, therefore, shows that we are purposing to fix a very moderate qualification for this Island. In regard to the question raised yesterday that the resolution would exclude certain persons from voting—squatters, I presume, I may say that these have no vested interest in the soil. They hold by possession, it is true, and that is very good; but it is not sufficient when we come to settle a qualification for the Legislative Council. I may remark that the resolution as it stands requires that the property must be either all leasehold or all freehold; but it is

our intention to amend it so as to include that the qualification may be partly leasehold and partly freehold.

Hon. Mr. COLES—This alteration shows the necessity of opposition in this House, because if we had not opposed the resolution it would have been passed as it was introduced. We know, Sir, that a certain person who was returned as a member of this House, though he had a leasehold and a freehold property, yet he could not conscientiously take the oath in regard to either that it was worth £50. The case is quite different between this Island and the Cape of Good Hope, because landed property there is no doubt generally more valuable than it is here; besides, the qualification of electors there seems to have been fixed so as to give the Hottentots a right to vote. But, Sir, we have none of that class on this Island, though some appear to think that there are persons here not much better. It takes a tolerably good farm to be of the value of £100; therefore, I think we should not fix the qualification so high as that, for some persons might scruple to swear within a pound or two. We know that there may be doubts in regard to the value of land; persons have been at the bar of this House who would not swear that 75 acres of land was worth £3. Before a farmer could have a property qualification of £100, he would require with stock, crop, &c., to be worth £400 or £500. I am anxious to be liberal in this matter; and the more I think on the subject the more I am in favour of the motion which I made hastily yesterday, that the qualification should be £50, the same as for members of this House. As to the measure not being approved of at home, if the qualification should be made as low as £50, we do not know what may be the opinion of the Colonial Minister of the day, or even of any person here before another year; for I see by a resolution of this House, respecting a change in the constitution of the Legislative Council before it was thought of by the hon. member for Georgetown, that the present leader of the Government, Mr. Palmer, considered it was a delusion to hope for such a change. [The hon. member here read the resolution, which declared in effect that it was absurd to speak of a change in the constitution of the Legislative Council as the Home Government would not accede to it.] The hon. leader of the Government voted for this resolution, and, as he gave his support to the Bill of last session, this shows what changes take place in the opinions of men. I believe that there is not on record a document containing more liberal sentiments than the despatch before the Committee; and hon. members may rely upon it that the Duke of Newcastle, after writing that despatch, will not refuse to recommend the Bill to Her Majesty's approval, though the qualification of electors be fixed at £50.

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

FRIDAY Afternoon, March 21.

Hon. Mr. Thornton presented a petition of Samuel Nicholson for a grant to open a road, on Township Number 55.

Dr. Davies from the special Committee on the petition of Hon. W. W. Lord and others, complaining of the Light dues exacted in the Strait of Canso, reported, recommending that a fixed sum be annually paid to Nova Scotia, and that a tax be imposed on Island vessels sufficient to meet it.

The Committee on the despatch relating to the Constitution of the Legislative Council was resumed.

Hon. Mr. COLES—I am in favor of a lower qualification for electors, notwithstanding that some hon. members assert that the Colonial Minister will withhold his assent to the Bill if we reduce the electoral qualification below £100. The hon. member for the City, Mr. Beer, told us so last evening. That may be his opinion, and he may take it upon himself to decide what shall be beneficial to the people, and also, what the Duke of Newcastle may do. I am in favor of a property qualification of £50, but, of course, if the majority have made up their minds on the subject, it is useless for the minority to argue the question. I will move that the qualification of an elector be £50 instead of £100.

Hon. Mr. WIGHTMAN—Not having spoken on this question, I deem it my duty to state the reasons for the vote I

shall give. I object to the qualification being fixed at £100 as being far too high, and, consequently, as disfranchising numbers of the people, as there are many men occupying farms of not more than 50 acres, who would not wish to swear that their property was worth £100. Another objection is to be found in the fact that the qualification for a member in this House is fixed at £50, and the result of sanctioning the proposed amount would be that a party qualified to hold a seat in this branch of the Legislature, would not have the right to vote for a candidate for election to the other. The higher standard will not satisfy the country, and, while I am willing to aid in carrying out the suggestions in the despatch, I shall vote for £50 instead of £100, as the former amount, I believe will be more in accordance with the wishes of the country.

Hon. Mr. POPE—The reason why the qualification for a candidate had been fixed in the previous Bill at £600 was, because it required no property qualification in the elector. It is not to be inferred, that, because a candidate is not required to hold property, therefore no man of means will be elected to the Council, and the objection to the qualification of an elector will not have so restrictive an operation as hon. members appear to think—for any tenant owning a reasonably good house and barn can qualify for £100. It is necessary that the Council should be constituted on a basis different from that of this House, and, if no property qualification should be required of an elector for that body, it will be a mere duplicate of the House, and consequently will not afford the check upon our legislation which it was intended to have. By adopting the suggestions of the Duke of Newcastle, we will improve the character of the Council, at the same time that we provide for the safety of the interests of the public, who will be fairly represented under the proposed qualification. The elective principle was admitted last year, in fact, the only members who opposed it were, Messrs. Whelan and Kelly. The best course for the House to adopt is to give effect to the views of the Duke of Newcastle whose despatch shows that he has given the subject ample consideration, and in that despatch he assures us that his suggestions are offered in no spirit of antagonism to our right to the management of our own affairs. The Bill, assent up to the Council last year, was rejected, and protests were entered on the Journals against it. The Colonial Minister, however, takes a different view of the measure from that of the members of that body, and plainly tells them that their seats are not to be considered their property, but that they must be surrendered when the wishes and interests of the people require it. The majority pay proper attention to the rights and property of every individual, and the people will not be deceived by the misrepresentations of members of the minority, whose object is to regain the position they formerly held. I do not include in this remark all of the minority, as there are gentlemen among them who would scorn to follow the example of some of their party. In conclusion I may say that rather than I would reduce the qualification for an elector below £100, I would support universal suffrage.

Hon. Mr. HAVILAND—The Bill which was passed by this House in 1859 was not sent up to the Council, because, composed as that body then was of the friends and supporters of the hon. leader of the Opposition, it was idle to expect they would approve it. In the session of 1861, through the infusion of new blood into that body, a Bill was passed, and that Bill we are about amending is in accordance with the suggestions of the Secretary of State. I cannot congratulate the Councillors belonging to the so called Liberal party on their disinterestedness, for so tenacious were they of the prefix "honorable" to their names, that one member travelled, over very bad roads, up to Bay Fortune to induce an absent brother member to petition against the Bill. The petitioners claimed to have a vested interest in their seats at the Council board, but the despatch before us disposes of that assertion in a very summary manner. "I do not think it at all necessary that the present Councillors should be al-

lowed to retain their places in the newly constituted body. In calling these gentlemen to the places which they now occupy, the Crown must not be considered as having conferred upon them a property, but as having invested them with a trust which the Legislature may properly call upon them to transfer to other hands, if, in their opinion, the public interest should require such transfer." As to the restriction on the residence of a Councillor to which the Colonial Minister objects, I may state that it was not in the Bill as at first drawn, but as some parties were desirous that it should be adopted, we did so on the principle of getting all we could, if we could not obtain all we wished. Members of the Opposition argue that it is extraordinary that the Bill should fix the qualification of an elector at £100, while the party to be chosen is not required to possess any. The principle is, in my opinion, a sound one, and I am glad that the Secretary of State has suggested the change from the principle of the Canadian Act. We have been twitted with holding caucus meetings on the subject of the Bill. Of course there have been none on the side of the Opposition. They all support £50 as the qualification of an elector, and, of course, their unanimity is purely accidental. The Opposition are right in defeating the Government if they can, and if we fixed £25 as the qualification, some hon. members opposite would move to reduce it to £12 10s. The Government, finding it as impossible to please everybody as the old man in the fable, have resolved to please themselves.

Hon. Mr. YEO—The members of the majority are actuated by better motives than those of the Opposition. The Government seek no office, nor do they come here for the sake of a few shillings a day. Their object is the public good. I think the House should do as the Duke of Newcastle suggests. The qualification will not exclude those of the tenantry who are steady and industrious and pay their rents, but bad advisers have been the cause of many a man losing his farm, and the minority endeavour to keep the people discontented in order that they may get into power. I am sure that the people have seen enough of these agitators to have known them pretty well by this time.

Hon. Mr. COLES—I hope that the majority will be satisfied that I do not move the amendment in a spirit of factious opposition. I have done it with a view to perfect the Bill by giving the right to vote to a large class of the people. If the qualification is fixed so high as £100, many parties may be liable to be prosecuted for wrong estimates of their properties. Such cases have occurred before, whereas, if the qualification is fixed at £50 there is scarcely a farmer who will not be entitled to vote.

Hon. Mr. LONGWORTH—I am not aware that the minority have been charged with factious opposition. My hon. colleague Mr. Haviland, merely alluded to the unanimity of hon. members opposite on the amount of property qualification as extraordinary, if there was no previous understanding arrived at by them, and he was quite justified in so doing. I cannot understand why it is sought to reduce the franchise of an elector to the Council so low. It should be borne in mind that we are not legislating for ourselves alone. The Council has certain rights. It is true this House may define the qualification at £50 or any other sum, but the Council has an equal right, and we should be satisfied if they are content to have it fixed at £100. It may be that they may think that sum too low. When it is admitted that the Legislative Council is intended to be a check upon this House, its members certainly should be returned by a constituency different from that which elects the members of this branch. The House is the organ of the popular

voice, the upper branch represents different interests, and there is a wide distinction between the two. The Secretary of State lays down a sound principle when he says that the qualification should be in the elector rather than the candidate. That principle will give the best guarantee that careful selections will be made. No property qualification is required for a seat in the British House of Commons. A candidate for that body need not be worth a shilling, but the qualification must be in the elector. It is unnecessary to discuss the matter at any length at present, as the minds of hon. members on both sides are doubtless fully made up on the subject.

Hon. Mr. WIGHTMAN—On a question of this importance hon. members should have an opportunity of consulting their constituents. The Government should go to the country on the novel principle of requiring so high a qualification in the elector but none at all in the candidate.

Hon. Mr. HAVILAND—I will ask the hon. member how it was that, in 1855, when the celebrated Good Friday Bill, which changed the constitution of this House by increasing the number of members from 24 to 30 was introduced, the Government of that day did not go to the country?

Hon. Mr. WHELAN—From the imputation of opposing the Bill from factious motives, I think that members of the majority should except one of the Opposition, for the House well knows that I have always been opposed to the principle of the measure. And I have the satisfaction of knowing that my views on this subject have undergone no change. However much the majority may twit members on this side with inconsistency, such a charge comes with an ill grace from them. When, during the last two sessions, the principle of the Bill was under consideration, the majority would have the qualification of a candidate for a seat in the Council the same as for this House. Is there no inconsistency on their part, when they now propose to transfer the qualification from the candidate and impose it on the voter? Is there no evidence of a change of opinion, when we see them abandoning a policy which but a few months since they strenuously advocated? They said in 1861 that a candidate must have a property qualification, that the elector need not: in 1862 they say that the candidate need not be qualified on property, but that the elector must. And yet they charge others with inconsistency. My objections to the principle of the Bill are two-fold. First, if elected by the same constituency as the House, the Council will most probably be a mere echo to the House. It is true that the despatch of the Duke of Newcastle obviates this objection to a certain extent, by proposing a high property qualification in the voter; but the other difficulty then arises, for if elected by different constituencies the two branches will almost of necessity come into collision. The Council would assert, that being equally with the House, a representative body, and being elected on the basis of a property qualification, they were to be regarded as better qualified and having a better right than this branch of the Legislature to impose taxes and originate money votes. Instead of acting as a constitutional check upon this House they would be influenced by the popular voice, and it could not be expected that they would bring to the consideration of measures that cool unbiassed judgment which the constitution supposes them to exercise. Besides these objections, the adoption of the proposed change would entail on the country the cost of elections to the Council. Those for members of this House form already a large item of the public expenditure, and the additional charge consequent upon making the Council elective will be attended with no corresponding advantage to the country. We were told yesterday by the hon. member, Mr. Langworth, that departmental Government cannot be carried out under the present system. No difficulty of that kind has been experienced in Canada, Nova Scotia, New Brunswick, or Newfoundland. And we had it in operation from 1851 to 1859. But the fact is that the present Government never attempted to carry out the system. On the contrary they emphatically ignored it by their silly exclusion of officials from the Legislature. The despatch alludes to the principle of elective Councils having been introduced into Canada, Vic-

toria, South Australia, and Tasmania, but we have no evidence to show how it has worked in either of these dependencies, with the exception of Canada, where it has created a wide spread dissatisfaction. No argument can be deduced in favour of the Bill, from the fact of elective Councils having been introduced into the other Colonies I have named, for besides our ignorance of its effects upon them, their circumstances, traditions and institutions vary from ours to an extent that precludes any comparison. As to the particular clause under consideration it is unnecessary to repeat *in extenso* the objections which have been made to it. £100 is, in my opinion, altogether too high a qualification. If we are to have the Bill at all it would be better to fix the amount equal to the annual rent or the interest of the value of a man's property. The present standard will deter many electors from the hustings. The majority may say that £100 is not excessive, and that less than that amount will not satisfy the Secretary of State. It may be reasonable enough in England and in other older and more wealthy Colonies, but it is too high for this Island, where the baneful land system has repressed the energies and ambition of the bulk of the population, preventing the improvement of farms which would otherwise have been made. No comparison can be made between the state of a tenant in this Island and one in England, Ireland or Scotland. And therefore it is that the Duke of Newcastle may consider the amount proposed a small one, but, in view of the circumstances of the people of the Colony, it is absurdly high. Besides, it is monstrous to think that a voter for a Councillor must be possessed of property double that which is required to be held by a member of this House. The Duke has not specified any particular amount, but if he had, it would be derogatory to us to say that we were, in matters of popular requirements, to be bound by his dicta. If we cannot legislate on our own local matters, except as we may be directed by an officer 3000 miles distant from us, we had better at once profess ourselves merely the recording clerks of the Colonial Office. The Government may lay the flattering unction to their souls, that they are doing their duty in pleasing the Colonial Minister, but, if that is their leading motive, they are not to be considered the representatives of the people but of the Colonial Office in Downing Street. It is not necessary that I should say more. Years ago, I gave expression to opinions similar to those I have advanced this evening. I am aware that the minds of the majority are made up, they have decided upon £100, and I have not vanity enough to suppose I can induce a change of opinion. They are welcome to their opinions. My object in rising was to protest against the principle of the Bill and the particular sum proposed by the Government to be inserted in the clause before us. If the majority would go to the country on it, I would be willing to take the sense of any constituency in the Island in opposition to them.

Mr. OWEN—The debate has taken up so much time and so wide a range, that I shall content myself by briefly stating my opinion that £100 is entirely too high a qualification for an elector for the Council. In the district which I represent, I know many people who will be debarred from the privilege of voting if this clause be passed. I cannot, therefore, support it, as I know that it would exclude from the polls many persons well qualified to exercise the electoral franchise.

The question was then put on Hon. Mr. Coles's amendment. Ayes—Hons. Messrs. Coles, Wightman, Kelly, Hansley, Whelan, Thornton, Perry; Messrs. Owen, Sutherland, Sinclair, Cooper—11.

Nays—Hons. Messrs. Yeo, Pope, Gray, Longworth, Laird, Speaker, McAulay; Messrs. Ramsay, John Yeo, Howat, Beer, Davies—13.

The original resolution was then carried.

SATURDAY, 22nd March.

Hon. Mr. Pope presented a petition from inhabitants of Bedouque, praying the repeal of the section of the Small Debt Act which restricts imprisonment for debt to sums of Ten Pounds and upwards. Laid on table.

Mr. Sutherland presented a petition from inhabitants of Big Marsh settlement and its vicinity, praying aid to improve a

road from the north shore to Georgetown. Referred to Committee on new roads.

The consideration of private petitions was made the order of the day for Wednesday next.

The committee on the despatch relative to the Constitution of the Legislative Council was then resumed.

Hon. Mr. HAVILAND—Mr. Chairman, the House having decided upon the qualification of an elector for the Council, it now becomes our duty to decide on that of a candidate. I have no doubt that a majority of the House will be found prepared to carry out the suggestions of the Secretary of State. He has declared, and we have affirmed, his opinion, that a property qualification is not necessary for a member of Council, and has suggested the propriety of transferring it to the elector. As to the age at which a man shall be competent for election to the Upper Branch, the Secretary of State names 30 years, and I believe that in all Colonies where an Elective Council exists that is the age, under which no party can be elected. It is presumed then when he has reached that period of life, a man's mental and bodily faculties are matured. Besides as a man advances in years he becomes more conservative in his views, time gradually moderates his radical tendencies. Proofs of this assertion are to be found in the instance of the Right Hon. B. Disraeli the leader of the conservative party in the House of Commons, than whom, in his younger days, a greater radical was not in that House, the same remark will apply to Earl Derby, and we all know the extreme views formerly held by Lord Brougham, than whom there is not now a more cautious politician. As to the period during which a party seeking a seat in the Council must have resided in the Colony before he shall become eligible, it will be apparent to all that a reasonable term should elapse, in order that a candidate may become acquainted with the wants and condition of the people and the nature of our political questions, and that the period of his residence should be such as to give a guarantee to the public of his intention to make the Island his home, otherwise a field might be opened to political adventures. I think that 5 years residence would be a reasonable period, and I have prepared a resolution to that effect. (The hon. member here read the resolution.) I agree with the Secretary of State that the electors should have as large a field for selection of members as possible; I would not limit their choice to any particular district. I would let a constituency in Prince County select from the East Point a member to represent them. A contrary policy would be unsound and narrow-minded, and the local restriction as to residence did not originate in this House, but emanated from the Council.

Mr. HOWAT—I am not opposed to the period of residence in the Colony being fixed at five years, but the very reasons given by the hon. member for that period are in my mind strongly in favor of confining a candidate's residence to the district which he seeks to represent in Council. I was of the same opinion last year, as I thought that a party would naturally be better acquainted with the wants of the district in which also he would take a greater interest, if he resided in it, and that the people would prefer a resident member.

Hon. Mr. COLES—A residence of 12 months would be sufficient; suppose the case of a public man from the neighboring Colonies coming here to reside, for instance the Hon. Messrs. Howe or Gray, they might prefer to take a seat at the Council Board, yet the resolution would prevent them doing so until they had been here 5 years. It is monstrous—I was amused, at the hon. member citing cases to prove that men became conservative as they grow older. Among the names he quoted, he forgot to mention that of the great Sir Robert Peel, the latter portion of whose public life was a constant advance in liberal policy. I myself became a liberal after I was 30 years old, and the Hon. Joseph Pope turned radical after that age. The hon. member might have mentioned the hon. Speaker as having become more conservative in his opinions, and my old colleague the hon. member Mr. Laird has of late years, shown himself a very strong conservative. However, I admit that when he has arrived at 30 years of age, a man is not so apt to form rash and hasty judgments, and to that part of the clause I have no objection,

but one years residence I consider ample to render a man acquainted with the circumstances of the Colony. You might just as well restrict the place of residence to the district represented, as compel a man to live in the Island 5 years, before he can be eligible to a seat in the Council.

Hon. the SPEAKER—I cannot agree with the hon. member Mr. Howat, that the electors should be restricted in their choice of a councillor to a particular district. I am in favor of giving them as wide a selection as possible. Such a restriction would in my opinion be impolitic and unfair to the constituencies, as unduly limiting their field of selection. The local interests of the various parts of the Island are more peculiarly under the charge of the peoples representatives in this House than they would be under that of the Council. I would suggest that the period of five years in the resolution be reduced to three, as I consider the former period unnecessarily long. The Secretary of State includes the clause requiring five years residence in his opinion that "these provisions are most injudicious" and he merely suggests that a candidate "should be a British subject, resident in the Colony and thirty years of age." He specifies no fixed period of residence.

Hon. Mr. THORNTON—It seems to be generally agreed that a man is not qualified for a seat in the Council before he shall have reached thirty years of age. I agree that there is generally more stability of judgment at that time of life than earlier. As to the period of residence in the Island I agree with the Hon. Speaker that three years are quite sufficient to enable any man of common intelligence to obtain adequate knowledge of the interest of the Island and to qualify him to form and apply his judgment on them.

Mr. COOPER—I think we should be careful to make a distinction between a British subject and a foreigner. In the case of the latter, we should test his allegiance before we gave him the power to legislate on our own affairs, and perhaps five years would not be too long a period for that purpose. But in the case of a British subject, it is not necessary that any time should be specified, for if the candidate is qualified by talents, education and experience he should be eligible to the Council, where local knowledge of the circumstances of particular districts is not required. I agree that the age of the candidate should be settled at thirty years, for at that age, a man is generally if ever, capable of acting with discretion.

Mr. DAVIES—If the Bill had been in force some years ago in the shape advocated by the hon. member, Mr. Cooper, the notorious Captain Sleigh could have been returned for several districts. Parties coming to the Island with an idea of settling in it generally require 3 or 4 years to become acquainted with it, and form an opinion on the climate and state of society and many other matters of which a stranger is necessarily ignorant. I cannot agree with the hon. member, Mr. Howat, as to the local restriction of residence. I am in favour of letting the people of any district choose their member from any part of the Island they please, and I am satisfied that the electors themselves do not wish their choice to be limited.

Hon. SPEAKER—Moved three years instead of five.

Mr. SINCLAIR—I agree with the Secretary of State. We should not restrict the people in their choice of a representative. They should be at liberty to judge for themselves. They are as capable of making a suitable selection as the hon. member, Mr. Howat could do for them. Local knowledge is not required of a Legislative Councillor, as it is of a member of this House. Beside which, a man can easily obtain such knowledge in a short time in this small Colony. We might as well require a property, as a residence qualification in a candidate for the Council. I am opposed to the term of 5 years as being too long, perhaps no great inconvenience might result from substituting 3, but it may be as well to specify no particular term, and leave the matter open to the judgment of the people in their choice of a representative in the Council. The Secretary of State suggests no particular duration of residence. He merely says, "of the candidate I would only require that he should be a British subject, resident of the Colony and thirty years of age."

Hon. Mr. LAIRD—I agree with the terms of the resolution moved by the hon. member, Mr. Haviland, that a candidate for the Council should have resided five years in the Island. People may, and do, come out and stay here for two or three years and then leave in disgust. The Secretary of State was probably not aware that such was the case.

Mr. BEER—I shall support the clause as it is. Years ago, we had the cry that the so called family compact were putting mere strangers into the Council, and at that time, I thought that a previous residence of ten years should be required of a Councillor. We have all known flash characters come to the Island, and after making great pretensions to the position of men of property, the bubble would burst and they would leave in a hurry. If we allowed parties to take seats in the Legislative Council, who had not resided here at least five years, we would be doing injustice to those who had by their industry accumulated property in the Island and borne the heat and burden of the day. I am astonished at what has fallen from the hon. member, Mr. Sinclair. In justice to the Colonists the period of residence should have been longer.

Mr. OWEN—I have no reason to fear that the flash characters alluded to by the hon. member will be elected to the Legislative Council. A residence of three years is quite sufficient. The people in the country are not so easily gulled as those in Charlottetown were by Mr. Slaigh. There is no fear of their taking a person whom they don't know. They are quite capable of judging of a candidate's qualifications, and can easily satisfy themselves as to his intention of remaining on the Island. The extension of the restriction to five years might have the effect of debarring the electors from selecting parties possessing the highest qualifications for the Council.

Mr. SINCLAIR—I agree with the hon. member, Mr. Beer, that Government should not nominate mere adventurers to the Council, but there is no fear of that class of people getting seats there when the people have the privilege of electing them. I agree with the hon. member who spoke last, that the people in the country are not easily gulled. It may be different in Charlottetown, and therefore it may be necessary to make a distinction between the people of the city and those of the country. The latter possess too much shrewdness to need such protection.

Hon. Mr. McAULAY—The expression of astonishment on the part of the hon. member, Mr. Beer, at the course pursued by the hon. member, Mr. Sinclair, reminds me of an anecdote of a lawyer in England, who had been suspended from practising until he should satisfactorily explain his conduct in a particular instance. He applied to the late Lord Eldon, then Mr. Scott, who, after hearing his statement, and listening to the expression of his surprise at the action the judges had taken in the matter, merely said, "Is that all? If you had known them as well as I do, you would not have been surprised at anything they might do." In like manner the hon. member need not be surprised at anything which any member of the opposition may do. We are now discussing the expediency of adopting the suggestions of the Colonial Minister, and propriety dictates that any decision we may arrive at should be the result of mature deliberation. I do not regard the age specified by the Secretary of State as absolutely necessary to qualify a man for a Legislative Councillor in this Island. The great Pitt was but twenty-one years of age when he was the idol of the British nation. Had he been restrained from displaying his great abilities in the administration of the public affairs of his country until he had reached the age of thirty, the world would have sustained a serious, and it might be, an irreparable loss. It is true that every man is not a Pitt, and it would be unreasonable to expect of others that ripeness of intellect which so pre-eminently distinguished him at so early an age, and on that ground I consider the suggestion a proper one. The limitation that the candidate should be a British subject is necessary, for although foreigners have been among the most able exponents and eloquent advocates of the principles of the British Constitution, it is but a measure of justice and safety, that none but British subjects should make or administer British laws. As to what

has been said about the term of residence necessary to qualify a candidate for the Legislative Council, I care not how great may be his experience nor how extensive his acquisitions, it is necessary that he should be conversant with the peculiar circumstances which may render necessary legislation on the affairs of the Island different from that of other countries whose situation differs from our own. The law which may suit one part of the world, we all know, may be inapplicable to another. On these grounds I support the clause as it stands, for five years are little enough to qualify a man to take his seat in the Upper House. It is true a stranger may be fully qualified for a seat almost on his arrival in the Colony; but such a case would be an exceptional one, and is our duty to guard the rights of the people. I have heard no sound argument against the limitation to five years residence.

Hon. Mr. HAVILAND—The allusion made by my hon. colleague to Mr. Pitt is not historically true, for he was not a minister until he had attained the age of twenty-three. It is true that he was a member of the House of Commons before he was twenty-one years old, but as he was not legally qualified to take his seat there before that age, the inferential argument does not apply. Had the hon. member cited an instance of a member of the House of Lords exercising his legislative functions at an age earlier than that of twenty-one years, it would have been more appropriate to the subject before us, as our Council is supposed to be analogous, in its position in our local legislature, to the Imperial House of Peers. I can quote an instance of a great man, contemporary with Mr. Pitt, the great Lord Camden, who so distinguished himself on the question of general warrants, in the time of the celebrated John Wilkes. He never spoke in Parliament until he was twenty-five years of age.

Hon. Mr. POPE—I am in favor of the residence being fixed at five years, not so much on account of the necessity of acquiring local knowledge of the Island, as of the security which domiciliation for that period will give us that the candidate intends to make the Island his permanent home. It is not probable that gentlemen, such as those referred to by the hon. member, Mr. Coles, will settle in this small Colony, but it is our duty to guard against adventurers who may, without some check, obtain an influential position among us, after a residence of a year or two. A man who has been settled among us for a period of five years may reasonably be considered as having an interest in the country; and in answer to what has been said as to the old settlers of the Island, I consider it no matter of discredit to them that strangers of plausible manners and flippant tongues, who have received a high degree of education, and whose only desire is office, should have the advantage over plain, honest going men. It may be fairly presumed that a man who has resided on the Island for the period of five years has decided on making it his home. Any party seeking legislative honors on a residence for a short time can seek a seat here, to which he may aspire after the possession of a property qualification for 12 months. The other branch should be constituted on a basis different from ours, to which it is intended to operate as a wholesome check. I have no fear of the Bill being rejected on account of the insertion of the five years. The Duke of Newcastle has visited the North American Colonies, and, I believe, takes a deep interest in them, and he will recognize our right to require five years residence as a matter purely for our own judgment. As to the minimum age of a candidate, there is no difference of opinion.

Mr. COOPER—The legislature should, by all practical means, encourage the introduction of capital into the Island. This Colony presents many inducements to gentlemen in England who may possess what is there considered small property. Nothing is more natural than that parties of that class should, after settling in the Island, aspire to offices, especially those of an honorary character.

Mr. DOUSE—I have been some forty years in the Island, and during that time I have known many instances of strangers being placed in official situations in preference to the old settled inhabitants. I have often been surprised at the favor shown to new comers over natives of the Island. Our Islanders, as a class, are possessed of a degree of intelligence far

beyond that of people of a similar station in England, and I hope this House will do justice to the rising generation, and not allow strangers to supersede our own people.

Hon. Mr. HENSLEY—A residence of some duration is, in my opinion, necessary to qualify any person for the efficient discharge of the duties of a legislator. As far as my own experience enables me to form an opinion, I am inclined to think that five years' residence is not too long a period in which a party may obtain the information necessary to qualify him for a seat in the Legislature. It may be said that the electors should choose whom they please without any restriction; but they have that privilege in electing the members of this House, a seat in which can be obtained after an almost nominal property qualification, held for 12 months previous to the election. The Legislative Council should be constituted differently.

Hon. Col GRAY—Two years ago I said that the Act then introduced would not be approved. I thought so because it was framed on the model of the Canadian Act, which, I was aware, had not realised the anticipations formed regarding it. I do not wish to say anything in disparagement of the talent or motives of my honourable colleague, who prepared the Bill. His intention was to afford the people every privilege, but I considered that he was going too far, for the Bill proposed to render the upper branch elective on a basis of suffrage as broad as that on which members of this House are chosen. All experience goes to show the impolicy of such action. We have our contests in this chamber, and sufficiently numerous and embittered they are; but what, I ask, would be the result if we introduced into the other branch of the Legislature similar elements of discord? Nothing but confusion would arise, impeding the public business. In Canada a strong feeling of antagonism has arisen between the Legislative Council and the House of Assembly, and that is principally due to the electoral qualification of the constituencies. With reference to the period of residence, which is to form one of the requisites of a candidate for a seat in our Legislative Council, the Secretary of State does not specify any term. He merely refers to it in general terms, while noticing the several qualifications in the Bill as sent to England. He does, however, state that the candidate should be a resident of the Colony, and it is for us to settle the term of residence which shall be required. In approaching this question, I have but one motive—the benefit of my native land; and my sole desire is to elevate the social status of my fellow-countrymen. I wish to afford them every opportunity of qualifying themselves for the occupation of expanded spheres of usefulness. When, ten years since, I returned to the Island, after an absence of twenty-five, I heard the complaint that the party known as the Family Compact, were in the habit of thrusting half-pay officers of the army or navy into public situations, to the exclusion of natives of the Colony. I disapprove of such a course, and I cannot but express my surprise that the leader of the opposition should not manifest a desire to elevate the position of the natives of our common country. In a question involving that consideration party differences should find no entrance, and we should be in unison. I would be the last man in the country to say aught in disparagement of gentlemen who have passed portions of their lives in the service of their Sovereign, whether in the camp or in the council. I would extend to them every reasonable inducement to take up their abode with us, but I must express the coincidence of my opinion with that of the hon. member, Mr. Hensley, that a certain period of time is requisite to enable a stranger to acquire that knowledge of the peculiar circumstances of the Island, without which he would not be qualified for the duties of a legislator. Allusion has been made to a certain individual whom I do not intend to name, but of whom the last that I heard, was that he had embarked on a Railway speculation in Russia. I have heard that he came here as the ostensible owner of some 80,000 acres of land, and that he made such a display of wealth, that he would scatter money from the windows of his carriage. The reality of his position became apparent after a short time; yet, if the Legislative Council had been elective, and the term of residence fixed, as proposed by the amendment, that individual would have been eligible to a seat after spending three years in the Colony. A specious,

well educated man, he imposed on many, among whom were members of the legislature. I ask how members who differ from my views as to the necessary residence, what position any constituency would be placed in who should have elected such a person to represent them? I am not wedded to the particular period of five years, but I think it an act of wisdom to provide that the people shall have the guarantee of a candidate's intention of remaining in the Island. A shorter period will not give the same security, for I have known many instances in which parties arrive at the Island with the intention of settling here, but after a year or two they have changed their minds in consequence of the *des agrements* necessarily involved in a novel state of social institutions, and they have left the Island, preferring the land to which they were attached by life long associations.

Hon. Mr. PERRY—I am opposed to specifying any particular period of residence, and as I read the Despatch, the Secretary of State does not suggest any limited time. I entertain no apprehensions that the people of the Island will elect parties to the Council who have no stake in the country. The hon. member for the City, Mr. Beer, may choose to characterise the Acadian portion of the population as ignorant Frenchmen; but I can tell him that they are not so ignorant as to accord him their support. It would be as well for that hon. member to withhold the expression of such disparaging opinions, and I, as a representative of the class referred to by him, cannot allow his remarks to pass unnoticed, and I trust that in future he will confine his observations to the legitimate subject of debate. I support the amendment, as a residence of three years is quite sufficient to qualify a candidate on the score of local knowledge. There is no danger of the people electing a mere stranger. Their intelligence is a sufficient safeguard against imposition.

Hon. Mr. McAULAY—I would ask the hon. member, if he requires no fixed term of residence, what might be the result if the people should elect a man to the Council who might be at the time resident in Hong Kong or Loo-Choo, and who should decline the honor conferred on him.

Hon. Mr. PERRY—If the people should be so foolish as to elect a party resident in either of the places named, they would display a greater amount of ignorance than that which the hon. member, Mr. Beer attributed to the French.

Mr. BEER—I did not allude to the parties as being either French or of any other nationality. My observations were made in reference to the conduct of certain parties who had been duped by others, and had been induced to pass resolutions at public meetings, adverse to their best interests, and the term "ignorant" was used by me merely to convey the idea that they did not understand their true interests.

Mr. DAVIES—I am in favor of opening up as wide a field of selection to the people as possible, for they are the best judges. If they consider that they have a resident qualified to represent them in the Council they will elect him. If otherwise, there is no reason why we should prevent them getting a member out of the district. I consider that a residence of three years duration is quite sufficient for a man to decide upon his intention of taking up his permanent abode in the Island. With reference to the property qualification, my individual opinion would induce me to prefer an amount larger than that proposed in the resolution; but I have no wish to obtrude my views on that subject upon the majority. I have no doubt that the Act as originally passed by the House would be sanctioned at the Colonial Office. The Duke of Newcastle does not object to the application of the elective principle to the Council, he merely suggests alterations which he deems to be improvements. The remarks of the hon. member, Mr. Owen, as to the comparative gullibility of the inhabitants of Charlottetown and the country parts of the Island, are not warranted by facts, for some years ago a party was elected to this House, by a large majority on the promise of a speedy and satisfactory settlement of the questions of the Fishery Reserves and the proprietors' titles,

Hon. Mr. LONGWORTH—The debate has taken so wide a range that I do not intend to follow hon. members in the erratic course which has characterised a great portion of this discussion, but shall briefly express my assent to the views expressed by the Secretary of State in the Despatch before us. That document embodies principles so sound that it ought to carry conviction to the minds of all. I do not read it as some, who argue that the Duke of Newcastle has expressed an objection to the specific term of five years as the period of residence necessary as one of the qualifications of a Legislative Councillor. He merely recapitulates the main features of the Bill then under his notice, and subsequently gives his own views. Several hon. members argue that, because no period of residence is specified in the Despatch, none should be required. It is not to be supposed that the Secretary of State intended that the transient visitor to our shores, it may be from Russia or Austria, should at once be qualified to ascend the hustings and discharge the functions of a Legislator in the Colony. He says that he would require that a candidate should be a resident and a British subject. If we coincide with his opinion, it becomes our duty to define the period which shall entitle a man to be considered a resident, for the purposes of the Bill. The constitutional theory of a Legislative Council is that it should form a barrier between the Crown and the people—that it should preserve the balance, lest at any time the former should encroach on the liberties and privileges of the latter; and, on the other hand to protect the prerogative from the improper action of popular impulses. The efficient discharge of such functions requires the exercise of judgment and the possession of experience, and is it possible that these qualities can be manifested, save by parties who may have made themselves acquainted with the people and their institutions? As to the period of residence to be fixed in the Bill, it should be borne in mind that we are about to make a law of general application, and that although three years may suffice to enable a fellow colonist from Nova Scotia or New Brunswick to obtain sufficient information about our Island affairs, yet that period would be inadequate in the case of a citizen of the United States, or of a man coming out from Europe, where the political institutions among which his life had been spent bore no analogy or resemblance to ours. In the United States, notwithstanding the democratic element which underlies their constitution, a previous residence of 9 years is required of a candidate for a seat in the Senate Chamber. The law of self-preservation requires that we should not allow youth and inexperience to usurp the place of matured judgment and practical knowledge in our legislation. If, as some hon. members assert, residence is not a preliminary requisite, I would rather abolish the Council altogether; for what sort of Upper Chamber would we have if it were liable to be composed of the stranger and the sojourner? In my opinion five years are not unreasonable, and consequently, I shall support the clause.

Hon. SPEAKER—I regret that the amendment I proposed should have given rise to so protracted a debate. I differ with the hon. member who has just sat down, in the argument he would draw from the supposed case of a foreigner seeking a seat in our Legislative Council. He should bear in mind that the Duke of Newcastle expressly requires that a candidate should be a British subject. My object in moving the amendment was to give effect to what I conceive to be his views, for it seems to me that, he does object to the term of five years, and therefore I thought that as he required residence in the Colony, the more brief period of three years would receive his sanction. To meet the cases of foreigners it might be as well to introduce a special clause adapted to them.

After some allusions of a personal nature, the question was taken on the amendment proposed by hon. Speaker, when there appeared, for it—Hons. Messrs. Perry, Whelan, Coles, Thornton, Speaker, Wightman, and Kelly; Messrs. Owen, Davies, Cooper, Sinclair, and Sutherland. Against it—Hons. Messrs. Hensley, McAulay, Yeo, Gray, Longworth, Haviland and Pope; Messrs. Ramsay, Douso, Montgomery, Beer, Howat, and John Yeo.

SATURDAY AFTERNOON, March 22.

Committee resumed on the despatch of the Duke of Newcastle respecting elective Council Bill of last session.

Hon. Mr. HAVILAND—Mr. Chairman, I have rested the most important principles of the Bill which is to be introduced; but I desire to table one more resolution. This I do on my own responsibility, and the principle which it contains will be an open question. I will read the resolution:—

“Resolved, That Elective Legislative Councillors shall, under the same circumstances as members of the House of Assembly, be subject to the laws for vacating their seats upon acceptance of offices of emolument.”

I entertain the opinion that if ever elective Councillors accept office they ought to be equally bound with members of the lower House to go back to their constituents. We know that one of the objections to the departmental system is that the principle of appealing to the people for their approval is of no force as far as the other branch of the Legislature, as at present constituted, is concerned. To talk of responsibility in such a case is absurd. We think that this Bill should provide for any emergency which may arise, because, we know, Sir, that there are persons in this House who maintain that members of the Legislature should not be prevented from holding offices of emolument; and as we are legislating for the benefit of those who come after us as well as for ourselves, I move the resolution which I have just read.

Hon. the SPEAKER—I second the motion, and may state that I think there can be but little opposition to the resolution from hon. members on either side of the House. I shall be prepared to give it my hearty support.

Hon. Mr. McAULAY—There are many principles involved in sending back a legislator to his constituents on accepting an office of emolument. The main intention is to see if the appointment of the Government be approved of by the people; but one constituency out of five or ten cannot test the opinion of the whole people. If an appeal were to be made to the whole country then the test would be complete; but as this is not the case, the principle of the resolution does not seem to be necessary, though it is carried out in Britain. No injury can result, however, from passing the resolution, therefore it shall not meet my opposition.

Hon. Mr. THORNTON—I shall support the resolution, because I think it is based upon sound principle. I am glad that it has come up in this shape before the Committee.

Hon. Mr. LONGWORTH—As this is a resolution of considerable importance, I consider I would not be performing my duty unless I expressed an opinion upon it. In this Island we have recognized the principle in the popular branch of the Legislature, that when any member accepts a Government appointment to an office of emolument he should go back to receive the approval of his constituents; because there may be a reason—and a good reason too, why they should object to his appointment. I think this is a very sound principle; and if we recognize it in regard to this House, it is only fair that we should do the same in regard to the upper branch. It is true that the principle was not contained in the Bill of last session; nor does it find a place in the Canadian Act; but in my opinion should we pass the measure without it, we will in part constitute the Legislative Council an irresponsible body. As the Councillors are to be elected for eight years, should any of them immediately after their election accept office, and their constituencies think that they had done so for their own benefit and not for the good of the country, they might be said to have no opportunity of rejecting them, unless the principle contained in the resolution be included in the Bill. I think if we adopt this principle we will be in advance of all the other Colonies. New Brunswick, Nova Scotia, and Newfoundland, have not acknowledged the elective principle at all, and in Canada the Councillors are not required to go back to their constituents on the acceptance of an office of emolument. Though there are no salaried officers now on the floor of this House, yet we have never repudiated the law which requires members accepting appointments as such to go back to their constituents. All that we say is that there is no necessity for the departmental system, and

that we can conduct the public business as well without it. I shall have much pleasure in voting for the resolution; it is one which can be supported without any party consideration. It has been proposed by my hon. friend the member for Georgetown; and he deserves credit for bringing forward the subject.

Hon. Mr. McAULAY—I rise to compliment my hon. colleague the proposer of the resolution. He indeed deserves credit for bringing it forward. Members of the Legislative Council will be elected for a longer period than those of this House, and during that time there may be a change of administration; therefore it is but proper that Councillors accepting office shall go back for the approval of their constituents. In all the views I can bring to bear on the resolution, I have come to the conclusion that the principle which it contains is not only useful but necessary.

Mr. SINCLAIR—I am glad that the hon. member for Georgetown has found some argument in favor of the resolution. At first he did not appear to think it would be any benefit at all, as the whole country could not give their voice in the matter. And now he seems to consider that if a change of government should take place, the members of the Council will be allowed to retain their offices. I am of opinion that when there is a change of government, the Councillors will have to give up office as well as others. I, however, have no objection to the resolution; on the contrary I think it quite proper that members of the Council should go back to their constituents on the acceptance of office.

Hon. Mr. McAULAY—I am sorry that the hon. member has not understood my argument; I, however, do not consider it necessary to waste words upon him.

Hon. Mr. COLES—I think it is difficult to understand the argument of the hon. member for Georgetown, because when he first spoke on the question, I certainly thought he was reasoning against the resolution. I was rather surprised when I ascertained that there was no clause of this kind in the Bill of last Session. I am happy to think that the suggestion which I made yesterday has been acted upon; and I shall cheerfully give the resolution my support.

Hon. Mr. POPE—I am happy to think that a resolution can come from this side of the House, which the hon. leader of the opposition will support. I am in favor of the resolution, and as we appear to be all agreed on the subject, I do not see any necessity of continuing this discussion.

Mr. HOWAT—As I do not approve of the resolution I may be permitted to say a few words. For my part I never was in favor of having officeholders in the Legislature, therefore I will oppose the resolution, because voting for it may be said to be a recognition of the principle. It is known that at the last election the voice of the country was against the departmental system, and bringing in the resolution seems to be a backward move.

Hon. the SPEAKER—I think the hon. member from Tryon is arguing against himself, because if a clause of this kind were inserted in the Bill, a Councillor on taking office would require to go back to his constituents, who might reject him. But suppose the law is left silent on the point, and a party should come into power favorable to the departmental system, a Councillor might accept office and hold it for eight years in defiance of his constituents.

Mr. HOWAT—The hon. the Speaker, I think, has misunderstood me. I do not wish to recognize the principle at all; but would rather be in favor of passing a law to exclude officeholders from the Legislature altogether. Indeed I believe there is some dissatisfaction in the country that the law in regard to salaried officers holding seats in this House, has not been repealed.

Hon. Mr. POPE—The reasoning of my colleague, I think has not changed from what he first argued. Still I think the principle of members of the House holding offices is generally recognized in the country. True, the people object to filling the Legislature with officeholders; but if this clause was not inserted in the Bill all the members of the Legislative Council might take office without the consent of their constituents. If the hon. member for Tryon does not desire to recognize the principle of officeholders being in the Legislature, he will not

gain his point by opposing the resolution before the Committee; but to carry out his views he should move a resolution to exclude them altogether.

Mr. BEER—I purpose to support the resolution before the Committee, as I think it is the only safe course for us to adopt. We know that there was a great number of officeholders in this House under the late Government, and one voted in support of the other. The present Government have perhaps gone to the opposite extreme by excluding them altogether. I think the principle of the resolution is the only safe one, for there is a possibility that the Legislative Council might become crowded with officeholders if the law did not provide against it.

Mr. HOWAT—I agree with the last Speaker that there is danger the Council might become filled with officeholders; and as I think the only safe plan is to prevent it altogether. I shall submit the following resolution in amendment to the other before the Committee. [The hon. member here read a resolution to the effect that any member of the Legislative Council who might accept an appointment to an office of emolument, should not be allowed to retain his seat in that body.]

Hon. Mr. COLES—The hon. member for Charlottetown, Mr. Beer, likes to sneer at the late Government respecting the number of officeholders they had in the House; but I insist, as I stated the other day, that there are more officeholders in the present House than in the last,—and he is one of them. The hon. member for Tryon is perhaps a little more consistent; and because he is opposed to the principle of members of the Legislature holding office, he has moved a resolution in accordance with his views. But, sir, such a clause in the Bill is absurd, and would only be laughed at at the Colonial Office.

Mr. BEER—I shall oppose the resolution submitted by the hon. member from Tryon, because it is contrary to the principle acted upon in all the other Colonies; and because I think if a clause to that effect were inserted in the Bill, it would not meet the approval of the Duke of Newcastle. The resolution proposed by the hon. member for Georgetown does not say that any officer shall be in the Council, but only that if a member of that body accepts an office he must return to his constituents.

Hon. Mr. LAIRD—I rise to second the resolution proposed by the hon. member for Tryon. When the present Government came into power it was understood that we should keep officeholders out of the House; and no objection was taken to our course by the Colonial Minister; he said we were to carry out the well understood wishes of the people. I think, then, that it is our duty to exclude officeholders from the Legislative Council under the proposed Bill.

Hon. Mr. POPE—I see no necessity of inserting such a clause in the Bill as is proposed by the hon. member for Tryon; but I give my colleague credit for sincerity in advocating his view. With regard to my own opinion on this subject, I always considered it was not prudent that the Legislature should be crowded with public officers. The correctness of this view was seen in the case of poor Mr. Clark who voted one day, and then turned round and repudiated that vote the next, at the dictation of the hon. leader of the late Government. When I came forward to oppose Mr. Lord at the time he was appointed to the Land office, it was well known that I was not opposed to the Colonial Secretary and the Attorney General being on the floor of this House. And I think that the present Colonial Secretary, and I say though this he is my brother, ought to be here where he could meet any attack made against him, for, sir, we know that there are persons base enough to assail those who are not in a position to defend themselves. I am, however, of opinion that it is far better to exclude officeholders from the Legislature altogether than it should be crowded with them; but I would not be opposed to the Colonial Secretary and Attorney General having seats in the Legislature, either one in each branch, or both in this House. It is not fair that those who have to devote so much of their time to public affairs as the leader of the Government, should not be remunerated. When parties come to Town on business that has to be laid before the

Government, to whom can they go but to the President of the Executive. But I would oppose any member of this House holding a departmental office during the present Assembly, for the most, if not all, of the majority were pledged to that at the last general election. I, however, will not pledge myself for the future to exclude all holding such offices from the Legislature; not that I care for myself, for irrespective of my pay as member of this House, I never received a shilling out of the public funds, and never expect to. It is my opinion that if officers must be excluded from the Legislature, the President of the Executive Council should be paid for his services; but even this I would oppose during the present Assembly. I do not think any good would result from passing the amendment of my colleague; we know not what may be the principles of those who come after us, but we may expect that if the opposition party come into power, they will immediately repeal this clause if it be inserted in the Bill.

Mr. DAVIES—I am in favor of the amendment, but I admit that there is a great deal of force in the argument of the hon. member for Bedeque, that those who have to transact so much public business should be rewarded; yet there is danger of carrying the principle too far of permitting members of the Legislature to accept offices. I, however, am in favor of having two departmental officers in this House; but the country at the last election turned against the principle altogether, owing, I believe, to the manner in which Mr. Clark was snuffed out by the hon. leader of the late Government. (Laughter.) I think that the majority of the people are now prepared to see some modification of the departmental system, and would not object to two or three members of this House holding office. But I do not consider there is any necessity to allow members of the Upper Chamber the same privilege; therefore I will support the amendment.

Hon. the SPEAKER—It would be very selfish on the part of this House to permit some of its members to hold office, and deny that privilege to the Councillors. I think that to introduce such a clause in the Bill as is proposed by the amendment, would have the effect of defeating the measure. The first resolution I consider affords a sufficient check in regard to Councillors holding office.

Hon. Mr. PERRY—I shall have much pleasure in supporting the first resolution, for I think it is carrying out the principles of responsible Government. I agree with the hon. the Speaker that it would be very selfish on the part of this House to exclude officeholders from the Upper Chamber. There appears to be a difference of opinion among the members of the Government whether there should be two or three members of this House permitted to take office. They seem now to see the necessity of having officers here,—that they cannot well carry on the business of the country without the departmental system. I believe that the amendment of the hon. member for Tryon would be the means of defeating the Bill.

Hon. Mr. COLES—It appears that a discussion can be kept up without the leader of the Opposition, though he generally gets the blame of wasting the time of the House. Sir, I agree with the Government, or rather with that part of the Government, who think it would be unfair to exclude officeholders from the Council. We have had all the old story about poor Mr. Clark brought up again, and also that in regard to so many officers being in the late House. Mr. Clark voted one night, and upon reconsidering the subject, changed his opinion, and gave an explanation the next morning; but, sir, the hon. member for Bedeque should be the last person to say anything of the matter, for on one occasion, the hon. the leader of the Government gave him such a look that he changed his opinion right away without

waiting till the next morning. As regards the hon. member for Tryon, I suppose he thinks he shall soon have to go on those terrible hustings again, and so must get up the old story about officeholders in the Legislature.

Mr. COOPER—It is well known that the members of the Opposition are in favor of the departmental system; they had then better withdraw, and allow the supporters of the Government to decide the question in regard to the two resolutions before the committee. (Laughter.)

Hon. Mr. HAVILAND—I would ask the hon. member for East Point, whether the members of the Opposition were ever desired to vote on the question. What I intended by the resolution was to make the machinery of the Bill as perfect as possible—to make it so that it would work now, and also through all the changes of government that might take place. It would be unfair for this House to dictate to those who may come after them, whether departmental officers should or should not sit in the Legislative Council. Whatever my own opinion may be of the departmental system, my object in bringing forward the resolution was to make the Bill as perfect as possible.

Mr. HOWAT—I am bound to represent the opinions of my constituents. The hon. leader of the Opposition may consider them as nothing; but I can tell him that I have one of the most intelligent constituencies in the Island, and that if I carry out what I advocated before I came to this House, I will not have much to fear.

Hon. Mr. LONGWORTH—I shall oppose the amendment, because we do not know what change may take place in public sentiment before long. To insert a clause in the Bill that no member of the Legislative Council should hold office, would, I consider be an arbitrary act on our part. At present it is the will of the people that there should be no officers on the floor of this House; but I would not tie up their hands. If they choose to return to the departmental system, let them do so; we should not legislate to prevent them. I was struck with the remark of some hon. member that persons in this House should be allowed to hold office, but not Legislative Councillors. This I consider a selfish view of the question. If we adopt the amendment, we will introduce an anomaly under British rule. I am prepared to vote against it, and to justify my conduct for so doing before any constituency in the Island.

After one or two had spoken who had before addressed the Committee, the question was taken on Mr. Howat's amendment.

For it—Messrs. Howat, Davies, Montgomery, Hons. Messrs. Laird and Yeo—5.

Against it—Hons. Messrs. Haviland, Longworth, Pope, Perry, Thornton, Coles, Kelly, McAulay, Wightman, Speaker; Messrs. Cooper, Sinclair, Sutherland, Owen, Ramsay, Douse, Beer—17.

The original resolution proposed by Hon. Mr. Haviland was then agreed to.

The Committee arose and the chairman reported three resolutions. When the first resolution—that in reference to the qualification of electors—was read, Hon. Mr. Coles moved to amend the same by inserting £50 in lieu of £100.

Yeas—Hons. Messrs. Coles, Thornton, Perry, Wightman, Kelly; Messrs. Owen, Cooper, Sinclair, Sutherland—9.

Nays—Hons. Messrs. Haviland, McAulay, Longworth, Laird, Pope, Yeo; Messrs. Holm, Davies, Howat, J. Yeo, Douse, Ramsay, Montgomery, Beer—14.

When the second resolution was read, Hon. Mr. Coles moved to amend it by striking out the word "five," and inserting "three" in lieu of the same, respecting the number of years a candidate should be resident in the Colony.

The amendment was lost 10 to 13—the same division as the other, except that Mr. Dayce voted for the motion.

The third resolution was agreed to without a division.

A Committee consisting of Hon. Messrs. Haviland, Longworth and Pope—was then appointed to bring in a Bill pursuant to the above reported resolutions.

Hon. Mr. Kelly presented a petition from inhabitants of Dramore settlement, Lot 37, setting forth that the Board of Education, last year, sanctioned the establishment of a school district in their settlement, but that the Government declined to confirm the same, and praying the House to make such order in the case as it might deem right. Referred to the Special Committee on Schools and Education.

Hon. Mr. Yeo presented a petition of divers inhabitants of Summerside and vicinity, setting forth the damage which would accrue to the petitioners if a certain road were opened as prayed for in another petition. Referred to Committee on new roads.

Adjourned.

MONDAY, March 24.

Hon. Mr. Parry presented a petition of Flora Drolet, female teacher, setting forth that in the month of November last, she opened a school at Tignish, and has learnt, with much surprise, within the last few days, that there is no provision in the School Act for female Acadian teachers, and praying a grant of the usual amount paid to Acadian teachers for three months' services. Mr. Parry moved that it be referred to the Special Committee on Schools and Education.

Hon. Mr. Haviland moved in amendment, that the petition be withdrawn by the Hon. Mr. Perry. When the question was put, the division being 12 and 12, the Speaker gave his casting vote in favor of the amendment.

Hon. Mr. Perry presented a petition of Thomas G. Ruggles and others, setting forth the urgent necessity for a Light-house on North Cape; but that the present depressed state of commerce and finances will not justify the erection of so valuable a desideratum, and praying for a small grant to remunerate Mr. Daniel Petrie for placing a light on the edge of the Cape last season, and further that the bearings of the light be taken by competent parties, and be duly advertised in the Colonial and other newspapers. The hon. member moved that the petition do lie on the table.

Hon. Mr. Haviland moved in amendment that the petition be withdrawn by the Hon. Mr. Perry, which motion was carried 22 to 2,—Messrs. Perry and Conroy, only voting against it.

Hon. Mr. Haviland presented a petition of Robert T. Roach, John Goff and others, clergymen, Justices of the Peace, Merchants, Farmers and other inhabitants of Georgetown and vicinity, praying a grant in aid of the steam ferry-boat, which it is in contemplation to place on the harbour of Georgetown, and to ply semi-weekly to and from Montague Bridge, St. Mary's Bay wharf, Brudenell River wharf and Cardigan River wharf, north. The hon. member moved that the petition do lie on the table. He said it was unnecessary to make a speech in favor of the motion, as the same arguments that would apply in reference to a steamer on the Hillsborough, would equally apply respecting one on the river at Georgetown.

Mr. HOWAT said the people of Georgetown appeared to want a grant for everything. They applied the other year for a grant towards a steamboat to run to Pictou and all round, and could make no use of her. And now they were endeavoring to obtain a grant for a steam ferry-boat; but he

expected though they should receive it, the whole affair would "end in smoke," as did the other. They also asked for a grant to aid in purchasing a fire engine, and never were able to make any use of the money.

Hon. Mr. HAVILAND—It was very well for the hon. member to oppose the petition, when he had got his dredging machine provided for by Act of parliament. Georgetown had never received much, in fact scarcely anything of which he was aware. But he (Mr. H.) did not look upon this as a Georgetown affair; it belonged to the county. The petition was respectably signed, and by a number too residing in the third and fourth districts.

Mr. OWEN said he was not in the habit of opposing petitions; but if ever there was a visionary scheme proposed in a petition, this was one. It was contemplated to run the steamer to Cardigan, but this would be out of the question, as she was to have so many other places to go. If a boat of that description was to be of any benefit, it would be in running principally between two given points. The proposed scheme, he considered altogether visionary, and thought it would be squandering the people's money to give a grant for such a purpose. He moved that the hon. member have leave to withdraw the petition.

Hon. Mr. THORNTON rose to corroborate the views of his colleague.

Hon. Mr. McAULAY remarked that some hon. members did not appear to wish the petition to be heard, but he was bound that it should be heard. (Laughter.) The hon. member for Tryon opposed it, after he had got his harbour at Crapaud dredged at the public expense. Steamboats were the order of the day; the people of Queen's County had two on the Hillsborough, and why should the people of King's County not have one on Three Rivers?

Hon. Mr. WIGHTMAN would not object to the petition; he would like to see a steamboat there; but he understood that the boat intended to be placed on the river, was the one which had been on the Hillsborough, and if she was incompetent to perform her part on this river, she would be also unfit for the river at Georgetown. He would not oppose a grant of money, but hoped that the Government would see that an efficient boat was procured.

When the House divided on Mr. Owen's amendment that the petition be withdrawn, there appeared for it: Messrs. Owen, Howat, Sinclair; Hon. Messrs. Laird and Kelly—5. Against it—Hons. Messrs. Haviland, McAulay, Hensley, Wightman, Coles, Longworth, Pope, Yeo, Gray; Messrs. Conroy, Cooper, Holm, Davies, J. Yeo, Bear, Ramsay, Montgomery, Sutherland and Doyle—19.

Mr. Conroy then presented two ordinary road petitions.

Hon. Mr. Haviland, a member of the Executive, presented to the House a receipt for moneys disbursed by His Excellency the Lieut. Governor, on account of the Land Commission, and also a memorandum of warrants issued on the 16th and 28th May 1861, on account of the same Commission.

HOUSE IN COMMITTEE ON THE AWARD, &c.

The order of the day was then taken up for the House in Committee on the consideration of the Despatch from the Secretary of State to Lieut. Governor Dundas, dated "Downing Street, 7th February, 1862," together with a copy of the report of the Commissioners appointed by the Queen to inquire into the differences relative to the rights of land-owners and tenants; Mr. Sutherland in the chair.

Hon. Col. GRAY—Mr. Chairman, with respect to the matter which is now before this hon. committee I have a resolution to offer; but before doing so permit me, Sir, to make

a few observations. Sir, when I first moved for an inquiry into the relations between landlord and tenant, I did so with the impression that my motion would be supported by both sides of the House; but I have been sorry to observe that some hon. members consider this a party question. I regret that they have not deemed it their duty to legislate so as to secure the greatest good for the greatest number. Never shall I allow myself to oppose any measure which seems to be for the good of the country, though introduced by a political adversary. While several members opposite have shown a great amount of hostility to the settlement of this question, others have supported my endeavors on behalf of the people; and to these I must express my gratitude. I am sorry that efforts have been made to stir up the minds of the people against the Award, for any share of ingratitude on the part of the tenantry must have the effect of damping the zeal of those persons who may be stepping forward to maintain their cause. But I am happy to testify to the good conduct of the people wherever appeals have been made to them against the Award; in such cases they have generally administered a rebuke to those who denounced it. The award of the Commissioners appointed by Her Majesty is now before us. This is enough for me to say on a subject which is worn so threadbare. The Award speaks for itself, and no amount of declamation will either strengthen or weaken it. It is an accomplished fact; and the Right Honorable the Secretary of State for the Colonies having directed it to be laid before the Legislature at its earliest meeting, it now remains for hon. members to take such steps as they may deem meet. I will now read the resolution which I submit:

"Whereas, the House of Assembly in Session convened, in accordance with the Despatch received from His Grace the Secretary of State, dated "Downing Street, 21st March, 1860," on the subject of the proposed appointment of a Commission of Enquiry for the arrangement of the long-pending disputes between Landlords and Tenants in this Island, did, on the 14th day of April in the same year, agree and bind themselves, on the part of the Tenantry, to concur in the Award of the Commissioners to be appointed by Her Majesty, or the majority of them; and whereas,

"Her Majesty was graciously pleased under Her Royal Sign Manual, on the 25th June, 1860, to issue Her Royal Commission, appointing Commissioners, who proceeded to this Island, and opened their Court; and having discharged the duties confided to them under Her Majesty's Commission, did make their Award and submit the same to Her Majesty; and whereas

"His Grace the Secretary of State having forwarded a copy of the aforesaid Award to His Excellency the Lieutenant Governor, for the purpose of being laid before the Legislature as soon as possible after its meeting.

"THEREFORE RESOLVED, That this House in fulfillment of its pledge, do now introduce a Bill to confirm the Award in all its provisions."

Mr. DOUSE—I should like to ask the hon. leader of the Government if he does not think it proper that the minds of the people should be satisfied as to whether the Award is to bind all the proprietors, or only certain persons who signed their names to a paper. It seems to me a strange proceeding if the report of a Commission appointed on account of Sir Samuel Cunard and one or two others, should be made to effect all proprietors. It must be a source of great satisfaction to all parties, Sir, should this land question be now settled in some way. I have been in the Legislature for 20 years, and I think I have served my time to this question. But whether the decision come to by the Commissioners will settle the question or not remains to be seen. It appears to me they have taken a very wide range, for they have drawn in parties who have had nothing at all to do with the Com-

mission. I have often heard the quit rent question and the escheat question discussed, and resolutions passed respecting them, but to use my own adage they have "all ended in smoke." And, Sir, the decision of the Commissioners does not give satisfaction. I agree with the Duke of Newcastle, that the arbitration clause must cause endless agitation. I do not wonder at the tenantry endeavouring to get the opportunity to purchase their lands on easy terms; I must say that I myself would never pay rent if I could help it. (Laughter.) But we need never expect to acquire property in any other way than by our own industry—at least that is the manner in which I obtained mine. I got it honestly, and have always paid 28s. to the pound. I am aware of the difficulties the Commissioners had to contend with in bringing their investigation to a termination, but I consider their decision unfair. I know of tenants who are in arrears of rent to a large amount, but this is owing to improvidence; consequently, I think it injustice that industrious and thrifty tenants should not be remunerated for paying their dues to the proprietors, while those in arrears are to be let off with three years rent. Some members of the Government, in their zeal to set everything right, seem to me to have made exaggerated statements. I will refer to a paragraph which appeared in the last Islander.

Hon. Col. GRAY—Is it proper to read paragraphs from newspapers in this House?

Mr. DOUSE—Here it is. (Laughter.)

Hon. Col. GRAY—I have no desire to shirk the matter.

Mr. DOUSE—It was a remark made by an hon. member on this side of the House, respecting which a question was asked by Mr. Doyle.

Hon. Col. GRAY—I submit that if my colleague is going to read the speeches of hon. members, he should do so from the Parliamentary Reporter.

Mr. DOUSE—What I wish to read is the latter part of a speech of Hon. Col. Gray's, on the 25th page of the Reporter. It is as follows:—

"We asked for the tenant an opportunity to purchase on fair terms, and the Commissioners have declared that no proprietor shall demand more than 20s. an acre, even for the most valuable mill site, though it may be worth £500."

Now, Sir, I know of mill sites worth a great deal more than £500, but I am sure their owners would not part with them on such terms. I myself have a mill site worth that sum, yet I would be very sorry to sell it at that rate. But it may be said that I am not included among those who are bound by the Award of the Commissioners. Why, then, were my tenants dragged here, and corrupted I should say, because expectations were raised in their minds which cannot be realized? I have provided in all the leases which I have given my tenants that they can obtain the fee simple of their farms at 20 years purchase.

Hon. Col. GRAY—Even mill sites. (Laughter.)

Mr. DOUSE—I have been very jealous about this Commission, and am so yet. The Messrs. Cunard and Montgometry have a right to do with their property as they please, and so have I. I will now sit down to hear what my hon. colleague has to say in reference to this question, and what he expects the country to understand when he says that "no proprietor shall demand more than 20s. an acre, even for the most valuable mill site." I think the hon. member, Mr. Doyle put a question to him very properly, and had I been here at the time, I would have supported that gentleman. Let us; I say, have this matter settled.

Hon. Col. GRAY—I did not expect to be called upon so soon to answer questions. He first asks whether all the proprietors are to be bound by the Award; and then objects to selling this land on such terms as it will fix, as if he intended

to have his estate included under its operation. He has answered the question in regard to mill sites himself, when he says that under the Award these may be had for 20 years' purchase, with the difference, however, of the reduction of ten per cent for ready money. I need not defend the Award of the Land Commissioners, it speaks for itself; but, Sir, I must repudiate such statements, as when the hon. member says that his tenants were dragged before the Commission. Does he mean to say that I did so? I have been accused of something of the same kind by hon. members on the other side of the House, so a person would require to be hardened indeed to stand all the taunts to which he is exposed; but I deny that the tenants of my colleague were dragged before the Commission, either by myself or by the Commissioners. He says that in all his leases he has given the tenants the privilege of obtaining the fee simple of their farms at 20 years' purchase. This, I presume, he says in regard to Lot 31. Now I would ask him if the lands on that estate are not rented at British sterling?

Mr. DOUSE—I am not afraid to answer the hon. member. I love sterling, and British sterling, and sterling men too; there is no humbug about me. (Laughter.) In regard to this matter, I may say that my property is my own; and I am not going to deprive my children of it. If the hon. member wishes my estate for the Government, he can have it; I shall be glad to sell it. I desire to see this question settled. This Island has suffered enough by this agitation; it has been pretty well drilled by Col. This and Col. That, and Captain Cooper. (Laughter.)

Hon. Mr. HENSLEY—I desire to obtain a little information in regard to the resolution before the Committee. Do the Government intend to introduce a Bill to regulate the operation of the arbitration clause, and also the 1500 acre clause? because if so, it might influence the vote of parties on this question.

Hon. Col. GRAY—It is not intended that any details should be introduced into the proposed Bill; but I may state that I purpose before the close of the session to bring in a Bill to regulate the details of the Award. If the hon. member will refer to a despatch of the Duke of Newcastle respecting the former Act passed to confirm the Award, he will find that he says any Act passed by this Legislature might be either too sweeping or too limited; too sweeping if it included persons who had not consented to the reference, and too limited if it failed to make such provisions of detail as were necessary to give practical effect to the general principles laid down by the Commissioners. In the Bill proposed by the resolution, however, we do not intend to include detail. It is only to confirm "the Award, and nothing but the Award," as was remarked by the hon. member for Cardigan, when we were discussing the address in answer to His Excellency's speech. And I hope we shall now have that hon. member's support, as the resolution is to carry out what he appeared to desire.

Mr. DOUSE—The hon. member has not answered my question, whether he considers that all the proprietors are to be bound by the Award.

Hon. Col. GRAY—I will answer my colleague's question if he puts it in writing; but I cannot reply to every little matter; besides the hon. member has already contradicted himself. His question is trivial, because my remarks had a clear reference to those proprietors only who had agreed to the Commission.

Hon. Mr. COLES—It is difficult, Mr. Chairman, to know what the Government intend to do. By the former Bill which was passed to confirm the Award, all the proprietors were to be bound; the Commissioners when they came here acted with that understanding, and last year we were told that that Act was only hung up to dry. Now, Sir, I would like to ask what good is to be gained by the Award unless all the proprietors are to be bound by it; if they are not there will be greater cause for dissatisfaction and dispute than ever. It was said once that a large number of the proprietors had agreed to the Commission; but we have nothing to show here that more than four or five will submit to its decision. We understood that there were more proprietors' names than this signed to the agreement binding them to abide by the Award,

but it appears that the document has gone out of the hands of the Government.

Hon. Mr. HAVILAND—I beg to set the hon. member right; it was never in the hands of the Government. I saw it in the possession of Mr. Cunard, who was obtaining signatures to it. The document I understand is in the Colonial Office.

Hon. Mr. COLES—I am glad that the hon. member has set me right, for I thought that the Government had neglected this matter. But, Sir, it was the intention of the majority to settle this question; that was what was set forth in the resolutions proposed by the hon. member for Belfast. If all the proprietors, however, are not to be included, the question cannot be settled. The Commissioners have passed a very high compliment on the late Government, by saying that they had advocated the best scheme that could be devised for settling the question. The hon. leader of the Government in this House regrets that opposition has been given to the Award outside; but, Sir, it is known that the greatest amount of opposition there, came from their own party; and in regard to this House, I hold myself free to express my opinion on any question that may come up. I desire to know whether it is intended that the Bill referred to in the resolution will confirm the Loan part of the Award.

Hon. Col. GRAY—Certainly; as the hon. member for Cardigan said the other day, the Award, the whole Award, and nothing but the Award.

Hon. Mr. COLES—This is different from what some of the party have expressed on other occasions; but I still doubt whether they intend to agree to the loan. I must remind hon. members that the Duke of Newcastle in the despatch before the Committee, only says that he fears he cannot hold out a prospect for a loan; he does not state that it will not be granted. He also says that he has insuperable objections to the method of arbitration proposed by the Commissioners. If, however, anything can be made out of the arbitration clause, and the loan is to be available, the Award may be some advantage; but the most important consideration is whether all the proprietors are to be bound or not, because if not, it will be a very partial measure. I contend that what the Commissioners state in their report is a censure upon the Government, when they say, "His Grace the Colonial Secretary had been led to believe that the evidence had been collected at Charlotetown, and that the case was ripe for decision. He had been misinformed. No case had been prepared, no evidence had been collected, upon which any arbitrator could have fairly decided the value of an acre of land, or on the interests of the poorest man in the empire." This certainly shows that they thought the Government had not made that preparation which was necessary. The Commissioners no doubt considered the loan the best remedy for the evils of the tenantry in this Island; and in case the Home Government should refuse to guarantee it, the arbitration clause was introduced as an alternative means of settling the difficulties between landlord and tenant. Though the Commissioners entered into the consideration of the quit rent and other questions, still the loan appears to have taken up the greatest part of their attention. They state as their opinion that the Government could obtain the proprietors' lands at 2s 6d sterling an acre. This was the conclusion they came to after all the evidence that they had before them. This rate they seem to say the proprietors should receive, and no more. Again with respect to the arrears of rent, if anything is to be gained by their being given up, it is important that all the proprietors should be bound; but I may say that this Award is not what the country was led to expect; nor is it, I think, what the majority of this House expected; and if all the proprietors are not to be bound by it, we would do well to have nothing to do with the document, for, Sir, it confirms their titles and makes great concessions to them respecting the fishery reserves, the right of the Crown to which they never disputed. This was not a question between landlord and tenant, and I think the Commissioners should not have taken so wide a range as to include it or the quit rent question. In regard to the quit rents, Mr. Thomson, the counsel for the tenantry, and the Commissioners, appear to have differed in opinion, for the former thought they were not remitted.

Hon. Col. GRAY--The hon. member has asked the intention of the Government. I have said that I consider the House is pledged to confirm the Award; and I have also stated that I purpose to introduce a Bill to regulate its details, the principles of which will be made known when the proper time arrives. He says the Government have been censured by the Commissioners for not having evidence collected when they arrived. I maintain that it was the duty of the Commissioners to have sent timely notice when they purposed to open their court on the Island, so that parties who had grievances might have been prepared to come forward; but how could the Government know what was to be brought before the Commission? It is stated that "no case had been prepared." What would have been said had the Government prepared a case? It is known that the leader of the Government has a small estate, and had he and his colleagues prepared a case, the cry of the Opposition would have been that it was got up by the proprietors. No public documents were at hand, we have been told. How could the Government tell what documents would be required in the course of the investigation? But where is the necessity of dwelling on these matters? There is the Award, and there is my resolution; let hon. members vote against it if they choose.

Progress was reported, and the House adjourned.

MONDAY AFTERNOON, March 24.

Hon. Col. Gray presented a petition from certain inhabitants of Lots 50 and 57, complaining of fraud and imposition arising from the use of Fairbank's Platform Scales, used in weighing agricultural produce, and praying protection. Laid on table.

Committee on the Award of the Land Commissioners resumed.

Mr. COOPER--The inhabitants from the country are very desirous to know something of the Award. The case is so complicated it is difficult for them to understand it, and whatever is said on the subject ought to be to inform and not to mislead them. In the first place, they ought to know that this is not the Award. I have given my opinion, on a former occasion, that the evidence is undergoing an investigation by officers of the Crown, in order to prepare a just Award fit to receive the Royal assent. It should be borne in mind that Her Majesty's Government have been desirous for years that some arrangement should be made for the settlement of the tenantry. And the Liberals, when in office, having been disappointed in the promised Loan by a change of Ministers, were unable to carry out a settlement by the Land Purchase Act; consequently when the proprietary interest obtained the Government, they were compelled to propose some measure for the settlement of that long pending question. But, like all forced work, they commenced with a bad grace. The first resolutions, proposing a Commission to settle the question, could not be entertained; because the Commissioners were not authorised to enquire into the titles or the rights of either party. They were only to negotiate with the proprietors for a remission of some arrears of rent, and learn from them at what price they would sell the freehold to the tenants. Consequently, a proposal for a Commission, to be bound by such restrictions, could not be recommended to Her Majesty. But when the resolutions, with such objections, were sent to the principal proprietors, they proposed three arbitrators, one for each separate interest to investigate the case, who were then commissioned by Her Majesty "to enquire into the differences now prevailing relating to the rights of landowners and tenants, with a view to the settlement of the same upon fair and equitable principles." Now, to understand those parts of the Report which are called Awards, it should be borne in mind that the Commissioners were not authorised to enquire into the differences between Crown officers and the tenants, nor propose an adjustment on that score. It was not expected or required of the Commissioners that they were to give a final decision; they were to enquire into the rights of parties. That is, they were to obtain evidence in relation to the rights of landowners and tenants, with a view to the settlement of the same upon fair and equitable principles. But in the

course of the enquiry the Commissioners found that the differences originated from Colonial Ministers extending indulgence to persons holding over forfeited lands, which enabled the holders to demand a rent for the wild lands, although the titles had been forfeited over and over again. But as the Commissioners had no authority to say how far such officers had overstepped their duty in granting indulgences, or to recommend a remedy at the cost of the Crown for the wrongs which had resulted from such indulgences, they could only state the facts of the case, as given in evidences, and leave it to the Imperial Government to repair the errors of their former servants. Therefore, the proprietors holding the lands and fishery reserves included by indulgence from Colonial Ministers, the Commissioners had no authority to dispute such indulgence, and consequently could not deprive the proprietors of their rents. Therefore, it could only be to save appearances that the Commissioners recommended a loan to buy up the proprietors claims, and proposed arbitrators to value the land as between proprietors and tenants. But the Imperial Government are under no necessity to adopt such expedients for the settlement of the Land Question, when they can put an end to the indulgence and do justice to all parties. Now, although the Colonial Minister has not approved of the Award, he has expressed his approval of the investigation in the most flattering terms, as follows, viz: "I am desirous at the same time to express my appreciation of the pains-taking, able and impartial Report, which the Commissioners have furnished--a Report which must derive additional weight from its unanimity, and which is the result of an investigation so complete, that it has exhausted the materials for enquiring into the facts of the case. The difficulties that remain are those which are inherent in the subject, and which have for a long course of years baffled every attempt at solution." The Colonial Minister admits that for a long course of years the Government have been baffled to solve the differences existing between landlord and tenant. But with such evidence before them, we may rest assured they will be baffled no longer, when they are now enabled to settle the question. I have always been of opinion that our differences should be settled by the Imperial Government, and as I understand the Report and despatches they have reserved that duty to themselves, and, no doubt, will perform it in due time. I see no room for our interference with this copy of the Report beyond recommending patience to the people.

Hon. Mr. YEO--I, for one, am willing to part with my property on the terms fixed by the Commissioners, although there is no legal obligation on me to do so, and I wish that other proprietors would follow my example. As to the mode of arbitration, first, we should pass this bill, and then, if the people choose, they may try to obtain it by a separate measure. I am willing, and have told my tenants that I am prepared, to sell at 16s per acre, and allow a reasonable time for payment. I have reason to believe that the proprietor of Lot 16 will sell out, and I would buy the estate if it can be got on such terms as will enable it to be resold to the tenants at reasonable rates, and I think Lot 9 could be got in the same manner. Unless some hon. members merely desire to keep up agitation for their own purposes, they will support the resolution.

Hon. Mr. POPE--In my opinion the majority of the House have not much choice in the matter. We are bound in honour and by every consideration of good faith, to carry out the Award. The House assented to the submission after the Colonial Minister had stated that it was necessary that we should, as representing the tenantry, do so. The question at present is not whether all the proprietors are bound to accept the Award, and a separate Act can afterwards be introduced on the subject of the arbitration. If this House tampers with the Award, the proprietors can say that, as the Legislature did not comply with it, they are not willing to abide by it. The minority are as much bound as the majority, for the submission was the Act of the Legislature, and we are as much obliged to accept the Award as any party to a private arbitration. It is consistent with the terms of the submission. We should take it as it stands, and at a future period endeavor to carry out the arbitration and other matters connected with the question. It would be unfair and dishonorable to expect to

hold the Duke of Newcastle and the proprietors to the Award, and deviate from it ourselves. The British Government, the landed proprietors and the people of the Island, through their representatives, are equally under obligations to accept the Award, and, if we tamper with it, we will most probably lose all the benefits it proposes to confer on the tenantry.

Mr. DAVIES.—The case is similar to that of a private arbitration. The decision is final, but one of the parties to the submission is generally dissatisfied at the result. The House has nothing to do with the "insuperable objections" entertained by the Secretary of State, towards the proposed arbitration scheme. It is our first duty to give effect to the Award, and we can work out details by subsequent legislation. The hon. member, Mr. Douce, said, this morning, that the proprietors who had not signed the submission were not affected by the Award. Their position may be different from that of others, and perhaps they may think it hard treatment that their properties should be affected by it, but they should bear in mind that the report of the Land Commissioners shows that the domain of the Crown in this Island was treated in a very different manner from that of other Colonies, and that an able and impartial commission has confirmed the original titles, has decided, in their favor, on the subjects of the quit rents and fishery reserves. I am satisfied that if I were the owner of a township, that it would conduce to my interest to support the Award. Private interests must yield to the necessities of the public, and those of the proprietors who may resist the application of the provisions of the Award to their estates, need not expect that amount of protection they have hitherto received from the British Government, for under date of the 2nd January, 1861, the Secretary of State writes 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."

Hon. Mr. WIGHTMAN.—While I consider that we are bound to accept the Award as a whole, inasmuch as we agreed to the resolutions on which the Royal Commission was based, I would, however, gladly object to some parts of it, but we must take the good with the bad. Some good may be derived from the arbitration clause, but the Secretary of State objects to that and the Loan. The instructions from the Colonial Office are generally complied with, but I am willing to give the matter a fair trial, as I have consented to the reference to arbitration from the first. I must say that I see grave objections to the reservation by a proprietor of 1500 acres, as the exercise of such a right, where there are several owners, may have the effect of keeping all the settlers on an entire township in the position of tenants, even if they should offer the maximum price mentioned in the Award. I will support the resolution, but as I do not know the nature of the Bill to be introduced, I shall suspend my opinion on it until I shall have an opportunity of judging of it.

Mr. OWEN.—I agree with the hon. member that we should take the Award as a whole, but there are parts of it which I do not approve of. The amount of arrears still remaining to be paid is larger than I could wish. The best part of the Award I consider to be the suggestion of a Loan of £100,000 under an imperial guarantee. By adopting the Award, I think we shall make it binding on those proprietors who did not sign the submission, for the Commissioners, on page 10 of their report, say:—

"These persons appeared also to forget that, though the rights of property have ever been sacredly guarded by the law,

whenever the possession or abuse of property becomes prejudicial to the public interests, the rights and prejudices of individuals can be constitutionally controlled for the public good. The protesting proprietors of Prince Edward Island have no better titles to their properties than had the Seigneurs of Canada, the owners of the encumbered estates in Ireland, or the slave-holders in the West Indies. They have none so good, because every acre they own is held by the generous forbearance of the British Government, after breach of conditions over and over again. Were these people, in view of the distracted condition of the Colony, dealt with by specific legislation, or were they now compelled to accept the conditions of this award, they would only be treated as large classes of their fellow subjects have been under the pressure of similar exigencies, and, for the reasons stated, would have but little right to complain."

The accounts of the Commissioner of Public Lands show that the purchase by the Government of the proprietary lands is the best course to pursue. The proprietors will not refuse to sell, and the tenants will be willing to attorn to Government as in the instances of the other properties required under the Land Purchase Bill.

Hon. Mr. LONGWORTH.—I congratulate the House on the unanimity of opinion which has, so far, characterized this discussion. Some difference of opinion, of course, exists, but the propriety of giving effect to the Award will be affirmed by a large majority. This is a question which should not be regarded from a party point of view. It is our duty to give effect to the views of the Commissioners, and embody their opinion in local Acts of the Legislature. While I admit that the Despatch accompanying the Award intimates that the Secretary of State has objections to certain portions of it, I see no grounds for inferring that he will not give effect to it. It is not to be supposed that the Crown, which is the fountain of honor, and the trustee of the rights of the people, would not honorably discharge the obligations it has solemnly and publicly assumed. There is no reason to doubt that Her Majesty and her Colonial Minister were sincere when they pledged the Imperial Government to the settlement of the Land Question, and when we assented to and joined in the Commission, were we not bound to perform our part? Can we now refuse to fulfil the engagement we entered into on behalf of the people? The objections referred to by the Secretary of State are not intended to prevent this Legislature dealing effectually with the Award. In the Despatch accompanying the copy of the Report, his Grace refers to it in the following terms:—

"I am desirous, at the same time, to express my appreciation of the painstaking, able and impartial Report which the Commissioners have furnished,—a Report which must derive additional weight from its unanimity, and which is the result of an investigation so complete, that it has exhausted the materials for enquiry into the facts of the case. The difficulties that remain, are those which are inherent in the subject, and which have for a long course of years, baffled every attempt at solution."

This language indicates anything but a disapproval of the Award, and the allusion to the inherent difficulties, and the period during which they have baffled every attempt at solution, is not to be considered as the expression of the opinion that they will continue to do so for a longer. Again, his declining to hold out the prospect of an Imperial guarantee to a loan intimates not that he will not sanction the Award, nor that we have not the power to confirm it. I regard it merely as the expression of his individual opinion, from which a successor to his office may differ, nor would it be binding on us in accepting the award. The concluding sentence of the Despatch in which the Secretary of State mentions the pleasure it would afford him if he should be in a position to offer fresh suggestions, shews that he was animated by a desire to

assist in a settlement which should conciliate general favor. If the Legislature was not to take action on the Award, why was the copy of it sent out to be laid before us? It is not necessary nor desirable that hon. members should go through the whole of the Award, for all its more prominent points were discussed on the debate on the Address in reply to the Lieut Governor's speech. The leader of the opposition complained that the Government, in not giving sufficient notice of the time of the Commissioners holding their Court, had prevented their obtaining evidence as speedily as they otherwise would have. The Commissioners may have thought that such was the case, but there had been no previous inter-communication on the subject between the Secretary of State or the Commissioners and the Government. It could not be expected that the Government, in a matter of complaint between landlord and tenant, would prepare a case in favor of the former to the damage of the latter, or *vice versa*. Such an idea is simply an absurdity. All that the Government could do was to give all parties an opportunity of making their statements before the Commissioners who required the opportunity of personal examination that they might be enabled to test the conflicting evidence, and form their opinions on the nature of the statements made before them. The truth was that the Commissioners did not give sufficient notice of the time at which they contemplated arriving here. The Government lost no time in making known the period at which they would arrive. As their Award has now been submitted to us, can we, in courtesy to Her Majesty, or with a sense of what is due to ourselves, refuse to sanction it? It is true that the tenantry, as a whole class, may not be satisfied, and also that the proprietary body may think that the Commissioners have acted in prejudice of their interests, but the existence of those feelings affords a strong argument that the Award is a just and proper one. It is our duty to sanction the Award in its integrity—it would be improper and impolitic to mutilate its proportions. What details shall be necessary to its practical operation can be embodied in a separate Bill.

Hon. Mr. WHELAN—When will such Bill be brought in?

Hon. Mr. LONGWORTH—Probably in a short time. Certainly this Session. If we incorporate them in the Bill adopting the Award, it may be objected to. The hon. leader of the Opposition wished to know whether the Award was obligatory on the whole of the proprietors, or only on those who had assented to the submission, and he referred to that portion of it wherein the Commissioners alluded to those who had not done so; but he should remember that the passage referred to is not authoritative, it is merely argumentative. That properly speaking, it forms no part of the actual Award. Their reasoning may or may not be correct, but we are not called upon to consider it. The Award clearly affects the properties of those who signed the submission, and when we consider the large quantities of land held by them and others who will consent to its terms, we should be pursuing a penny wise and pound foolish policy if we rejected a certain boon on account of difference of opinion on a matter of argument. A good deal has been said about the reservation of 1500 acres by a proprietor. That clause will not act upon the tenantry of absentee landlords, for it is absurd to suppose that they would wish to retain an acre of land in this Island. They would only be too happy to get rid of it altogether. I have no doubt that it was framed with a view to the cases of resident holders of comparatively small properties, widows or others, whose principal means of living were derived from their landed property. It would be unwise to interfere with that right of reservation, and thus imperil the Award, merely on account of the peculiar circumstances of Lots 35 and 36, where the multiplicity of owners may prevent some of the tenantry purchasing under the Award. As to what fell from the hon. member, Mr. Wightman, on the subject of the Fishery Reserves, when he complains that it is a hardship that a party

should be compelled to part with an acre of the front of his farm, I can tell him that the plan devised by the Commissioners is preferable to the principle of the Bill introduced by the Government of which he was a member. That Bill proposed to vest the Reserves in the Government, and gave them the power of leasing them to whomsoever and on what terms they pleased. The Award declares that the tenant shall receive the value of the land so taken, and that value shall, in case of difference of opinion between him and the party requiring it for fishing purposes, be referred to arbitration. It is a boon to our fishing population without injury to the tenant. Taken altogether the Award will, I think, commend itself to the approval of the House as being the best the Commissioners could arrive at in view of the various subjects entrusted to their decision. It was impossible that they could establish one general price for all the lands in the Island, and that being the case, arbitration was the only mode by which particular properties could be appraised without injustice to the tenant or proprietor. It has been objected that they had no power to delegate to others the duty of fixing the price of lands, but by their Commission they are authorized to enquire into and adjust the questions referred to them on "fair and equitable principles." If this does not give them power to adopt the scheme of arbitration, I must greatly err in my construction of plain English words. I will detain the Committee no longer than by repeating the expression of my opinion, that, as men of honour, we are bound to give effect to the result of the Commission, to the organization of which we were consenting parties.

Hon. Mr. HENSLEY—During the debate of this morning, the hon. member, Col. Gray, said that he would support any measure which he might deem beneficial, without reference to the particular party from which it might emanate. I trust that myself and other members of the House are actuated by the same motive. The question for our consideration is whether we are to confirm the Award or not. Before deciding, it may be as well to consider what it is that we are called upon to confirm. The Award contains matters not included in the resolutions which were passed—which were intended to form the basis on which the Commissioners were to take action; as an instance, these gentlemen recommend a loan under an Imperial guarantee that was not referred to in the resolutions. In fact, there are but three or four topics in the Award which were specified in the resolutions, the prominent objects of which were a remission of arrears of rents and the conversion of leasehold interests into freehold. The Commissioners have extended their enquiries into the subjects of Escheat, the Quit Rents, and they have recommended a loan. It is true that their reference to the latter cannot be considered as forming a portion of the Award. They could not award that; they have merely recommended it, and this recommendation may influence a loan at some future time, when the policy of buying up the proprietary estates throughout the Island may be adopted by Government. The action of the Commissioners on the subject of Escheat, being on a matter not submitted to them by our resolutions, it might be a question how far that would have any force even if we confirm it, as proposed, on the ground that the Commissioners exceeded their powers. We have beyond doubt a constitutional right to a Court of Escheat, and there was a period when the lands could have been revested in the Crown, without any just cause of complaint on the part of the proprietors. But such has been the lapse of time, and so repeated and positive have been the declarations of the Imperial Government, that it appears useless now to agitate the question. The question of Escheat was nevertheless brought to the attention of the Commissioners by the counsel for the tenantry. In now, however, expressing an opinion that the agitation of Escheat is at the present day useless, I do not wish to do so without giving some of the grounds upon which I have arrived at that conclusion. In 1832 an address was sent to the King by the House of Assembly, praying for establishment of a Court of Escheat, and complaining of the non-settlement of the lands. In 1833 a reply was received in the shape of a despatch from Lord Goderich, refusing the establishment of a Court of Escheat, and suggesting that an inquiry even at that day (1833) into

the question of settlement would be long and doubtful, and that the Government would not, therefore, consent to unsettle people's minds. The House of Assembly thereupon passed resolutions expressing regret at such refusal, and voted an address with the view of altering Lord Goderich's decision. In 1836 also the Legislature addressed the Crown praying measures to be taken for Escheat, and in 1837 Journals is to be found a despatch from Lord Glenelg in reply to the address, again refusing a Court of Escheat, and suggesting the imposition of a land tax or assessment, as had been done in Canada, as a remedy for the evils arising from non-settlement of the lands. Acting upon this suggestion, the Legislature in 1837 passed an Act levying an assessment on all lands in this Island, and after reciting the refusal to establish a Court of Escheat, and Lord Goderich's suggestion respecting a tax upon the lands, proceed, in conformity with it, to impose the tax, thus as it were by legislative enactment settling at rest the question of Escheat. Again, in 1838, the Lieut. Governor in addressing the Legislature stated that it was the "fixed and unalterable determination of Her Majesty's Government to abide by the repeated decisions against a Court of Escheat." And in 1840 the Lieut. Governor stated to the Legislature that he could "positively inform them that the refusal of Her Majesty's Government to entertain the question in any shape is final." I have thus stated my own views because I know that my own constituents take a particular interest in the question. In view of the fixed and unalterable opinion of the Imperial Government on this question, and considering that several successive Secretaries of State have suggested a tax on the lands as an appropriate measure for the local Government to adopt, and that in accordance with such suggestions such tax was imposed and is still in force, I feel I would be misleading my constituents, if I should say that I considered Escheat practicable at the present day. I am aware that it has been and may be said, that when we accepted the burden of the Civil List in 1851, all the existing rights of the Crown in this Island were ceded to the local Government. I recollect that the transaction was viewed as one of grace on the part of the Imperial authority, but we must not forget that the Crown still exercises supervising control over our legislative proceedings. Every Act we pass must be sent to the British Government for approval, and it would be unreasonable to suppose that, in the state of the question as I have detailed it, the Imperial authority would at the present day sanction a measure of the kind, if we ourselves should assent to it. The Quit Rents having been commuted in New Brunswick and Nova Scotia, the then Secretary for the Colonies, the late Lord Goderich, in 1831 offered to commute those of this Island for a certain sum. I have always been of the opinion which I avowed before the Commissioners, that Lord Goderich's offer could only be regarded, not as a remission of the Quit Rents, but merely a conditional proposal to that end, dependent, of course, on the acceptance of the terms on which it was made, and that any other view was untenable, and that I conceived that the opinion given by the Solicitor to the Treasury, Mr. Spearman, to the effect that the Quit Rents had been remitted, was erroneous. But the British Government acted upon the opinion of their law officer, and the Secretary of State having instructed the Lieut. Governor to regard those rents as having been remitted, I consider it would be a matter of great difficulty to disturb the settlement so made. As the Land Tax, which was imposed in lieu of those rents, has been now for several years in operation, and as it is more productive of revenue than the charge which it superseded would be, I think it probable that the latter will probably not be revived. The question of title comes up in the Award only as a confirmatory of the original grants. The Commissioners do not allude to the case of rival claimants between the time of original grantee and the present. As regards the remission of arrears of rent awarded by the Commissioners, no one can say that any boon has been conferred by it on those who have regularly paid their rents. I do not mean to say that it will not remove a burden from the shoulders of those who have been long in arrear, but when we consider the time which already has and the additional period which must elapse before the Award becomes the law of the land, I regret that the Commissioners had not fixed the period

up to which back rents were to be forgiven, at the year 1860 instead of 1858. I have said before, and I now repeat, that the conversion of the leasehold into freehold at the rate of twenty years' purchase is productive of no benefit to the tenant, for I have on a previous occasion demonstrated that it would be more advantageous to a tenant to invest his money in a different manner than in the purchase of the fee simple of his farm on such terms. The hon. member, Col. Gray, in support of his views of the great benefits accruing to the tenantry from this privilege of purchase, instanced leases which might cover valuable mill sites, and argued as though such properties were leased at the same rent as other lands which had not such particular sources of value. I will admit that if the supposition be adopted be correct, the individuals in possession of mill sites, for which they pay but a shilling per acre rent, will probably avail themselves of the right of purchase in the terms of the Award. But I think he will find that the lands comprising mill sites are generally let at rents proportionate to their values, and so we may consider that all the leased lands are on the same footing as regards the operation of the Award. Notwithstanding the objections which I have expressed to parts of the Award, I intend to support it generally, as I consider that while it may do some good, it can do no harm. The Secretary of State says that he has insuperable objections to that part of the Award which suggests arbitrations to settle the disputed value of leaseholds. I think that the Bill to be introduced in accordance with the resolutions before us should embody the provisions by which it is proposed that the arbitrations shall be conducted. It may be that such particulars incorporated in the Bill to be sent to England will obviate those otherwise "insuperable" objections, and I am well convinced that the country will be more satisfied by such a course than if they are to form part of a separate Act. This question forms so important a part of the Award, that ere we are asked to give our assent to it, it is but courteous that the Government should submit to us the details of this particular subject instead of getting our assent to the Award generally, and keeping the House and the country in ignorance of the mode by which it is intended to give practical effect to its most important part. On the subject of the reservation of fifteen hundred acres, it may be true that a non-resident proprietor may not care about retaining any land in the Island, but it is equally true that there are several proprietors resident in the Colony who may be differently inclined, and I certainly think that on a matter of this nature the Government should have laid on the table an exposition of their policy. Suppose the Bill proposed, in affirmation of the Award, is sanctioned, and that the supplementary act should be disallowed, what becomes of all our action on the whole subject? It is for these reasons that I object to the course the Government has adopted. I think we should pass one Act in which the whole question should be disposed of. In the shape in which the matter is brought before us, I do not intend to oppose the resolution, not having the honour of a seat in this House when it pledged itself to the submission to reference, I feel that I am at liberty to act as my sense of duty to my conscience and my constituents shall dictate. Hoping and trusting that beneficial results may accrue to the people from the action of the Commission, I am willing to support the resolution. And in stating this, I must express my earnest desire that the Bill to be introduced in accordance with the resolution before the Committee, may be so framed as to include all proprietors, as well as those who have not given in their adhesion to the arbitration, as those who have. It is my own wish that such should be the case, and I am well aware that those whom I represent entertain very decided opinions of the same nature.

Hon. Mr. THORNTON—I cannot say that I approve of all parts of the Award; for instance, I do not think that the arbitration is likely to work well, but I am willing to take the chance of the Award as a whole, and it may be that, as the majority are in favor of the Award, the Secretary of State, in deference to the weight of such unanimity of opinion, may withdraw the objections he has intimated. If the Award were mutilated by Government he would not support it. I shall, therefore, vote for the resolution.

Hon. Mr. COLES—The members of the minority may consistently support the Award, if it is intended that it shall be carried out in its integrity, and the Commissioners having adopted the policy of the liberal party, with reference to the Loan, the Bill should give effect to it, and it is idle to say that the majority are doing so by merely accepting the Award without providing the machinery requisite for managing the details of the loan. If they do this it may be said that they are carrying out the Award, and members of this side might consistently support them; and unless there be a clause binding all the proprietors to abide by it I cannot see how it is to benefit the tenantry. We see that there is a difference of opinion on the subject in the House, for the hon. member, Mr. Davies, argues that all are bound at present, while others express opinions directly the reverse. If the proposed bill is framed in accordance with these suggestions I will support it, but otherwise I cannot. The liberal party have been in favor of a loan to enable the Government to purchase the lands, and are willing to support a measure to that effect; but no Government will be as favorably situated to purchase as previously to the Commission, and I am pretty confident that had Lord Selkirk been aware of the nature of this Award he would not have sold as cheaply as he did. I conclude by moving the following amendment:—

“Strike out all after the word ‘introduce,’ in the said Resolution, and insert the following in lieu thereof: ‘and also a Bill to secure the interest on a loan of £100,000, as recommended by the Commissioners in their Report.’”

Hon. Mr. LONGWORTH—I am surprised at the hon. member endeavoring to add new matter to the Award, with the idea that he would be confirming it by so doing. By engraving the amendment on the resolution we should be stultifying ourselves, by professing that we were confirming the Award while we were adopting matter which formed no part of it. The Commissioners’ reference to the loan is merely a suggestion; they could not award a loan, having no power to bind the Imperial Treasury or the Secretary of State. No addition that we might make to the Award would be beneficial to the tenantry; it might, however, be disastrous as annulling the whole proceeding of the Commission. The question of a loan under Imperial guarantee is still open to any future Government. The original resolution, to accept the Award, is all that is necessary.

Hon. Col. GRAY—I coincide in the observation of my hon. colleague, that, by the adoption of the amendment, we should be stultifying ourselves in the eyes of every man possessed of common sense. The sincerity of hon. members on the subject will be tested on the question of taking the Award in its integrity. None are so blind as they who will not see, and I fear that they who will insist that the report of the Commissioners is identical with their Award must be included in the category. The former is analogous to the statement of the evidence adduced on a trial, the latter is the operative judgment based on that evidence. In proof of this we find, on page 22 of the report, that after suggesting an Imperial guarantee of a loan, the Commissioners state—“The Commissioners feel that it may be going beyond their duty to make such a suggestion, but they hope that Her Majesty’s Government will regard the case of Prince Edward Island as exceptional, its grievances having sprung from the injudicious mode in which its lands were originally given away.” That the passage I have quoted is of very different significance from the authoritative portions of the Award, can be shown from the words used at page 27, where, with reference to the remission of the arrears, after stating that some specific remission is absolutely necessary, the Commissioners “report and award that all arrears of rent due by

the tenants previous to the 1st May, 1858, be remitted.” In this instance, dealing with a matter within their jurisdiction, they offer no suggestion, but peremptorily award the remission. In the former case they express the fear that they may be going beyond their duty, which was not to offer suggestions but to make an award, in the latter they make no such allusion. We all know that suggestions, on the subject of the relations between landlord and tenant, can be, and have been, made, and have been disposed of by the British Government time and again. While the proposed scheme of arbitration forms part and parcel of the Award, the suggestion of the loan forms no portion of it, in fact, for any practical effect, in connection with the affirmation of the Award it is not worth the paper on which it is printed. The hon. leader of the opposition referred to the probability of proprietors, other than those who signed their consent to the submission, coming under the provisions of the Award. As I presume this was done in a spirit of badinage to my hon. colleague, I will now ask him if he is willing to do so?

Mr. DOUSE—It is a pill hard to swallow. I have not yet made up my mind. My opinion will be known when the division shall be taken. I may possibly vote with the hon. member, Mr. Whelan. (Laughter.)

Hon. Col. GRAY—The hon. leader of the opposition then referred to the Hon. Mr. Yeo’s offer to sell his land at 16s per acre. If I recollect aright, that hon. member said, when the resolutions for the constitution of a Commission were before us, that he would treat his tenantry on the terms which the Commissioners might award; and, Sir, I ask which will be the lesser under the Award, the proprietor or the tenant? An individual of the latter class may be indebted over a hundred pounds and by adopting the Award he is discharged from all but some £15. Remembering that we entered into a solemn compact to abide by the Award, I have felt a degree of humiliation at the puerile cavils and personal remarks which have been imported into this debate. I now move the resolution.

Hon. Mr. McAULAY—It has been admitted that good may result from the Award, and I entertain that opinion; but if the amendment proposed by the hon. leader of the opposition be added to the resolution, they will both be rendered nugatory. The only object of the amendment is the perpetuation for a century to come of the discord and agitation which have distracted the Colony for the past. We have taken trouble to secure the Award, and although some may wish that it had been different in some particulars, yet I think it is as favorable to the tenants as they had any just right to expect. When two parties cannot settle matters in difference between them, it is only reasonable and just to refer them to the decision of disinterested individuals. That course has been done in the disposal of the vexed questions which have for years characterized the relations of landlord and tenant in this Island, and I am surprised that objections such as we have heard, should be raised at this stage of the proceedings. We are in honor bound to carry to maturity the policy we pledged ourselves to, and I am at a loss to know how we can, consistently with a due regard to our character as individuals and as a Legislature, hesitate to give effect to the Award. Is the object of the amendment, which asks for £100,000 loan, to benefit the tenant or to get rid of the whole Award, and thus leave the whole question where we found it? The House would stultify itself by supporting the amendment, and that being the case I will vote in favor of the resolution.

Mr. SINCLAIR—I agree with those hon. members who say that we are not called upon at present to express any opinion as to whether the Award realizes the anticipations

formed of it or not. It would be dishonorable in the House, in view of our previous action in the matter, to repudiate the result; yet although the Award is not in my opinion in accordance with the evidence adduced at the investigation, nor does it come up to my expectations, I certainly hope that the decision, if not unanimous will be nearly so. With reference to the amendment proposed by the hon. member, Mr. Coles, I regret that I do not read the Award in the same light as he does; for while, as has been already shewn, the reference to a loan is a suggestion in the report, it does not find a place in what must be considered the binding Award. The British Government has the option of guaranteeing a loan, and, when they shall consent to do so, we can be prepared to give satisfactory security, but by the terms of the authoritative portion of the Award, we can demand the exercise of the right of arbitration, which is styled by the Commissioners the *alternative* remedy. That phrase shews that it was not contemplated that the loan and arbitration were to be simultaneously in operation, that we could only expect one or other. For my own part, I candidly avow my preference for the arbitration scheme; because if the loan of £100,000 were obtained under the Imperial guarantee, we could only use it under the provisions of the Land Purchase Act; and then the proprietors knowing that the Government were in funds, could and would, under that Act, ask what prices they pleased. It may appear to some minds that under the proposed plan of arbitration a proprietor would be forced to sell at a rate to be fixed by arbitrators, but it must be recollected that if we had the loan, we would have no arbitration; whereas, if we have no loan, we can claim the alternative remedy of arbitration, and can work out the principles of the Land Purchase Act afterwards; and I think it will be found that, after the more eligible portion of their tenants shall have purchased the freehold interests in their properties, the proprietors will be willing to sell the remaining parts of their estates to Government, under that Act, at a low price.

Mr. BEER—Sir, if any proof were required that the hon. member for the third district, Mr. Coles, wished and desired to prevent the Award becoming the law of the land, it is to be found in the fact of his having introduced an amendment which he well knows would have that effect if this House were silly enough to adopt it. If the Bill to confirm the Award goes home clogged with anything of an extraneous nature, it will be sure to come out disallowed. The Commissioners had not power to award a loan, and, if they had, the Duke declares he cannot recommend it. Some hon. members say that the loan is the best part of the Award. The loan is no part of the Award, it is only a suggestion; and what would a loan be without the arbitration clause to compel the proprietors to sell when the tenant wished to purchase, and that at a fair valuation, not 20 years' purchase? If we had the loan without that privilege, the probability is that the outside pressure from some of the constituencies would induce such an expenditure that the country would become hopelessly involved in debt. We wanted no loan to enable the Government to purchase the Selkirk estate, and we all ought to feel gratified at hearing from the leader of the Government in this end, Hon. Col. Gray, that funds will be forthcoming whenever either of the great proprietors consent to accept the price for their lands suggested by the Commissioners, viz. 2s 6d sterling per acre. Sir, I take the despatch of the Duke of Newcastle as a mere feeler in order to ascertain the sentiments of the Legislature. No doubt the proprietors have endeavored to make the impression on the Duke's mind that the people here do not wish to have the Award confirmed. The proprietors have, no doubt, carefully gathered up all the resolutions that have been adopted in certain parts of the Island against the Award, and have striven hard to impress the Colonial Office with the belief that we, as a colony, do not wish to adopt it. Viewing it in that light, I do not wonder at the receipt of the despatch now on the table. As I before stated,

I take it as a mere feeler in order to gather the real sentiments of the representatives of the Island, and if we denounce it, there will be no more about it. Sir, I hesitate not to state my belief that, if the proprietors and the British Government were now to break faith with the tenantry of the Island, and, by some means, prevent the Award becoming the law of the land, after all that has taken place, the results will be most disastrous to the peace and prosperity of the Colony, and small blame to the tenantry should they resist the payment of their rents, if such a gross act of injustice is practised upon them. Sir, I know not on how many occasions I have been asked by the tenantry whether I would advise the payment of their rents. I strongly advised them in 1860, when the Commissioners sat, to pay then their one year's rent, and again, in 1861 I gave the same advice to all who asked my opinion; but now, Sir, should the proprietors succeed in their attempt to strangle the Award of the Land Commissioners, and should the British Government break faith with the Colony, if they expect rents to be collected for the future, I think a regiment of soldiers will have to be stationed here to enforce their collection; but, Sir, I do not fear for the result. I believe that it is impossible that the Duke of Newcastle can refuse to advise Her Majesty to give her consent to the Award becoming the law of the land, after having himself stated that the investigation is so thorough and complete, "that it has exhausted the materials for enquiry into the facts of the case," and then to characterise the Award itself as being drawn with "ability and impartiality." Sir, I doubt not that if our Legislature now put on a bold front and unitedly hold the British Government and the proprietors to their bargain, we shall have the whole land question of the Island settled. Some objector will perhaps say, O, but the Award does not include the whole Island. Sir, if we get the present Award confirmed, it will be a platform on which to labour so that we may deal with other parts of the Colony, the 40 year leases, the 1500 acres and those proprietors who have not as yet given in their adhesion to the Land Commission. If we get the Award confirmed it will be a good and sure basis for future operations. It will be a lever with which to uproot the whole system of leasehold land tenure on the Island. Sorry should I be, Sir, to find myself in the position of any one who would have the hardihood to vote against the confirmation of this Award. I doubt not but the time will soon come when such an individual will be held in utter detestation. It is now or never with us, we have nothing else to fall back on. If the Award is not confirmed, the tenantry may make up their minds to remain in their present state to the end of their lives and their children after them; but if we hold on to the Award and agitate, if necessary, for its confirmation we shall succeed, and the final result will be that in a few years at farthest the great body of the settlers on the Island will become contented freeholders. Oh! but, says an objector, see what an amount of arrears will have accumulated again in the meantime, which will have to be paid before he can get credit for any amount at which his farm may be valued. To which I would reply, that a considerable number of the tenants have paid the accruing rent since the Commissioners were here; but when it shall appear that the tenant has not paid on account of the poverty of the soil, the failure of crops, or such circumstances over which the tenant had no control, I presume, that in such a case, the arbitrators would not overlook the amount of arrears the tenant was liable for, when they fix the amount at which he shall be entitled to obtain his freehold. According to the Award, the tenant will be enabled to claim an arbitration before he has paid his arrears, although he will have to pay them before he gets credit for his instalments. Sir, men are apt to speak as they wish. If you hear a man continually harping on one side of a question, or, in other words, forever condemning the action that has been taken on any given subject, holding it up to ridicule and freely expressing his opinion that no good will result therefrom, the probability is that the secret wish and prayer of that man's heart is that no good may result from that which he has condemned, and should it turn out otherwise, he would be annoyed and correspondingly rejoice should it prove a failure. Now, Sir, we all know that the leaders of the Opposition have opposed

this Land Commission in its every stage; their speeches made, editorials and communications published, against it, are almost without number; their desire that it should prove a failure must be apparent to all.

Hon. Mr. WHELAN—I am sure I should be glad if any good resulted from the Land Commission.

Mr. BEER—The hon. member must excuse me for saying that I cannot give him credit for sincerity; but I can assure the hon. member, that, from conversations I have had with the people, there are hundreds of those who have hitherto supported the opposition by their votes, who are now most anxious that the long vexed question should be settled, and are now willing to support the present Government in their endeavors to bring the whole matter to a final termination; and I very much doubt whether those who have said so much against it will have the moral courage to vote against it. Sir, we have laid siege to the citadel—our position is taken—we have the vantage ground—and our trenches are fast being pushed forward. True, the battlements are manned by the proprietors and their auxiliaries, the leaders of the liberals; they may keep us at bay for a short time, but we are sure of victory; soon will the ramparts be gained and the defenders have to beat an ignominious retreat; victory will be declared, and then will come down the old flag that has floated for the last 75 years with the motto "*Leischoold Land tenures*," and in its place, a bran new flag will be run up with the motto "*Every tenant the privilege of becoming a freeholder at a fair valuation, payable in instalments*." Then, Sir, the black storm, so graphically described by the hon. member from Princetown, will burst in fury on the devoted heads of those who have obstructed and endeavored to prevent the industrious hardworking, and, still in many cases, poor, tenantry from obtaining the privileges to which they all ought to be entitled.

Mr. CONROY—I may congratulate the hon. member for the City, Mr. Beer, on the fact that he does not represent a district of Prince County. From the high degree of intelligence displayed on all occasions by that hon. member, he would not, I presume, consent to represent such a constituency as that which sent me here. I have heard that the hon. member, during my absence, alluded to the people of my district as being a set of ignorant Frenchmen.

Mr. BEER explained that his remarks had reference to some meetings at which the people had been induced to act in ignorance of their true interests. He had not alluded to them as Frenchmen.

Mr. CONROY—I have seen the explanatory letter of the hon. member which appeared in the *Islander*, and that does not improve the matter. I have also read the despatch of the Duke of Newcastle on the subject of the Legislative Council Bill. His Grace recommends that there should be no property qualification for a candidate for a seat in the Council, but recommends one for the electors, as he says that if the electors are intelligent there is no fear but they will select a proper representative. Such being the fact, I congratulate the electors of Charlottetown on their choice of so intelligent a gentleman to represent them. I have carefully read over the Award of the Commissioners, and I am at a loss to know what service it will render to the tenantry. I believe that any one of the proprietors would, if asked by his tenantry in a body, give as good terms as those to be obtained by the Award, without all this trouble. It has been said that the loan forms no part of the Award, that it is only a recommendation, and if such be the fact I cannot see what benefit can be derived from it, as I consider that, if the loan cannot be procured, the Award is not worth having.

Progress was then reported.

TUESDAY, March 25.

Mr. Doyle presented a petition from inhabitants of Lots Nos. 1, 2 and 3, for a grant for a bridge across Peter's Creek, Miminigash; also, from inhabitants of Lots 1, 2, 3 and 4, for a bridge at Big Miminigash.

Hon. Mr. Perry—from Trustees of the Lunatic Asylum, for grant to provide additional accommodation.

Mr. Sutherland—from inhabitants of Lot 41, for a grant to improve the road from Hayden's road to Head of St. Peter's Bay.

Mr. McNeill—from inhabitants of Murray Harbor, White Sands and vicinity, for reduction of the standard weight of oats. Laid on table.

Hon. Mr. Hensley—from Dennis Desmond, Souris, for increase of salary as postmaster. Referred to Post Office Committee.

Mr. Beer—a memorial from the City Council, for an Act authorizing the Executive Government to guarantee payment of City Debentures to be issued for the erection of a Market House. Tabled.

The Committee on the resolution on the subject of the Award of the Land Commissioners was resumed.

Hon. Mr. WHELAN—In rising to address the Committee, I must express my gratitude to the hon. member for the City, Mr. Beer, for having moved the adjournment last evening for, if progress had not then been reported, I should not have had an opportunity of preparing the amendment which I shall move. With reference to the preamble to the resolution introduced by the hon. leader of the Government in this House, I have no objection to any one of its several paragraphs, but to them I wish to put my amendment, which, like the postscript to a lady's letter, will, I think, be found to contain the pith of the subject. I move to strike out of the resolution all after the preamble, and to substitute the following:—

"But it does not appear to be the intention of the Secretary of State for the Colonies that the said copy of the Award should be made the basis of any legislation for the present, inasmuch as that His Grace has not submitted the original or official copy, nor intimated any desire to have the printed copy confirmed by local legislation: *And whereas*, the Secretary has declared, in his Despatch of the 7th February, 1862, that one of the principal provisions in the Award, namely, that in reference to local arbitrations, is open to "insuperable objections," which he proposes to obviate by some "fresh suggestions" at a future opportunity—thus manifesting his desire that legislation on the whole subject of the Award should be postponed: *And whereas*, the recommendation for a loan of £100,000, so earnestly urged by the Royal Commissioners, in order to buy out the claims of the proprietors, is not favorably entertained by the Colonial Minister; and the other principles of the Award being such as are only calculated to confirm proprietary claims without conferring any benefits on the tenantry:

"**THEREFORE RESOLVED**, That in the opinion of this Committee, no advantage would accrue from passing a Bill to confirm the award of the Royal Commission, until, at least, such time as the Colonial Minister shall have fully declared the views of the Imperial Government on the several questions submitted to them in the said Award, and when His Grace the Duke of Newcastle shall have furnished the "fresh suggestions" promised by him."

I think no hon. member will dispute the truth of the facts I have alleged. It is certainly true that the printed paper before us cannot be considered as an official copy of the Award; and it is equally true that His Grace the Duke of Newcastle has not intimated any desire that we should legislate upon it. It is equally indisputable that this despatch of the 7th February last expresses "insuperable objections" to the arbitration proposed by the Commissioners, and intimates his intention to offer "fresh suggestions" at some future time. It is also the fact that he repudiates the idea of a loan. Such being facts, patent to all, it is but right that we should meet the question fairly and openly. I am prepared to prove that my position is supported by the Commissioners themselves, but I will briefly review the whole of

the circumstances connected with the Award. There are, I believe, some 40 individuals who may be called proprietors. How many of these consented to the Commission? But six names are recorded in favor of it, and of these, one, Mr. E. Cunard's is to be considered identical with that of Sir Samuel Cunard, while another, Lord Selkirk, has since sold his estate to the Government of this Island. So that we are stultifying ourselves by proclaiming that the bulk of the tenantry will receive great benefits from this Award which only affects the properties of five individuals. It has been said that others have assented or will do so, but we have no proof that such has been or will be the case, and mere rumour should not form the basis on which we are to proceed. The right of purchase at the rate of 20 years rent, by instalments of £10, which the proprietor need not accept until all arrears are paid up, is so important a boon, that it has called forth any amount of eulogy from the members of the majority. Such are its prospective advantages—so great is the prosperity in store for the people, that we are gravely told that nothing can exceed their anxiety for the speedy confirmation of the Award by this House. In the great majority of cases the lands are not worth 20 years' purchase; and the Colonial Minister has "insuperable objections" to the arbitration scheme proposed to meet their particular circumstances. Are hon. members so stupid as to suppose that if we passed a Bill confirming the Award that it would be ratified by the Minister who has "insuperable objections" to the principal provision it contains, and who promises "fresh suggestions" on that particular part of it? And where, I ask, is the "boon" to the tenant under the clause reserving 1500 acres to the proprietor? It gives him the right of reserving such particular lands as he shall see fit; and we may be sure he will exercise that right. The tenant may be willing to buy at 20 years' purchase; nay, he may offer any amount, but the landlord may refuse to sell at all; and the only result will be that the best class of the tenantry will be kept in bondage. The blush of shame should mantle the cheeks of those who would assert among the most ignorant that this is to operate beneficially. Again, we are to be told that the numerous tenants holding under leases of less than 40 years, are to be grateful to their representatives for sanctioning a measure which devotes them to slavery! If there is one class of our population more entitled to protection than another it is the tenants who have been induced to take short leases; and thus, in many cases, spend youth and manhood in making property, not for themselves and their children, but for their landlords. Am I expected to vote for such a clause? If I stand alone, I shall give it my unflinching opposition. With reference to the loan, I did consider that some good might result from the Commission by obtaining it, but when I am told that that most important matter is to be eliminated from the Bill which it is proposed to introduce, I feel that the last plank in the tenant's platform has been knocked from under their feet. Looking at this Award in all its features, I ask where are the advantages to the tenants? I may be told that the remission of arrears is a great boon. Let us consider what benefit the people derive from that. The Award says that all arrears of rent up to 1st May, 1858, shall be remitted. When the Commissioners were about to leave the Island, they recommended that the tenants should pay the current year's rent pending the making of the Award. Hundreds complied with that recommendation; but will the people forget the degree of activity manifested by proprietors to secure by any and every means the last shilling of arrears? Never had the lawyers and bailiffs so bountiful a harvest—writs and warrants of distraint were sent in all directions; and the visits of the minis-

ters of the law were not, "like angels' visits, few and far between." When money could not be had, bonds, notes of hand, and other obligations were taken. Having thus got all the arrears up to 1858 secured, the tenants have had to pay those since accruing, and as it will probably be a year before the Bill becomes the law of the land—if it ever becomes the law of the land, which I very much doubt—we shall be able to form a tolerably correct idea of the extent to which this remission has benefitted the people. The gratefulness of the "boon" is shown by the benefactors themselves, for they tell us that the remission would occasion little or no loss to the landlords. When before the Commissioners, one proprietor stated his willingness to sell his land at 15s. per acre, being 25 per cent. less than the maximum price fixed by the Award. It was but a few days ago that one of my constituents arranged with the proprietor of Lot 56 for the purchase of 50 acres for £40, with reasonable time to pay for it. There is scarcely a landlord in the Island who would not give better terms of purchase than those contained in the Award, of which the only portions which can be considered as intended to benefit the tenants are those relating to the purchase of the lands and the remission of the arrears, and I have shown that they have been rendered practically worthless. The rest is for the benefit of the proprietors. Their titles are confirmed; the Quit Rents and the Fishery Reserves are given up to them. Are these "boons" to the tenantry? The proprietary party may lay the flattering unction to their souls, that by passing the proposed Bill, these matters will be forever laid at rest, but our laws are not like those of the Medes and Persians. It will be quite competent for a subsequent Legislature to modify or repeal in toto any Bill we may pass on this or any other subject.

I will now make a passing allusion to a personal matter. A charge has been frequently made against me, both in this House and elsewhere, that I am anxious to obstruct the settlement of the Land Question—that I have a personal interest in feeding a chronic disease in the public mind. I meet the imputation by asking what advantage would accrue to me from such a course? All my prospects are centered in the Island. My happiness and prosperity depend upon the prosperity of this my adopted home, and nothing is farther from my disposition than to do anything calculated to obstruct the development of its resources and the spread of kindly feelings among the different classes of its inhabitants. I have resided here nearly nineteen years, during eight of which I held a public office and the remaining eleven were spent in opposition to Government. Before I took office and after I left it, I was as happy and contented as during the period I spent in it. I have earned my bread by the discharge of my duty as a member of society. The charge is based on the assumption that I am desirous of obtaining a public office. I may have such desire, and I see no reason why I may not seek, by legitimate means, to gratify it. I am not aware that my political opponents have a patent right to monopolize the public offices of honor or emolument. If the time shall arrive when the party I belong to shall come into power, I trust they and myself will never be in a position which would render us liable to the charge of trickery, prevarication, treachery and inconsistency, and that we will never give our opponents a chance of saying that we were playing into the hands of the proprietors while we professed to be acting for the benefit of the tenants. God knows their condition is hard enough without their being made the victims of deceit and trickery. The tenants as a class require the fostering care of a paternal Government, and deeply do I regret that they have not received from the present that consideration which their situation requires.

Mr. HOWAT—I must give the hon. member credit for consistency at least, for he has opposed the Commission from the time of the introduction of the resolutions which led to its formation. After the Commissioners arrived, he in editorials in the 'Examiner' denounced the Commission as a delusion, a mockery, and a snare, and he advised the people not to attend the Court. This had a certain effect on the minds of the people of the country, who did not consider themselves so wise as the editor of a newspaper. The consequence was that the

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attendance as first was rather slim, but it improved after the people had ascertained the extent of the powers of the Commission. Again, after the exposition given by Hon. Mr. Howe, the hon. member characterized the Award as useless and impracticable. The Opposition have but two courses open by which they can hope to return to power. One is to thwart every measure which may be beneficial to the country, the other, to support whatever may be injurious. The course of the hon. leader of the Opposition and the hon. member, Mr. Whelan, on this matter is just what might be expected. It is as natural for them to oppose any measure calculated to promote peace and prosperity as it is for a duck to swim. Yesterday the leader seemed inclined to go for the Bill, but he soon strayed to the right and to the left. The resolution introduced by the hon. leader of the Government in this House goes simply to confirm the Award, and, therefore, the question is, shall it be confirmed or not? But the first deviation of the hon. member was his desire to make it binding on all proprietors. He afterwards introduced a resolution for securing the interest on £100,000. It was evident to me that he did not wish that the Award should be confirmed. He appears, however, not to be in a position to lead the whole of the minority. He has been told by some of the minority in pretty plain terms, that his resolutions will not receive their support. Having submitted the settlement of the Land Question to three competent referees, it is but right that we should confirm their decision. If we do otherwise, and repudiate the Award, in what position would we place ourselves with reference to the Imperial Government? We should be guilty of a breach of faith which the mother country would not count for half a dozen such Colonies as this. The Award is calculated to benefit the tenantry, notwithstanding the long speech of the hon. member, Mr. Whelan. He may think that he can make people believe that black is white, but it will take a good deal of talk to make people believe that a man owing £100 or £150 arrears of rent is not benefited by a remission of all but £18 or £20. He may say that the arbitration clause will do no good; but who will believe that no benefit will arise to the tenant from having three disinterested parties to fix the value of his farm? He may impute ignorance to the people of the country, but I can tell him that there are many people quite competent to act as arbitrators, and with whom his assertions will be regarded as worth less than nothing. I admit that there has been and still is a good deal of distress in the country, and I am heartily sorry that such is the case, but there are many tenants able to buy their farms who will avail themselves of the Award. Yesterday the Hon. Mr. Yeo stated that Lot 16 would likely be in the market, and that it could probably be obtained on such terms as to allow of its being sold to tenants at a low rate. This shows the effect of the Commission. Proprietors will sell without arbitration, and the tenants will be settled without trouble. The hon. member's allusion to the subject of Quit Rents, as dealt with by the Commissioners, suggests the enquiry why, when his party was for eight years in power, they had not effected a settlement of them. Now, when that party is helpless, it is idle for them to make this matter the subject of attack upon the Government. The Government is able to defend their own acts; but as one of their supporters, I can tell the hon. member that so far from seeking to coerce the proprietors, his party when in power supported their interests.

Mr. MONTGOMERY—I rise for the purpose of supporting the resolution. After the long discussion we have had, it is unnecessary to take up the time of the Committee. I shall, therefore, briefly remark that I consider the Award of the Commissioners the most important document ever before the Legislature of the Island. The remission of the arrears of rent I regard as a great boon to the tenantry; and notwithstanding all that has been said to the contrary, I look upon the scheme of arbitration proposed as calculated to work advantageously. I see some objections to the reservation of 1500 acres. I know that it may affect some of my own constituents, but if the present Government shall hold the reins for another legislative period, they will probably devise some measure which will obviate the difficulty and place the tenants on a safer footing.

Progress reported.

Committee on the Award, &c., resumed.

Hon. Mr. COLES, after a few preliminary remarks, said—The hon. member for Tryon seems to be of opinion that the leader of the Opposition should have taken as part before the Commission. I suppose he is sorry that they paid more attention to my statements than they did to his; and that they take the greatest pains to recommend the loan, appearing to have no doubt that it is the best scheme. Before the adjournment I read the opinion of Sir Charles Fitzroy in regard to the fishery reserves. The leader of the Government himself never thought that these reserves were to be given up to the proprietors; therefore, I consider the Commissioners have not taken the view of this question which they should. The regulation which they have made in reference to securing a small piece of land on the coast, is not, in my opinion, calculated to encourage the fisheries. The Commissioners, when the reserves were described to them, said there was nothing of the kind in Nova Scotia, and appeared to think that this Island might be placed on a similar footing. But, Sir, the case is quite different in that Colony, for there all the vacant land is in the hands of the Government, and fishermen can obtain a grant at any time without an arbitration. Then in regard to the loyalists, it is admitted by all that they had a claim. They were offered a certain number of acres of land if they would come to the Island and settle. With a great deal of trouble, they made out to reach here, and endeavoured to get their claims, but many had to give up and turn to pay rent. I contend that the Commissioners, by not awarding that the proprietors should give up to the loyalists the lands which they promised them, particularly as it was to be a compensation for arrears of quit rent, have done an injustice both to these refugees and the Colony. The Award says: "The British Government having for so many years provided for the Civil List of the Colony, the Commissioners would respectfully suggest that the Provincial Government might, at a small sacrifice, dispose of this old vexed question." This, Sir, is perhaps the most unjust part of the whole Award. I consider it is very unfair to say that because the British Government provided for the Civil List for so long a time, that therefore the Government here should give compensation to the loyalists. The Home Government had a right to pay the Civil List, when they left little or no Crown lands at the disposal of the Colony. But the Commissioners say that the loyalists may be compensated out of the lands bought by the Government under the Land Purchase Act.

Mr. DAVIES—That is not a part of the Award, it is only a suggestion.

Hon. Mr. COLES—It is among the other parts of the report where the Commissioners "report and award" respecting escheat and other matters.

Mr. BEER—It is only a suggestion.

Hon. Mr. COLES—Well, the whole report is a suggestion. Again, with respect to the Indian claims, I believe the Commissioners report and award in regard to them, and confirm the title of those people to Lenox Island. Now, I have heard that Mr. Stewart paid 300 sovereigns for that island; and if this be the case the Commissioners ought to have requested the home Government to compensate him for his outlay, for why should one proprietor be made to give up his claims and not another. I do not say that the Indians have no right to Lenox Island; but that Mr. Stewart should not have been treated differently from the other proprietors. But if we are going to confirm the Award, I maintain that we should pass an Act to guarantee the interest on the loan. The hon. member for Charlottetown, Mr. Beer, appears to have great sympathy for the district which I have the honor to represent, indeed he almost spoke as if he was already elected for that district, and as if Charlottetown might look out for another, which I believe they are intending to do whatever. At the meeting held in that district the members of the Government present said that they had no intelligence of the Award. I told them they would certainly have little to say for themselves, unless they could show that they had written a public despatch asking for the Award. And it appears that His Excellency did write a private despatch desiring His Grace the

Duke of Newcastle to forward a copy. I do not wish to take credit to myself in the matter, or to say that the Government acted on my advice; but it looks very like it. What does the Duke say in winding up his despatch? He states that he could not recommend the loan, and that, in the meantime, he only sent a copy of the Award. He does not seem to desire that any action should be taken upon it. If the Government are not going to take the whole Award, I shall certainly vote against any partial measure. I understand that a proprietor had a meeting lately with his tenants and offered to let them have their land at 15 years' purchase. Sir, that is better than what is provided for by the Award. The only thing to be gained by it, since the Duke has given his veto to the arbitration clause, is the remission of arrears of rent, unless the loan can be obtained. It appears also that those proprietors who did not agree to the Commission, are not to be brought in, so that though it be confirmed, but few of my constituents will reap any benefit from the Award. The hon. member for Tryon has been saying that we are opposing the interests of the people, and the hon. member for Bedeque has been arguing in the same strain. But, Sir, what have their party done for the people since they came into power? Look at the Journals and you will see that all their votes have been against the people; they have gained nothing for them but oppression, and there has been plenty of that. The Small Debt Bill which they passed has caused a great deal of suing in the country, and I believe their own friends are now asking them to repeal it. Now the honest poor man cannot get credit.

Mr. DAVIES—There are no honest men who cannot get credit.

Hon. Mr. COLES—I do not think some poor men will; but I believe that some of the Small Debt Commissioners, appointed by the present Government, are beginning to complain that since the Act came into operation, they have scarcely anything to do.

Hon. Col. GRAY—I rise to a point of order; the question before this Committee is the Award, and not the Small Debt Act.

Hon. Mr. COLES—Why, Sir, the hon. member who has just sat down went off the subject this morning to talk about the school he attended in his young days, which I think has not much to do with the matter before us. The real question is what the next election is to turn up; therefore it becomes us to examine what each party have done. Sir, I feel for the poor man, and the late Government did more for his benefit than have the present administration. They passed the Free Education Act, and men have since become educated here to fill their places honorably as teachers and ministers of the gospel. With respect to the people of Belfast, the question there is religious agitation, and that and some other influences have turned them against the Liberal party; but, Sir, I believe they will yet have their eyes opened. In other parts of the country, where the Land Purchase Act has operated to the benefit of the people, they have not been so ungrateful. With respect to the 1500 acre clause, I would ask, if every proprietor is to be allowed to retain that much land, what advantage the people of West River are going to derive from the Award, as Mr. Wright and one or two others who hold land there, have not more than 1500 acres. Then again with respect to other sections of the country, Lady Georgiana Fane has not agreed to the Commission; and the proprietor of the Belfast estates, though he agreed to abide by the Award, yet as he has since sold his estates to the Government, it will be no benefit to the people in that district. There is also the colleague of the hon. leader of the Government in this House, who is unwilling to come under the Award; but as he has paid a high price for his property, and has a large family, he is quite right in acting as he thinks proper in the case. Then again with respect to New London, the Townships there have been divided up into four or five different properties, consequently the tenantry in that section of the Island cannot expect to reap any advantage from the Commission. The estates of the Messrs. Cunard, and of one or two others, are all that will come under the operation of the Award, so that it cannot prove a general benefit to the tenantry throughout

the Colony, and that too in the face of statements in the resolutions introduced by the hon. member for Bellast, that it was to be better than the Loan Bill and Land Purchase Act. I do not wish to make any unfair statements; all that is necessary is to let the matter go before the country. If we get the loan, the Award may be some benefit, because then those proprietors who have not agreed to abide by it may, perhaps, be induced to sell their estates. The hon. member for Tryon says we must take the Award or we will be guilty of a breach of faith. It may be so in some degree; but in reference to the Loan Bill, did not the British Government introduce a bill into the Imperial Parliament to guarantee the loan and afterwards withdraw it? Was this, then, not a breach of faith as great as would be our rejection of the Award. I believe if we would but guarantee the interest on the loan, it would go a great way with the Duke of Newcastle. The hon. member from Port Hill boasts that he would purchase an estate himself and sell it at cost and charges. He would this way have the whole under his control, and where would be the independence of the people? But it is not so great a matter after all to sell land at cost and charges, for I suppose that would include commission and all. Sir, we have no evidence of that hon. gentleman's great liberality. We have been told that he cashed a £1000 bill for the Government when they were about purchasing an estate; but I see by the public accounts that the interest which he charged was 6 per cent. I observe also that some £60 have been paid to the Bank. Would it not have been better to have had the Loan Bill, and then the money would have been drawn from the Bank of England at a much less interest? Look at the other Provinces, they have been applying for an Imperial guarantee.

Mr. DAVIES—They have to pay their 10 per cent.

Hon. Mr. COLES—No, Mr. Chairman, I see it stated that Nova Scotia and New Brunswick bills are at a premium. They have thus, by going to the British money market, got their public credit established. How much better it would be for this Colony, too, did our paper go at home for £100 or £112 per cent. I said yesterday that I was happy we could meet on the same ground—that as the Liberal party were in favor of the loan, though they were opposed to the part of the award relating to the fishery reserves, and some other things, yet they would waive these objections in consideration of what would be gained by the loan; but, sir, when I hear that the Government are not likely to go for the loan, and that they are saying that it is no part of the Award, I shall content myself with voting for the amendment which I have submitted, in order to test the Government.

Hon. Mr. LONGWORTH—I do not intend to answer the lengthy remarks of the hon. leader of the Opposition, nor of the hon. member for St. Peter's; but I shall correct, or rather contradict, some of their statements. We purpose to confirm the award, so far as it can be made binding; but though these hon. gentlemen cannot complain of our liberality on that point, yet they seem to be of opinion that some capital can be made by separating the loan part of the award from the rest, and submitting a resolution to the effect that a Bill should be introduced to guarantee the interest of a loan. The Commissioners had no power in reference to the loan; all their powers were exhausted when they suggested that it should be guaranteed by the British Government. It is stated that we are opposed to the loan. The Government have said nothing of the kind; they have submitted such a resolution as will allow them to secure the loan at any time.

Hon. Mr. COLES—We wish you to do that now.

Hon. Mr. LONGWORTH—I will come to that point before long. The loan is only a recommendation, and the resolution leaves it open to take up that matter at any time. But did we require a Commission to apply to Her Majesty's Imperial Government for a loan? We had power to apply for such ourselves as Her Majesty's subjects. The Commissioners have, however, recommended it, and we can take it up at any time. The hon. member for Princetown, Mr. Sinclair, has put the matter in a very clear light; the way which he did so does credit alike to his ingenuity and to his standing as a member of this House. We are under no necessity to rush headlong in for the loan; but by confirming the Award, and getting

the arbitration clause to work, the loan might afterwards be found useful. It would be difficult to obtain a loan in England, if capitalists found that it was to be taken up in dribbles of £500 or a £1000. Go with such a proposal to the Rothschilds and they would laugh at the idea. If we were going to take up a loan in such small sums, we would require to go to a third rate capitalist, and he would charge six or seven per cent. When we are prepared for the loan, we may get the whole £100,000 for some 4 per cent. In reply to the hon. member for King's County, I must say that I give him credit for consistency in regard to this matter of the Commission, and for the able manner in which he has advanced his views; but, Sir, we have seen them all in the *Examiner* during the last few months. With respect to the despatch before the Committee, he says it does not appear to be the intention of the Duke of Newcastle that we should take any legislation upon it. He passed very smoothly over that part which says that it is to be laid before the Legislature, and after going on for some time, asked if we were going to stultify ourselves by any action on the Award, in face of the objections made to it by the Duke of Newcastle? But are we, because his Grace objected to one or two clauses, to take up our hats and walk out of this House? Have we not the right to discuss the whole merits of the case, and then legislate on the matter. Are we to possess the rights of free men, or are we to be mere serfs? In respect to the Elective Council Bill, that hon. member said we ought not to be such serfs as to be tied down to the opinion of the Colonial Minister, and that he had a constitutional right to express his views on the subject. I agree with him there, and also say that we have an equal right to state our opinions and legislate on the matter under consideration. But he is opposed to legislation in reference to the Award, because the Duke of Newcastle did not give us a *carte-blanche* upon it. When the hon. leader of the Opposition presented his resolution yesterday, there was some consistency in it, because then we understood that he was in favor of confirming the Award and guaranteeing the loan in the same bill; but now he appears to be in favor of a separate Bill, which is quite a different matter. This change, however, I suppose was made to gain the support of his friends.

Hon. Mr. COLES—I did not say it was to be a separate Bill, but I understood so.

Hon. Mr. LONGWORTH—It is impossible that we should know the intention of the hon. member. Now he says we must have a separate bill.

Hon. Mr. COLES—If the Government think they can carry it out in one Bill, I have no objections that they should do so.

Hon. Mr. LONGWORTH—It would be folly to attempt anything of the kind. I will not follow the two leaders of the Opposition through their objections to the different parts of the Award. This subject has been thoroughly ventilated in the Colony; and now the report of the Commissioners has been printed, and the people can judge for themselves. These two hon. members denounce the Award, but what remedy do they propound? They have come forward with no scheme in lieu of it. The only proposition which they bring forward is the amendment of the hon. leader of the Opposition, and that is included in our own resolution. The Commissioners felt that they had a difficult task, but they have given a decision which I think will be received with favour throughout the length and breadth of the land. I feel confident, at least, that the opinion of the great body of the people is that the Award should be confirmed. The 1500 acre clause may not be such as we could wish; but the question is, should the Award be rejected on account of two or three objectionable parts? We cannot cut and carve it; we must take the whole Award. One of the principal benefits it will confer is the remission of arrears of rent. It is well known that the arrears can now be collected for 15, 18, or 20 years back. On some estates the arrears have accumulated to £20,000; and these the Commissioners have struck off by one dash of the pen. I give the hon. member for St. Peter's credit for his consistency in opposing the Award, but I cannot give him credit for suggesting any other remedy.

Hon. Col. GRAY—I stated yesterday that no amount of

speechifying could weaken the matter before us; the Award is an accomplished fact. My resolution in favor of confirming it is before the Committee,—vote for it or not. Some hon. members do not agree with me, but I have not heard any sound arguments to show that I am in error. The hon. member for King's County favored us this morning with a lengthy harangue, but the most of his remarks were foreign to the subject. As for the hon. leader of the Opposition he makes such singular statements that I am forced to believe that he draws upon his imagination for his facts, and that imagination is a most fertile one. What have we to do with the Loan Bill, the Miemac Indians, and several other subjects referred to by the hon. member? The Commissioners made no award with respect to such. The hon. member states that he understood I had offered to become an arbitrator for the tenantry. This is not the fact, for I never made an offer of the kind. He also says that I stated that the land on Lot 34 is worth 20 years purchase, but that the land at Belfast is not worth so much. What I did say will be found at page 23 of the Parliamentary Reporter. The proprietor of the land at Little York, who I understood would not dispose of it all, I said would be compelled by the Award to sell at 20s. an acre, while in some parts of the Island, where the land was inferior to that on Lot 34, the people, by the arbitration clause, might not have to pay more than 5s. an acre.

Hon. Mr. COLES—The inference I drew was that the tenantry at the one place were to pay 20s., and those at the other 5s. an acre.

Hon. Col. GRAY—The inference, then, was a most unfair one. Arrears of rent have also been referred to. £20,000 is nearer than £10,000 to the amount that might be collected even to the last farthing, if the Award did not come into operation. This great burden of 30, 60, 70 or £80 will be thrown off the tenant's neck.

Hon. Mr. WHELAN—I would ask the hon. member if the arrears are to be given up, unless the tenant has made arrangements to purchase?

Hon. Col. GRAY—The hon. member who has risen—or to use his own expression if I had risen—"the hon. member who interrupts me," has the Award before him; it speaks for itself. The hon. leader of the Opposition in referring to the loan, seemed to think that the Commissioners said that all which should be allowed the proprietors for the land was 2s 6d sterling an acre. I wonder if my hon. colleague is willing to sell Lot 31 for 2s 6d an acre. I would ask how many estates the hon. leader of the Opposition could purchase for 2s 6d an acre, when he was in power? The Selkirk estate was bought at nearer that rate than any which he purchased. He sees no good in the report of the Commissioners except in the loan part, because the load is his hobby. I agree with the hon. member for Charlottetown, that the loan forms no part of the Award.

Hon. Mr. COLES—I am glad the hon. member has made the statement, because he said his resolution was to confirm the Award, and now he says that the loan is no part of it.

Hon. Col. GRAY—The first part of the report of the Commissioners is the evidence brought before their Court, and the last is their decision; and I would ask which of the two is the people most interested in? Supposing we could get the loan—supposing we had the £100,000, what benefit would it be? Would one proprietor sell his land for 2s 6d an acre? Would Mr. Bruce Stewart, or my hon. colleague, if inclined to sell, give their land for 2s 6d an acre? Suppose the amount given for the land was 7s 6d an acre, as limited in the Purchase Bill, what price could be set upon it to make it pay? What we want, in connection with the loan, is a power to make the proprietors sell, and that at a reasonable rate. Would it not be prudent for the hon. leader of the Opposition to get the proprietors to promise that they would sell at 2s 6d an acre, before we borrow the money? Because if we had the £100,000, and could get no land to purchase, where would the money go? Echo answers where?

Hon. Mr. COLES—The money would not be drawn unless it was required.

Hon. Col. GRAY—I ask any financier if money could be obtained on such terms. Though I generally differ with the

hon. member for Princetown, as he is my political opponent, and has sometimes, I think, treated me harshly, yet, Sir, I agree with him in his views on this question, when he says we can purchase land at any time under the Purchase Bill. This is what I have been advocating. The hon. member for King's County has been boasting of the return of his party at the next election.

Hon. Mr. WHELAN—What I stated was that I believed at the next election the country would give a good account of the position of parties in this House.

Hon. Col. GRAY—I do not see much discrepancy between the statements. It is impossible that any person can know by intuition what shall take place at the next election. It is in the womb of futurity. But I am willing to test this question now. I am willing to test who are the friends of the people to night, and see how many of the hon. members of the Opposition will vote for the resolution which I have submitted. I would like to see them vote against it.

Hon. Mr. COLES—The hon. member appears to think that some of the Opposition will support his resolution. Those on this side of the House never pretended to oppose it altogether, when he said it was to include the whole Award. But now we have his statement that the loan is no part of the Award; and his resolution does not refer to the loan at all. I cannot let his statement go forth to the country that if we obtain the loan we shall have to take the whole at once. This is only to mislead the people. The hon. member for the second district of Queen's County said that the Rothschilds would not give a loan on such terms. I do not say they would; but I maintain that such a loan as we require would be a great benefit to the small capitalists of Britain. The loan is the first matter referred to in the Award, and my resolution is in favor of a Bill being introduced to carry out the first recommendation of the Commissioners. In reference to the concluding remarks of the hon. member for Belfast, I may say that I believe we will stand as well before the country, at the next election, as the supporters of the Government. He seems to hold out a threat to those on this side of the House; but, Sir, I shall not hold out any threat.

Hon. Col. GRAY—I do not hold out any threat. I said I would test who are the friends of the people.

Hon. Mr. POPE—I do not intend to say much in this matter. I consider there is scarcely any alternative for us, but to confirm the Award, since this House agreed by a vote 18 to 8 to leave the difficulties between landlord and tenant to arbitration. I was not a little surprised to hear the hon. member for King's County asking us to stultify ourselves by rejecting the Award. The question, Sir, is not whether we are satisfied with the Award in every respect; but are we doing our duty as honest men to set it aside. He, however, argues that we should apply for the loan. If we were to apply for it only, what would the British Government say? They would say these men are not to be trusted; they asked for an arbitration before and would not abide by it; if we guarantee them a loan to-day, they will object to pay it to-morrow.

Hon. Mr. PERRY—It has been said that the loan is not a part of the Award. I certainly differ with the hon. leader of the Government in regard to what he has stated on this point. This, however, is only a matter of opinion. I am in favor of confirming the Award, for certainly there is some good in it. It is not what I would wish it to be, but I am inclined to take it as it is. My opinion is that every hon. member who considers there is any benefit to be derived from the Award, must feel it to be his duty to support the resolution introduced by the hon. leader of the Government. I would have no objections to support a resolution afterwards for a separate Bill to guarantee the interest of a loan; but I certainly think that the amendment of the hon. leader of the Opposition would have the tendency to set aside the Award altogether. We may get the loan again, and work it along with the arbitration clause. It is hardly fair, I think, to show any factious opposition in regard to this question. I shall, irrespective of party, vote for what I consider will be for the good of the country at large.

Hon. Mr. LAIRD—A great deal has been said respecting the Award, but the most of it to very little purpose. My

opinion is that we must take it as it is. We can neither add to it nor take from it.

Mr. OWEN—I shall support the resolution introduced by the hon. leader of the Government, because I believe it is to take the Award and get all out of it we can. I am, however, not of the opinion entertained by members of the Government that no benefit is to be derived from the loan. I think it is the part of the Award which is to do the most good. I do not consider much is to be gained by the arbitration clause. It was said when the Land Purchase Bill was passed that the proprietors would not sell; but we saw that some of them did sell. I shall support the resolution as brought in by the hon. member, Col. Gray; and if the present Government does not go for the loan, perhaps the next may. I think, as it is set so prominently forward in the Award, if we apply for it we shall probably be successful. Near the last of the Award the Commissioners say they "cannot close this branch of their report, without again expressing their conviction that the purchase of the estates, by the negotiation of a loan through the Imperial Government, presents advantages so manifest that they cannot too strongly recommend its adoption, in preference to all other plans for the settlement of those unhappy disputes." They thus recommend the loan in the strongest terms. Let us then confirm the Award, and leave it to the country at the next election—which I hope is not far distant—to decide whether they are in favor of the loan or not.

The question was then put on Hon. Mr. Coles' amendment in reference to introducing a Bill to guarantee the interest on a loan of £100,000.

For the amendment—Hons. Messrs. Coles, Whelan, Kelly, Messrs. Conroy, Cooper, Doyle—6.

Against it—Hons. Col. Gray, Haviland, Longworth, Perry, Thornton, Hensley, McAulay, Wightman, Spenger, Yeo, Pope, Laird; Messrs. Sinclair, Owen, Douse, Ramsay, Montgomery, Beer, J. Yeo, McNeill, Howat, Holm, Davies—23.

Hon. Mr. Whelan then moved, in amendment of the resolution introduced by Hon. Col. Gray, to strike out all after the preamble, and at the end thereof insert the following:—

"But it does not appear to be the intention of the Secretary of State for the Colonies that the said copy of the Award should be made the basis of any legislation for the present, inasmuch as that His Grace has not submitted the original or official copy, nor intimated any desire to have the printed copy confirmed by the local legislature: *And whereas*, the Secretary has declared, in his Despatch of the 7th February, 1862, that one of the principal provisions in the Award, namely, that in reference to local arbitrations, is open to "insuperable objections," which he proposes to obviate by some "fresh suggestions" at a future opportunity—thus manifesting his desire that legislation on the whole subject of the Award should be postponed: *And whereas*, the recommendation for a loan of £100,000, so earnestly urged by the Royal Commissioners, in order to buy out the claims of the proprietors, is not favorably entertained by the Colonial Minister: and the other principles of the Award being such as are only calculated to confirm proprietary claims without conferring any benefits on the tenantry:

Therefore Resolved, That in the opinion of this Committee, no advantage would accrue from passing a Bill to confirm the award of the Royal Commission, until, at least, such time as the Colonial Minister shall have fully declared the views of the Imperial Government on the several questions submitted to them in the said Award, and when His Grace the Duke of Newcastle shall have furnished the "fresh suggestions" promised by him."

This amendment was lost on the same division as the foregoing.

The original resolution was then put and carried, after which the Speaker took the chair. When the question was about being put on the resolution, Hon. Messrs. Coles and Whelan moved their amendments in succession, which were lost 23 to 6 as in Committee, the chairman, Mr. Sutherland, voting against them, as did the Speaker in Committee.

Hon. Mr. Haviland, from the special Committee, to bring in an Elective Legislative Council Bill, presented a draft which was read a first time.

House adjourned.

Wednesday, March 20.

Savings Bank Bill.

On motion of Hon. Mr. HAVILAND, the engrossed Bill from the Council to establish a Savings Bank in Prince Edward Island, was read a first time.

Hon. Mr. HAVILAND said upon principle he was not opposed to a Savings Bank, but he had not given this Bill any consideration; however, he would move that the tenth rule of the House be suspended, and the Bill be now read a second time. He understood the Savings Bank was not to be a separate matter, but connected with the Treasury. In that case it would impose additional duty on the officers of that department, and he thought the Bill made no provision for their additional payment.

The Bill was then read a second time and committed. Hon. Mr. Kelly in the chair.

Mr. BEER was happy to think that such a measure was before the House, and considered it would be a great benefit to the poorer class of the community if it were only carried into operation. These institutions had worked admirably in the old country, and he thought one could be conducted here so as to be an advantage to the Colony in different ways. The Bill provided that the interest allowed the depositor should be 4 per cent.; the Government might give 3 per cent., allowing one per cent to the Deputy Treasurer for transacting the business, and then employ the money with advantage in buying up Treasury warrants. He was of opinion that such a bank would be a greater benefit to the people of the country than those of the town, particularly if the Award of the Land Commissioners came into operation; because then parties desiring to purchase their farms could lay up their money in the Savings Bank until they had sufficient to pay an instalment.

Mr. DAVIES said something considerable would have to be given to the Treasurer for his additional trouble. The Bill should be made self-sustaining, as the country could not afford to pay £100 or so out of the public funds for such a purpose.

Hon. Mr. HENSLEY remarked that the principle of the Bill appeared to be a very good one. He understood it was intended to allow the Deputy Treasurer £20 a year until the sum deposited amounted to £2000, after which it would be self-sustaining, the only cost being the expense of paper.

Hon. Mr. LONGWORTH said this matter had been for some years before at least one branch of the Legislature, and, judging from the pertinacity with which it had been adhered to, they must have been impressed with a sense of the necessity of the measure. It had not met with much favour from hon. members of this House, which resulted he thought more from want of consideration than from any opposition to the principles of the Bill. When an institution of this kind was established, the poor man had a place where his earnings might be kept safely; and he thought such a bank would be a benefit here, as the small farmer and the artisan would then have an opportunity of gaining interest on that little money they might at any time have at their disposal. He was of opinion that the House should not hesitate to adopt the measure, providing it did not entail any burden on the country. There were some details wanting in the Bill, which the Legislative Council could not take up as it was a money measure. But it was intended, as explained by the hon. and learned member for East Point, that £20 should be paid to the Deputy Treasurer per annum, until the sum deposited amounted to £2000; and as the interest to be allowed was 4 per cent, there would be a difference of 2 per cent which

would meet working expenses. All that the Government would have to pay would be the little expense of stationary and printing. He thought it would be well for the Deputy Treasurer to appropriate one day in the week for this business.

Hon. Mr. LAIRD asked if the Deputy Treasurer would undertake the work.

Hon. Mr. LONGWORTH thought he would have no objection to take the office with the additional remuneration.

Hon. Mr. COLES had no objection to the intention of the Bill, but thought the plan contemplated would certainly give a great deal of trouble to the Deputy Treasurer, as he saw by the provisions of the Bill that sums were to be received from 1s. up to £50. Those that had £50 could go to the general bank. He thought that between 6s. and £10 was a sufficient range. The interest allowed at the Bank was only 3 per cent, and if £50 could be deposited this way on Government security, there would be a rush to the Treasury.

Hon. Mr. HAVILAND also thought that 1s. was too trifling a sum to enter, and that 10s. was about little enough. He likewise considered that if public opinion took hold of the matter, keeping the accounts, &c., of the Savings Bank would take up more time than the other business of the Treasury. Besides, it would be a loss to the Colony, because, as the money might be called for at 8 days' notice, the Treasurer would have to keep a large amount in hand, in which case he would be able to invest very little of what was deposited in the public funds. That the sum of £50 should be received was perfectly ridiculous, as was justly remarked by the hon. leader of the Opposition. He was of opinion that a bank of the kind was very little required in this country, where Treasury warrants could be obtained. But this was a pet scheme of the President of the Legislative Council, and it was a pity if, after so many attempts, his desire could not be gratified.

Hon. Mr. McAULAY said the principal objection to the Bill appeared to be that the Savings Bank would take up the time of the Treasurer, and cause him as much trouble as his other work; in which case the question would be, should he not receive double pay? If this had to be done it was more than the country could afford.

Mr. COOPER thought it would be well to leave the smallest sum that could be received at 1s., because with some labouring persons, if they allowed their money to lie until it amounted to 5s., they might buy something with it they did not require.

Mr. DAVIES said it should be ascertained whether the Deputy Treasurer would undertake the duties which he would be required to perform under the provisions of the Bill. He thought it would be quite proper to receive sums as low as 1s., because it was well known that there were improvident persons who would spend their money if they had to allow it to remain until it amounted to 5s. It had been stated that parties wishing to lend money could get Treasury warrants. This was not the case, as it was well known that they were spoken for before they were issued.

Mr. BEER would go for the sum being as low as 5s. The interest on that for a year would be 3d., which would be easily calculated. He thought the Bill would bring a great deal of money into circulation which was now laid up. That there was money in the country was shown by the circumstance that quite a number on the Selkirk estate purchased their farms, and immediately paid in the first instalment. He was of opinion that not more than £10 should be allowed to be deposited in one year, in order to exclude a certain class; but still he thought the sum might be allowed to accumulate to £50, as then the poor farmer in the country might be enabled to collect as much as would purchase his farm.

Hon. Mr. THORNTON said a Bill of this kind was brought down some years ago, and the principal objection to it then was that it would encumber the Treasury. If those who in-

produced this matter were sincere they would have organized it independently of the Treasury. In other countries Savings Banks did not appear to be working well, as losses were sustained through delinquents. He was altogether opposed to the Bill in its present shape.

Hon. Mr. HENSLEY did not see how the scheme could be self-sustaining, if the interest allowed was to be 5 per cent. Inquiries had been made, and it was ascertained that it could not be carried out in connection with the Treasury without detriment to the public service. A great objection was, that as the money could be taken out at any time, a large amount would have always to be kept on hand.

Hon. Mr. HAVILAND was of opinion that the Bill would not work at all. He was under the impression that the officers of the Treasury had been consulted, but on inquiry he found that the Deputy Treasurer instead of being consulted was alarmed at the idea of having such an amount of additional labour imposed upon him, as he thought the proposed business would require the greater part of his time. If, then, such an institution was required, a separate office would have to be established with a salary of £200 at least. Unless some hon. member would make a proposition to introduce the matter in a different shape, he would move that the Committee rise without reporting.

After a few other hon. members had expressed similar opinions on the Bill the Committee rose, and the Chairman made no report.

A number of petitions were then presented among which were the following:

By Hon. Mr. POPE—a petition of John Hazard, Thomas Minkletter, and other inhabitants of Prince County.

By Hon. Mr. YEO—a petition of divers inhabitants of Cascumpec and its vicinity.

By Mr. COURAY—a petition of divers inhabitants of Lots 1 and 2.

By Mr. DOUSE—a petition of divers inhabitants of Belfast and its vicinity,—all praying that the section of the Act relating to the recovery of Small Debts restricting the imprisonment of debtors to sums over £10, may be repealed or otherwise dealt with as to the House may seem meet.

The House then went into the order of the day for taking into consideration the petitions lying on the table.

All the ordinary road petitions were severally referred to the members for the different districts.

The petition of divers inhabitants of Cascumpec and its vicinity, praying a repeal of the section of the Small Debt Act restricting the imprisonment of debtors to sums of £10, having been read, it was resolved that the House go into a Committee of the whole to consider the prayer of said petition. The several petitions on the table praying for a similar object were referred to the same Committee.

Hon. Mr. PERRY said when this clause was introduced into the Small Debt Act he did not think a change would be required so soon. He believed, however, that it had worked well enough. When credit was too accessible it was no advantage. He could prove that there had been far less suing in his part of the country since the non-imprisonment clause had come into operation. This was a benefit, because when merchants took it into their head to sue there was a great deal of expense connected with it. If persons could not buy anything on account of this clause without paying down for it, they should become honest men, and then they would get credit. He was aware that last year there had been scarcely more than one-third of the summonses issued compared with what had been in former years. He could not support the repeal of the clause, unless he heard good reasons brought forward for the change.

Mr. HOLM remarked that the hon. member who had just sat down was the first person whom he had met that was satisfied with the clause. He (Mr. H.) thought it had worked injuriously to all parties. The hon. member had said that there was less suing than before; but probably the reason was that the debtor had set the creditor at defiance. It operated against the poor man's getting credit, because merchants sometimes did not know who were the honest men. He thought it would be the duty of the House to repeal the clause in question.

Hon. Mr. POPE said when the last amendment to the Small Debt Act was passed it was considered a great advance in the scale of civilization, it being thought almost barbarous to imprison a man for debt. Though the hon. member, Mr. Perry, says the people in his district are satisfied with the Act as it now stands, yet here is a petition signed by about 1000 persons, and most of them are his constituents, praying for a repeal of the clause referred to. It is not only signed by the merchants but by all classes of the community. [The hon. member then mentioned the names of some parties who had signed the petition, and gave a case or two where parties had come to the Island, remained a short time and did business, and become indebted to several persons to an amount not exceeding £10, and then went off with the money in their pockets.] He thought it ought to be placed in no person's power to set creditors thus at defiance. It was no more just that an individual owing £9 19s. 11½d. should be allowed to get clear than one owing £10. I will submit a resolution on this matter.

House adjourned for one hour.

WEDNESDAY AFTERNOON, March 26.

Mr. DAVIES advocated the repeal of the clause which, instead of working beneficially, had the effect of preventing credit being given. While he approved of the principle of the clause, and was reluctant to adopt a retrograde principle, he was bound to say that the clause was not applicable to the country.

Mr. McNEILL could see no reason why, if a man was liable to imprisonment for £10, he should not be liable for £9 19s. The operation of the clause had been injurious. It had prevented worthy, but poor men, obtaining necessary supplies.

Hon. Mr. KELLY—The petitions had been got up by merchants and other dealers who were in the habit of charging 100 per cent on their goods. That the petitions were from parties pecuniarily interested, could be inferred from the fact that some of them were signed by Commissioners of Small Debts. They should not abolish the clause hastily. In the neighborhood in which he resided, there were no complaints of the working of the clause. He believed that if it had been generally known that such petitions were to be brought before them, more of a contrary character would have been presented.

Mr. HOWAT—It might be the duty of the House to repeal the clause, in accordance with the petitions, but they should be careful to make its provisions bear equally upon all. As the Act stood, a party imprisoned for a debt exceeding ten pounds could take the benefit of the Insolvent Debtors' Act; but if they now abolished the clause referred to, an imprisoned debtor to a less amount would be compelled to feed himself while in jail.

Mr. BEER—The clause had worked badly, and had created general dissatisfaction, not solely amongst the mercantile, but the other, classes of the community, without reference to business or political relations. Since the Act had come into operation, there had been filed no less than 292 Bills of Sale, of which, there was no doubt, the majority were executed with the fraudulent intention of preventing creditors obtaining their debts. Instances of that nature were constantly occurring, and unless the clause were repealed, many a poor man would be unable to obtain even seed grain.

Hon. Mr. YEO—The Act operated injuriously to both creditor and debtor. The poor man was unable to obtain credit, and he believed that portion of the population which required credit were willing that the clause should be repealed.

Hon. Mr. HENSLEY—While his individual opinion was opposed to a return to the former system, yet the opinion of the country was manifested so decidedly that he felt it almost a matter of duty to accede to the prayers of the petitioners, who might be regarded as asking permission to go to jail. Whatever resolutions might be introduced, he trusted that protection would be afforded to the honest poor man. There was something revolting in the idea of imprisoning a man whose inability to pay a debt had arisen, not through dishonesty, but misfortune. As the law at present stood, a party,

not having disposed of himself of property after the inception of the suit on which he was imprisoned, was entitled to his discharge; but a transfer after the contraction of the debt might be fraudulent, as being made in view of avoiding payment.

Mr. MONTGOMERY, although reluctant, would, in consideration of the numerous signatures to the petitions, give his vote in favor of the repeal of the clause. These petitions were signed by many others than merchants. He was of opinion that many people took credit who need not ask it. He trusted that every precaution would be taken to prevent the undue detention and committal of a debtor.

Mr. DOYLE was not in favor of imprisoning a man because he might be unable to pay a debt; but he was compelled to express his conviction that the clause had worked to the prejudice of the poor man. He knew that when the time for the operation of the old Act was about expiring, a most unusual number of suits were brought against poor people, who, unless the clause was altered, would, in a great number of instances, be unable to obtain seed.

Hon. Mr. HAVILAND expressed his regret that the petitioners should have asked for a measure of a retrogressive character. In 1860 he had advocated the abolition of imprisonment for debt for all sums under £10, in the belief that it was but the initiatory step towards the abolition of imprisonment for debt altogether. The clause had been inserted as a feeler, to test how far a principle, sound in theory, could be satisfactorily carried into practice in the Island. The petitions and the observations made upon them would seem to argue a deficient standard of morality in the Island, for they virtually said that men would not pay their debts under £10 unless they were liable to be sent to gaol. It was a strange thing that an examination of the signatures to the petitions shewed that the parties desirous of reverting to the provision of the old law were not exclusively merchants and traders, but the possible victims of the solicited alteration. This was to be inferred from the character of the writing. There had certainly been an extraordinary number of Bills of Sale executed since the new law had come into force, and doubtless many of them had been executed with a view of preventing creditors getting the property of their debtors. He would, in consideration of the allegations of the petitioners, and in view of the fact that there were no counter petitions, vote for the abolition of the clause.

Hon. Mr. YEO thought that whoever imprisoned a man for debt should be at the charge of his maintenance, and that the Government should not be called upon for his support.

Hon. Mr. PERRY coincided in this opinion. A jail was intended for malefactors not debtors, and, as such, was supported by the public. The petitions had been got up by merchants and dealers, who could easily induce people to sign. He found that no more than some forty names of the French people had been signed to the petitions,—that may have perhaps arisen from the ignorance imputed to them by the hon. member, Mr. Beer. He knew that in Prince County there was far less suing than there had been, prior to the enactment of the present law, and that fact shewed that it had worked to the advantage of the poor man, who, sometimes, had to pay £2 or £3, as costs on a paltry suit, for a few shillings.

Hon. Mr. LAIRD denied that the petitions represented the views of the majority.

Hon. Mr. COLES would wish that an honest man once insolvent should be free afterwards. Under the old Act, after a certain time of imprisonment, a certain amount of debt was discharged, but that law did not apply to cases involving large amounts. He agreed that the imprisoning creditor should be compelled to support the debtor he had incarcerated, and a provision to that effect might have the result of acting as a check on any creditor disposed to act capriciously or harshly. A return to the old law might be considered as a retrograde movement, but the country was not ripe for the clause. Credit was generally required, and if the party applied to decline to give it, what was a poor man, in want, it might be, of seed for his land, to do? Under the law, as it previously stood, there were not many cases of imprisonment for debt, and the alleged number of Bills of sale, shewed that the change

had been productive of dishonesty, in inducing fraudulent transfers of property. He would support the repeal of the clause.

Hon. Mr. WRIGHTMAN—The character of the signatures to the petitions shewed that the operation of the Act had been injurious both to creditor and debtor. Last year, in several parts of the Island, the crops were deficient, and under the Act, in its present shape, a merchant felt himself justified in saying to a customer seeking, it may be, flour,—"I cannot let you have any goods unless you take the value of £10 or upwards."

Hon. Mr. LONGWORTH had supported the clause in the Act, having confidence that the principle, on which it was based, was a good one. But its operation, for upwards of a year, as stated by the petitioners, had shewn that the anticipations, in favor of it, had not been realized. On one side, it might be said that the clause would induce greater caution in the mutual relations between debtor and creditor, but it appeared that the privilege of arrest induced credit which, without it, would not be afforded. They might modify the present Act, without going to the full length of that which it superseded. It was a monstrous injustice and absurdity to keep an honest, but unfortunate, man in prison until the debt, for which he was deprived of his liberty, had been satisfied by the expiration of a period of incarceration proportionate to the amount. He would place all debts within the jurisdiction of the Small Debt Courts, on the same footing, and he then proposed the following resolutions:—

"Resolved, That those portions of the Act now in force relating to the recovery of Small Debts which prohibit imprisonment for debt for sums under Ten Pounds be repealed, and that the benefit of the provisions of the present Insolvent Act be extended to all sums under Twenty Pounds.

"Resolved, further, That no Defendant imprisoned under Capias or Execution issued under the Small Debt Act aforesaid, shall under any circumstances be fed or supported in prison at the expense of the Government."

In addition to these the Hon. Mr. Hensley moved the following:—

"Resolved, That the Debtor shall in no case be entitled to relief under said Insolvent Acts, if it can be shown that he has, since contracting the debt for which he may be imprisoned, made away with any property in order to defeat the detaining Creditor's claims."

Hon. Mr. McAULAY was in favor of repealing the clause. Unprincipled men had, it appeared, taken advantage of it to defraud their creditors. No one was, he hoped, so malevolent as to sell his goods for the pleasure of depriving the purchaser of his liberty. He had supported the clause as an experiment, and would be in favor of extending its operation if it had been found to work well. The voice of the country has declared against it, and to that voice they were bound to listen.

Mr. COOPER—The abolition of imprisonment for small debts was merely a display of mock humanity. No honest poor man need fear the gaol, but it was quite clear that the clause had encouraged swindling, while it prevented honest men obtaining credit.

The resolutions were agreed to.

Hon. Mr. POPE moved to amend the 7th section of the Small Debt Act, which prevents the lower courts holding jurisdiction where the debt had exceeded £20, unless the balance had been acknowledged by the signature of the party charged therewith. That only entailed loss of time and enhanced the expenses, by forcing parties into the Supreme Court. He could see no reason for such a provision.

Hon. Mr. HAVILAND—Any lawyer knew the difficulties which often attended the proof of accounts stated. It was to be regretted that a written admission was not required in all cases of alleged settlement.

Hon. Mr. YEO was in favor of the resolution. It might be that a man did not sign a settlement, from his inability to write, and it would be outrageous, in such a case, that he should not be compelled to pay the balance of his accounts in the lower Court.

Hon. Mr. HENSLEY agreed with the Hon. Mr. Haviland,

that the proof of settlements and acknowledgments of balances was often very difficult. The resolution, if adopted, would put money into the pockets of the lawyers, who would be benefitted by the number of appeals which would arise. He could see no prospective benefit from the resolution, and he should therefore vote against it.

Hon. Mr. LONGWORTH—The proposed alteration would certainly be of advantage to the lawyers; but it was a question for the lay members to consider. Creditors were sometimes mistaken as to the fact of an acknowledgment of a balance. No honest man would object to signing his name to the balance, and when that had been done, no further evidence was requisite.

Hon. Mr. POPE—The Commissioners of Small Debts were quite competent to decide as to whether a settlement had taken place or not, and a party dissatisfied with their judgment could appeal. In the country, accounts were generally settled in October and November, and in cases where there might be a balance of twenty shillings, a creditor might be kept waiting for that paltry sum till June following, when the Supreme Court sat. He would rather lose the debt than seek it there.

Hon. the SPEAKER saw no reason why oral evidence of an acknowledged balance should not be legal in the lower courts.

Mr. DAVIES would not consent to have his books written in by debtors. If a party refused to give an obligation he would trust him no longer.

The resolutions proposed by Hon. Mr. Longworth and Hon. Mr. Hensley were severally agreed to. That offered by Hon. Mr. Pope was lost.

Messrs. Longworth, Hensley and Pope were appointed a Committee to bring in a bill in accordance with the resolutions adopted.

Hon. Mr. Haviland presented a petition and Bill for the incorporation of Victoria Lodge of Free Masons. Referred to Private Bill committee.

THURSDAY, March 27.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church at Elliot River, Lot 65, was passed.

The amended licence law was read first time.

The House then went into the consideration of the petitions on the table.

The petition of inhabitants of Georgetown, for a grant in aid of a schoolhouse in that place, being read—

Hon. Mr. McAULAY, in moving that it be referred to supply, stated that a similar application had been unsuccessful last year, but some of its opponents had promised to support it this session. The petitioners asked for a grant of £100, and he trusted that it would be voted unanimously. They had strong claims upon the House. Georgetown was the capital of King's County, and it should possess a seminary adequate to the educational requirements of the people. Charlottetown had a college with an endowment of four times the amount that the petitioners asked for. The school was necessary to qualify the youth of the county to become students at the College, and in a few years the benefits resulting from it would repay the amount many times. In other Colonies the natives went forth to eminence. Nova Scotia had sent to Canada a gentleman second to none in the particular branch of science to the study of which he specially applied himself. It was proposed that there should be three departments in the school about to be established, two for boys and one for females. The people had raised £100, and they found that they had no resource but from this House to give effect to their undertaking.

Messrs. Haviland, Hensley, Whelan, Beer, and Col. Gray, advocated the reference to supply.

Mr. Cooper moved, and Mr. Howat seconded, and Hon. Mr. Coles supported, the motion that it be referred to a Special Committee to obtain information and report next session. The petition was referred to supply.

THURSDAY AFTERNOON, March 27.

The Bill to regulate the proof of certain documents in actions wherein foreign Corporations doing business in this Island are parties was, according to order, read a second time and passed through Committee.

Hon. Mr. Longworth introduced a Bill to consolidate and amend the laws relating to Statute Labour. He explained that such a Bill was necessary, as the laws in relation to roads were contained in a number of Acts, besides there appeared to be several discrepancies in them. There were two forms of oath which had occasioned some confusion. That part of the statute in reference to contracts on the main post roads it was not necessary to retain in the Act, as it had been found inoperative on account of the high tenders given in. An alteration was also made respecting the receipts to be given to parties who had performed their statute labour or paid their commutation money. The present Act said that the Overseers should be allowed 3d. each receipt for providing them; but as this had occasioned some misunderstanding, the Government were now to furnish blanks, and the Overseers were to be allowed 1d. each for filling them up.

The Bill was read a first time.

The House then proceeded further to consider private petitions. Several were disposed of, none of which were of general interest.

Adjourned.

FRIDAY, March 28.

Hon. Mr. McAulay presented a petition of certain inhabitants of Greenvale settlement, Lot 21, setting forth that the dwelling house of Donald Gunn of that place, together with all its contents, was destroyed by fire, and praying the House to grant him aid from the public funds. The hon. member moved that the petition be referred to supply. Motion lost, 7 to 9.

Mr. Davies presented a petition of John Trenaman, John Morris, and other inhabitants, praying the House, in view of the claims of the descendants of the aborigines of this Island, and of the recognition of such claims by the Royal Land Commissioners, to make such provision for the improvement of their general circumstances as will meet the exigencies of their present necessitous condition.

The Bill to regulate the proof of certain documents in actions wherein Foreign Corporations doing business in this Island are parties, was read a third time and passed.

The House then proceeded further to consider private petitions.

The petition of divers inhabitants of Strathalbyn, Lot 67, praying for a grant in aid of individual subscription to build a Temperance Hall, having been again read.

Mr. Montgomery moved that the said petition be referred to the Committee of Supply. He supported the prayer of the petition, stating that that part of Lot 67 had superior claims for a grant from this House, as it received nothing from the public funds for wharfs, and had no large bridges to be kept up.

Mr. Holm also supported the prayer of the petition. The people of that locality had been put to considerable expense in building a church, a schoolhouse, and a manse, and required assistance to enable them to erect a Hall. As it was a laudable object, he hoped the House would grant a small sum towards it.

Mr. Montgomery's motion was lost, 11 to 9.

The petition of Hugh Logan, late Jailor of King's County Jail, was then taken up.

Hon. Mr. Haviland said it was a similar petition to one presented last year, which went as far as supply and was then overlooked. The petitioner had peculiar claims, as he had held the office for many years, and was dismissed without any notice. He (Mr. H.) moved that the petition be referred to supply.

Mr. Owen and one or two others opposed the prayer of the petition, and maintained that the sheriff was justified in dismissing the petitioner from office, if he thought the prisoners were not safe under his care.

Mr. Haviland's motion was carried, 15 to 5.

The petition of John Ross, printer, praying a grant to enable him to have a representation of the public buildings of Charlottetown placed on a map of that City which he is about to publish, was next taken up.

Mr. BEER said he would like to see a map of the city got up of the description set forth by the petitioner; and as any person who wished his buildings represented on the map, would have to pay for it, it could not be expected that the public buildings would be given unless this House granted a sum for the purpose. He moved that the petition be referred to supply.

Hon. Mr. LAIRD was astonished to see such petitions come before the House. The country could not afford to give a little assistance to a few widows and orphans, and how could people expect that money would be voted for such an object as was prayed for in this petition?

Hon. Mr. PERRY also opposed the motion, and moved in amendment that it is inexpedient to grant the prayer of the petition.

Hon. Mr. COLES said if the House did not grant a sum the public buildings would be a blank on the map, which he thought would be a matter of regret.

Hon. Col. GRAY was disposed to view the petition in a favourable light. The Island was too little known, and a map of this description, he thought, would in a measure serve the purpose of an advertisement. He had subscribed largely to the undertaking himself, and would like to see it successful.

When the House divided on Mr. Perry's amendment there appeared 7 for it and 16 against, so the original motion was carried.

The petition of inhabitants of Georgetown and vicinity, praying for a grant to aid in placing a steam ferry-boat on the harbor of Georgetown, was taken up.

Hon. Mr. HAVILAND said it was unnecessary to urge the importance of granting the prayer of the petition. All the arguments in favor of a steamboat on the Hillsborough would equally apply in respect to one in Georgetown harbor; and if this petition went to the wall, he thought the petition for a grant to a boat on the Hillsborough would also go to the wall. He moved that the petition be referred to supply.

Hon. Mr. COLES thought it was unfair for the hon. member to make this statement, as he (Mr. C.) had voted in favor of receiving the Georgetown petition. Threats of this kind should not be made.

Hon. Mr. McAULAY supported the prayer of the petition and showed what the advantages of steam communication would be on the harbor of Georgetown.

Hon. Mr. THORNTON said he had learned from one of the contributors to the scheme, that they were not bound to take the boat which had been plying on the Hillsborough, but might obtain one from New Brunswick; and that it was their intention to get the company incorporated. If the company was incorporated he would be happy to support the petition. The motion that it be referred to supply was agreed to.

The memorial of the Trustees of the Lunatic Asylum having been again read,

Hon. Mr. PERRY said that there had been great improvements in that institution of late, but that great improvements were still required, as he little inconvenience was felt, owing to a number of the sleeping apartments being on the underground floor. It would conduce greatly to the health of the patients were other rooms erected for that purpose. He moved that the petition be referred to supply.

Mr. MONTGOMERY thought if great improvements were required, the country at present could not afford the outlay.

Hon. Col. GRAY was opposed to the petition going to supply, as the Colony was not in a position to grant a large sum for that institution. He supposed a thousand pounds or two would be required to carry out the proposed arrangements.

Hon. Mr. COLES said the whole thing appeared to be a most extraordinary affair. The Trustees of the Asylum were officers of the Government, and here Mr. Perry, who was a member of the Opposition, had been made a cats-paw of to bring forward this application. He maintained that the Go-

vernment had been unfairly dealt with; the matter should have been submitted to them, and the sum required brought down in the estimates. This was attempting to obtain a grant by a side wind.

Mr. BEER said there was no side wind in the case, and no such sum as £1000 was required; £200 or £250 would be sufficient. He was sorry the application had not been introduced in a different way; but though it might be irregular the petition for that reason should not be thrown aside.

Hon. Mr. HAVILAND agreed with the hon. leader of the Opposition, that this matter should have been submitted to the Government. This was another case which showed that the Government should have the right of initiating all money votes.

Hon. Mr. PERRY said he did not consider that he had done anything worthy of the censure of the hon. leader of the Opposition. The petition was brought in by no side wind. He was of opinion that the Trustees of the Asylum were perfectly at liberty to send in a petition to this House, if they thought it proper to do so. If hon. members would visit that institution more frequently they would not be so readily disposed to oppose grants towards its proper maintenance.

After one or two others had expressed their opinions on the subject, the motion that the petition be referred to supply was agreed to.

Two or three other petitions of an unimportant nature having been disposed of, the House adjourned.

FRIDAY AFTERNOON, March 28.

The petition of inhabitants of Souris, Bay Fortune, Rollo Bay and the north and south sides of East Point, praying for a grant to extend a Breakwater partially constructed by voluntary exertions at Souris Harbor, was read.

Hon. Mr. HENSLEY—The number and respectability of the signatures to the petition would, he trusted, recommend it to the favourable consideration of the House. Souris Harbour was almost the only one in that portion of the Island. It was unfortunately exposed to a wind from the north-east. This circumstance rendered some protection necessary to prevent the port being destroyed by accumulations of sand. The petition states that already 363 yards of the breakwater have been finished by private exertions, and he had been informed that since the petition was sent 50 yards additional had been constructed. The value already laid out on the work was no less than £348 16s. in labor of men and horses, exclusive of the cost of the materials used. The hon. member here read the returns of the work, &c., and proceeded to say that he was not as conversant with the local details as his hon. colleague, Mr. Cooper, the comparative proximity of residence to Souris gave him greater facilities of acquiring local information on the subject. He certainly considered that the time and labour hitherto voluntarily applied to the construction should be viewed as a guarantee of the bona fide nature of the work, and should induce the House to accede to the prayer of the petitioners. The signatures showed that no party question was involved, for men of opposite political predilections had united in this as a matter of general utility and necessity.

Mr. COOPER—His hon. colleague having mentioned the exertions made, and labor given, by the people of Souris and other settlements to deepen the channel of the harbor at the former place, and having referred to him as being acquainted with the locality to describe it, would endeavour to do so. From the harbor a long point of land projected to the south-east; along this point ran the waters of the channel, on the north-east side of which was an open sandy bay. When the wind was from the north-east the waves carried the sands of this bay into the channel, and as the latter was gradually becoming filled with sand, the ebbing tide was inadequate to remove the obstruction. The object of the inhabitants was the construction of a breakwater to serve the double purpose of confining the tidal waters to the channel and preventing the influx of the sand into it. Having understood last summer that parties were at work on the breakwater, he went to

the course of operations and was gratified at sight of the progress they had already made, and at the activity with which the work was being carried on. A considerable length had been constructed, and the principal men of the district were superintending the operations. He was then informed that about 80 carts and more than 100 men were employed. The material used was small spruce, the butt ends of which placed upon logs, left the thick branches facing the sandy bay, and the whole being ballasted with stone, would prove an effective barrier to the encroaching sands. The work was constructed on scientific principles, for while that side which kept the waters to the bed of the channel was perpendicular or nearly so, the other, which faced the open bay, was an inclined plane, on which the advancing tide would rise and break, and from which it would recede, filtering through the brush, and in it deposit the sand which would thus become an element of stability to the work which had been constructed against it. The benefit of the practical application by man of the laws of nature was manifested in the use of the material employed in this breakwater, and it was worthy of consideration whether the close branches of the spruce might not be made available for the prevention of sand bays at the entrance of other harbors than the one at Souris. He had understood that the people more immediately interested had decided on contributing another day's labour in the ensuing summer, and he trusted that, for the test of a scientific principle and for the benefit of Souris harbor, and also in view of what the people had done from their own resources, the House would accede to the request of the petitioners.

Hon. Mr. WIGHTMAN supported the petition, as did Messrs. Thoratou, Perry, McNeill and Sutherland.

Mr. BEER moved that the application be referred to the members of the district. As it was avowedly an experiment the petitioners, after the expiration of a year, could come before the House with more confidence if the portion of the breakwater already constructed should be found to realize the expectations formed of it.

This opinion was coincided in by Messrs. Howat, Holm, Longworth, and others, when

Hon. Col. GRAY wished his opinion to go abroad to the country on the subject of such applications being made to the House without previous reference to the Government. It was utterly impossible for any individuals to carry on a Government, while they were liable to be called upon at any moment to assent to or reject applications of this nature. As the system worked at present, Government might be considered, in reference to the control of the public finances, as little, if at all, other than a Committee of the majority of the House. Members who would support the present application would not come forward at the hustings as defenders of the Government, which would be charged with undue expenditure of the public funds. Until the right of initiation of money votes were conceded to the Government for the time being, it was unfair to hold them responsible for the financial state of the country. He opposed the reference to supply.

Hon. Mr. YEO—The Customs Returns from the East Point showed so small a contribution to the revenue, that he was inclined to think the only object of the breakwater was to enable smugglers to come in at night. (Laughter.)

Referred to the members of the district.

A letter from Henry Hazard, Esq., stating that a further sum would be required by the Commissioners for the International Exhibition, was read.

Hon. Mr. HAVILAND moved that it be referred to supply.

Mr. HOWAT would like some explanation before voting to send it to supply.

Hon. Mr. HAVILAND explained that the Commissioners appointed last autumn to collect articles for the Exhibi-

tion had exceeded the amount at their disposal by \$10, and the letter asked for that sum.

Hon. Mr. COLES—it had been rumoured that Mr. Hazard had received £500 for the purchase of articles for the Exhibition, and that he was to return a certain portion, viz., £350. If such were the case it was not a creditable way of representing the Island. The matter of preparing for the Exhibition had been left too long. A year ago it was brought to the notice of the Government by a despatch, but the summer was allowed to pass without any action until the press and, he believed, the Charlottetown Debating Club forced the Government to move in the matter. The Government should have asked for a grant last session, and have given ample notice in order that parties might have sufficient time to manufacture such articles as they might wish to send. In the neighbouring provinces public notices calling for articles for Exhibition had been issued in the summer, and the people had time to prepare them. The grain from the Island which was selected was an inferior sample. It might as well should have been equal to any in the world.

Hon. Mr. LONGWORTH—Perhaps it would have been better if the money had been voted last session. It was not true that Mr. Hazard was making a speculation out of the Island representation at the Exhibition. It was true that he did make a proposition of that nature in the first instance, but the Government did not accede to it. He went in the same capacity as the representatives of other Colonies. It was necessary that the Government should see that the Island was represented at the Exhibition; and they were not driven by the influence of the press or the Debating Club as stated, for a reference to dates would show that Commissioners had been appointed before that body discussed the matter. In the early part of the season Government gave a sum to the Agricultural Society to procure grain and woollen fabrics, and the advertisement specifying a long list of articles was continued in the newspapers during the whole season. The farmers had ample notice. Perhaps the manufacturers of woollen articles would have preferred a longer period. The articles exhibited at the exhibition in Charlottetown, from which the Commissioners had made numerous selections which would reflect credit on any country. By the last mail the Lieutenant Governor had received a communication informing him that nearly every article had been marked for purchase. All Mr. Hazard received was £100, which was not much for his time and expenses. Sir Samuel Cunard had assented to the request of the Lieut. Governor and had given to Mr. Hazard a free passage to England. The assertion that the shortness of notice affected the quality of the grain needed no refutation from him.

Hon. Mr. WIGHTMAN—Codfish and mackerel, he had noticed, were not included in the list. This was to be regretted, as we could have furnished samples of a superior quality.

Hon. Mr. LONGWORTH—These articles would not be received into the building.

Mr. BEER—The quality of the grain sent could not have been exceeded except by that shown at the winter exhibition. With reference to mackerel, Mr. Dean had engaged to procure some of the best, but circumstances had prevented him. The hon. member here read a list of the articles sent, which he characterized as of qualities which would do credit to any country.

Hon. Mr. HENSLEY approved of the act of the Government in providing for the Exhibition. Time enough had been given except perhaps in the instances of certain manufactures, and in these we probably could not compete with

skins. As to the quality of the grain it was not so good as in some other years, but that was not the fault of the Commissioners nor of the Government. He had noticed with pleasure the style of baskets sent. On the whole he considered that the resources of the Island would be well represented.

Referred to supply.

Monday, March 31.

Hon. Mr. HENSLEY moved the second reading of the Bill to amend the laws regulating the sale of spirituous liquors by license. He said that it was to carry out the resolution of the House, and explained its objects.

It was then read a second time and committed. Hon. Mr. Maviland in the chair.

Mr. CONROY said there was a clause in the present Act which required that the majority of the inhabitants in a school district should sign a certificate that a tavern was needed in the neighborhood, before a license was granted. This clause had been evaded in some instances. In the district which he had the honor to represent, a license had been obtained in spite of the law, as only 10 or 12 householders in the school district, in which it was situated, were in favor of the license being granted, and about 44 against it. There was very little use in making amendments to the law, if its provisions were evaded in this way.

Hon. Mr. HENSLEY could not understand how a license could be obtained under these circumstances.

Hon. Mr. MAVILAND asked leave to explain. An oath was taken of the person who obtained the license, that a majority of the householders in the school district had signed in favor of the tavern being opened, and though a contrary petition came in afterwards, the Government did not know how to break the license. He thought it was the duty of the people in that district to prosecute the tavern keeper for perjury before the Grand Jury at St. Eleanor's.

Several hon. members then spoke on the general principle of the Bill, pretty much to the same effect as they did when the report of the special committee was under consideration.

When the clause in reference to Magistrates signing certificates was read—

Hon. Mr. HENSLEY said there was an objection to the term "neighboring Magistrates" in the Act.

Mr. CONROY remarked that in his part of the country the Magistrates who signed certificates were sometimes 15 miles from the proposed tavern.

Hon. Col. GRAY maintained that the law should be made so free from ambiguous terms that it could be easily understood by every person in the country. He thought the Bill should be so worded as to read "two of the three nearest," or two of the five nearest. The two nearest might be crotchety. He would move that the words, "two of the five nearest," be inserted.

Mr. BEER would rather have the words, "two nearest," inserted; because those living near were more likely to know whether the house was kept orderly or not.

Hon. Col. GRAY wished to know what would be done provided the two nearest Magistrates were temperance men.

Mr. BEER—All the better.

Mr. DAVIES thought that two of the four nearest would be a sufficient restriction; and after a little further conversation his suggestion was agreed to.

When the clause relating to Charlottetown was under consideration—

Mr. BEER said that he understood that those houses in the city which sold Lager beer, were not required to procure license. He moved that it be included among the other liquors mentioned in the Act, for the sale of which a license was required.

Hon. Mr. COLES was astonished to hear that there was difference between the country and the town. Houses of that description in the city should be placed on the same footing as those in the country. The name "Lager beer" should be inserted in the Bill to prevent misunderstanding.

Mr. Beers' motion was agreed to.

The clause relating to drunkards, who have become insane, excited a little discussion. When the vote was taken on it the Yeas were—Hons. Messrs. Hensley, Gray, Speaker, Longworth, Yeo; Messrs. Cooper, Conroy, McNeil, Ramsay, Douse, Montgomery, Beer, Howat, Davies, Holm—15. Nays—Hons. Messrs. Coles, Perry, Laird; Messrs. Sinclair and Sutherland—5.

Hon. Mr. PERRY said he saw nothing in the Bill to prohibit the sale of intoxicating liquors to Micmac Indians, as had been prayed for by a number of that tribe in a petition presented to the House last year. A clause to that effect, in reference to the Indians, had been inserted in the Canadian Act, and he believed it was found to work very well. He thought it would be well to introduce a similar clause into the present Bill.

Hon. Mr. LONGWORTH was of opinion that it would be a very wholesome provision, and thought it should be introduced into the Bill.

Hon. Mr. COLES questioned if it would be advisable to prevent the Indians from getting a glass of liquor, unless they could be shown to be worse than other people; but he was happy to think they were not. For the last year or two he had scarcely seen a drunken Indian in town.

A resolution introduced by Hon. Mr. Perry, that no intoxicating liquors should be sold by any person, to any Indian, without a certificate from a clergyman or medical man, under a penalty of 20s., was agreed to.

Hon. Mr. Hensley moved a clause in reference to parties who might have obtained a license by falsely representing that they had the consent of the majority of householders in a school district, and providing that if a petition was sent in to the Lieut. Governor in Council from the real majority, complaining that the license had been granted contrary to their desire, the Executive, upon due enquiry, might annul the said license.

Progress was reported, and the House adjourned.

Monday Afternoon, March 31st.

Hon. Col. Gray introduced a Bill for the suppression of Lotteries. Read first time.

Hon. Mr. LONGWORTH moved that the Bill consolidating and amending the laws relating to Statute labor and expenditure of money on the highways, be read second time. He said that the number of Acts on the subject rendered consolidation necessary, especially as they were reprinting the laws. The Act before them omitted that portion of the law of 1860, which authorized the letting by contract of the repairs of portions of the Post road. It had been found not to work well. It was useless until a supervisor was appointed, for the whole Island, or at least each County, whose duty it should be, to prepare specifications and receive tenders. That plan would injure uniformity of system. At present every Commissioner adopted a plan of his own. By the law of 1860, the overseer was to be paid for his certificates of labor or commutation from the commutation funds in his hands; in some instances it had turned out that there were no such funds, the people of the district having performed the work themselves. The Bill provided payment for those certificates irrespectively of the commutation funds. It was necessary that the Bill should receive the decision of the House without delay, as it would be necessary to appoint parties to carry out the provisions of the law in a short time.

The Bill was committed, and progress was reported.

Tuesday, April 1.

Hon. Col. Gray moved the second reading of the Bill for the suppression of lotteries.

Hon. Mr. COLES—The Bill, as he understood it, was of too sweeping a character. Some lotteries were instituted for the disposal of articles remaining from Bazaars got up for religious purposes. Parties wishing to dispose of works of art could do so by means of lotteries, while they would be unable to find purchasers by private sale, and were thus enabled to earn the means of living.

Hon. Col. GRAY—In Britain the results of lotteries had been so disastrous that they had been abolished by law. He had spent eleven years in India where lotteries were recognized, as, in fact, heathenism was acknowledged, and military honors paid to idols, although not at the present time. An individual was in his service in the capacity of a "house-keeper," at the wages of half a rupee per day, who had previously been a wealthy merchant at Madras, but had lost £1700 by lotteries, and was reduced to seek the humble situation he had mentioned. Lotteries and raffles had the effect of inducing congregations of people, and those gatherings were conducive to dissipation. He did not contemplate any interference with the limited scale of lotteries, referred to by the hon. leader of the Opposition, where a number of names might be placed in a hat, and the prize should be, as that gentleman had described it, a contribution for benevolent or religious purposes. The object of the Bill was the prohibition of lotteries, publicly advertised as such. The House had been occupied in devising measures for the regulation of taverns, and it would be found that in houses of that description lotteries and raffles were most usually held.

Hon. Mr. McAULAY, while he would not say one word to discourage innocent amusements, felt compelled to vote for the Bill, which he considered was intended to put a stop to a system of practices which he could not but consider pernicious. The very idea conveyed by the term "chance" was destructive of a tendency of habits of persistent industry. Industry, integrity and ingenuity all succumbed to the dominant idea of the sudden and fortuitous realization of property. In other countries the provisions of the Bill had been found necessary, in order to check the demoralization which was caused by the absence of some such measure. It was not unusual to see a raffle got up for the ostensible purpose of disposing of a goose, when the material interest culminated in the amount expended by the company for liquor; and young men were induced to pass, in scenes of dissipation, that portion of their lives which should have been appropriated to the improvement of their moral and intellectual qualities.

Mr. COOPER—The remarks of the hon. member, how just so ever they might be in the abstract, were not applicable to the Island in which the practices, against which he declaimed, were not as prevalent as his observations would lead persons to think. It was true that in Nova Scotia and other places, where large sums of money were paid to parties engaged on public works, such as railroads, every Saturday night, scenes of gambling and other dissipation might be of frequent occurrence, but such was not the case in the Island. A moderate degree of amusement was necessary, in order to relax the mind otherwise too intently applied to labor.

Mr. CONROY said the part of country from which he came was not interested by the evils spoken of. Neither lotteries nor raffles were held there.

Mr. HOWAT thought that there was but a trifling amount of speculation in lotteries in the Island. There might be one sold once or twice in every four or five years. The Bill was of so sweeping a character that he considered that the sense of the country should be taken upon it. The law provided for the regular and orderly conduct of taverns, and it would be found that houses of that description were not those in which lotteries were in a majority of cases held.

Mr. HOLM was surprised at the existence of any diversity of opinion on the subject. He supported the bill. Tavern keepers, not finishing their more legitimate business remunerative, were in the habit of originating raffles, and thus inducing the youth of the country to spend their time and money to the injury of soul and body.

Mr. BEER was of the same opinion, and expressed surprise at the sentiments avowed by Mr. Howat, who he thought would be found almost alone in his opposition to the Bill, the object of which was the checking of practices of a demoralizing tendency.

Hon. Mr. LONGWORTH—It was the duty of the House to guard the morals of the rising generation, and one fruitful source of demoralization was to be found in the congregations of young people attracted by the allurements of lotteries. The moral principle which underlay the whole subject precluded

any exceptional cases, for if it were recognized in one case they would have to admit all. Parties invested their money in those speculations, the results of which would show that out of 40 contributors out one might be successful, so that the remaining 39 lost their money. It was the duty of the Legislature to prohibit them by positive legislation, for unless they did so they would be giving them a tacit recognition. He was not opposed to innocent recreation, but was surprised at the sentiments uttered by some hon. members who could see no evil resulting from the practices against which the bill was aimed.

Hon. Mr. COLLES—The Bill was so repressive in its provisions that a man would not be allowed to have a pack of cards in his own house, for it prohibited all games of chance. The principle of opposing speculation might as well be extended to commercial transactions. If we had a class who made a regular business of speculating in lotteries, there might be some necessity for the Bill, but the habits and conduct of the people rendered such a measure unnecessary.

Hon. Mr. HAVILAND—The only thing which surprised him was the absence from our Statute Book of a law in prohibition of lotteries and raffles. The defeat of the Bill would have the effect of giving a negative sanction to the principle of those speculative schemes which had been denounced in all other countries, the legislation of which was based upon moral principles.

Mr. DAVIES—There was no analogy between the transactions of the merchant and those of the insulator of a lottery. The former made his own calculations and acted on them, and was the only party affected by the results.

Hon. Mr. LAIRD—The lateness of the session was a sufficient reason to induce him to vote against the Bill. There was now no time in which to take up new matter.

Hon. Mr. THORNTON took it for granted that all the members were opposed to gambling, but he really could not say that he understood the Bill. One clause would lead him to infer that it had reference solely to lotteries or raffles, which had been made the subjects of public advertisements, but it seemed that the disposal of a gun or a picture by private individuals might come within its purview. The surplus articles remaining from a public soiree, instituted for an object of a religious or ecclesiastical character, such, for instance, as the purchase of a church bell, could not be disposed of in the customary manner, if the Bill became law.

Mr. HOWAT'S only motive was to give the people time to form their opinions on the matter. He was as willing as others to suppress gambling. One year's delay in their action could not be prejudicial.

Mr. SINCLAIR was opposed to gambling being sanctioned by legislation; but it was a great mistake to suppose that men could be legislated into morality. He was happy in the belief that the habits of the people of the Island rendered the Bill unnecessary.

Mr. MONTGOMERY would support the Bill as embodying a legislative declaration of the opinion of the people against gambling. If it should be productive of no practical results, it should, at all events, be placed upon the Statute Book.

Hon. Col. Gray moved that the Bill be read second time, to which Mr. Howat moved an amendment that it be read that day 3 months.

Amendment carried. Yeas—Hons. Messrs. Colles, Thornton, Perry, Laird, Kelly; Messrs. Howat, Ramsay, Cooper, Sinclair, Sutherland and Conroy—11.

Nays—Hons. Messrs. Gray, Longworth, Yeo, Haviland, McAulay; Messrs. Beer, Montgomery, Davies, Holm—9.

TUESDAY AFTERNOON, April 1.

The Bill to incorporate the Minister and Trustees of the Presbyterian Church, Elliot River, was read a third time and passed.

The House then went into Committee to further consider the Statute Labour Act amendment Bill.

Several clauses having been agreed to, progress was reported, and the House adjourned.

WEDNESDAY, April 2.

Mr. Conroy presented a petition of James Reid, Robert Bellin, and others, praying for a grant, in aid of individual subscription, to construct a bridge over Kildare river, three miles nearer its mouth than the present bridge. The petition was referred to a special Committee to report thereon, viz: Mr. Conroy, Hon. Mr. Perry, and Hon. Mr. Yeo.

Hon. Mr. Laird moved that the Committee appointed last Session, to report this Session by Bill or otherwise, on the petition of the Royal Agricultural Society, be discharged. He said that the Committee had consulted with members of the several Counties, and it had been considered best to let the Society go on as at present, according to its means. The motion was agreed to.

The House then went into Committee again on the Statute Labour Bill, which was reported agreed to, with several amendments.

The report of the special Committee on new roads was then taken up in Committee of the whole.

Some desultory conversation arose in reference to the paragraph providing for the opening of a new road on a part of the way between St. Eleanor's and Summerside. A petition for and another against the proposed new road were read, and hon. members appeared to be generally of opinion that the inhabitants of that place had better do with the road they had until they could agree where the new one should be opened.

Progress was reported, and the House adjourned.

WEDNESDAY AFTERNOON, April 2.

The report of the New Road Committee was agreed to, as amended.

The Bill incorporating Victoria Lodge No. 383 R. S. Free Masons, was read second time, committed and agreed to.

Hon. Mr. Longworth presented a petition of Thomas Allen, of Cape Tormentine, suggesting the advantage of signals at that place for the safety and convenience of the mail boats crossing in the winter season.

Hon. Mr. Haviland presented a report of John T. Jenkins, Health Officer, on different subjects appertaining to his office.

Hon. Mr. Gray introduced a Bill to give effect to the Award of the Land Commissioners. Read first time.

THURSDAY, April 3.

The Committee on the License Law was resumed. There was no debate beyond a desultory conversation. The alteration from the previous Act requiring two out of the four Justices nearest to a proposed tavern to certify that it was required, was agreed to. The addition of a certificate and affidavit of the signatures of a majority of householders having signed was adopted. Any person selling or giving to an Indian spirituous liquors was rendered liable to a fine of 20s. for each offence. In case of fraudulent representations of signatures to the recommendation, the Government were invested with authority to examine.

The Bill was agreed to with amendments, when it was reported to the House.

Hon. Mr. Coles moved to refer it back for the purpose of striking out those parts of it which referred to the treatment of habitual drunkards as lunatics.

Yeas—Hons. Messrs. Coles, Laird, Yeo, Messrs. Cooper, Sinclair, Sutherland—6.

Nays—Hons. Messrs. Hensley, Wightman, McAulay, Thornton, Longworth, Haviland, Pope, Messrs. Conroy, Owen, Howat, Davies, Holm, Montgomery, Beer, Ramsay, John Yeo—16.

The Committee on Roads and Bridges was resumed.

Hon. Mr. COLES was anxious to elicit the views of hon. members with reference to Mount Stewart Bridge. It required extensive repairs. The locality of the bridge rendered it a great benefit to the inhabitants of the Eastern and South-Eastern districts of King's County. In the Spring and Autumn large quantities of produce were shipped from it, which had been brought over the Cardigan road. It was but right that the members for King's County should contribute towards it. His colleague and himself had, with numerous applications from other parts of their district, appropriated £100, but the Superintendent of Public Works had reported that £250 would be required. The deficiency, after a contribution from King's County, could be made up from the contingent fund.

Mr. MONTGOMERY thought that the bridge being on the borders of King's County, the latter should contribute.

Mr. BEER agreed, and suggested £100 as a fair proportion.

Mr. DAVIES would support a resolution for an equal sum for Queen's and King's County.

Hon. SPEAKER—The members of the former should have met and made a proposal to those from King's, and if no agreement could be arrived at, the matter could have then been referred to the House. The time had gone by for asking King's to contribute after the money had been divided between the respective Counties. The members for Prince County had given £120 to the wharf at Summerside out of their special grants, and divided the rest.

Hon. Mr. MAULAY took this view, and said that the bridge being situate in Queen's County, should be kept up by that County.

Hon. Mr. KELLY—The bridge suffered every fall from the shipment of produce from King's County, which ought to contribute.

Hon. Mr. THORNTON—The principal traffic was from Lot 38 and Pisquid Road. St. Peter's was the only part of King's County which was interested to any extent in the bridge.

Hon. Mr. MAULAY—The argument would work both ways. Quantities of goods were yearly landed at Georgetown for transmission to Charlottetown. It would therefore be fair to call upon Queen's County to contribute to the wharf at Georgetown where they were landed.

Hon. Mr. COLES—Perhaps in supply Government would support an addition to the £100. He would move a resolution to that effect.

Mr. DAVIES would not support the grant of a farthing, unless King's County contributed. Nearly all the produce shipped at Mount Stewart Bridge came from that County.

Hon. Mr. WIGHTMAN—There was no doubt of the importance of the bridge, but it was now too late. It was ridiculous to think of taking any thing from the special grants to King's County. He had to appropriate £100 to a bridge in his own district.

Hon. Mr. LONGWORTH—This and the Poplar Island Bridge had claims on the whole Island. The latter was of as much benefit to Prince as to Queen's, and the former to King's equally with Queen's. The members of the district, Messrs. Coles and Kelly, had strong claims on King's County, but the difficulty now was that the road scales had passed. It might be as well, perhaps, for the members for King's County to review their scales, and contribute something.

Hon. Messrs. Perry, Pope, Laird, Yeo, Hensley, and Mr. Sutherland briefly opposed the resolution on the grounds already urged against it.

Progress was reported.

THURSDAY AFTERNOON, April 3.

Mr. CONROY, from the Committee to whom was referred the petition in reference to erecting a bridge three miles nearer to the mouth of the Kildare river than the present bridge, presented a report, which did not recommend a grant for that purpose this session, as the site of the proposed bridge had not been defined, there appeared to be no direct road to it, and the erection of the said bridge would require an outlay of over £1000.

Hon. Mr. HAVILAND moved two resolutions, the first being the usual vote to pay the salaries and allowances provided for by statute, and the other specifying the allowances for certain other branches of the public service. Education, he said, was set down at a sum sufficient, but he presumed that the amount required would come up to £17,000; and if so, this Colony would be appropriating about one-third of its revenue for education. He thought that any Colony which did so could not be that insignificant place which this Island was represented to be in a paper published in New Brunswick. He was sorry that such disparaging statements respecting this Colony should be made by the public press as had lately found their way into the *Colonial Empire*, a newspaper published in that Province, and one which he believed had been started to oppose the Hon. Mr. Tilley and his colleagues in the Government. All he could say was, that if this paper represented the views of the opposition party there, he was glad that Mr. Tilley and his friends had been successful at the last election. Certainly, as one of the items with which that paper taunted us was our public debt, it came with very bad grace from the people of a Colony that had added \$140,000 to its debt in one year. He could tell the people of that Colony also, that large as it was, we had set them an example in many things. Not only had we taken the lead of them in regard to an elective Legislative Council, but also with respect to quadrennial parliaments. In this latter particular they had been obliged to follow our example, and probably they would yet find it necessary to have an elective Council. We had also been in advance of them with respect to free trade with the United States. And in regard to the principle of allowing a person to be an evidence in his own case in law courts, we were in advance of all the other Colonies, even of Canada herself. When New Brunswick expended one-third of her revenue on education, then she might endeavour to make invidious comparisons.

Hon. Mr. COLES said there was one point to which he desired to call attention when the subject of Education was under consideration,—that was in regard to the expenses of the Prince of Wales College. We had been told at first that it would cost very little to the Government, as the fees would be paid into the Treasury; but he saw no return of fees in the public accounts. On the other hand, he observed a charge of house rent for the Professor. He could not say exactly what the Institution cost annually, but he thought that with house rent and all, it must be near £600. This was besides what had been expended in repairing the building. Now, the old Academy cost annually only somewhere about £300, and he had yet to learn that it did not suit the requirements of the country as well as the present Institution. With respect to the statements which appeared in the New Brunswick paper, alluded to by the hon. member for Georgetown, he quite agreed with that hon. gentleman that it ill became the press of that Province to speak slightly of this Island, as we had been in advance of them in many things; and he believed that even in respect to an elective Legislative Council—that at which they sneered—they would yet be glad to follow our example. In reference to Reciprocity with the United States, we had been far in advance of them.

Hon. Mr. HAVILAND remarked that the hon. leader of the Opposition was mistaken in regard to the fees of Prince of Wales College; they were not to be paid into the Treasury, but one third of them was to go to each of the Professors, and the other one third to keep the building in repair. With respect to the Professor's house rent, he admitted that it required some explanation. The Professor before he had accepted the appointment, had been informed that he would have no house rent to pay, as he would have the privilege of living in the College building; but when the Government commenced to repair the building, they found the repairs required so extensive that they thought it would be more advantageous to the Colony to pay house rent than to fit up apartments in the establishment for the Professor's family to occupy.

The two resolutions proposed by Mr. Haviland were then agreed to.

Hon. Mr. HAVILAND moved the second reading of the Bill to change the constitution of the Legislative Council, by rendering the same elective; and in doing so said its principle had been so often discussed in this House, and its principal provisions at so great a length in a former part of the session, that he considered it unnecessary to enter into any explanations at present.

The motion having been agreed to, Hon. Mr. Haviland moved that the said Bill be now committed to a Committee of the whole House.

Hon. Mr. WHELAN said he had upon all occasions opposed this measure, and if he took no action when a motion of this kind was made, he might be considered as acquiescing in the principle of the Bill. He did not deem it necessary to make a speech, but would simply move, in amendment to the motion, to leave out the word "now," and at the end of the question insert "this day three months."

On the question being put on the amendment, there appeared for it—Hons. Messrs. Whelan, Kelly and Mr. Cooper—3.

Against it—Hons. Messrs. Haviland, Longworth, Pope, Yeo, Laird, McAulay, Coles, Hensley, Wightman, Thornton, Perry; Messrs. McNeill, J. Yeo, Montgomery, Douse, Howat, Davies, Beer, Holm, Sutherland, Sinclair, Conroy, Owen—23.

The main motion was then put and carried, and the House accordingly resolved itself into said Committee, Mr. J. Yeo in the chair.

The Speaker having resumed the chair, the Bill was reported agreed to with several amendments.

Hon. Mr. Coles moved that the Bill be referred back to the Committee of the whole House, for the purpose of amending the same by reducing the value of the property qualification of every elector from £100 to £50.

The House divided on the question:

YEAS—Hons. Messrs. Coles, Whelan, Hensley, Kelly, Thornton, Perry, Wightman; Messrs. Cooper, Sinclair and Sutherland—10.

NAYS—Hons. Messrs. Haviland, Yeo, Pope, Longworth, Laird, McAulay; Messrs. Beer, J. Yeo, Montgomery, Ramsay, Howat, Holm, Davies, McNeill—14.

Hon. Mr. Coles then moved that the Bill be referred back to Committee, for the purpose of amending the same by reducing the term of residence in Prince Edward Island, for persons eligible as Legislative Councillors, from 5 years to 3 years.

The House divided on the question:

YEAS—Hons. Messrs. Coles, Whelan, Thornton, Perry, Wightman, Kelly; Messrs. Davies, Cooper, Sinclair, Sutherland—10. NAYS—Hons. Messrs. Haviland, Yeo, Pope, Longworth, Laird, McAulay, Hensley; Messrs. Beer, J. Yeo, Montgomery, Ramsay, Howat, Holm, McNeill—14.

So the Bill was agreed to as reported from Committee. House adjourned.

FRIDAY, April 4.

Hon. Mr. WIGHTMAN presented a petition of divers agriculturists, mechanics and others, of Lot 49, setting forth the conviction of the petitioners that the admission of American manufactured articles of every description, is evidently materially injurious to the interest and prosperity of the Island

population generally, and praying the House to impose an additional duty upon all descriptions of American manufactured articles imported into this Colony, or adapt such measures as it may deem necessary and sufficient to protect, encourage and secure native mechanics, and the transmission of a large amount of money, annually, for American importations. Laid on the table.

House again in Committee of Supply.

Hon. Mr. HAVILAND moved several resolutions appropriating certain sums for different branches of the public service, in one of which was £200 for the master in Prince of Wales College, £35 for house rent of Professor, a sum sufficient to improve the mode of collecting the Light and Anchorage duties, should the same be required, and a sum sufficient to improve the buoying of Hillsborough Bay. The hon. member said he had explained the matter of the Professor's house rent yesterday. The sum for buoys in Hillsborough Bay was to carry out the plan recommended in the letter of Commander Hancock. If this suggestion was not complied with we need not expect any of Her Majesty's ships to visit our harbor. In regard to the Light duties, it would be remembered that a sum was voted last year to defray the expenses of boats' crews to aid in collecting these duties, the beneficial result of which he was prepared to show. Hon. members must be aware that in 1860 there were 3 vessels in the gulf to 1 last year, yet the Light duties collected at Richmond Bay in 1861 were £182 11s 11d, while in 1860 they were only £88 16s 9d; at Casumped in 1861, the amount collected was £52 4s 1d, while in 1860 it was only £15 0s 3d. The disbursements for the boats' crews last year were £115 15s 6d, leaving still a balance, in favor of that year, of £125 3s 6d. This was the clear gain of the new system adopted. During the present year the expense would not be so great, as boats and suitable dress for the men would not require to be provided.

Mr. HOWAT did not understand about the sum set down for the Professor's house rent. He was of opinion the grant given for the repair of the college was for all purposes. He thought the people of Charlottetown, as they were deriving the most benefit from the College, should put their hands in their pockets and pay for this house rent.

Hon. Mr. HAVILAND did not generally speak on behalf of the claims of Charlottetown; but the Prince of Wales College was not for the city, it was for the whole Island. He believed that the students now in the College were 3 from the country to 1 in town. He believed too that the most talented there were from the country.

Hon. Mr. COLES said the Government should have seen that they had accommodation for the Professor before they sent for him. Here we had an institution now which was costing the Colony, house rent and all, nearly £1000; and notwithstanding all this expense, it was very little better than the old Academy. This College might turn out good scholars, but the Academy turned out as good as were to be found almost anywhere.

Hon. Mr. HAVILAND remarked that the hon. leader of the Opposition had said that the Government should have seen that they had accommodation for the Professor before they sent for him. He would remind him of the case of Mr. Stark, who was sent for by the late Government; and they paid his passage, and voted £100 to pay for a horse and carriage furnished him, as Governor Bannerman had informed him that he would be supplied with these.

Hon. Mr. LONGWORTH also spoke in behalf of the claims of the Prince of Wales College. He generally acquiesced in the remarks of the hon. proposer of the resolution, and said the Institution was working very well. He admitted that the staff of Professors was too weak, but trusted that it would soon be increased.

Mr. CONROY thought that this College was costing the country too much. The House should not be always voting money for institutions in the city. If he was sending his children to college, he would certainly not send them to the Prince of Wales College, but to one that was costing the country nothing.

When the question was put on the item of £35 for the Professor's house rent, there appeared for it—Hons. Messrs. Ha-

viland, Gray, Longworth, Laird, Pope, Yeo, Speaker Wightman; Messrs. Best, J. Yeo, Helm, Davies, Ramsay, Douce, Montgomery—15. Against it—Hons. Messrs. Coles, Thornton, Kelly; Messrs. Cooper, Sinclair, Conroy, Howat, Sutherland—8.

The other resolutions after some little conversation were agreed to.

Hon. Mr. Perry from the Committee on the petitions relating to schools and education, presented their report.

Adjourned.

FRIDAY AFTERNOON, April 4.

The House in Committee of supply.

After some small grants were discussed, Hon. Mr. Haviland proposed the sum of £400 for the volunteer service. We have a volunteer force which would do credit to any Colony. The number of companies in King's County was 6, in Prince, 7, in Queen's 15—comprising 1643 men in all arms, averaging 59 to each company. The evidence of their efficiency was afforded last year in New Brunswick. The hon. leader of the Opposition and Hon. Mr. Pope could testify to that better than myself, having been prevented from attending at Sussex Vale. It was not supposed that the competition which this little Island could offer against Nova Scotia and New Brunswick would eventuate in success. But if the winner of the prize had been unsuccessful, there were others of the Island who would have carried off the trophy. A constituent of the hon. member, Mr. Laird, was next on the list, Mr. Blatch, and there was still another, so that there were three Islanders who had asserted their superiority to Nova Scotia and New Brunswick marksmen. It should be borne in mind, to the credit of the Island competitors, that they had not had the benefit enjoyed by their rivals, of the presence of large bodies of troops among them. If they go to Wimbeldon they can compete for the Queen's prize and that given by the Prince of Wales. I hope that the time is not far distant when this organization will receive the support of the people without distinction of party. If the hon. leader of the Opposition were to express his real sentiments, I believe that no one at Sussex Vale rejoiced at the success of the Island volunteers more than himself.

Hon. Mr. THORNTON—I last year voted for £300 as an experiment, and after a lapse of twelve months I cannot discover the benefit. It appears that at Sussex Vale a few of the Island volunteers exceeded their competitors, but what benefit has accrued to the Colony generally from that circumstance? I will ask the hon. member from Georgetown what would be the result to us if the Merrimac or Monitor should pay us a visit? The success in New Brunswick was a casual thing, and the champion may lose his laurels at another trial. I have no objection to vote any sum necessary for the protection of the Colony, but I oppose this grant as not for the general benefit. I may mention that I have recently been called upon, as a Captain in the Militia, to make returns of the statistics of my company. I know not what the object is. It appears to me somewhat strange, as a similar application has not been made to me for 5 years.

Hon. Col. GRAY—The hon. member surprises me when he says that he can see no benefit to be derived from the presence of a military force. He voted, I infer, last year in favour of the grant for the protection, it might be, of the lives and liberties of the inhabitants. As they have not yet been invaded, a similar obligation exists. The battle of Waterloo gave peace to Europe for many years after 1815, but will he deny that the naval and military establishments of Great Britain were not efficient instruments in continuing the blessing of peace? In Nova Scotia, with a deficiency of \$35,000 in the last year's revenue, they had appropriated no less a sum than \$20,000 to the volunteer organization. That province has, it is true, an extent of seaboard which would be liable to the incursions of an enemy, but the shores of this Island were far more defenceless. Nova Scotia has forts and garrison and the protection of a large naval squadron, yet her people are sensible that the stalwart arms of her volunteers may be necessary to repel insult from their shores, and they

provide for the possible necessity. We have neither soldier nor gunboat, and the time may be when it will be necessary for every one capable of doing so, to shoulder a musket in defence of our soil. I am not aware that the Commander-in-Chief contemplates calling out the Militia, but he may have received instructions to get returns of the nature required by the hon. member who has just sat down. It may be that it is his intention to reorganize the volunteers on a more extensive footing. Such a measure may be found necessary, for at present the Island is at the mercy of any marauding vessel which may come into our ports. I have seen a Colony in a blaze for miles. I do not deny that in a neighbouring country many good men are to be found, but it is equally true that there are in its population many ruffians. I, for one, would be willing to carry a musket, irrespectively of the party politics of those associated with me, in the common cause of the defence of our hearths. I have, in my time, faced some dangers and undergone some hardships, and if the necessity should arise I trust that the hon. member and myself may be found in the same ranks.

Hon. Mr. COLES—It would be too late to question a man as to his politics when the enemy was at the gate. I last year objected to the organization, on the ground that it was a party movement, and I believe the objection was a valid one. But notwithstanding what I then stated, I felt truly proud that an Islander should have carried off the prize urn from New Brunswick and Nova Scotia, and the demeanor of our volunteers reflected great credit on them, and elicited the favorable notice of those assembled at Sussex Vale. The New Brunswickers expressed their pleasure that the Island had taken the prize in preference to Nova Scotia. Last year we were told that the expenditure was for drill sergeants, but as we have 1643 efficient men those instructors will not, I presume, be needed. However, if it is contemplated to call out the Militia, it is but right that they should have a share. In view of the position of affairs in the States, and of the large additions to the defensive capabilities of the Colonies by the transmission of troops and munitions of war, I shall support the grant, as calculated to induce a feeling of self-reliance in our people, and in acknowledgment of the feeling exhibited by the mother country. I must add that I hope the volunteers will only use their arms for legitimate purposes. I have heard that they have taken them to public meetings. If so, such conduct was very wrong. They were entrusted to them for the defence of the country. I shall be glad to see the young men from Nova Scotia and New Brunswick come over to the Island and try their skill.

Hon. Col. GRAY—Any use of the arms except for purposes of drill or parade was improper. When they were first received some companies had been organized and got arms before the law was passed. It was but the other day that the Act came out for amendment, and until it shall become law the Commander-in-Chief cannot issue orders. His Excellency informed me a few days since that orders would be promulgated shortly. In fact they may now be in the hands of the printer.

Mr. CONROY was opposed to the grant of last year and was equally so to the present.

Hon. Mr. McAULAY—We have witnessed the disruption of the neighboring confederacy, one part of which is arrayed against the other, and deeds of cruelty are being mutually perpetrated. Is it to be supposed that they would manifest more mercy to us? In supporting this organization we are but following the example of England and the neighbouring Colonies. I am not aware that any class is excluded from the ranks of the volunteers. The object of the movement is the protection of the homes of all. The mother country protected us in our infancy, now it is whispered that we should begin to defend ourselves, and surely we will not hesitate to advance a small amount when England sends 30,000 men and a magnificent fleet to protect those Colonies. The very fact of our being a small Colony should induce us to make greater exertions. The man who would not aid in preserving the inviolability of his home and the sanctity of his altars was a traitor.

Hon. Mr. THORNTON—The hon. member may appropriate the appellation to himself.

Mr. COOPER—I was always in favor of encouraging the movement on the part of our young men, especially when it is considered that they are put to the expense of providing themselves with uniforms. I think, however, that the amount asked is excessive. It is folly to talk of the volunteers successfully defending the Island, for if an enemy's ship should elude the vigilance of a British cruiser what could we do?

Hon. Mr. HAVILAND—I cannot see how a smaller amount can be considered as sufficient. The volunteers do not receive a sixpence; but they give their time and find their own uniforms. The least that the country can do is to provide the necessary instruction to render them efficient in the performance of their duties. The argument of the hon. member, Mr. Cooper, if applied to every Colony, would render their submission to an invader a matter of necessity. New Brunswick and Canada had extensive boundaries on the frontiers of the States, and the spirit involved in his views is humiliating. The manifestation of a disposition to defend a country has the effect of rendering an invading force cautious in their attempts upon it. Many points may be liable to the incursions of a hostile force, but the object of the volunteer organization is to prevent the permanent or protracted occupation by an enemy. We have 1643 of the bone and sinew of the country ready and willing to defend the honor of our wives and daughters, and that number is but the nucleus of a self-reliant defensive force. A retired volunteer will constitute an efficient militia man. Wherever the British flag waves, the fostering care of the Government is extended to the volunteer movement, and are we to form the only exception? No! the present is not the time to show the white feather. It might be excusable in 1860 to take no action in this direction, but now, after the outrage committed upon the steamer 'Trent,' we should be showing ourselves the willing slaves of anarchy if we did not prepare to defend ourselves. God forbid that we should prove ourselves recreant to the principles of our fathers. Let us rather show, by our appreciation of those principles, that we are not degenerate sons of such sires. When Britain sent forth her best blood to our aid, we should not cavil at the paltry sum of £400 for such an object. I thank the hon. leader of the opposition for the manly and truly British spirit he has manifested on this occasion. It was not to be expected that he would agree with the Government in every particular. It was natural that a slight infusion of the political element should be introduced by him into this discussion, but I assure him that the organization is open to all classes of the community. The Government do not interfere. It rests with the volunteers to elect their own officers by ballot. The British Government has sent us 1600 stand of arms, and recently the Secretary for the Colonies has sent us as free gifts 50 infantry swords and 4 pieces of artillery and ammunition for them. It will be impossible to provide from the amount proposed a prize for competition. It will be required to defray the expense of drill sergeants to be procured from Halifax, and ammunition for the rifles of the volunteers. Nova Scotia has appropriated \$20,000 for her volunteers, and it seems more than would be required; but the spirit of self-defence is abroad wherever self-government is in operation. It has been argued that it is unfair to call upon Colonists to defend themselves when the right of making war rests with the mother country. But suppose the case of the United States invading Canada, or take the case of New Zealand, when war broke out between the Maoris and the Colonists, John Bull there interfered to uphold the honor of the old flag which

"Hath braved a thousand years
The battle and the breeze."

Let us do what in us lies for the protection of all that is dear to us, and show ourselves worthy to possess the liberties of which that flag is at once the symbol and the guardian. Let us thankfully contrast our privileges with those of the people in the States, where the press is shackled, editors imprisoned, Habeas Corpus unconstitutionally suspended, and Judges removed for presuming to act in accordance with law. No system of Government has succeeded as the limited monarchy of Britain, and truly thankful should we be that we live under it.

Mr. SINCLAIR—I supported the grant of last year and would be willing to vote for this, but I wish to see the money fairly distributed. The accounts show that nearly all of last year's grant has been spent about Charlottetown and other parts of Queen's County. Only about £7 had been spent in Prince County. I was informed by a captain of a volunteer company in Prince County that an application he had made for a small sum for an armory had been refused, although he had expended £9 on account of that object. I am not prepared to vote £400 unless I shall be satisfied the money will be fairly apportioned.

Hon. Mr. LONGWORTH—I agree with the hon. member that the money should be fairly divided, and the accounts satisfy my mind that such has been the case with the grant of last session. His Excellency had given £80 sterling for the purchase of band instruments for the volunteers. When so liberal an amount had been given in aid of the movement, it is but right that the House should contribute something in aid. The matter has been so fully entered into by the Hon. Col. Gray and Hon. Mr. Haviland, that there is but little left for me to say upon the subject. There is no difference of opinion as to the necessity of self-defence; the only question is as to the necessity of a grant. Independently of the benefits accruing to ourselves from the movement, it is our duty to acknowledge the noble efforts of the Imperial Government for the protection of our wives and families. A sense of our own honor should induce us to let the parent state see that we appreciate her exertions, and are willing to aid them to the extent of our ability. The amount asked is small. I wish we could afford more; but we must take into consideration the limited amount at our disposal, and contrasting our resources with those of Nova Scotia, the comparison will not be unfavorable to us. That province has no volunteers more efficient than our own.

After some observations from Hon. Col. Gray and Hon. Mr. Coles on the subject of relative military rank,

Hon. Mr. WHELAN—I will support the resolution if the sum be left in blank, but £400 was too large in the present state of the finances of the Colony. He would have no objection to a small sum to enable the enthusiastic advocates of the movement to find themselves in pipeclay and enjoy themselves on gala days among the ladies.

The resolution was carried.

SATURDAY, April 5.

The Vaccination Bill sent down from the Legislative Council was referred to a Special Committee consisting of Messrs. Hensley, Longworth, Pope, Laird, and Thorston.

The Bill to confirm the Award of the Land Commissioners was read 2nd time and committed. The discussion which took place elicited nothing which has not been already published.

SATURDAY AFTERNOON, April 5.

Committee on the Bill to give effect to the report of the Commissioners on the Land Question, resumed.

Hon. Mr. COLES reiterated some of the statements he had made in the forenoon respecting the preamble of the Bill, and named Messrs. Wright, Rennie and Winsloe's estates as being some that would not be affected by the Award. It had been said that this was no party question, but the late Government had been defeated principally on this question. It was that of all others which principally agitated the country, still the Opposition were asked to agree to this Bill. They had been told this morning that the Liberal party had confirmed the proprietors' titles by purchasing the Worrell estate. But though the late Government purchased that estate without investigating the titles, did that say that all succeeding governments were not to interfere with this question? He then went into an explanation of the manner in which the party at present in power endeavored to overthrow the late Government on the question of escheat, and said that now when they were in a majority they considered that the titles could not be disturbed.

Hon. Mr. LONGWORTH said that the very passing of the Land Purchase Bill was a recognition of the validity of the proprietors' titles, for if they had no rights, why should the land be purchased from them?

Hon. Mr. COLES explained that this was because there were some proprietors in the Island who had fulfilled the condition of their grants.

Hon. Mr. LONGWORTH—This was absurd, because the very estate which was purchased was not one of these. He did not blame the hon. leader of the Opposition for the course he took in regard to escheat; but he did not act a consistent part, as he was against escheat in 1855, and in favor of it afterwards. The hon. member complained of the preamble to the Bill, but he could tell him that he (Mr. C.) had voted for what it contained when he voted for the address to Her Majesty praying for the Commission. The great objection which the hon. leader of the Opposition had to the Bill was that it made no reference to the loan, and it did not provide that the proprietors who had not agreed to the Commission should be bound to abide by the Award. The Loan was a matter that could be taken up at any time, and the hon. member well knew that if all the proprietors were to be bound by the Bill, it would not stand an hour's consideration at the Colonial Office.

Hon. Mr. WIGHTMAN believed that all which could now be said would not alter the opinions of those who had formerly voted on the question. He had made up his mind to support the Bill, though there were parts of the Award of which he did not approve. With respect to the question of escheat, he considered that had been set aside, not by the Commissioners, but by the Legislature of this Island itself. In proof of this he would read the preamble to the Land Assessment Act, passed in 1837, as follows:

"Whereas by a despatch from the Right Honorable Lord Glenelg, His Majesty's principal Secretary of State for the Colonies, bearing date the tenth day of August, One thousand eight hundred and thirty-six, His most gracious Majesty was pleased to disallow the establishment of a Court of Escheat in this Island, and to suggest the imposition of a tax on all granted lands in this Colony, as a remedy for the serious evils arising from the non-settlement of large tracts of land, held by the grantees from the Crown, and it being just and reasonable that the said lands should contribute towards the general Revenue of the Colony, the burthen of which has hitherto been chiefly borne by the resident Colonists only; and as such a tax would have the desired effect of compelling the grantees either to settle or dispose of their land without delay; be it therefore enacted, &c.

Now, as escheat was set aside by this Act, what reason had hon. members to complain that the Commissioners had declared it to be impracticable? But it appeared to suit certain parties to keep agitating this question, for the purpose of having their statements go forth to the country. He could not understand why his hon. friend, the leader of the Opposition, opposed the preamble to the Bill when he supported the address to the Queen praying for the Commission, in which escheat was classed among the visionary schemes for the settlement of the Land question. The hon. member, Mr. Cooper, was the only one who voted against that address. He had acted a consistent part, but he (Mr. W.) could not approve of the conduct of those who were one time in favor of escheat and another time against it.

Hon. Mr. HENSLEY thought this subject was a good deal disencumbered of some of its difficulties. It might appear to some that those who supported this measure would be held as voting to confirm the proprietors' titles; but he considered escheat had been set at rest forever by the Statute just referred to by the hon. member for Murray Harbor, and to which he (Mr. H.) had directed attention the other day. He did not intend to say anything against his hon. colleague, as he had maintained a consistent course, and had voted sometimes even alone on this question. But excepting his colleague, there did not appear to be one member of the House who considered that escheat was now practicable. In view of what was declared in the preamble of the first Land Assessment Act, it was

not to be wondered at that the Commissioners came to the decision which they did regarding escheat. So as their decision did not affect this subject, nor the question of quit rents, nearly the only matter left was that between landlord and tenant. In this particular he must say the Award was not so favorable to the tenantry as it might have been; yet he thought some benefit would result from it. He saw no reason why he should change his vote in regard to this Bill, though he was sorry to appear against some with whom he was accustomed to vote.

Mr. COOPER had often said that he thought the only equitable mode of settling the land question was by escheat. The Commissioners had admitted that the original grants were improvident; and now as the whole subject was referred to the British Government, he was of opinion that they would take up this question. He thought the matter should be left with them, and that no action should be taken upon the Award until they had reported. The Bill, he maintained, would have the effect to confirm the titles; but hon. members might vote for it if they chose.

Hon. Mr. COLES thought that the proper course for this House to pursue was to send home an address to Her Majesty to ascertain the intention of the Imperial Government in regard to the Award, and in particular with respect to that clause to which the Duke of Newcastle had declared that he had insuperable objections. The hon. member for Murray Harbor expressed his astonishment that some hon. members had brought up the question of escheat, and said that they had changed their opinions. The hon. member himself seemed to have changed his opinions, as he formerly supported the Loan Bill, and now he had recorded his vote against it.

Hon. Mr. WIGHTMAN said he did not vote against it.

Hon. Mr. COLES—His conduct showed to the world that he was against it. The hon. member for East Point, too, appeared to have changed his opinions, for the other day he said that he differed altogether from the Commissioners with respect to the quit rents.

Hon. Mr. HENSLEY said the hon. member must have misunderstood him. What he (Mr. H.) stated was that he considered Spearman's letter contained a wrong view of the subject, but as it was the decision of the Lords of the Treasury, even though wrong, it became binding, and the Commissioners could do nothing in the matter.

Hon. Mr. COLES said it was his impression that the hon. member was opposed to the decision of the Commissioners, but what he stated would be seen when the debates appeared.

Mr. DOUSE was sick and tired of this agitation. The sooner they could have peace and quietness the better. If confirming the Award would settle the question, he was sure their children and children's children would bless them for it.

Hon. Mr. LAIRD was happy to hear that the hon. member for Belfast desired peace and quietness, and hoped he would carry his desire into effect by agreeing to submit to the Award. If he and all the other proprietors, who had not agreed to the Commission, would but do this, he (Mr. L.) believed there would soon be peace and quietness throughout the Colony. (Laughter.)

Hon. Mr. THORNTON rose merely to state that he would support the preamble of the Bill.

The motion that the preamble be agreed to was then put and carried without a division.

The other clauses excited no discussion, and the Bill was reported agreed to.

Hon. Mr. Coles then moved that it be referred back to Committee for the purpose of being amended by a clause being added to guarantee the interest on the loan of £100,000, as recommended by the Royal Commissioners in their report.

For the motion—Hons. Messrs. Coles, Whelan, Kelly; Messrs. Cooper, Conroy—5. Against it—Hons. Messrs. Gray, Pope, Longworth, Haviland, Laird, McAulay, Thornton, Hensley, Wightman; Messrs. Douse, Montgomery, Ramsay, Beer, McNeill, Howat, Holm, Davies, Sinclair, Owen, J. Yeo, Sutherland—21.

Hon. Mr. Coles then again moved that the Bill be referred back to Committee for the purpose of amending the same by adding a clause to bind all Proprietors by the Award of the Royal Commissioners.

This motion was lost on the same division as the preceding one, after which the question was put, "Shall the report of the Committee be received," and carried 21 to 5, hon. members voting contrary as given above.

Hon. Mr. COLES asked the leader of the Government if a copy of a despatch, received in reference to the Volunteer Force, would be laid before the House, and if not he would give notice of a motion for an address to His Excellency on the subject.

Hon. Col. GRAY replied that he had fully answered that question yesterday. He was surprised that a despatch of such a nature should be asked for.

The memorial of the City Council of Charlottetown praying for the passing of an Act authorising the Executive Government to guarantee the payment of debentures to be issued for the erection of a new Market House was again read, and on motion of Mr. Beer, committed to a committee of the whole House, Mr. Holm in the chair.

Hon. Mr. COLES said he would willingly give his support to a measure to assist the City Council in erecting a market house, were it not to be built on the public square. The market house on Queen Square he considered a public nuisance, and he would never give his support to a motion for any sum towards erecting a new market house there.

Mr. BEER said it was a part of the law of the land that a portion of Queen Square should be appropriated for a market house. There was sufficient room on the Square for such a building. Its east end was occupied by the Episcopal Church and Infant School Room; and by taking a similar piece off the west end of the Square for the market house, which should be erected on a line with Queen Street—sufficient room would then be given behind the market house for a good wide street, and still the Square be left of proportional dimensions, with the Colonial Building in the centre. The Square might then be railled and planted with trees.

Hon. Mr. COLES—Where were the horses and carts to stand?

Mr. BEER imagined that when a commodious market house was erected, there would not be so much occasion for horses and carts to stand on the Square; besides there would be a good wide street behind the market house, independently of the Square. He would read extracts from the minutes of the Executive Council, published in the *Royal Gazette*, showing an order of the Government in reference to a bye-law of the City Council:—

"Read the bye-law passed by the City Council on the 21st of Jan., 1862, intitled 'A law for the better regulation of the sale of meat and other articles in the public markets.'

"Read also three petitions, signed by divers inhabitants of Queen's County, praying that His Excellency will be pleased to withhold his assent to said law until more extensive market accommodations are provided for country dealers.

"Wherefore His Excellency with the advice of the Board was pleased to disallow said law."

These extracts showed that the people in the country were convinced that a larger market house was required, and that they would not object to contribute as soon as they could get the necessary accommodation. He hoped, therefore, that country members would not oppose the Bill. The House was not asked to vote the money out of the public funds, but only to guarantee the City Debentures; and it could take security on the city revenue for the payment of the interest on these debentures, should the City fail to meet its engagements. He did not believe the House would run the least risk, as ample security could and would be given. It was thought by some that the City Council was much in debt. He believed that the published accounts exhibited a balance of £1300 against the City; but there was something to be said on the other side. He had been credibly informed that the balance was struck on the 1st of Jan. 1862, since which some of the officers, who had been rather too lenient in the collection of

city revenues, had paid over to the City Treasurer considerable amounts that should have been collected previous to the 1st Jan. For example, the wharfinger had paid in £119; the collector of assessment had paid in £114, &c., &c., so that he (Mr. B.) on the whole had reason to believe that the city revenue for the last year was some £50 over the expenditure. During the last three years the City Council had expended £1174 15s 10d in repairing the City wharves; about £200 more would complete their repair, and then instead of spending some £400 a year on the wharves, the Council would be in the receipt of some £300 a year of wharfage. In view of all this, he maintained that the House would be perfectly safe in guaranteeing the city debentures for an amount sufficient to build a good and substantial Market House, the erection of which, supposing it to cost £5,000, would be of considerable advantage to both town and country, a part of which would be that mechanics would thereby get employment, which would enable them to expend more with the farmers in the purchase of all kinds of country produce. He hoped therefore that hon. members would not oppose this Bill without they could show good grounds for such opposition.

Mr. HOWAT expressed his opposition to the Bill at some length. He considered it was very bad policy for a Government to lend money to its subjects. The fact that the City Council could not borrow money on its own credit, showed that its finances were in a doubtful state. Probably they thought if they could obtain money from the Government they would not require to pay it back.

Mr. DAVIES said it was known that the venerable member for East Point proposed to borrow £100,000 from the British Government to buy up the proprietors' claims, and said that it would not have to be paid back. He (Mr. D.) thought it must have been this that was floating in the mind of the hon. member for Tryon when he stated that the City Council probably thought that they would not require to pay back what the Government guaranteed to them for the erection of a market house. It was no evidence that the credit of the City was low, because they could not get money to borrow. They could not give sufficient security to satisfy monied men in Britain, as they had no property to mortgage—nothing but the land on the Square granted to them by the Legislature. Some people complained of the city taxes being heavy, but he considered they were trifling compared to what they were in some other cities. But here the difficulty was to get money to pay taxes, as there were no manufactories in which the people could obtain employment. He thought the House was perfectly safe in consenting to the guarantee.

Mr. DOUSE also supported the Bill, and maintained that the market house was more for the benefit of the country than the town.

Hons. Messrs. Pope, Longworth, Perry and Laird and Mr. Cooper spoke in opposition to the Bill. They generally maintained that it would be bad policy to guarantee the debentures, as the City Council was a changeable body, and though those now in office might desire to deal justly in the matter, their successors might be opposed to the scheme, and the money not be paid back at the appointed time, in which case the Government would be liable for the whole.

The Committee rose without reporting, and the House adjourned.

MONDAY, April 7.

Hon. Mr. Hensley introduced a Bill for the prevention and punishment of vice and immorality, which was read a first time.

Mr. DAVIES mentioned that his name had been entered incorrectly on the Journals in the vote taken on the petition of Messrs. W. O. Bourke and Pope Welsh, and in that taken on the petition of Mr. Bourke in reference to a steamboat on the Hillsborough. When the former vote was taken he (Mr. Davies) was not in the House at all, though his name appeared in the division; but he came in immediately after, and voted on the latter question, and in favor of Mr. Bourke's petition. But in this case his name did not appear in the Journals; and as he was not in the habit of leaving his place when votes were about to be taken, he wished to have the error corrected.

The House then went into Committee of the whole on the report of the special Committee on Teachers' petitions. Mr. Sinclair in the chair.

Hon. Mr. PERRY said the report had been agreed to after a full investigation of the circumstances of each case, the Secretary of the Board and the School Visitor having been consulted in the matter. But two of the members of the Committee had refused to sign the report, because they considered that the House had come to an understanding last year that no money was to be granted to any Teachers but those who had complied with the provisions of the Act. Licensed Teachers were getting at least £50 a year, and some of those mentioned in the report were only recommended to get £20. In some cases the money had been withheld because the districts were not registered. The Committee, at least the majority of them, thought it was rather hard to deny those who were paying taxes for education the privilege of procuring the services of a Teacher because they could not get their districts registered.

Hon. Col. GRAY did not object to the name of Henry Lecky being in the report, or did he say that he was an undeserving person, but he wished to know what evidence there was before the Committee that he had complied with the resolution of the House last Session, as he (Col. G.) had presented a petition of one John McDougall, Teacher, Murray Harbour Road, and it would not be received because there was no evidence to show that he had sent in a notice to the Board within 20 days after his engagement. The petition of one should not be rejected, and that of another received and its prayer granted.

Mr. HOWAT said the Committee had no desire to exclude the individual whose case had been brought up by the hon. member for Belfast. He was disposed to grant equal rights to all.

Mr. DAVIES was one of the Committee, but he did not sign the report, because he objected to the whole system of granting money to teachers and schools that did not come under the operation of the Act. If it were necessary to employ teachers to teach merely the elements of education, let the law be amended so as to include them.

Mr. CONROY referred to a case in his district where an Acadian French female teacher could not obtain a salary from the Government, as such were not recognized by the law; but he thought it hard that a female who taught French should not receive from the public funds as well as others. He agreed with the hon. member for Belfast that all should be treated alike who had not complied with the provisions of the Act.

Mr. OWEN said there was a school district near where he resided that could not obtain a register, and he would oppose the whole report unless all were treated alike.

Two or three other hon. members made a few brief remarks, and progress was reported.

The elective Council Bill was read a third time and passed.

Hon. Mr. COLES said he gave notice on Saturday that he would move an address to His Excellency the Lieut. Governor, requesting him to be pleased to lay before the House a copy of a despatch received by him from the Duke of Newcastle, about the beginning of this year, in reference to the enrollment and grant for the Volunteer force—extracts from which despatch were read by the Hon. Col. Gray when the House was in Committee of Supply on Friday last. He (Mr. C.) considered it was proper that this despatch should be laid before the House, as it suggested some change in the method of voting money, on which subject they ought to possess every information. He did not understand why a Lieutenant-Colonel of Militia should have information as a member of this House which others could not obtain. He for one was opposed to granting money to be placed at the disposal of the Lieut. Governor alone; all money voted by this House should be left at the disposal of the Governor in Council. [Mr. Coles then read a draft address to His Excellency, and moved that it be agreed to.]

Hon. Col. GRAY said the hon. member must be labouring under a misapprehension, if he thought that any communication which passed between the Commander-in-Chief and the senior officer of Militia should be made public. How could such a communication, if it related to the military defence of

TUESDAY, April 8.

the Colony, ever be made public! But he (Col. G.) had assigned the matter to His Excellency, who said that as no harm was likely to result from producing an extract from the despatch in question, he would furnish it to be laid before the House, which he (Col. G.) had now the pleasure of doing.

Hon. Mr. COLES then moved for leave to withdraw the proposed draft address, which having been seconded and put, was carried in the affirmative.

Hon. Mr. HAVILAND moved that the extract of despatch do lie on the table. He might state that when the Volunteer Bill of last Session was brought in by him, as it was a transcript of a similar Act in one of the other Colonies, it provided that the money should be placed at the disposal of the Governor only; but on the suggestion of the hon. and learned member for East Point, the words "in Council" were added. This appeared to have caught the eye of the Duke of Newcastle, and he wrote and sent out the despatch which had occasioned this discussion. The hon. leader of the Government was quite justified in saying that he could not produce it, as it was marked "confidential."

Mr. Haviland's motion was agreed to.
House adjourned.

MONDAY AFTERNOON, April 7.

The House went into Committee on the Report of the special Committee on petitions of School Teachers. The propriety of adhesion to a rule adopted last Session, which excluded the applications of all parties who had not complied with the terms of the Education Act, was the subject of some conversation—in the course of which Hon. Mr. COLES called attention to the fact that the Report of the School Visitor had not been submitted, in accordance with the terms of the Act by which he was appointed.

Hon. Col. GRAY, seeing a member of the Board of Education in his place in the House (Hon. Mr. Hensley), would ask if the cause of the non-submission of the Report was attributable to that body, or was it chargeable to the officer whose duty it was to make the report.

Hon. Mr. HENSLEY had attended a meeting of the Board of Education that day, and he had ascertained that no report had been received from the School Visitor. The law required that the annual Report should be submitted to the House within fourteen days after the commencement of the Session.

Hon. Col. GRAY read extracts from the Act, which showed that it was the duty of the Board of Education to furnish the report to the Legislature; yet, at the same time, Government had no power to compel them to do so—nor had they any control over the Visitor, although they appointed him to his office. He was then the officer of the Board of Education.

The report of the special Committee was agreed to, with amendments.

Hon. Mr. Haviland submitted the annual report of the Postmaster General; and in answer to a question of Hon. Mr. Perry, stated that to-morrow he would inform the House whether Government had received the report of the Indian Commissioners.

Hons. Messrs. Haviland, Gray and Laird were appointed a special Committee to prepare a Bill, in accordance with a despatch from the Secretary of State for the Colonies, to prohibit the exportation of gunpowder, saltpetre, nitrate of soda, brimstone, arms, ammunition, military stores, and lead, should it be necessary to do so.

Hons. Messrs. Kelly, Longworth, Hensley and Thornton, and Mr. Conroy, were appointed a Committee to prepare a Bill to incorporate the Roman Catholic Bishop of Charlottetown.

The House went into Committee on roads and bridges. Progress reported.

Hon. Col. Gray, by command, submitted copies of two despatches from the Colonial Minister, one of which announced the intention of the Imperial Government to double the amount of remuneration of the Land Commissioners, and to defray the incidental expenses of the Commission, the other stated that there being but one copy of the appendix to the Award the Secretary retained it for use in England.

The Bill in amendment of the Small Debt Act was re-committed. A motion made by the Hon. Mr. Pope, that the benefit of the Insolvent Debtor's Act be extended to parties confined for any amount, was passed.

Hon. Mr. Haviland laid on the table copy of a despatch, suggesting the propriety of vesting property held for naval purposes in the Commissioners of the Admiralty.

Hon. Mr. Haviland presented a report of Theophilus Stewart, Esq., one of the Indian Commissioners, and Hon. Mr. Pope a letter from Henry Palmer, Esq., a fellow Commissioner, referring to the expenditure of the former.

The papers were referred to Hons. Messrs. Perry, Thornton, Hensley, and Messrs. Davies and Sutherland to report upon.

TUESDAY AFTERNOON, April 8.

The Liquor License Act Amendment Bill was read a third time and passed.

The House then resolved itself into Committee of supply.

Hon. Mr. HAVILAND moved a resolution granting the sum of £ to Mr. Hugh Logan, late Jailor of King's County Jail, as compensation for the summary manner in which he was dismissed from his office. He understood a sum had been voted last year, but through some oversight it had not been carried through all the stages.

Mr. OWEN said he would oppose the resolution. Mr. Logan was well paid when in office, and as he received a pension from the British Government he was not an object of charity.

The resolution was carried, 16 to 7.

Hon. Mr. Haviland then moved that the blank be filled up with £15.

Mr. Owen moved in amendment that it be filled up with £10.

Amendment lost, 12 to 13.

Hon. Mr. McAULAY moved that the sum of £100 be granted and placed at the disposal of the Trustees appointed to superintend the erection of the new grammar school in Georgetown—the said sum to be drawn when the building is ready for the reception of pupils.

Mr. HOWAT strongly opposed the resolution.

Hon. Mr. HENSLEY supported a resolution of a similar nature last year, but it was only for £50. He would go for that sum this year again, as he thought the capital of King's County ought to have something better than an ordinary school.

Hon. Mr. PERRY said he would like to see a superior school in Georgetown and another in the capital of Prince County, but he thought that any proposition for the support of such ought to have been submitted in the estimates.

Hon. Mr. POPE did not think the country was prepared to see a grammar school established either in King's County or Prince County, but if this resolution was carried in favor of a grant to Georgetown, he would consider it to be his duty to propose a similar resolution with respect to the capital of Prince County.

Hon. Mr. HAVILAND maintained that the cases between the capitals of King's and Prince Counties were not parallel. At Georgetown a grammar school was in course of erection, but there was nothing of the kind at the capital of Prince County. When such was the case he would be happy to give his support for a grant to aid the undertaking.

Hon. Mr. LONGWORTH thought the proposer of the resolution ought to make the sum £50, if he did not wish to endanger it altogether.

Hon. Mr. McAULAY consented to insert £50 instead of £100 in the resolution, and it was then agreed to.

Hon. Mr. KELLY proposed a resolution to the effect that £100 be granted to W. C. Bourke, as an encouragement to him for running a new steamboat (now in preparation) on the Hillsborough. As the new boat would cost about £3000, he thought the sum proposed would not be too much for this year.

Mr. DAVIES thought that moving £100 would defeat the whole resolution.

Mr. BEER was of the same opinion.

Hon. Mr. COLES said that there should be some consideration in favour of Mr. Bourke, owing to the kind of boat he intended to put on the route. A new and good boat would enable the people to come to the market regularly.

Mr. OWEN would also support the sum of £100. A good boat on the Hillsborough would be a great advantage to the people of King's County. As there appeared to be some objection to inserting £100 in the resolution, he thought it would be better to name £75.

Mr. BEER moved that the sum be £50, and this motion was agreed to.

Hon. Mr. HAVILAND then moved the sum of £50 in aid of a steam ferry-boat between Georgetown, Montague, and adjacent rivers, for the coming season, provided the said steamboat is placed on the route, and continues plying there on semi-weekly during the opening of the navigation.

Mr. HOWAT said he must rise again; he did not think a boat was required there. But however that might be the country could not afford to place a steamboat on every creek.

Mr. OWEN thought the resolution would produce a similar effect to the grant given last session for the "Lord Seafort"—it would prevent a like application for some time to come. On that ground he would support it.

Hon. Mr. McAULAY said the hon. member for Cardigan had given a most extraordinary reason for supporting the resolution. He (Mr. McA.) thought if Charlottetown harbor had any claim Georgetown had an equal claim. It would be very unjust to refuse the grant for Georgetown, after one had been given for Charlottetown.

After some further discussion the resolution was agreed to, 20 to 7.

Hon. Mr. HAVILAND said he had another resolution to move, which he did on his own responsibility, namely, the usual grant of £72 for pew rent in the city churches. It was generally known what action he had taken on this subject, but as church wardens and others had spoken to him, stating that it was unfair to withdraw the grant without giving notice, he would move it for this year.

The resolution was agreed to, as well as several others of an unimportant nature.

Hon. Mr. POPE moved the resolution:—

"That the sum of Sixty Pounds be granted and placed at the disposal of the Government for the purpose of purchasing a Cup or Urn, to be offered as a prize to be competed for by the Volunteers of Nova Scotia, New Brunswick, and Prince Edward Island."

He moved this resolution because New Brunswick had come forward handsomely and offered a prize to be competed for by

the Volunteers of the different Colonies, and as it had been carried off by Prince Edward Island, this Colony should give the Volunteers of New Brunswick an opportunity to redeem their prize. Some might say that this amount ought to come out of the £400 voted for the Volunteer force, but he was not of that opinion, as part of this grant would have to be taken up in procuring ammunition, an article which had formerly been supplied by the British Government. He thought this Island would be no loser by voting a sum for a prize cup, as the additional number of people that would visit the Colony on the occasion, would create such a circulation of money as would more than counterbalance the sum proposed in the resolution. He did not believe that the cup would leave us, but that our Volunteers would be able to retain it. Something of this kind must be done here to keep up excitement among the Volunteers, as our case was different from that of other places where large sums were granted to encourage the movement.

Hon. Mr. PERRY would oppose the resolution. We could not get money to vote for necessary purposes, and this was only for the purpose of being fired away.

Hon. Mr. HENSLEY could not support it either. He, however, would not oppose money for a prize cup being taken out of the £400, as he had voted for that sum.

Hon. Mr. THORNTON would likewise oppose the resolution. He understood that there were 600 Volunteers on the Island; let them, then, if they wish a cup to fire for, put their hands in their pockets and give 1s. 6d. each, and that would be sufficient to purchase one.

Hon. Mr. HAVILAND said there was no reason why the Volunteers should put their hands in their pockets for this purpose. They gave their time, and it was certainly too much to ask them to give their money also. The Volunteers of New Brunswick did not raise the money to purchase the silver urn competed for there; it was a grant of the Government of that Province.

Hon. Mr. POPE alluded to the remark of the hon. member for Cardigan, that the Volunteers should put their hands in their pockets and purchase a cup. He (Mr. P.) considered it was a matter of justice for this House to grant the money, as the Government of New Brunswick and not the Volunteers of that Province provided the prize competed for at the shooting match there. He had frequently subscribed to encourage the movement, and would do so again if required. He did not care whether the House refused the grant or not; he would give £5 or £10, if necessary, to maintain the honour of the Volunteers.

Hon. Mr. COLES thought that something ought to be done to improve the Volunteers, for it was known that at a recent shooting match on Government House ground, a certain company had to be taken off the field to prevent them from shooting away all the Governor's turnips. (Laughter.) He understood that the urn in New Brunswick was on hand since the Prince of Wales visit to that Colony, and the Government thought they might as well offer it for a prize. As there was some £40 for wine on the occasion of the Prince's visit to this Colony that had not yet been accounted for, he thought the House might grant £40 to purchase a cup, with the understanding that the money due for the wine should be taken for this purpose. He was of opinion that £50 was perhaps more than the country could afford.

Hon. Mr. LONGWORTH spoke at some length in favour of the resolution, and in reference to the wine said, the hon. leader of the Opposition knew it was paid for though it did not appear on the public accounts. The reason that the matter had not been entered into the accounts was because there was still an outstanding claim against the Prince of Wales Committee.

When the question was taken on Mr. Pope's resolution there appeared for it—Hons. Messrs. Pope, Gray, McAulay, Speaker, Longworth, Haviland, Coles, Wightman; Messrs. Ramsay, Douse, Beer, J. Yeo, Holm, Davies—14.

Against it—Hons. Messrs. Perry, Thornton, Kelly, Laird, Hensley; Messrs. Cooper, Sinclair, Sutherland, Doyle, Conroy, Montgomery, Howat—12.

Adjourned.

WEDNESDAY, April 9.

Hon. Mr. Haviland introduced a Bill for vesting all estates and property occupied by or for the naval service in the Lord High Admiral, which was read a first and second time, and passed through Committee.

The Bill for the prevention of vice and immorality in the City of Charlottetown, was read a second time and passed through Committee.

Mr. Beer introduced a Bill to alter and amend the Act to encourage steam communication between Charlottetown and certain parts of the Hillsborough and Elliot Rivers, which was read a first time.

Hon. Mr. HAVILAND presented a Bill relating to the Inland Posts within this Island. He explained that the object of the Bill was to carry out the suggestions contained in the report of the Postmaster General. That officer had shown that by the present system the Colony was losing revenue, and had recommended compulsory prepayment of postage on all letters leaving the Island. He had also suggested that in his opinion the time had arrived to require prepayment of postage on letters passing from one part of the Island to the other.

The Bill was read a first time.

Mr. Davies introduced a Bill to amend the Act incorporating the town of Charlottetown. Read a first time.

The Bill to give effect to the report of the Commissioners on the Land Question was read a third time, and a motion having been made that the Bill do now pass,

Hon. Mr. COLES moved in amendment that it do pass this day three months, and that an address be presented to Her Majesty, praying that she will be graciously pleased to urge on her Government the early consideration of the Report of the Commissioners appointed to inquire into the land tenures of this Island, in accordance with His Grace the Duke of Newcastle's despatch to His Excellency George Dundas, Esquire, bearing date 7th February, 1862, wherein he says, "I shall be very glad if I shall find it possible, at a future opportunity, to offer any fresh suggestions for meeting the difficulties of the case."

Hon. the SPEAKER objected to put the motion in that form, as he considered it was irregular.

Hon. Mr. COLES then moved that the Bill do pass that day three months. He thought the best course which the House could pursue was to pass such an address as he had moved for, because from the despatch read here yesterday, it was evident that the Home Government were taking up the whole question, and intended to make other suggestions. But if his first motion could not be put, he would at least move for delay.

Hon. Col. GRAY was surprised at the extraordinary view which the hon. leader of the Opposition took of the despatch of the 7th of February. His Grace the Duke of Newcastle said that the appendix to the report of the Commissioners, owing to its bulk had not been printed, and as there was only one copy, it had been kept for the purpose of aiding the Imperial Government in their deliberations on the subject. On account of this statement the hon. member appeared to be of the opinion that Her Majesty's Government were still deliberating on the Report of the Commissioners, when no such idea was contained in the despatch. But when this Bill went home they would have to deliberate upon the subject of the Award, and might have occasion to refer to the appendix. He (Col. G.) understood that His Excellency had addressed a letter to the chief Commissioner requesting a copy of the appendix to be immediately forwarded to this Island, and he hoped that it would soon be received here.

The House divided on Mr. Coles's motion of amendment:
YEAS—Hons. Messrs. Coles, Whelan, Kelly; Messrs. Conroy, Cooper, Doyle—6.

NAYS—Hons. Col. Gray, Haviland, Longworth, Wightman, Pope, Hensley, Laird; Perry; Messrs. Sinclair, Sutherland, Davies, Holm, Hewat, Montgomery, Ramsay, Beer, McNeill, J. Yeo—13.

The question then being put on the main motion, "Shall the Bill pass," it was carried, 18 to 6.

The House then spent a short time in Committee of supply. One or two unimportant resolutions were passed.

Adjourned.

WEDNESDAY AFTERNOON, April 9.

Sundry resolutions from supply were reported and agreed to.

The Bill prohibiting the exportation of military stores was read 2nd time and agreed to.

The Committee on the subject of the Government pews was resumed. The arguments *pro* and *con* have been already given.

The Committee rose without reporting.

Mr. John Yeo reported from the Post Office Committee. After which the House went into Committee on the question of the propriety of imposing an export duty on timber. The principle of the proposed measure having been fully debated, and the opinions of different members having been given to the public, need not be repeated. The result was the adoption of a resolution affirming the principle of the Bill, and Messrs. Pope, Davies, and Owen were appointed a Committee upon it.

THURSDAY, 10th April.

On motion that the Telegraph Bill be read second time,

Hon. Mr. COLES moved that it be read that day three months. The Bill was premature. The cable had parted late last year. The Bill provided that the charter would expire on the 1st June if the cable was not kept in repair. This he considered unfair. He would support a resolution to amend the charter next session, if the company should do all in their power to keep the line in working order.

Hon. Col. GRAY—If proper precautions had been taken last autumn, it would have been perfectly practicable to have continued the communication. This the Company were bound to do in consideration of the subsidy of £300 per annum. There was plenty of time last fall to have renewed it if, as should have been the case, they had provided themselves with an extra cable and a sufficient staff.

Mr. COOPER—June was not a suitable month to lay a new cable. July or August was preferable. The great object was to find the most suitable points at each side at which to attach the cable. It was desirable to lay it in situations where, by being imbedded in mud, it would escape the action of the accumulated ice in the winter. He would oppose going into Committee. The Government ought to communicate with the Company before taking the action proposed by the Bill.

Hon. Mr. McAULAY—The Bill was calculated to remedy an evil. If June were unfit, he would not object to July. They had nothing to shew them that the Company contemplated repairing the line. Under those circumstances, it was their duty to break up the monopoly.

Hon. Mr. HENSLEY approved the principle of the Bill; details could be discussed in Committee. The Bill on the Statute Book showed that the condition of the grant was the working order of the cable. He was in favor of the Committee.

Hon. Mr. HAVILAND was of the same opinion. The Island was entitled to the benefits for which they paid. The House would not be justified in continuing their monopoly while the country derived no benefit from it, and it prevented others from furnishing the necessary accommodation to the public. Details could be settled in Committee.

Hon. Mr. POPE—Serious loss had accrued from the stoppage of communication last fall. People were unable to ascertain the state of markets and direct the destination of their loaded vessels, as they otherwise would. The Company had acted unfairly. They bartered away their charter, which it was not intended that they should have done. When the cable was broken, in the Spring, it was repaired in a day, and no longer period would have been required last autumn.

Fair offers had been made to the Company to which no answer had been received. If others would not embark in the enterprise, the merchants must keep up the line, if they should sink all the cost.

Hon. Mr. Coles' amendment was lost, and the Bill was committed and agreed to with an amendment proposed by Hon. Mr. Hensley, extending the time for republishing the cable to July.

Committee of Supply resumed.

Hon. Col. GRAY -- A petition was yesterday presented by the hon. member Mr. Davies, which might be considered to convey a reproach to the House, as not being mindful of the rights of a certain portion of the population. That point, however, I shall waive, as I believe the House will recognize the claims of the parties in whose favor the petition was prepared, with as much frankness as ever. But when I see such an array of names, representing so much of the intelligence, respectability and wealth of the community, as are subscribed to this document, when I see that it is signed by the Mayor of the City, by the Common Council, by the President and Manager of the Bank, the Attorney General, Treasurer, Postmaster General, nearly all the leading merchants, by members of the medical and legal professions, by officers of the Royal Navy, and several of my military brethren, I trust they will pardon me, if I differ from them in one opinion they have affirmed. I never affix my name to a petition without duly weighing the statements it contains; and it is my duty, however averse to differ from the gentlemen to whom I have referred, to avow the grounds of that difference. If the allegations in this petition be correct, it might be our duty to grant a large sum to the parties on behalf of whom it comes before us; but if I can shew that these allegations are unsubstantiated by proof, a question arises as to the obligation to give a large amount. The petition states that the Indians now on the Island are the lawful descendants of the original owners of the soil. If that be the case, we would be bound to make liberal compensation; but I fear that it never entered into the minds of those who signed this petition to ascertain the fact. I do not agree that the Micmac Indians were the original owners of the Island. When Cabot discovered Canada, he found there principal tribes. The Hurons, the Algonquins, and the Iroquois. Some say that the latter are a bastard branch of the Algonquins. According to Cabot, the Iroquois settled in New Brunswick and part of Maine. I will read a despatch to the Duke of Newcastle from an officer of high position and very great talent, who has lately been sent to explore a route across this Continent to the Pacific ocean. He arrived at the conclusion that from the great Algonquin family there have sprung the Ojibways, Crees, Potawatomes, Shawnees, Lenni Lenappe, Delawares, Ottowas, Nipissings, Abenakies, Amalacites, Montagnois, Sokanis, Mistassins, Mohegans. The mention of the last named tribe will doubtless recall to hon. members the sunny days of their boyhood, when with all the enthusiasm of that period we have dwelt with rapture upon the thrilling scenes so admirably depicted by the inimitable Fenimore Cooper. I believe all parties are agreed that from the Abenakies have descended the present tribe of Micmacs. I think it will be difficult to disprove the fact that this Island was occupied by people of the Esquimaux race long before Cabot's expedition,—at that time the Abenakies were settled in Maine and New Brunswick, Nova Scotia being without any settled tribes, although hunters from New Brunswick periodically visited that Province. But soon after the French began to establish military posts at Annapolis Royal, the Abenakies would find but little difficulty, when supplied with

arms and ammunition, from crossing over to this Island and exterminating the less formidably armed Esquimaux; and, Sir, it is a very nice question if the Micmacs ever possessed a foot of land on this Island, except as the ruthless invaders they probably were. It is a fact that when the illustrious Wolfe sent Lord Kello with a company of grenadiers, after the fall of Louisbourg, to take possession of this Island, its inhabitants were only a few French Acadians, occupied in catching salmon for exportation to Quebec; and as the Island then abounded in bears, martins and foxes, several of the Abenakie tribe were engaged in hunting for the French residents, but with scarcely any signs of there being any permanent location of these people. I hope the gentlemen who have so numerously signed this petition will not think I am anxious to throw cold water upon its prayer; I am not actuated by any such wish—I am but desirous to arrive at something like *proof* of the statements set forth, for as yet these allegations are not supported by any. Yet I admit it is not an easy matter to procure reliable evidence,—every thing connected with this extraordinary people appears as if shrouded in the mists from which apparently they first emerged. Some authorities say the Aborigines are descended from the lost tribes of Israel; but I do not coincide in this view,—they want too many of the characteristic marks by which the Israelites have been every where at once recognizable. I have seen far stronger evidence of such an origin among the people of Zanzibar, Sofala, and the Mozambique, where the rite of circumcision obtains in full force. Far more probable is it that they are of Canaanitish nations,—we know that in the time of Solomon the Phoenicians sailed through the pillars of Hercules, leaving most indubitable traces of their having visited the Canary Islands—a very few days sailing from whence would allow them to drop anchor in the waters of the Connecticut. I recollect an old military acquaintance who passed many years of his life in endeavouring to prove that the inhabitants of Scandinavia had settlements on that coast centuries before its more modern discovery, and would endeavour to instance as a proof a round tower in Connecticut still existing, upon which may be traced a Runic inscription. To suppose that America was peopled by Behring's straits or the Aleutian chain, only shews to what lengths men are willing to go to establish any particular theory; but I can never imagine that tender women and children, after leaving a comparatively warm climate, would be able to endure the horrors of those arctic winters to which, with all the modern appliances at their command, British tars have fallen victims. However, in view of the points I have stated connected with our Island's settlement, I ask on what grounds can it be shewn that the present race of Micmacs were the *original proprietors* of the soil. Although I will at once admit that it, as the *aborigines*, they were dispossessed by the British Government without compensation, they are entitled to the deepest consideration on the part of this Committee; and whatever sum may be voted, it is our duty to consider whether we are paying it on the ground that the recipients are the descendants of the original lawful owners, or otherwise.

After several remarks from different parties, of no particular interest, the House went into Committee of Supply.

THURSDAY AFTERNOON, April 10.

The Bill to authorise the Government to prohibit the exportation of military or naval stores and provisions, was read a third time and passed, as also the Bill for the prevention and punishment of vice and immorality in the City of Charlottetown.

Hon. Mr. HENSLEY, from the Committee on the petition from Lots 45 and 46, praying the alteration of a line of road, presented a report recommending that the Road Commissioner of the district be required to visit the intended new line of road, and report to the Government.

Mr. Conroy, from the Committee to whom was referred the memorial of divers inhabitants of Lots 1, 2, 3, and 4,—with a subscription list attached—praying that a grant be given to construct or hire a dredging machine for the removal of some obstructions near the mouth of Kildare River, presented a report stating that the construction or hire of a dredging machine would necessitate the outlay of a large sum of money, and in the absence of any estimate as to the probable cost or practicability of said proposed work, a grant could not be recommended to aid the enterprise this session.

Mr. Howat, from the Pauper Committee, presented their report, which was read and ordered to be committed to a Committee of the whole House to-morrow.

The House then went into Committee on the further consideration of supply.

The petition in favor of a grant to the Micmac Indians was again taken up.

Hon. Col. GRAY said there appeared to be some irregularity in regard to the petition. Its merits ought to have been discussed when it was referred to supply. But his hon. colleague, the member for the second district of Queen's County, had not, he believed, concluded the remarks which he commenced to make in the morning.

Hon. Mr. LONGWORTH said he had nearly concluded his remarks on the subject. He maintained that the Indians ought to have been provided for by the British Government. It was questionable whether a grant from this House would be any benefit to them in their present condition. The number of Indians on the Island at present was only about 300; in 1750 the number was about 4000, which showed that the race was rapidly passing away, like leaves before the autumn's blast.

Mr. BEER said some hon. members appeared to have scruples about voting for a grant to the Indians, owing to the nature of the petition before them. He would then move that the hon. member have leave to withdraw his motion for the present.

This motion was agreed to.

On motion of Hon. Mr. Longworth a resolution was passed granting the sum of £175 for enlarging and repairing the Lunatic Asylum.

On motion of Hon. Mr. Perry the following resolution was agreed to:

“That the sum of £30 be granted and paid for the relief of indigent Indians, to be divided as follows:—£15 to the Rev. Mr. Kay, for Prince County; £10 to the Rev. Daniel McDonald, for Queen's County; and £5 to the Rev. F. J. McDonald, for King's County.”

Hon. Mr. HENSLEY said he had a resolution to propose, and as he had not been very troublesome to the Committee, he hoped it would not meet with much opposition. The resolution was that the sum of £150 be granted and paid to the Commissioners appointed in 1860 to superintend the consolidation and reprinting of the laws of the Island, in part payment. He was a Commissioner on a former occasion of revising the laws, and as he believed the duties were quite as onerous this time as they were before when they received a like sum, he thought no person could object to the amount. It might be considered rather strange that the resolution should be proposed by a member on this side of the House, but in a matter of this kind he thought he had a right to make a motion, as no one present probably understood better about the nature of the service performed.

Hon. Mr. COLES said it was a most extraordinary course for a member of the Opposition to pursue to move a grant for the payment of officers appointed by the Government. The sum should have been included in the estimates. He (Mr. C.) did not say the Commissioners were not entitled to the amount named in the resolution, but it was for the Government to say whether they had done their duty or not.

Hon. Mr. HENSLEY said the hon. member who had just spoken might have more parliamentary experience than he had, yet he had been a Commissioner for revising the laws, and knew something of the labours such officers had to perform. Besides, he considered he had a perfect right to table any resolution which he pleased.

Hon. Mr. HAVILAND said the matter was not included in the estimates for the reason that the Commissioners had not then reported. If the hon. leader of the Opposition was of opinion that all money votes should come from the Government, why did he presume to move a resolution to remunerate a Government officer, namely, constable Douggan, for services performed?

Hon. Mr. WIGHTMAN remarked that if the Commissioners were entitled to the money, it made no difference from which side of the House the resolution came. He thought, however, that the resolution should be more explicit; if the Commissioners had done their work, why should not the whole amount be included?

Mr. COOPER did not see any irregularity in the manner of proposing the resolution.

Hon. Mr. LONGWORTH had not intended to say anything or to vote on this matter, as he was an interested party, but as questions had been asked he might offer a few explanations. The hon. member, Mr. Hensley, was well acquainted with the nature of the duties performed, and had kindly offered to propose the resolution. In reference to the amount of the work which had been gone through, he might say that the Commissioners had spent three months in the summer of 1860 removing obsolete matter and placing marginal notes. When the laws were revised some eight or nine years ago, the Commissioners then appointed received £300 for their services; and as the first volume was now nearly published, and would be ready for delivery in about 2 months, the half of the duties to be performed by the present Commissioners were at least completed.

Hon. Mr. COLES wished to make a remark, namely, that here were two members of the Government taking office, and one of them, too, in the face of the law which said that no salaried officer should sit in this House, without having received the approval of his constituents. He put it to the hon. member if he had not vacated his seat by the course which he had taken.

Hon. Mr. LONGWORTH said if he had vacated his seat, the hon. member should have taken the proper course with respect to him. He (Mr. C.) knew very well that he was talking for talk sake; as he (Mr. L.) was a member of the House when he was Commissioner on a former occasion, and he was not then required to vacate his seat.

Hon. Mr. COLES thought when he saw the appointment in the *Royal Gazette* that it would be sufficient to cause the hon. member to vacate his seat, but as no money was asked for then, no action could be taken.

Hon. Col. GRAY was astonished at the arguments of the hon. leader of the Opposition. The majority of this House came in pledged against the departmental system, but the office of Commissioner for revising the laws was not a departmental office; it was more in the way of a person's profession as a lawyer. On the principle maintained by the hon. leader of the Opposition, it would follow that any member receiving money from the Treasury on any account should resign his seat.

Mr. DAVIES said that he had received some £50 from the public funds during the year, and he supposed he ought to have vacated his seat.

Hon. Col. GRAY—There the hon. member for Charlotte-town had given a case in point.

Hon. Mr. COLES then read from the Act the list of the different offices the acceptance of which disqualifies a member from holding his seat in the House of Assembly, unless re-elected, the last clause of which list reads thus:—

“The office or appointment of Auditor of the Treasury or Public Accounts, and any other office for which there shall by law be provided an annual salary of the amount of Twenty Pounds or upwards.”

Hon. Col. GRAY said this showed that the hon. member did not understand what he was talking about, as he had been referring to offices not mentioned in the law; and there was no annual salary provided by statute for the office of Commissioner for revising the laws.

The resolution, after a little further conversation, was agreed to.

Mr. J. YEO said he had a small resolution to submit. The House was aware that a special Committee was appointed last Session to examine and report on the proposed wharf at West Cape. This report had been handed in, and he would now move that the sum of £500 be appropriated towards the erection of a wharf at that place.

Mr. CONROY said the wharf was very much required, and he would second the motion of the hon. member.

Mr. DAVIES said the hon. member, Mr. Yeo, must be making fun of the House.

Hon. Col. GRAY thought it was very praiseworthy on the part of the hon. proposer of the resolution to advocate the interests of his constituents. Had the Government not given to understand that no such special grants would be made, something might have been done. But if the hon. member persevered, he did not doubt that he would be successful some time when the finances of the Colony were in a more flourishing state.

Hon. Mr. COLES said he could not support the resolution, when he and his colleague could obtain nothing for Mount Stewart bridge.

Mr. DOYLE—This was the old story that when any grant was wanted for Prince County there was no money to spare. But for the last few days hon. members seemed to be united in voting away money for King's County. He thought the people of West Cape had a good claim on the House, and he would support the resolution.

Mr. J. YEO—Hon. members appeared to think that the supporters of the resolution were making fun of the House, but he was of opinion that the House were making fun of the Committee, whom they appointed last session to report on the proposed wharf, and whose report they received, thus acknowledging the principle. He agreed with the hon. member, Mr. Doyle, that when any application was made for King's County, hon. members seemed to think they must support it.

When the question was taken on the resolution there appeared for it: Messrs. J. Yeo, Perry, Doyle and Conroy—4; and 14 against it.

Hon. Mr. COLES said he had given notice yesterday that he would ask a question of the Government. He understood an hon. member on the other side of the House to say that this would be the last session of this Assembly. Hon. Mr. Howe had frankly answered a similar question in Nova Scotia to that which he was about to put, and he hoped he would receive a similar reply. He would ask the hon. leader of the Government whether it was intended that this should be the last session of the present Assembly?

Hon. Col. GRAY replied that he was not aware that any hon. member on the Government side of the House had enunciated the statement that this would be the last session of this Assembly. He fancied that it came from the hon. leader of the Opposition himself, when referring to Hon. Mr. Howe's declaration. But he (Col. G.) would answer as frankly as Mr. Howe. The Government would give due notice when it was their intention to dissolve the House; and as to this being the last session, all he could say was that it might or it might not. (Loud applause.)

Adjourned.

FRIDAY, April 11.

The House went into Committee on the report of the special Committee on Post Office matters.

Mr. McNEILL opposed the recommendation of the report, that three new Post offices be opened in Prince County. He did not think the trade of that part of the country warranted the opening of so many new offices. He was more particularly induced to make this statement since some applications from King's County had been refused.

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Hon. Mr. YEO said that where the new offices were recommended to be established there was a distance of about thirty miles without an office at all.

Mr. CONROY maintained that there was much need of an office at the Bras.

Mr. J. YEO said he supposed it would be with the Post offices in Prince County as it was with the special grants for bridges and wharves, hon. members would of course oppose them. Offices were much required at the places mentioned in the report.

After some further conversation, the paragraph recommending that a Post office be established at Lot 8 was struck out, and the report as amended agreed to.

The Inland Post Act amendment Bill was read a second time and passed through Committee.

The House then went into committee on the report of the Committee on the pauper scales. The report was agreed to with a few unimportant amendments.

The Bill to alter and amend the Act relating to the recovery of small debts, was read a third time.

Mr. John Yeo moved that an engrossed clause, which he offered, (providing for the establishment of another Small Debt Court in his district), be added to the Bill, and do form part thereof, by way of rider.

The House divided on the question:

Yeas—Messrs. J. Yeo, Sutherland, Owen, and Hon. Mr. Wightman—4. Nays—13.

The Bill then passed.

The Naval Service Bill was read a third time and passed.

The order of the day for the second reading of the Bill in amendment of the Act to incorporate the Town of Charlottetown, being read—

Mr. DAVIES moved that the House do now go into the order of the day.

Hon. Mr. COLES said he would oppose the motion. By this Bill a merchant from Halifax or any other place could not sell 10 barrels of apples without a license. He supposed it was intended to give a monopoly to those parties who might be called resident merchants. He did not see any necessity for the Bill at all, and he thought it would cause retaliation, as the people of Nova Scotia and New Brunswick would not likely submit to it without endeavoring to place our traders under similar restrictions in these Provinces. He moved in amendment that the House go into the order of the day this day three months.

Hon. Mr. HAVILAND quite agreed with what had fallen from the last speaker. The Bill was worded in such a vague manner that it would place a most dangerous power in the hands of the City Council. He did not think the hon. member could show that any Act of the kind was in force in the neighboring Provinces.

Mr. DAVIES explained that there was no intention on the part of the merchants of Charlottetown to gain a monopoly by the Bill. They had nothing to do with it. It had been prepared by the City Recorder, and was intended by the City Council as a means to raise funds by taxing those who came here for a short time to do business, and paid nothing towards the institutions of the place.

Hon. Mr. LAIRD was opposed to the Bill as it would affect people from the country as well as those from abroad.

Hon. Mr. HENSLEY said the parties whom the Bill would affect were called "strangers;" and any person who did not live in Town for a year might be considered such; therefore, as it was worded, it would include country people.

Mr. BEER remarked that the object of the Bill was to tax those who came here every summer and drew away, perhaps, £3000 or £4000, and did not contribute anything to the revenue of the City.

Mr. DAVIES said he could not support the Bill himself in its present shape, as it did not define what a stranger was.

Hon. Mr. POPE also spoke against the measure. He thought it would operate against ourselves, because if we subjected people, from other places, to a license fee, we must expect that our farmers, when they send produce to other markets, would have to submit to a similar regulation.

Hon. Mr. Coles' amendment was then agreed to.

The House then went into the order of the day for receiving resolutions of supply.

When the resolution was read granting the sum of £20 towards the support of the Bog School, Charlottetown—

Hon. Mr. COLES said as this school was entirely under the control of gentlemen belonging to the Church of England, it was therefore a denominational school, though great credit was due to those who supported it so liberally. It had been circulated that certain members of this House were pledged to give a grant to St. Dunstan's College. Now, he considered it due to the denomination to whom that College belonged to state that they had never asked him to pledge his vote for such a grant. He had never given any pledge of the kind, nor did he believe that any member on this side of the House had. And he would advise no one to give such a pledge.

Hon. Mr. HAVILAND asked if the Bog School was a denominational school, for he had understood it was attended by children of all denominations.

Mr. BEER said there could be no objection to the school. He understood it was attended by some Roman Catholics, which would not be tolerated were there anything denominational in it.

Hon. Mr. WHELAN said there was no objection to the school; all that his hon. friend wished to say was that there were great complaints against certain members because it had been reported that they were pledged to give a grant to St. Dunstan's College, and here was an institution receiving support out of the public funds which was as much denominational as St. Dunstan's College.

Hon. Mr. HAVILAND maintained that the Bog school was not a denominational institution. It was got up altogether by parties outside. It could not be under the control of the Church of England unless it was under the office-bearers of that Church; and as this was not the case, it could not be a denominational school.

Mr. CONROY said he had no objection to the grant even though it was a denominational institution, if the school was required. It had been stated that it could not be denominational, as it was attended by Roman Catholic children. This was no evidence that the school was not denominational; it only showed the carelessness of their parents in sending them there.

The resolution was then agreed to, as well as the others reported from Committee. Adjourned.

FRIDAY AFTERNOON, April 11.

Mr. Beer moved the second reading of the Bill to encourage Steam navigation between Charlottetown and parts of the Hillsborough River. The motion was lost on the ground that the Bill would create a monopoly of the river communication.

The Committee on roads, bridges and wharves was resumed, after which Hon. Mr. Haviland laid on the table various official statistics connected with the commerce of the Island.

Hon. Mr. Pope presented a petition from Trustees of St. Malachi's Church, South West, Bedeque, against the transfer of land conveyed for the support of the Priest of the Church.

The House went into Committee on Ways and Means. Mr. John Yeo chairman.

The despatch from the Governor General of Canada, on the subject of Intercolonial Free Trade, and a petition of certain mechanics of Lot 49, praying for a protective tariff, were severally read.

Hon. Mr. HAVILAND—The majority of the House would avow free trade principles, but he could see no benefit to the Island from its adoption with Canada. Our importations from that Colony are almost entirely of flour, and we export nothing to it save a few quintals of fish and some barrels of oysters. The adoption of free trade with Canada would necessitate an alteration in our tariff. The Canadians manufacture spirits as cheaply as white eye is made in the States. At present a considerable proportion of our revenue is derived from the excise on home manufactured spirits. If we admit the Canadian articles free we must increase the tax on tea and

sugar and the necessaries of life. The Government is not prepared to have free trade with Canada until the opinion of the people shall have been expressed. Not only would the manufacture of Island liquor be stopped by the free admission of Canadian, but all other importations of liquor would be stopped, and the revenue would consequently suffer to a great extent. I am not prepared to support the petition, as it involves a return to the principle of protection. If agricultural and other implements cannot be manufactured here at a profit, the sooner the business is abandoned the better. The foreign manufacturer has to bear the burden of a tax. In this country the expense of living and the burden of taxation is less than in other Colonies or in almost any country. If an Islander with these advantages cannot conduct his business profitably, he had better turn his attention to something else. I may state that in the next house some alteration, in the present tariff, which I shall move be adopted for this year, must be made, as things cannot go on as at present. The revenue is entirely too small to meet the expenses of education, roads and bridges and the other branches of the public service. The people expect to get everything without having to pay for it.

Hon. Mr. COLES—The hon. member takes a fair view of the despatch. Young countries require a small degree of protection. The Island distillers need not fear the competition of the Canadians, as the stuff they manufacture would not be drunk here. The importation of American waggons had ceased under an impost duty of 10 per cent. If that duty were removed its removal might operate injuriously to the various branches of industry occupied in the manufacture. We are not yet prepared for free trade.

Hon. Mr. YEO—I see no necessity for a higher duty as asked for by the petitioners. It is strange that parties can come here and buy our lumber and bring it back in a manufactured state under a duty of 10 per cent, and undersell our mechanics. As to spirits, in Nova Scotia they stopped the manufacture of them from molasses, and the consequence was a gain to the revenue of £15,000 on importation of spirits. There was a number of illicit distilleries in the country from which no revenue was derived.

Hon. Mr. HENSLEY—In King's County there is but one distillery, so that I take the hon. member's allusion as a compliment to the country. We will do no good by changing the law as it at present stands. In Canada the tariff is 12½ or 15 per cent, ours 7½. It will be time enough to assimilate our tariff to theirs when the Colonies may be united.

Hon. Mr. HAVILAND submitted a resolution to the effect that it was inexpedient to entertain the question of Free Trade with Canada, until the opinion of the people shall have been taken on it at the next general election.

Mr. DAVIES—There is no advantage in free trade with Canada. We have nothing but some codfish and oysters to send there, and they have goods of a kind which we now get from the States, and if we got them from Canada free, we should lose the duties we now pay on their importations. It may be worthy of consideration whether a direct tax, whether a poll or income tax might not be beneficial. The expense of collecting our revenue is at present large in proportion to its amount. As to the petition, I consider it unfair to protect the mechanic at the expense of the farmer.

Hon. Mr. POPE was of the same opinion.

Hon. Mr. LAIRD would put Canada on the same footing as others. An income tax might be easily collected, but the country is not ready for it.

Hon. Mr. LONGWORTH—I doubt the policy of an income tax at the present time, nor do I think that it would facilitate the adoption of free trade. Its collection in England had been found troublesome. We cannot have a freer trade than under our present tariff. The list of exemptions exceeds that of the dutiable articles. The principles of free trade were recognized in England and France as essential to the welfare of large communities, where facility of interchange were absolutely required. The same argument does not, however, apply to smaller associations. Our infant manufactures cannot compete with those long established in so populous a country as Canada. I view the proposition as involving more than

the idea of an assimilation of tariffs. It has, I think, reference to a future union of these colonies. It has been regarded in that light in Nova Scotia and New Brunswick. An accession to it would diminish our revenue and injure our mechanics.

The resolution was agreed to.

Hon. Mr. Haviland moved a resolution to condemn the existing tariff.

Mr. BEER would increase the duty on spirits distilled from molasses, from $\frac{1}{2}$ to 1-0th per gallon. He would, however, in deference to the opinions expressed, move that it be 1-6th.

The amendment was lost, Messrs. Beer, Cooper, and McNeill supporting it.

The House in Committee on the Bill to incorporate the Roman Catholic Bishop of Charlottetown, and on the petition of the trustees of St. Malachi's Church, South West, Bedeque. Mr. Sinclair chairman.

Hon. Mr. POPE could not support the Bill. A similar one had been rejected years ago. Last year Hon. Mr. Longworth brought in a bill vesting all Church property in the Bishop. Years ago, 70 acres were given to the trustees at the South-west, Bedeque, for the use of the Roman Catholic Church, with the express understanding that it should never be vested in Priest or Bishop but to trustees. His father had been requested as agent to transfer, but had declined. He himself had been asked, but refused unless the names of the trustees were in the transfer. He could not support the Bill, as he was aware that the people of the district did not wish it—they think the transfer of the lands in the way sought for by the Bill would be injurious to their interests. When the Bill he had reference to was before the Legislature, the leading Catholics in Charlottetown had opposed it. In the case of other communions, acts were passed incorporating and vesting the church property in the ministers and trustees for the time being. He would not sanction the depriving people of their rights and property.

Hon. SPEAKER—The Rev. Mr. McDonald, of Indian River, had told him that the Bill gave no new power.

Hon. Mr. HENSLEY—The Bill authorized the holding of lands for the benefit of the Church. It did not divest the estates of trustees. One clause said that trustees might convey.

Mr. CONROY understood that the Bill was a transcript of the New Brunswick Act—it merely secured church property to the Bishop's successors, so that his relatives might not get it.

Hon. Mr. YEO—The Bill was for securing church property to the Church. If the Catholics liked it, it was no business of other people.

Hon. Mr. POPE had no wish to offer a factious opposition, nor to interfere with any religious denomination in the management of its own affairs; but here they had a petition from members of the Church to which this Bill had reference, and it was their duty to notice it. If, as had been said, the Bishop already had the power, where was the necessity for the Bill, and why was its enactment petitioned against? The Bill would have the effect of giving to the Bishop land which had been given to the petitioners on the express condition that he should not have it.

Hon. Mr. PERRY—The petitioners had an undoubted right to petition, but they did not understand the Bill. It was merely intended to give power to take a piece of ground for church purposes, such as a burial ground. The right of establishing charges for burial and other religious services was in the Bishop. The intention was to prevent church property going by devise to private individuals.

Hon. SPEAKER saw no reason for objection. They were constantly passing Acts, incorporating churches, and the Catholic members present made no objection to this against which there was but one petition, and it seemed that it would not affect the case of the petitioners.

Hon. Mr. LONGWORTH had brought in the Bill of last session, which was a transcript of what purported to have been an Act passed in Canada. The Canadian Act authorizes conveyance of church lands by the Bishop with consent of his coadjutors. In Nova Scotia and New Brunswick the Bishop has merely power to lease for 21 years; this gives authority to lease, sell or exchange lands for church purposes.

Hon. Mr. POPE—Then why should it be represented as a mere transcript of the New Brunswick Act? He objected to the clause giving power to the Bishop to levy such rates and charges as he should see fit. He might tax the congregation of Bedeque for a cathedral in Charlottetown. If the people of the Roman Catholic communion were unanimous and understood the question, he would not raise his voice in opposition to the Bill. It would be better to let the Bill be published, and let the people to be affected by it be made aware of its provisions.

Hon. Mr. THORNTON—The hon. member seemed afraid that the Bishop would impose taxes on Catholics, but he had the power of doing so at present. But there are among Catholics, as others, refractory individuals who may require to be stimulated by a little law. There were no complaints against the Bill of last year, and this Bill did not affect the land of those who petitioned against it. The Bishop can't disturb the possession of that land, nor can he, by the Bill, put money into his own pocket. If the Catholic population thought their interests were in danger, they would have looked to some other quarter for protection.

Progress reported.

SATURDAY, 12th April.

Hon. Mr. Haviland reported the Revenue Bill. Read first time. The appropriation Bill was read second time and agreed to.

Mr. McNeill moved a committee to consider the propriety of an address to the Lieut. Governor, on the subject of the admission of Island vessels to French registry, as had been the case with those of Canada.

Hon. Mr. Coles seconded the motion with pleasure. Canada having admitted French wines free of duty, the French Consul had recommended the ships of that Colony for French registration.

The House went into Committee. Mr. John Yeo chairman.

Hon. Mr. COLES considered that Canada had received a great boon in the concession of French registry to her vessels. The Island would be greatly benefitted by a similar privilege being accorded. Instead of, as proposed, an address to the Lieut. Governor, requesting him to open correspondence with the Colonial Minister, it would be more regular to pass an address to Her Majesty, and then request the Lieut. Governor to transmit it.

Hon. Mr. McAULAY—The reason why the so called boon had been granted to Canada, was that French built ships cost much more than those of Canadian construction. It was cheaper for the French ship owners to purchase than to build.

Mr. DAVIES—The Canadians built large vessels. The impulse to our trade would be great if our vessels could be sold with their cargoes of produce in the ports of France. Before we can expect to obtain, we must be prepared to give the same privileges as Canada had.

Hon. Mr. LONGWORTH agreed that it would be a great benefit if our ships had the French harbour open to them for sale; but he had some doubts whether France would admit us to the privileges which Canada enjoyed. The object of the French was to get large firm vessels, which, though not as durable as British oak vessels, Canada could build at one half the cost of the former. The Island built vessels were smaller, but the attempt was worthy of being made. It would be necessary to hold out some inducement to the French Government. The House could not alter the present tariff, save at a sacrifice of revenue. They might reduce the duty on wines, but after doing so, their wishes might not be realized. The better way would be, by address to the Queen, accompanied by a copy of our tariff, and authorize the Lieut. Governor to proclaim a reduction of the duty on wines, when France should concede the privileges we sought.

Hon. Mr. COLES—The address might express our willingness to give the same privileges of fishery on our coasts as the Americans had, on condition that France should place us on the same footing as Canada. As far back as 1848 he had been in favor of giving the Americans the right of fishery on

our shores as an equivalent for American registers for our vessels, and a reference to the 'Islander' of Nov. 10th of that year would show that his opinion was scoated. Had it been acted upon, our ship building interests would have been in a better position. He agreed that a copy of the tariff ought to accompany the address.

Hon. Mr. LONGWORTH—The fisheries were national, not colonial property; and the Imperial Government would not allow us to interfere with them in the manner proposed, which, if adopted, would probably lead to complaints from the other Colonies. The American right of fishing on our coasts was secured by treaty. The recent differences which arose as to the limits of the French fishing grounds in Newfoundland, were settled by the two Governments, as being matters of International arrangement.

Hon. Mr. WIGHTMAN—The extension to France of the provisions of the Treaty of Reciprocity with America would allow us to interfere with them in the manner proposed, which would be a great boon if we could get the privileges sought for, for our small vessels. When he was in England some years ago, the docks were full of North American shipping which could find no purchase. If a new market were opened for the sale of our vessels, we could get a better price in England, because the new market would not be so liable to be glutted. We have nothing to offer in exchange for French registry but fish, and how far that offer might interfere with the Treaty with the States he could not say. He would support the address.

Hon. Mr. HENSLEY could not see that the treaty with the States would be violated by the proposed offer. That treaty gave no exclusive right to the Americans. The utmost that was inserted in any commercial arrangement between two governments was that the contracting parties should be on the footing of the most favored nation. The question was, as to the policy of offering this inducement? Canadian ships had been admitted to French registry on admitting the wines of France duty free. It had been assumed that result had arisen from the fact that Canada built large ships; but it by no means followed that our small vessels would be excluded, for the ratio of cost was as that of size. If we offer the same terms as Canada, we may expect the same equivalent. At any rate, it would be time enough for us to offer the fisheries when we find that we cannot do better.

Hon. Mr. HAVILAND agreed with the views of the last speaker. There was no use paying more for an article when you could get it for less. We might get the same terms as Canada, and we could with privileges we had in reserve get other advantages. He did not say that he would not consent to open the fisheries to the French, if we could not get what we sought without doing so. But the offer at present might stop the proposed negotiation, as Imperial interests and those of other Colonies were involved. We had better try for the same terms as Canada. France did not require very large ships for all her trade. Vessels of the size generally built in the Island were particularly adapted for her extensive commerce in the Mediterranean.

Progress reported.

SATURDAY AFTERNOON, April 12.

The House again resolved itself into a Committee of the whole House to take into further consideration the expediency of having extended to this Island the like privileges which have lately been extended to Canada, in that Canadian-built ships and other articles, the growth and production of that Province, are admitted to the same privileges in French ports as are enjoyed by ships of British build.

Mr. DAVIES said he could not see why France should not grant to us the same privileges in trade as did the Americans. It was true that the relations between Britain and France were not so friendly now as they were some time ago, but he thought the people of this Colony should gain these privileges as readily as others. He did not set a great value on the fisheries; fishermen were generally poor in all countries, and he thought if our vessels could be admitted to

French registry we should give the French the privilege of fishing on our coasts, and curing their fish on our shores. The hon. member, Mr. Longworth appeared to be of opinion that their demand for vessels would be in favour of a larger class than what we could build. He (Mr. D.) held a different view. If we, however, could gain the privileges sought for without conceding the fisheries, all the better; he would be disposed to give up as little as possible. But he considered it very doubtful that the French would give these privileges for the liberty of bringing in their wine here, as this was a comparatively poor Colony; but if they could obtain the advantage of fishing on our coasts, they would probably readily accept the offer.

Hon. Mr. COLES did not see the force of the reasoning of those who said, ask this favor of France and give us little as possible. But the resolution which he proposed asked greater privileges than were granted to Canada, but in return for this he would concede to the French the same advantages which we granted to the Americans. The French could fish on our coasts in small vessels such as we could build, and in them carry their fish to St. Pierre, to be reshipped in larger vessels to France. But some hon. members appeared to think that France was not to be trusted—that she was of a grasping disposition. But he was of opinion that if those privileges were conceded to her, it would go a great way to remove the desire on her part to regain possession of these Colonies. We could show the French that we had greater advantages to give them in return for the privileges which we ask, than Canada.

Mr. McNEILL was not in favor of the proposition brought forward by the hon. leader of the Opposition; he thought that by going too far we might lose all.

Mr. BEER hoped the other day, when he observed that privileges were granted by the French to Canada that this Island was also included. But this appeared not to be the case; and he was happy to see the hon. member for Murray Harbor, Mr. McNeill, bring forward the resolution which he did. It was pleasing to observe that no party spirit was displayed in discussing the question; the leader of the Opposition appeared to desire to go even further than the mover of the resolution. But he (Mr. B.) doubted if we could go as far as that hon. member proposed.

Hon. Col. GRAY said it was a grave matter for consideration how the proposal of the hon. leader of the Opposition would be received by the Imperial government. He (Col. G.) thought we should all look forward to the time when one of the Imperial family would rule as viceroy over these Colonies united. Probably not more than 5 or 6 years would elapse before something of this kind would take place, and it was questionable whether we should be the first with such a proposition as had been made with respect to giving the French a right to fish on our coasts. We, at least, should not give away greater privileges than we received. He maintained that we had given more than we received in the case of the Reciprocity treaty with the United States. We should be careful to give up nothing, for all that we possessed might be necessary to enable us to obtain our rights in the event of a union of the Colonies. It was known that Canada had a debt of about 11 millions, and we would have to bear a part of that unless we could demand some guarantee that we should not be burdened with it. He would cheerfully support the original resolution.

Hon. the SPEAKER—It was well known that Nova Scotia and New Brunswick had as good a right to the fishery privileges in the gulf as we had; and he did not think that any thing we could pass would give the French liberty to fish on our coasts.

Hon. Mr. WHELAN spoke at some length. He was astonished at the narrow-minded views of some hon. members. He thought if his second resolution had been proposed by any other person than the leader of the opposition it would have been all right. The hon. and learned member for Georgetown referred to the boon which we would probably receive by adopting the resolution proposed by his friend, the hon. member for Murray Harbor, and said we should not grant any right as an equivalent. He had instanced the case of Canada, and contended that she had given nothing in return for the privileges obtained. But even though she had given nothing she had many claims which we could not urge. She had French sympathies and French representation, and all those influences were brought to bear upon the present Consul of France in that Province, who had induced his Imperial master to concede those privileges. On account of these sympathies a greater trade would spring up between the people of France and Canada, than any other British Colonial possession could hope to possess. The people of this Island had very little claim on the sympathies of the French, and some means would have to be taken to induce them to concede the same privileges to us as they had granted to Canada. What injury would it be to us to see the French come here and make use of that which we did not ourselves? We were more of an agricultural than a fishing people. Why, then, should we have such a selfish spirit in regard to our fisheries? He certainly could see no good reason for not supporting the resolution proposed by his hon. friend, the leader of the opposition.

Hon. Mr. LONGWORTH said some hon. members appeared to adopt the same course as if we had the right to take the initiatory steps in any negotiation, with respect to giving the French a right to fish. He contended that we had no exclusive right to the fisheries on our coasts. This was a right which the British Government alone could concede. We had no power respecting the fisheries, excepting in regard to those on our own rivers.

Hon. Mr. POPE hoped that the hon. leader of the Opposition would withdraw his resolution, as it was absurd that we should give what we did not possess. He would move the following resolution:—

“Resolved further, That in the event of the Imperial French Government acceding to the prayer of the Address, this Legislature hereby pledges itself to reciprocate with the French Government, to the same extent that Canada has done.”

Mr. DAVIES said if we had not the right to give the French leave to fish on our coasts, we could not grant it; but he was disposed to do so as far as we had the power.

The Committee then divided on Mr. Pope's amendment:—

YEAS:—Hons. Messrs. Pope, Yeo, Gray, Haviland, Longworth, Thornton, Hensley, Wightman, McAulay, Messrs. McNeill, Douse, Montgomery, J. Yeo, Ramsay, Beer, Cooper, Sutherland—17.

NAYS:—Hons. Messrs. Coles, Whelan; Messrs. Davies, Sinclair and Conroy—5.

The Committee then rose and two resolutions were reported. The first, that proposed by Mr. McNeill, was agreed to. When the second was read Hon. Mr. Coles again moved his amendment, which was lost 17 to 5, division contrary as above.

Hon. Mr. Whelan then moved to amend the said resolution (that proposed by Hon. Mr. Pope), by adding at the end thereof the following words; “in accordance with such relations as may subsist between Canada and France in reference to this matter, so far as it is in the power of this Colony to carry them out.”

The House divided on the motion of amendment.

YEAS:—Hons. Messrs. Whelan, Coles, Thornton, Wightman; Messrs. McNeill, Sinclair, Sutherland, Conroy—8.

NAYS:—Hons. Messrs. Hensley, McAulay, Longworth, Yeo, Gray, Haviland; Messrs. Cooper, Beer, Ramsay, Douse, Montgomery, J. Yeo—12.

The original resolution was then agreed to, and a Committee appointed to prepare an Address to Her Majesty.

The Appropriation Bill was then read a third time and passed.

Hon. Col. Gray introduced a Bill to facilitate the operation, in certain particulars, of the Award or Report made by the Commissioners to settle and adjust differences respecting some of the Township lands in this Colony,—which was read a first time.

The Revenue Bill was read a second time, and passed through Committee.

Hon. Mr. POPE moved that the House do now resolve itself into a Committee of the whole House to take into further consideration the Bill to incorporate the Roman Catholic Bishop of Charlottetown in his Diocese.

Hon. Mr. KELLY said that the Special Committee were not prepared to go forward with the Bill.

Hon. Mr. POPE said that he intended to go home after to-day's Session of the House, having obtained leave of absence for that purpose, and he wished this Bill to be taken up as there was a petition from some of his constituents before the Committee, which had been entrusted to him. The hon. member for Tignish had stated that the Bill was a transcript of the New Brunswick Act, and the hon. member who proposed it silently listened to the statement, thus tacitly admitting it was correct. As the Bill, however, was quite different from the New Brunswick Act, such conduct on the part of an hon. member of this House, he considered was highly censurable.

Mr. CONROY explained that the reason he said the Bill was a transcript of the New Brunswick Act, was because he understood it to be so. He had consulted with the hon. member Mr. Longworth, and he had advised that he (Mr. C.) should take a copy of the New Brunswick Act to the Bishop, and ascertain if a similar one would be suitable. The Bishop said it was enough. The Law Clerk being otherwise engaged, the Hon. Mr. Kelly consented to draw out the Bill, and if he had added anything which was not in the New Brunswick Act, he did it without the authority of the Committee, and had introduced into the Bill what was not desired by the Bishop.

Hon. Mr. KELLY said there was nothing in the Bill but what was in the New Brunswick Act, except a clause or two contained in the Bill of last Session, which, as they had not been objected to by the Duke of Newcastle, he thought were all right. If the Bill was drawn differently from the New Brunswick Act, it was done with no intention to deceive. He had not observed the statement made by the hon. member for Tignish, that the Bill was an exact transcript of the New Brunswick Act. He (Mr. K.) did not insist on these parts of the Bill which had been added, but was willing to make it like the Act referred to.

Hon. Mr. COLES thought the best course was to leave the Bill to go into Committee on Monday, with the understanding that it should be amended.

Hon. Mr. POPE said that he would not be here on Monday, and insisted that the House should now go into Committee.

The motion was agreed to and the House resolved itself into Committee accordingly.

Hon. Mr. POPE moved that the Bill be printed in the *Royal Gazette* newspaper, and laid over till next Session. He thought this was the proper course to pursue. Last evening it was said that he was offering a factious opposition to the Bill; and he was taunted by the hon. member for Cardigan as being the champion of his church. That hon. member also endeavored to throw ridicule on the petition before the Committee, because it was not well written. He (Mr. P.) maintained the petitioners had a right to be heard. He considered they were independent men as they had voted against their landlord, and showed that they did not wish to be interfered with in regard to their church property. The hon. member who introduced the Bill, was now anxious to withdraw it. He appeared to be ashamed of it, as he was opposed to have it printed. It gave the Roman Catholic Bishop power with respect to lands which was not in the New Brunswick Act. Under this Bill he could sell the chapel at the South West. It also gave him power to make bye-laws; he could even pass a law imposing a charge of £10 for burying a person. This was such a power as he (Mr. P.) would not give to the Bishop of any church; and he did not think the laity of the Roman Catholic Church desired it, from what he could hear outside to-day. He did not say that the present Roman Catholic Bishop would exercise this power improperly, but he considered it was not right to give any person so much power. He thought the best course to adopt was to have the Bill printed, and then the laity of that church could consider whether they were satisfied with its provisions or not. As the Bishop was away for the present, no injury would result from its not being passed for a year.

Hon. Mr. HENSLEY said he must oppose the motion of the hon. member for Bedeque. He thought it would be treating some hon. members very unfairly after the explanations which they had made, not to go through with the Bill. It was no wonder that the hon. member Mr. Kelly, thought that the clauses in the Bill of last Session which were not objected to by the Duke of Newcastle, might properly be introduced into the present Bill. He (Mr. H.) would like to deal justice to all parties,—that was all that he desired in this matter.

Mr. BEER had conversed with some members of the Roman Catholic Church in reference to this Bill, and they had spoken most decidedly in favor of having it published, and laid over until next Session. One of them had expressed himself strongly of the opinion that no such Bill ought to pass giving so much power to one man, and he thought that the laity ought to have a share in the matter along with the clergy. Another party had said to him that he wished to see the Bill published, and then they would consider what they thought of it. Last year, he said, a Bill was passed and they knew nothing at all about it at the time. He said the present Bishop they could depend on, but they did not know what kind of a person his successor might be. He (Mr. Beer) agreed with this opinion respecting the present Bishop. He thought in justice to the Roman Catholics of the Colony the Bill should be printed, and if they were satisfied with it, this House could have no reason to object to the measure.

Hon. Mr. WHELAN said there could be no objection to have the Bill printed; but it should be first amended, and then printed, as at present it did not even meet the views of the Special Committee who prepared it. He, himself, would not object to the Bill in the form in which it was introduced. The 17 who had signed the petition before the Committee were but a small part of the 35,000 Catholics in the Island;

but he believed even these 17, if correctly informed respecting the Bill, would not object to its provisions.

Hon. Mr. LAIRD thought that the hon. member for Bedeque deserved the thanks of the Roman Catholic portion of the community for bringing this matter to light, though he had been sneered at for his pains. He (Mr. L.) was of opinion that had that hon. member not brought the objectionable parts of the Bill before the notice of the Committee, the measure as it was would have been palmed on the House.

Hon. Mr. THORNTON hoped the hon. introducer of the Bill would not object to have the Bill amended according to the wishes of the Committee, as he had inserted the clauses which he did with no wrong intention.

After a few other observations from hon. members, the Committee rose with the understanding that the Bill should be made an exact transcript of the New Brunswick Act. Progress was accordingly reported, and the House adjourned.

MONDAY, April 14.

The Bill to facilitate the operation of the Award was, according to order, read a second time.

Hon. Col. Gray moved that the said Bill be now committed to a Committee of the whole House.

Hon. Mr. COLES did not intend to support the Bill, as he considered it contrary to the mind of the Duke of Newcastle, who had declared his objections to the arbitration clause to be insuperable. The hon. leader of the Government a few days ago brought in a Bill for the suppression of lotteries; but the Bill now before the House acknowledged the principle of lotteries. By this Bill, in case of a dispute, the umpire was to be taken from among 12 men—6 chosen by each arbitrator—all, no doubt, great partisans. From the names of these 12 persons, the landlord or his agent and the tenant were each to strike off four names, and then the lottery would begin. Each of the remaining four names was to be placed on a separate slip of paper, folded up, and placed in a ballot box, and the first name drawn therefrom should be the umpire. Another objection was, that these 12 persons were to be freeholders. This was not fair for the tenantry, as the freeholders sided with the proprietors. If the tenants had the privilege of choosing from their own class there might be some chance for them. He objected to the Bill on this ground, and because he thought it was premature at present to legislate on the Award at all. He contended also that the House should not interfere with the law of the land in regard to arbitration; because of this interference he thought, if passed, the Bill would not receive the Royal assent. He would move in amendment that the Bill be read that day three months.

Hon. Mr. MAULAY—The hon. member appeared determined to oppose this Bill. It was easy to oppose a measure, but not so easy to provide a remedy. The Duke of Newcastle had difficulties in regard to the arbitration clause, but if by this Bill we could remove some of these difficulties we would have done a good part. There was one statement made by the hon. member which he could not allow to pass, namely, that the sympathies of the freeholders were with the proprietors. This, he felt assured, was not the case.

Hon. Col. GRAY said the hon. leader of the Opposition had taken a course which he did not expect. He (Col. G.) would not like to stand in the position which the hon. member occupied. There was certainly something behind the scenes, when he refused to support measures which were for the general good. This was not a party question; too many of the intelligent members on the other side of the House had supported the confirmation of the Award, for the hon. member to be able to prove this. He had paid no compliment to the

freeholders of this island by saying that they were partisan men, and sympathizers with the proprietors. He (Col. G.) had, in all his intercourse with freeholders in this Colony, found them upright and honest, and he would have no objection to place his property at the disposal of a jury of such men. The tenant would be likely to choose men who would deal even-handed justice; he could not expect to have all that he desired. It would be no advantage to choose extreme partisans on either side. It would be seen by the Bill that the greatest care had been taken to prevent partisanship in the case, as large proprietors and tenants were not allowed to be chosen. If he could believe that hon. members were sincere in their declarations, that the measure would not meet with favor either from the tenants or proprietors, he would be satisfied. This would be the best evidence of its justice.

Hon. Mr. YEO—The hon. leader of the Opposition said that freeholders might be extreme men. To choose 12 men, then strike off 8, and then ballot from the other 4, was, he (Mr. Y.) thought, a fair way to get a moderate person for an umpire. He had many tenants who were largely in arrears, still he would be willing to adopt this course. He would also sell his land for 15 or 16 years' purchase.

Hon. Mr. HENSLEY—The Duke of Newcastle had declared that he had insuperable objections to the arbitration clause; and had it not been that the hon. leader of the Government announced his intention to introduce such a Bill as was now before the House, he (Mr. H.) would not have voted as he did on the Bill to confirm the Award, because he also had objections to that clause, unless some provision was made to regulate the choice of an umpire in case of a disagreement between the arbitrators. He would vote for the Bill going into Committee, but he would have some suggestions to offer in regard to its details, as he thought it could be improved. With respect to the course which he had pursued in this matter, though he regretted that it had placed him in opposition to hon. members with whom he usually voted, yet he saw no reason, so far, why he should change his opinion; and were he called upon to vote again on the Bill to confirm the Award, he would vote as he did before.

Mr. COOPER did not think anything of the Bill under consideration, as it was only to carry out the details of a measure introduced before. The British Government had all the evidence in respect to the land question before them, as they had the report of the Commissioners, and they would feel it to be their duty to settle matters on this Island. He hoped there would be sufficient opposition to the Bill to prevent it from passing. The tenants were to give their consent in regard to the Commission and they had not been consulted. He thought the proper course for the House to pursue now was to pass an address to Her Majesty, praying that the whole subject might receive full consideration.

Hon. Mr. LONGWORTH—The hon. leader of the Opposition had acted a consistent part in opposing the Bill, as he had opposed the former Bill to confirm the Award. It could not be expected that he should now fall in and support this measure. It would, however, no doubt be supported by those hon. members on the other side of the House who had voted for the other Bill. If the House had agreed to confirm the Award, it must, he thought, agree to the principle of this Bill. The arbitration clause was that part of the Award with which they had principally to do; and this Bill was intended to facilitate its operation. It was based upon just and sound principles. He was happy to hear the views enunciated by the hon. and learned member for East Point. If any party had objections to the details of the Bill, when the House went into Committee there would be an opportunity to offer suggestions, and these, if not contrary to the principle of the Bill, would probably be adopted. This was no party question, and if the Bill was susceptible of improvement, by all means let it be improved. It had been argued that tenants should be allowed to be chosen umpires; he would have been most happy could this have been thought advisable; but as the arbitration was to decide on the freehold value of land, he admitted that no person could be a better judge in the case than a freeholder.

He did not think the tenants would object to confining the choice of umpires to freeholders; and if tenants were allowed to be chosen, such a provision would probably endanger the Bill at home.

Hon. Mr. WIGHTMAN said he would not have agreed to the Bill to confirm the Award had he not understood that this Bill was to be introduced. There was one part of the Bill to which he objected, namely that a person could not be chosen for an umpire out of the Township in which he resided.

When the House divided on Mr. Coles' motion of amendment, there appeared for it—Hons. Messrs. Coles, Kolly, and Mr. Cooper—3. Against it—Hons. Messrs. Gray, Yec, Haviland, Longworth Laird, Thornton, Hensley, Wightman, McAulay; Messrs. Douse, Montgomery, Beer, McNeill, Sutherland, Sinclair—15.

The original motion was then put and carried 15 to 3, and the House resolved itself into Committee accordingly—Mr. Sinclair in the chair.

Progress reported. Adjourned.

MONDAY AFTERNOON, 14th April.

The Revenue Bill passed.

The Committee on the Bill to confirm the Award of the Land Commissioners was resumed. The discussion elicited nothing which has not been already given to the public several times. Bill agreed to with amendments.

Mr. Davies reported Address thanking Lieut Governor for the messages sent during the session.

The amended Bill to incorporate the Roman Catholic Bishop of Charlottetown was agreed to.

The House then went into Committee on the Bill to prevent the exportation of juniper timber, and progress was reported in order to amend it by insertion of a penalty per ton.

The House went into Committee on the report of the Special Committee on Public Accounts.

The report having been read, Mr. McNEILL moved that it be adopted. The amount of the balance against the Colony £69,320 5s. 4³/₄d., was not to be wondered at. The large amount paid for Education, the cost of taking the Census, the Land Commission, the repairs of Government House, the Prince of Wales' College, the outlay for new Roads and the necessary outlay for the Great Exhibition, naturally swelled the expenditure beyond that of former years, while the disturbed condition of affairs in the States had diminished the revenue by limiting our trade. The increasing expense of Education rendered inevitable an addition to the revenue or an increase in the tariff. As to the public lands, the Worrel Estate had been a legacy of debt to the Government, and would continue to be so. The Selkirk Estate and Lot 54 had been good investments, of the latter 9,000 acres had been sold at a profit, and but 4,000 remained. 31,000 acres were still unsold on the Worrel Estate and Lot 11. While 13,656 acres had been sold of the Selkirk Estate, of the Worrell Estate and Lot 11 only 2,178 acres had been disposed of during the year.

Hon. Mr. COLES—When a few years ago, the late Government were called upon to give a financial statement, they shewed among their assets 44,000 acres of land at 4s. per acre. They were condemned for having done so, but the committee now take credit for them at 5s. The late Government considered it but fair, as they had paid £20,000 for public lands that they should be credited with the quantity unsold, but the then minority were not willing that

credit should be given either for the land or the balances due on account of sales. They now, however, adopted a different course and claim credit from both sources. He then read the following comparative statement of the expenditure in the years 1859 and 1861, in support of his opinion that notwithstanding that the present Government succeeded to power on the express pledge of reducing the expenditure, they had increased it.

	1859.	1861.	Increase.
First Class Teachers,	£9750 17 2	£10671 1 11	920 4 9
Second do. do.	470 10 0	1093 14	3,623 4 3
Female do. do.	751 5 0	1434 5	1,683 0 1
Normal School,	200 0 0	327 17	0,127 17 0
Prince of Wales' College, formerly Academy,	250 0 0	1132 1	8,882 1 8
Board of Education,	222 7 2	261 3	9 38 16 7
Printing and Stationery,	964 9 7	1246 3	6,281 13 11
Inland Mail Service,	875 18 6	972 10	3,96 11 9
Winter Foreign,	344 0 0	418 13	0 74 13 0
Summer Mails,	1969 10 0	2037 14	0 67 4 0
Light and Light-houses,	788 11 6	1035 0	1,246 8 6
Buoys and Beacons,	141 3 2	217 11	6 75 8 4
Public Land Office,	664 1 2	1169 10	4,505 9 2
Govt. House and Gate	356 1 0	1159 9	4,792 12 4
Lunatic Asylum,	955 2 3	1064 7	8,109 5 5
Queen's County Jail.	415 3 3	594 14	8,179 11 6
King's do. do.	117 1 9	390 4	4,273 2 7
increase of interest on £30,000 additional debt,		£1800	0 0

Land sold on Worrell Estate and Lot 11—

Value sold,	£28,629 6 3
Land unsold, 31,000 acres, at 5s. per acre, as per report of Public Acct.	
Com.	7,750 0 0—£36,379 6 3
Cost,	23,500 0 0

Over cost of Land, £12,879 6 3

The debt of the Colony had increased £30,000 since the present Government came into power, being now, £69,320. When in consequence of a slight accident having occurred to the *Westmorland* off Pictou, the contractor immediately supplied her place by another steamboat, instead of running a sailing vessel, as, by the terms of his contract he might under the circumstances, have done, the Government cancelled his contract, although the *Westmorland* had been repaired without delay, and continued to run during very boisterous weather for the remainder of the season. And officers and members of the Government had availed themselves of her accommodation, while the public complained that the Mails were being conveyed by a sailing vessel. If the contractor had laid up the *Westmorland*, as he might have done, after the contract had been cancelled, the travelling public would have been subjected to serious inconvenience. It might be that the report was as unobjectionable as any that could be expected while the present government was in power.

Mr. DAVIES—The lands had not been valued at 5s. an acre. That sum was merely an estimate of the chairman; 1/4th of the amount might be deducted, as the cost of opening roads to give them any value. He thought the amount too high, but it was mere matter of opinion. This year was the first in which a surplus appeared from the land office; this arose from the Selkirk Estate and Lot 54. The Worrell Estate and Lot 11 might possibly produce half the amount at which their value was estimated in the report, as their present value would be augmented by the opening of new Roads. As to the

Westmorland, the Government had done no more than its duty. The boat had been in an almost sinking condition, the oakum was coming out of her seams. He would ask the hon. member, Mr. Wightman, if he would run a vessel 5 years without recaulking?

Hon. Mr. WIGHTMAN—No, particularly not a Steamer.

Hon. Mr. LONGWORTH—The hon. member omitted from his comparative statement of the expenditures of 1859 and 1861, the amount of £5,600 which, expended in that year, was paid by the present Government. As to the Worrell Estate, in two years' time £1800 of debentures would become due for the Worrell Estate. In the case of the Selkirk Estate, the money on account of the purchase was coming in fast. And of Lot 54 all but 3000 acres, enough had been sold to cover the purchase within £60 or £70, and there remained of the property between 3000 and 4000 acres to pay that balance. The hon. member had merely given them bare figures, without adverting to the causes which accounted for and justified the increased expenditure. The Government had acted with all possible regard to economy. In the item of public printing, everything was let by tender, with the exception of the work which officially devolved upon the Queen's Printer. The journals of the last 2 years had been of more than usual bulk, and last Session they had passed more than 40 new acts. The number of Mails had increased, as had the number of winter trips across the straits. Light Houses and Jails had absorbed something extra for repairs, although their current expenses had not increased. The Lunatic Asylum, which was now in a more efficient state than at any previous period, had required an expenditure of £80 or £90 on its roof. The Volunteer movement formed a new item of expenditure. As to the *Westmorland*, the less the hon. member said the better; the Government had acted under a due sense of the responsibility which it would have incurred had a fatal accident occurred, when they had reason to believe she was not in a state sufficient to perform her work with safety. Had the hon. member acted as prudently in the case of the *Fairy Queen*, public opinion would have borne them blameless. The report was agreed to.

TUESDAY, April 15.

The Bill authorizing the granting of the Shores of the Island was agreed to, as amended.

On motion of Hon. Mr. Hensley, the House went into Committee on the Vaccination Bill. When the Bill in amendment of all but the title, prepared by the Special Committee, was moved and progress reported—no discussion. Hon. Mr. Longworth reported joint address on the subject of the admission of Island vessels to French Registry. Report adopted.

TUESDAY Afternoon, April 15.

A motion being made that the Bill to facilitate the operation, in certain particulars, of the Award of the Land Commissioners, be now read the third time—

Hon. Mr. Coles moved in amendment that it be read this day three months.

For the amendment—Hons. Messrs. Coles, Kelly, and Mr. Cooper—3. Against it—Hons. Messrs. Gray, Longworth, Haviland, Yeo, Hensley, Laird; Messrs. Davies, Holm, Sinclair, Montgomery—10.

The original motion was then agreed to, and the Bill passed.

The House then went again into Committee on the Vaccination Bill. It was reported agreed to with a few amendments.

A Committee of three members was appointed to report on the Contingent expenses of the House for the present Session.

Hon. Mr. COLES asked the hon. leader of the Government a question in regard to steam communication between this Island and the neighbouring Colonies.

Mr. DAVIES said there was a suggestion made in the report of the Committee on Public Accounts, to the effect that unnecessary expense was incurred in publishing the expenditure of the Colony in detail as an Appendix to the Journals. He thought the House should take some action upon it.

Hon. Mr. COLES—These were the only things which hon. members could refer to when desirous to learn the items of expenditure. He observed that in Nova Scotia the accounts were published as they were here.

After a few remarks from one or two other hon. members a Committee of three was appointed to examine and report as to what portions of the papers and accounts usually printed as an Appendix to the Journals of the House, may be omitted, without detriment to the public service.

Read a third time the Bill to authorize grants of the shores of this Island.

Mr. Montgomery moved to amend the Bill by striking out the clause which confers on the Government the right to dispose of shore fronts where a road runs along the shore, without the consent of the occupant.

For the motion, Messrs. Montgomery and Ramsay—2. Against it—14.

The Bill was then passed.

An engrossed Bill from the Council, intitled "An Act relating to Steam Navigation," was read a first time.

Hon. the SPEAKER thought it could not be entertained, as it contained provisions that interfered with the privileges of the House.

Hon. Mr. HAVILAND said, though it might be irregular for the Council to send down the Bill, yet it contains provisions which were highly necessary. He understood it was a transcript of the New Brunswick Act. Steamers were running in our harbors, sometimes with 100 or 200 souls on board, and yet they were under no government restrictions, and had no such necessary appliances as life boats or buoys. He thought it was high time that there was such a law passed in this Island. Sometimes these steamers had not even a common boat.

Hon. Col. GRAY said there might be one boat belonging to each steamer; but that would only hold about 20 persons, and in cases where 200 or 300 were on board, if a disaster should happen, there would be such an effort of a number to get in the boat that all would be lost. He had been quite surprised to see steamboats out on excursion trips on the river, with bands of music and large numbers of persons on board, and no appliances at hand in case of accident.

Owing to the fact that the Bill ought to have been introduced in the lower House, and the lateness of the session, it was set aside.

Mr. Davies from the Committee appointed to examine what portions of the papers and accounts might be omitted in the printed Journals, without detriment to the public service, presented a report stating that, in the opinion of the Committee, it was quite unnecessary to publish the following, viz:—

1. Copies of Jurors' receipts.
2. Crown Witnesses' bills, and all accounts paid through the Prothonotary's Office.
3. Details of Contractors' bills for supplies to Jails; but only the Sheriffs' accounts containing summary of the same.
4. Post Office accounts against the Government.
5. Contractors' accounts for carrying mails.
6. Copies of orders given by Light-house Keepers.
7. Land Commissioner's detailed account with each individual, for day's work on roads, and surveys.

The report was agreed to.

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Some discussion then took place in regard to the Bill to prohibit the exportation of Juniper. Two or three hon. members desired that the House should again go into Committee on the Bill.

Mr. DAVIES said he was not prepared to proceed with the Bill at present. Two thirds of the members of the House were in favor of the measure, but owing to the number absent he did not think it safe to proceed with it.

Hon. Mr. HAVILAND remarked that the hon. member could leave the Bill in committee, as this was sometimes done when the introducer of a measure found he could not carry it through: he preferring to leave it so than that it should be disgraced by being burked.

Hon. Mr. HENSLEY was disposed to move the House into Committee on the Bill.

Hon. Mr. HAVILAND said it was unparliamentary for an hon. member opposed to a Bill to endeavor to force it into Committee against the wish of its supporters.

Hon. Mr. HENSLEY said this had been done the other evening, when the hon. member for Bedeque moved the House into Committee on the Bill to incorporate the Roman Catholic Bishop in Charlottetown.

Hon. Mr. HAVILAND had remarked to his hon. friend on the right, when the motion was made by the hon. member for Bedeque, that it was contrary to parliamentary practice; but as hon. members on the other side of the House did not object, and there were among them gentlemen of more parliamentary experience than he possessed, such as the hon. member, Mr. Thornton, he (Mr. H.) was silent. Had the motion come to a vote, he would have gone against it.

Hon. Mr. KELLY said he did not oppose the motion made by the hon. member for Bedeque in regard to the Bishop's Bill going into Committee, as he was not aware that such a motion was contrary to parliamentary practice. He at the time, however, thought it was very unfair.

Hon. Mr. HENSLEY desired to know the opinion of the Speaker on the point, because if it was not irregular he would move that the House go into Committee on the Juniper Bill.

Hon. the SPEAKER said he saw no rule against such a motion being made, but it appeared to be contrary to parliamentary practice.

Hon. Mr. COLES agreed with the hon. member for Georgetown, and thought it would be recognizing a bad principle to admit that any hon. member might move a Bill into Committee contrary to the desire of its introducer.

Hon. Col. GRAY said if there was no rule in the case there was a well understood courtesy of one hon. member towards another, which should be adhered to. In the British Parliament many of the supporters of the Government were not in the House for weeks together; and there were persons called whippers-in, who were sent for them when any ministerial measure was to be brought forward. So that there it could not be admitted that a member could bring forward a Bill for the purpose of burking it, or the Government might be defeated almost any day.

Hon. Mr. HENSLEY would not press his motion; he agreed with what had been said, and hoped that the principle of a member opposed to a Bill moving to bring it forward, would not be acted on in future.

Adjourned.

WEDNESDAY, April 16.

The Bill to incorporate the Roman Catholic Bishop in Charlottetown was read a third time and passed.

THURSDAY, 17th April.

Hon. Col. GRAY, in answer to a question put by the hon. leader of the Opposition yesterday, in regard to steam communication between this Island and the adjoining provinces, said that the Government had advertised for tenders for a steamer to run this season, but most of those received were at an exorbitant rate. They understood that the *Westmorland* had been refitted, and they had entered into a new contract with her owner for two years, all former claims being set aside. The terms were more favorable than before, as she was now required to call twice a week at Summerside.

Hon. Mr. COLES gave notice that he would move for a special Committee to inquire into the whole matter in regard to the *Westmorland*, as he contended that the Government, by the course which they pursued last season with respect to her, had injured the trade of the Colony.

The Vaccination Bill was read a third time and passed.

Hon. Col. GRAY said that the School Visitor's Report had been handed in, he might say, on the last day of the session. He moved that it be received and read.

The Committee appointed to draw up reasons to be offered to the Legislative Council, at a conference, for disagreeing to certain of its amendments to the Elective Council Bill, reported to the House the following reasons:—

"First—Because it would be impolitic to authorise the Lieutenant Governor to suspend putting the Act in force for any period of time after it receives the Royal allowance.

"Secondly—Because it would be unconstitutional after the liberties of the people are established by the Elective Council Bill being assented to by Her Majesty, to allow the Council, as at present constituted, to meet or exercise any further legislative functions.

"Thirdly—Because constituting the Judges of the Supreme Court Judges in cases of controverted Elections, would tend to lower the respect due to their office, in public estimation, by mixing them up in political struggles.

"Fourthly—Because it would be interfering with the privileges of Parliament to permit the decisions of the Judges of the Supreme Court, in cases of controverted elections, to be final and conclusive."

Hon. Col. GRAY, in reply to a question put by Hon. Mr. Hensley, whether the Government intended to appoint Commissioners to the International Exhibition, as had been done by the Government of Nova Scotia, said that the Government had decided to make no such appointments. The circumstances of the Colony would not admit of it, because if Commissioners were appointed we could not well give them less than £1000 to pay their expenses. It might be very well for Canada with its eight millions of debt, and also for Nova Scotia and New Brunswick, to send home four or five representatives, but this small Colony could not afford it.

House adjourned.

WEDNESDAY Afternoon, 16th April.

Hon. Mr. Haviland reported that the Legislative Council did not adhere to their amendments to the Elective Council Bill. The Council's amendments to the Shore Bill were agreed to—no debate.

Hon. Mr. Longworth reported joint address to Lieut. Governor, requesting him to forward the address on the admission of Island vessels to French Registry. Adopted.

Hon. Mr. COLES called the attention of the House to the Report of the Visitor of Schools, which was only laid before the House yesterday. It was absurd that it should have been kept back to so late a period of the Session. He reported on some 300 schools, and it was well known that he had not visited that number. In fact he had been acting bookseller for the Rev. George Sutherland. That gentleman had received from the £500 granted for the purpose of purchasing school books under direction of the Board of Education, £70 for a supply of his history of the Island. But it appeared that he had stolen a march on the Board, for he had actually forced schoolmasters to take certain numbers of his book and sell to their pupils, he receiving the price by deduction from their warrants. So that the Board were left with the books for which they had given £70, on hand. The report should have been laid before them early in the Session. This delay was unjust to the Government, and the Board of Education should see that the Visitor did his duty. That body, it appeared, received the report only on the 9th inst., and it had been laid before the House on the day before that appointed for closing the Session. Instead of doing his duty in visiting the schools, Mr. Arbuckle had gone about the country selling the books referred to. The hon. member, Mr. Laird, could inform the House of the manner in which he had visited the school at New Glasgow.

Hon. Mr. LAIRD had been informed by a young man who had been present, that the Visitor merely looked in at the school, and left the books with the master and went away, saying he was in a hurry to reach town.

Hon. Col. GRAY—There was doubtless something wanting. It was unfortunate that the report had not been sent in while the House had time to consider it. The Executive had no knowledge of the cause of the delay. The law prescribed that the report should be before the Legislature within two weeks after the commencement of the Session. The Board, although appointed by Government, is independent of them. The matter required investigation. Had it been brought in on the 9th of April even, there would have been time to have dealt with it. But it was unfair to both sides of the House that it should only have come before them yesterday. Now, if there was time to take it up, nearly half the members were absent.

Hon. Mr. HENSLEY—Although a member of the Board of Education, was not present at the meeting of the 9th April. He did not know what action they had taken about the report. They should report their opinion as to the cause of the delay to the Government. It was impossible for the House to discuss the matter now.

Mr. BEER was aware that a great portion of the Visitor's time was taken up in settling disputes about school matters, and in examining into claims for scholarships.

Hon. Mr. LAIRD—His duty was to examine the schools. As to scholarships, they were bestowed by the Board.

Mr. COOPER—Some notice should be taken of this subject. Education was a matter of such importance, and cost so much money, that a strict investigation of the cause of delay should be had.

Hon. Mr. COLES had asked for a copy of the contract with the owner of the *Westmorland*, which had been represented as being more favorable than the former one. By an understanding with the late Government, she was to call at Beedue. He always thought her efficient, but for want of inspection the people had lost confidence. He was glad that the Government had renewed the engagement. The boat was well adapted for the route, as she carried well and was fast. A rumour had been circulated to the effect that her pumps had been going all one night at Beedue, but he had ascertained that a vessel laden with grain, lying alongside of her at the wharf, had been pumping, and a lady passenger had reported,

and no doubt believed, that it was the Westmorland. The vessel he referred to had to be laid upon the Marine Railway at Pictou.

Hon. Col. GRAY had directed a copy of the contract to be prepared, and was informed that it would be sent as soon as it had been compared. He agreed in the opinion of the boat, expressed by the Hon. Mr. Coles. He had always been satisfied with her performance when he was on board. And he believed that the account of her leaky condition originated as stated. But the Government were bound to act as they had done last fall, because they had received information from high naval authorities which rendered any other course inexcusable. He believed that she had, during the past winter,

been put into a thoroughly efficient state, and that the public would be carried in her as safely as in any boat they could get.

The copy of the contract having been received, was laid on the table.

Thursday Afternoon, April 17.

His Excellency the Lieutenant Governor commanded the attendance of the House at the Bar of the Council Chamber, and after assenting to 25 Bills, prorogued the General Assembly until Tuesday the 27th day of May next.

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