

THE
PARLIAMENTARY REPORTER;

OR,

DEBATES AND PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF

PRINCE EDWARD ISLAND,

FOR THE YEAR 1869.

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



CHARLOTTETOWN:
EDWARD REILLY, QUEEN'S PRINTER.

1869.

THE PARLIAMENTARY REPORTER.

SESSION 1869.

MEETING OF THE LEGISLATURE.

WEDNESDAY, March 3rd, 1869.

The third Session of the present Parliament was opened this day. The Council Chamber was more than usually crowded with Ladies and Gentlemen. The Prince of Wales, Irish and Prince Edward Volunteers, commanded by Lieutenant Colonel Beer, formed a guard of honor at the Colonial Building. The 1st and 2nd Artillery, in charge of Major Morris, occupied Rotchford Square, and fired the eustomary salute. Under an escort of Captain Holman and Captain Wood's Mounted Rifles, Sir Robert Hodgson came down to the Council Chamber at 3 o'clock, and, having commanded the attendance of the House of Assembly, opened the Session with the following:

SPEECH:

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

In the absence of the Lieutenant Governor, the duty of Administering the Government having by Her Majesty's appointment, devolved upon me, it affords me great satisfaction to meet you on this occasion,

Your Address to Her Majesty adopted in the last Session, on the subject of the payment, by the Colony, of the Lieutenant Governor's Salary, was duly forwarded, but as yet no answer has been received to it.

The money appropriated by you, in your last Session, to assist destitute Settlers in the purchase of seed grain, under the grave apprehension that without some such assistance, much land would remain untilled, was judiciously expended and, no doubt, under God's blessing, has been the means of averting much destitution.

Mr. Speaker and Gentlemen of the House of Assembly:

The Accounts of the past year and the Estimates for the present year will be laid before you. The Estimates have been prepared with the view of combining a due regard to economy with the efficiency of the several branches of the Public Service.

The Revenue for 1868 evidences a steady increase in the trade of the Colony, although the expenditure is in excess of the Receipts, caused, in a great measure, by the purchase of Lands and the advances for seed grain, which have as yet been only partially repaid.

Mr. President and Honorable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the House of Assembly:

A period of Eight years having elapsed since the last census was taken, I now call your attention to the necessity of adopting measures to renew it.

A measure will be laid before you providing for the appointment of a Board of Works, to take the charge and supervision of the Roads, Bridges, Wharves and Public Buildings of the Colony. By means of such a Board it is believed that the efficiency of the Public Works Service will be much increased and economy greatly promoted. The present system has been found inadequate to the public wants, and unsatisfactory in its results.

In connection with this subject, your attention will be called to the propriety of appropriating a sum of money, to be expended under the direction of the Board of Works, for the purpose of making permanent improvements in the Highways.

Intersected as this Colony is in so many parts by navigable waters, the want of Railroad Communications may, to a certain extent, be remedied by a judicious encouragement of Steam Navigation. I invite your attention to this subject, and feel confident it will receive from you that consideration which its importance demands.

The rapid increase of business in every department of the Public service demands increased accommodation. The present General Post Office is quite inadequate to the requirements of the service.

The Supreme Court Room in the Colonial Building, is not sufficient for the purpose, and serious inconvenience has been felt from this.

Additional space is required for the Customs and other Public Departments. The Records and Public Securities in the office of the Registrar of Deeds and those in the Prothonotary's, Treasurer's and Probate Offices, are not sufficiently protected from accidents by fire.

Impressed with the Conviction that no time should be lost in a matter of so much public importance, a measure will be submitted to you to provide for the erection of a Building in Charlottetown, which shall be adapted to meet the different exigencies alluded to, and I recommend this matter to your serious consideration.

Representations have been made to me on the necessity of appointing an additional Judge in the Supreme Court. Papers on this subject will be laid before you, to which I invite your attention.

Telegraphic Communication between this Colony and the Continent has been suspended since August last, in consequence of the breaking of the submarine Cable. Steps have been taken to secure the laying down of a new one; and also the extension of inland Telegra-

phic Communication, the particulars of which will be laid before you.

Since the Close of your last Session, a visit was paid to the Colony by a Committee of the Congress of the United States. The object of their mission was to obtain information in connection with the subject of reciprocal Free Trade between this Island and the United States. A Report of Members of the Executive Council in relation to this matter, addressed to His Honor the Lieutenant Governor, will be laid before you, together with Communications on the same subject, which have passed between the local Government and Her Majesty's Principal Secretary of State for the Colonies.

You will be gratified to learn that the Bill for the settlement of Wilderness Lands, passed by you during the last Session, has resulted satisfactorily. Under its provisions 13,368 acres of Land have been taken up, in most instances by substantial Settlers.

Three Estates, comprising in the aggregate 17,352 acres, have been acquired by the Government, under the Land Purchase Act, since you last met, at a cost of £6,409, the particulars of which will be laid before you.

The returns from the Land Office are very satisfactory, and evidence the desire of the occupants of the Government Lands to become Freeholders, and an appreciation, on their part, of the advantages conferred by the Land Purchase Bill.

An Act for the amendment of the Laws relating to the Militia and Volunteer Forces will be laid before you. Its object will be to reduce the attendance now required by law for Drill of the General Militia; but, at the same time, to extend such encouragement to a stated number of Volunteers as will increase the efficiency of that valuable branch of the Public Service.

We have reason to be grateful to Almighty God for the general prosperity with which the Colony has been blessed during the past year, and I fervently pray that His favor may be continued to us, and that your deliberations, during the Session now opened, may be so guided by Him as to advance that prosperity and tend to the contentment and happiness of the People.

Angus McMillan, Esq., elected a member for the 5th District of Prince County, after the usual preliminaries, took his seat.

The usual standing Committees for the Session were then appointed. After which the House adjourned.

THURSDAY, March 4, 1869.

Hon. Attorney General, from the Committee on expiring Laws, reported that the Act intituled "An Act to incorporate a Mutual Fire Insurance Company," would expire next May.

Also, the Act relating to the publishing of notices and advertisements relating to the public service. And the Act for raising a Revenue.

Hon. Mr. Laird, from the Stationery Committee, presented a Report to the effect, that in view of the difficulty heretofore experienced in procuring the different kinds of stationery required, it would be more satisfactory and economical to allow members and officers of the House to purchase for their own use. The Committee, therefore, recommended that the sum of three pounds be allowed each member for that object. The Clerk and Law Clerk to procure what stationery may be required

for themselves and their assistants, to be charged to the contingent accounts, and the Reporters to provide for themselves at their own cost. Said Report was adopted.

Hon. Attorney General moved, seconded by Mr. P. Sinclair, that Messrs. Robert Gordon, B. Balderston and Isaac Oxenham, be appointed Reporters.

Hon. Mr. Haviland moved in amendment, seconded by Mr. Brecken, that Messrs. D Laird, R. B. Irving and P. S. McGowan, be appointed Reporters.

Mr. Brecken said that however disposed the Reporters of last Session might be to perform their duty impartially, it was evident they were an inefficient staff. He hoped, therefore, the majority would not object to the appointment of at least one competent Reporter.

Hon. Mr. Kelly said that in all fairness one of the Reporters should be the choice of the Opposition.

Hon. Attorney General said that the Reporters of last Session were rather severely criticised—errors were common to all. The experience of the past, and constant practice, would lead to improvement.

Mr. McNeill said that when the Hon. Leader of the Opposition would become Leader of the Government, he could then appoint Reporters chosen by his own party.

Hon. Mr. Henderson said he hoped for the good name and credit of the Legislature that at least one experienced and efficient Reporter would be appointed.

Mr. P. Sinclair said the Reporters, he had reason to know, were practising since last Session, and, doubtless, were improving in the art.

Hon. Mr. Haviland said that the attempt made by one of the Reporters alluded to by the Atty. General, to report proceedings at the late sitting of Supreme Court, was a failure, and did not give satisfaction.

The question being put on the amendment, the House divided, as follows:

Yeas—Hons. Haviland, Henderson, Duncan, Messrs. Prowse, Howatt, Brecken, Ramsay, Green, Owen—9.

Nays—Hons. Col. Secretary, Atty. General, Callbeck, Kelly, Howlan, Laird; Messrs. MacCormack, McMillan, Arsenaull, Bell, G. Sinclair, P. Sinclair, Reilly, Cameron, McNeill—15.

It was then moved by the Hon. Mr. Haviland, that the name of P. S. McGowan, be inserted in lieu of Isaac Oxenham; and the question being put, the House divided as before, excepting Hon. Mr. Kelly, who voted with the minority, on the ground that one of the Reporters should be the choice of the Opposition.

Mr. Reilly, Chairman of the Committee on the Address, presented a Draft which, on motion, was received and read.

Ordered, that on Saturday next, the House in Committee of the whole, take into consideration the said Draft Address, which is to the following effect, viz:—

To His Honor Sir Robert Hodgson, Knight, Administrator of the Government, and Commander-in-Chief, &c., &c., &c.

MAY IT PLEASE YOUR HONOR:

We, Her Majesty's dutiful and loyal subjects, the House of Assembly of P. E. Island, respectfully tender our thanks to Your Honor for the Speech with which you opened the present Session. In doing so, we avail ourselves of the opportunity afforded us of expressing the pleasure which we feel in meeting Your Honor as the Administrator of the Government, and of congratulating you upon the distinguished mark of favor which you have recently received from your Sovereign, in being raised to the dignity of a Knight.

We entertain the hope that when the answer to the Address adopted last Session in reference to the Salary of the Lieutenant Governor, shall be received, it will be such as to afford satisfaction to Her Majesty's loyal subjects in this Island.

We are glad to learn that the appropriation of last Session, to assist destitute farmers in purchasing Seed Grain, was judiciously expended, and that much destitution has been thereby averted.

We thank you for the assurance that the Accounts for the past year, and the Estimates for the present, will be laid before us. It is satisfactory to learn, that, whilst the various branches of the Public Service are to be efficiently conducted, yet, that the Estimates have been prepared with a due regard to economy.

Although the Expenditure for the past year has been in excess of the Receipts, owing principally to the purchase of Lands and the advances for Seed Grain, yet we rejoice to know that the Revenue evidences a steady increase in the trade of the Colony.

A period of eight years having elapsed since the last Census of the Colony was taken, we agree with Your Honor as to the necessity of adopting measures to renew it, and it will be our duty to carry out your wishes in regard to this important matter.

Believing that some change is necessary in the system by which the Public Works Service has been heretofore supervised, in order to increase its efficiency and to promote economy, any measure, with this object in view, which shall be laid before us, will receive that attention which its importance demands.

The propriety of appropriating a sum of money for the purpose of making permanent improvements in the Highways, under the direction of the Board of Works, will receive our serious attention.

Aware of the advantages which a judicious encouragement of Steam Navigation would confer upon the Colony, we shall be prepared to give this subject our careful consideration.

We are aware that the large increase in the business of the Postal, Judicial, Customs and other public departments, demands increased accommodation, adequate to the public wants, and we shall be prepared to deal liberally with any measure which will provide additional accommodations for those departments, and give security against accidents by fire to the records and Public Securities in the Offices referred to by Your Honor.

Any papers which your Honor may cause to be laid before us, in reference to the necessity of appointing an additional Judge in the Supreme Court, will meet with due attention.

The assurance that steps have been taken to secure the laying down of a new Cable, and the extending of

Inland Telegraphic Communication, meets our cordial approval.

It is gratifying to learn that a Committee of the Congress of the United States paid a visit to this Colony, during the past Summer, with a view of obtaining information upon the important subject of Reciprocal Free Trade between this Island and the United States. It will be a matter for general rejoicing should the information furnished to the Committee on that occasion by the Executive Council result in extending the trade relations of the Colony. We shall be glad to have laid before us the report of members of the Executive Council, and the correspondence between the local Government and Her Majesty's Principal Secretary of State for the Colonies on this subject.

We are pleased to be informed that the Bill for the settlement of Wilderness Lands, passed last Session, is working satisfactorily, as evidenced by the fact that 13,368 acres of Land have been taken up under its provisions by substantial settlers.

We shall be glad to receive from your Honor particulars of the purchase of Estates by the Government since the last Session.

It is satisfactory to find that the returns from the Land Office evidence an appreciation on the part of the occupants of Government Lands of the advantages of the Land Purchase Bill, as also a desire to avail themselves of its assistance in becoming freeholders.

We believe that the Laws relating to the Militia and Volunteer Forces can be amended so as to be less burdensome upon the people than heretofore. The modification of the drill of the general Militia, and the encouragement of the Volunteer Force so as to increase its efficiency, will, we believe, give general satisfaction. Any Bill having these objects in view will receive our hearty support.

The general prosperity with which Providence has favored the Colony is truly a matter for heartfelt gratitude to the Bountiful Giver of all good, and in entering upon our legislative duties, our desire will be to be guided by Him in dealing with the various subjects which shall come before us, so as to promote the happiness, contentment and prosperity of the people.

House Adjourned.

SATURDAY, March 6th.

Morning Session.

On motion of the Hon. Attorney General, the House went into Committee on expiring laws.

Mr. P. Sinclair in the Chair.

The consideration of the Act relating to the Mutual Fire Insurance Company of Charlottetown was deferred on the ground that important changes were contemplated to be made in the constitution of that body.

A resolution to continue the law relating to the publishing of notices and advertisements relating to the public service, submitted by the Hon. Atty. General, was reported agreed to, and Hon. Atty. General, Hon. Mr. Haviland, and Mr. McMillan appointed a Committee to report thereon.

The Committee appointed to receive tenders for Printing the Journals, recommended that the tender of W. C. Grant be accepted.

On motion of Mr. Reilly, the House resolved itself into a Committee of the whole, to take into consideration the Draft Address in answer to the

Speech of His Honor the Administrator of the Government, at the opening of the Session.

Mr. Cameron in the Chair.

The first and second paragraphs having been read—

HON. LEADER OF THE OPPOSITION rose and said: Mr. Chairman: I do not think there will be any opposition to the two paragraphs which have just been read. I believe that every member on both sides of the House feels a considerable degree of gratification and pleasure, that the Government is administered, in the absence of the Lieutenant Governor, by a gentleman who is a native of this Colony, and one who has occupied so many high and distinguished positions in this, his native Island. In years gone by, he took a prominent part in the politics of the country, having sat as a member for Charlottetown in the old House of Assembly, before many of us who now sit here, were heard of. And you are aware, Sir, that he subsequently occupied the position—with honor to himself and satisfaction to the country—of Attorney General of this Island. After a time, he was transferred from the House of Assembly to the Legislative Council, where he acted as President for many years; and then he was appointed to occupy the position of first Civil and Criminal Magistrate of this Island, and I believe that since he occupied that position, he has been respected throughout the length and breadth of the country. Everyone is convinced—whether suitors or otherwise—that his judgments have been pronounced without fear, favor or partiality, without regard to the influence of the rich or the importunity of the poor, in the cases brought before him. He was for a few months, three or four years ago, during the absence of the Lieutenant Governor, appointed to the position which he at present occupies, in a critical time, when it required a great deal of determination and firmness to maintain law and order in the Colony. And during last autumn he has again been selected by his Sovereign to administer the Government of the Colony during the absence of Mr. Dundas in Great Britain. He has also received an honor never before conferred upon a native of this Island—the honor of Knighthood. True, it does not bring with it any emolument, but it is an honor to this Colony that one of her sons should receive this title from Her Majesty; and I sincerely hope that he will live many years to enjoy the compliment conferred upon him. I believe that every member of this honorable House will readily support the two paragraphs just read.

The two paragraphs were then agreed to.

The third paragraph was now read.

HON. LEADER OF THE OPPOSITION.—It is only just now I have received a copy of the Draft Address. The paragraph under consideration relates to the Address of the House, last Session, to Her Majesty, praying the Imperial Government to continue the payment of the salary of the

Lieutenant Governor; and from the answer to the Speech, it appears there has been no reply to that Address. We can only express the hope that our prayer may be granted—not that “hope deferred which maketh the heart sick.”

Mr. BRECKEN.—I do not wish to go beyond the limits of the paragraph; but there is another item connected with the Governor's Salary, concerning which I wish to be informed—I allude to the Government farm. It is not alluded to in the Draft Address; but I heard the other day that the Government had it in contemplation to dispose of a part of that farm in case the Imperial Government does not accede to the prayer of the Address sent to the Home Government during last Session. I heard it stated that part of the farm was to be disposed of to ease the public chest on account of the loss which the Colony would, in that case, sustain. I would like to be informed whether the Government have any intention of that kind, in case the Imperial Government should refuse to accede to the Address in question, because when that farm was granted away by Governor Fanning many years ago, it was taken from this City. I may say that the consideration of subjects connected with the interests of the city which took place at a public meeting on the night before last will be continued next Wednesday and Thursday evenings, and this subject will be brought before these meetings. The subject is so far connected with the interest of the city, that if the memorial of the House last Session be not granted, the inhabitants of Charlottetown wish to be informed of the intention of the Government on this matter. I do not know that it would be wise to interfere with the Government farm while the matter of paying the Lieutenant Governor's Salary is pending.

HON. LEADER OF THE GOVERNMENT.—It is with some surprise I hear such a question as that asked by the honorable member for Charlottetown, brought under this clause. Why he should want to bring the government to book on this matter, I am at a loss to understand. I am not in a position to answer the question which has been put, because the matter has not been taken into consideration. It will, I think, be time enough to do so, when the answer to the Address of last Session, is laid before us, which, I hope, will not be one which will compel us to pay the Lieutenant Governor's Salary. I know that there is a good deal of feeling manifested among the citizens of Charlottetown on the matters connected with Government farm; but we have not the means or material at hand for the proper discussion of this subject, and, therefore, I cannot tell what the policy of the Government in regard to it, may be—they have not considered it. I must say that I think the citizens of Charlottetown have been very badly treated, for there ought to have been some spot of ground laid apart for public recreation and exercise—I do not think there is another provincial city in the same condition, in this respect. Although this is not a large town; where

a city is founded, we must look forward to the time when it will have a dense population. The great principle generally attended to, in cities, is to provide for the masses—to provide places and spaces for public recreation, which will conduce to the general health of the people. I do not wonder, therefore, that this matter comes up; for the position of Charlottetown is a very extraordinary one. If the people seek refuge from the dust in warm weather, there is no spot of public ground to which they can retire. But I do not feel myself in a position to make any declaration concerning the Government farm, in a public capacity. Looking at the position of the government House at Halifax, we find that there are only one or two acres of land in connection with it. Comparing our Government House with its princely appendage of one hundred acres, my private opinion is, that no insult could be offered to our Lieutenant Governor, if a portion of those lands was reserved for the use of the citizens of Charlottetown. But in a public point of view, I cannot venture an answer to the question of the honorable member for Charlottetown.

HON. LEADER OF THE OPPOSITION.—It must be satisfactory to the honorable Member for Charlottetown to know that the Government have not taken any action on the government farm, because the rumor was afloat that the Government were going to put the farm up at Auction, to provide a fund to pay the Lieutenant Governor's salary in case we are compelled to pay it. The hon. member for Charlottetown tells us of the necessity of a public space of ground for the recreation of the citizens. Before the citizens get any more pleasure ground they should show more pride in keeping and ornamenting the squares which they already have. They have five large squares, but there is only one of them of which I should feel the least degree of pride in showing to a stranger—I allude to Hillsborough Square. The others are more like cow pastures than anything else. The Corporation has been in existence since 1854 or 1855, but have done but little towards improving the appearance of the city. As regards the old Barrack ground, we know it never belonged to the citizens of Charlottetown. It was Ordnance Property, intended for fortification and soldiers' quarters. It was only given up by the British Government on condition that the Government of this colony should aid the Militia Service. Even if it had been granted as a public place for recreation, it would have been used only as a grazing ground for cattle—if we judge from the past doings of the Corporation.

MR. BRECKEN.—It was a satisfaction to hear from the Hon. Leader of the Government, that they had not decided on the disposal of the Government farm. Perhaps I am a little out of order in asking for information on this subject, but I wished to know, as the question was asked me a

fortnight ago, if I had heard that the Government intended to dispose of the Government farm. As I intend to meet my constituents in a few nights, I shall have the satisfaction of assuring them that the Government have not at present any intention to interfere with the farm. I am satisfied in knowing that the Government have no intention of depriving the city of the privilege of the use of a part of that land, for a public place of recreation. If any portion of the farm should be diverted from its present purpose, I hope the claims of Charlottetown will be considered, and that thirty or forty acres will be appropriated for a public place of recreation for the citizens. I am well satisfied that the Attorney General will not give any support to a measure which will interfere with the rights of the people of Charlottetown. As to what the hon. Leader of the Opposition said about the people of Charlottetown not doing their duty, I can only answer him by referring to Georgetown. I do not wish to speak disrespectfully of Georgetown, but if he can show us a great deal of public spirit manifested there, he may talk to us in Charlottetown. I think we have done a good deal in ornamenting Hillsborough Square, but there are many things to be attended to before we indulge in luxuries. There are a great many essential comforts to be attended to before we complete the ornamentation of our public squares. My constituents take a deep interest in all that relates to the Government farm, and all I want at present is the answer of the hon. Leader of the Government, that they do not at present intend to divert it from its present purpose, for the purpose of raising a Revenue.

HON. LEADER OF THE GOVERNMENT.—I have stated only what the Government have done, not what they will do. In Georgetown they have a sort of wilderness or common for exercise in summer; and in winter time if you wish to slide, there is an element to operate upon. To endeavor to approach the place is nearly as good as storming Sebastopol. There is also mud enough to build a city of brick. Then there is the Market House—a splendid structure. There is also a Drill Shed and a School House—the latter is in better order than it was twelve months ago—the window is mended, whether owing to the thrift of the present Government or not, I do not know. Owing to the extent of the aforesaid grounds, every citizen can have splendid exercise, both of body and mind.

HON. MR. McAULAY.—The Hon. Leader of the Government should have more thought than to waste his time in amusing himself in making observations on subjects not mentioned in the Address. I am not inclined to go into such badinage just now, although the hon. member has made some sarcastic observations about Georgetown, which are not very becoming. True, Georgetown has not a big house like this; and I hope it will never have a house where so much nonsense is uttered. I make this remark with reluctance, be-

cause the hon. member has been so *amiable* in his remarks.

MR. SPEAKER.—The hon. Leader of the Government has based several amusing observations upon Georgetown affairs; but I can tell the hon. Member, that, when all the contemplated improvements in that town are carried out, we shall be placed in a far better position than at present.

HON. LEADER OF THE OPPOSITION.—Many jokes have been made relative to the extent of Georgetown Common. They had a Common there once, but they did not keep it.

The third paragraph was then agreed to.

The fourth paragraph was read.

MR. SPEAKER.—I should like to hear what amount of money has been repaid by the people.

HON. LEADER OF THE OPPOSITION.—I have great doubts whether I can give my assent to the paragraph just read, or not; for I believe that if that money had been kept in the Treasury there would have been just as much grain sown. A great deal of the money granted was received by persons who never spent a farthing of it in purchasing seed grain. The money was in many cases spent for liquor—white-eye,—and in getting up a good time or spree on the head of it. It should be only in extreme cases, where the country has been almost paralyzed by a failure of the crops, that the Government should come to the rescue to provide seed grain. I believe it would have been much better if the money had been kept in the Treasury and the parties left to their own resources. After that grant was expended a large quantity of grain was exported to Europe; and it is well known that the people were not so destitute as represented. If report speaks true, only eight hundred pounds have been returned to the Treasury, if so, I think you may cancel half the remaining sum, for it will never be repaid. I cannot help, therefore, coming to the conclusion, that the money granted was injudiciously expended.

HON. MR. HOWLAN.—Mr. Chairman: I disagree with the remarks just made by the Hon. Leader of the Opposition. I live eighty or ninety miles from here, and from my acquaintance with the country, I can say that *there was a great deal of want in the country last spring.* It is easy for the hon. member to say that there was a large quantity of grain in the country, but not so easy for the people to supply themselves with it. There was a large sum of money deposited in the Savings Bank last year, because wealthy farmers preferred to place it there, rather than lend it to the poor man. You do not catch wealthy farmers giving away their seed grain on credit, when it is three shillings cash per bushel in the market. I know that the money granted the people last spring did a great deal of benefit. Indeed there has been a larger amount than the sum mentioned,

repaid by the people; for a large amount has been paid in since the end of the financial year. Supposing the money was all lost, it was still money well expended, for there were very few farmers who were not in want of seed. Even people who were well off, as well as those of ordinary means, required assistance; the grant was therefore really required. There was strictly speaking, no party, on this question, for it concerned the whole country, equally. No hon. Member wishes to have his constituents brought into disrespect by such remarks as those we have heard on this matter. Instead of being found fault with, for giving the grant, the government ought to be thanked.

MR. REILLY.—Mr. Chairman, I know that, as far as the district which I represent, is concerned, many persons were benefitted by the grant for seed grain. I know also, that some of the people have paid in their money up to the very moment when the Hon. Leader of the Opposition expressed his doubt whether the money was well expended or not. Many rich farmers would not give oats on credit to the poorer class; and the fact that three thousand pounds were granted, to assist the latter was an inducement to those who held large quantities of grain to retain it for those who wanted it.

HON. MR. HENDERSON.—Mr. Chairman: I, for one, on behalf of my constituents, sympathize with that class of people who were in depressed circumstances last spring, and I by no means feel inclined to censure. On the contrary, I commend the Government for what they have done. From observation, I know that the destitution in the country was not caused by a want of spirit on the part of the people, for they made every exertion to preserve both men and stock, alive—they made exertions which they had never been obliged to make since they came to the Colony. This destitution, I am happy to say, was not general, but went to such an extent that I, for one, felt as keenly interested on that subject as I did on the question which threatened to deprive us of our constitution. The remarks I have made are founded upon what I have seen with my own eyes. Some of the causes which produced such effects among the people must be apparent to every one who takes a general survey of the history of our Colony during the last few years. I ask the question, how many of our farmers were in circumstances to let their neighbors have seed grain on credit? Those on the Cunard and other estates, had large instalments to pay for their lands, and to fulfil their engagements, they were obliged to sell most of their ordinary farm products. The high price given for grain in the market, together with this pressure upon the people, left but little or no chance to the poor man. If farmers in tolerable circumstances required assistance, how much more did hundreds of persons in poor circumstances, occupying government lands, require it? And I put the question, which was the most convenient for the

government of the country; to assist destitute settlers by a grant for seed grain, or, after families had been scattered by want, to give them money in the shape of pauper grants? I felt really thankful to the Government for acceding to my opinion as well as to the opinions of other honorable members, in regard to this matter. I with my hon. colleague, went through the district represented by us, in January last, to ascertain the wishes of the people, and during the whole time I was there, I never heard a single reflection cast upon the Government on account of this grant for seed grain. Tell me, sir, what it is, in the way of assistance, that can be distributed without a single careless act or mistake in connection with it? or which will not, in some cases be put to an improper use by some who receive it? I quite agree with the Hon. Leader of the Opposition, that such aid should never be granted except in cases of extreme necessity, for where individual effort is unnecessarily assisted, the effect is to produce a pauper spirit, which is more to be dreaded than any other tendency; at least, Sir, that is my opinion.

Mr. McNEILL.—Mr. Chairman: I think if the Hon. Leader of the Opposition knew the facts of the case, he would not have expressed himself as he has done. It was not expected that the whole amount granted to assist the people in purchasing seed grain, would be collected in one year, for the country was in a very depressed condition. The fact that a large quantity of grain was shipped last spring is no proof that persons in destitute circumstances could have obtained seed grain; for if they had not the money or the means of procuring it, they could not have obtained what seed they require. Farmers could not borrow money without paying a very high rate of interest for it, and there were few who could advance them any. Most of the people in the section of the country which I represent would have repaid the money, except for one circumstance, which was, that nearly every one of those who received benefit from that grant, has during last fall and the present winter, received a writ for rent, and the Hon. Leader of the opposition knows the expenses in connection with it. Notwithstanding this, I believe that all, or most of the money granted will be re-paid into the Treasury. If the Government never bring in a worse measure than the one in question, they shall have my support.

Mr. P. SINCLAIR.—As far as the part of the country I represent was concerned, I know that the distribution was made in a just manner. The only complaint in connection with the matter was that some persons were not able to get any of the money. Some of the grant might have been distributed in a different manner in King's and Prince Counties; but very little of it was wasted in Queen's County. It is, in my opinion, only sheer necessity that should induce the Government to give such grants; but they were quite

right in taking the circumstances of the people, last spring, into consideration.

HON. LEADER OF THE OPPOSITION.—I do not doubt that the motives of the Government and House were good, but the query is, whether they were destroying the spirit for individual effort or not. Such grants should only be given in extreme cases to enable private individuals to sow their lands. In many instances, to my knowledge, the money was not spent in sowing the land; and I believe, that if it had never been granted, the land would still have been sown. There was no necessity to buy up the grain for fear of its being exported, because there was plenty of it to be purchased. Again, in many instances, the money obtained by the poor man was so small, that it was nearly useless in purchasing seed grain.

HON. Mr. HOWLAN.—The poor had only two things to choose. True, there was an abundance of grain in the country, but it was in the hands of the better class of farmers who would not part with it without the cash; therefore the poor were either obliged to pay the cash down or go without seed. Many persons who owned large quantities of grain had made their arrangements to ship what they had bought up, and therefore were not willing to retail what they had stored up. The White Eye which has been spoken of, may perhaps be procured down near Georgetown, but not to the westward. I can speak positively concerning the repayment of the money distributed for seed grain in the locality to which I belong. We took six hundred pounds of the grant for Tignish Run and distributed it among the people for the purpose of enabling them to procure seed, and every single sixpence of that money has been repaid in the shape of timber, which was received in payment at ten shillings per ton, and which could not have been procured for cash if twenty shillings per ton had been given. The consequence of adopting this course is, that an immense amount has found its way into the public purse which would otherwise never have been paid in.

Mr. BRECKEN.—Mr. Chairman: I have no doubt the Government, in giving that grant, acted from a good motive, and if there was a proper distribution, it is well the money was given. We who reside in Charlottetown have no opportunity of judging of the necessity for such a grant or of the benefits which accrue from it. Hon. Members from the country are certainly the best judges in the case, and therefore it should be left to them to decide. I have no doubt we shall have a grand account of the manner in which the public money has been expended on Tignish Run, and I hope the work will prove to be one of vast advantage to the public.

HON. LEADER OF THE GOVERNMENT.—With respect to the remarks of the hon. Leader of the Opposition in regard to the rule in lending money to the people in such cases, I may state that I quite agree with him; but it was only after mature

consideration that the House was induced to give this grant. With respect to the distribution of the money, it was, I believe, judiciously expended, except in a very few instances; but we must not judge of the benefits derived by the country, from these isolated cases. As far as can be found out, the grant proved to be conducive to the general good of the country. With respect to the thousand pounds expended upon Tignish Run, we have accounts, from different sources, that the people have made a very good return. We have another hon. member from that section of the country—Mr. Bell—who is prepared to tell us that, as far as that grant has been expended, it has turned out well.

MR. BELL.—Mr. Chairman, I have visited Tignish Run, and was pleased to see such a large quantity of timber collected for the purpose of constructing the intended Breakwater. I do not think it could be purchased at the price for which the Government obtained it. I am very sanguine as to the perfect success of the work, when completed; and the suspicion that this was a bogus affair will be entirely removed from the minds of those who entertained such a thought. I believe that, when finished, it will be one of the best and most profitable public works on this Island. It is only just and right that the Government should do something for the fishermen, for they are the best customers in consuming dutiable articles, and I believe that not one shilling has ever before been laid out on their account. This money has been well expended, and in such a manner as to kill two birds with one stone. The hon. Leader of the Opposition may laugh, but every one knows that there was a great scarcity of fodder last year, which compelled the people to feed their cattle with grain, and when they came to sow they had no seed. In my section of the country, the people have punctually repaid the sums lent them, and that in good value. I am sure it would have done the heart of any good man good to see how that money was distributed among the people. I saw but a single individual case of mismanagement—perhaps this is the one referred to by the Hon. Leader of the Opposition, for it was published in the newspapers. I can defend this grant on every reasonable ground.

MR. PROWSE.—Mr. Chairman: I can endorse some of the sentiments of the honorable member for Cascumpec in advocacy of the claims of fishermen, but I must remind him that there are men who carry on the same business in other parts, as well as in Tignish. We are told that this appropriation killed two birds with one stone, and I believe he is quite sincere in saying that he believes the work will be a great success—I am not at all surprised to hear that. I believe the hon. member for Belfast is just as sanguine about the success of the Breakwater at Wood Islands, but I am not so sanguine. I believe that if the Government would improve what harbors we have instead of making artificial ones, the money would be much better expended. I think it was only last year that the

people whom I represent were taunted about their poverty; but I can inform this honorable House that the fishermen there can not only carry on their business without the aid of a grant, but can make a handsome profit from it. If the fishermen of Tignish cannot make ends meet, let them take to other grounds where they can make money by fishing.

HON. MR. HOWLAN.—I see that my friend, the hon. member for Murray Harbor (Mr. Prowse) is just as tender as ever on this point. I believe there are only two or three men down in his part of the country who can raise enough to eat. The people of Tignish asked a Civil Engineer, who was perfectly competent, to make a report on the proposed harbor—they did not act so foolishly as the people down at Wood Islands. I hope the hon. member will bring in the Report of an engineer on that Breakwater, and if it warrants, we will grant a sum of money towards its construction. It is true they do catch some fish down at Murray Harbor, but what they catch is a mere bagatelle. When he talks about Prince County getting a large share of the grants, he should remember that King's County has always got her share of the public money. There has been *five times* as much money spent in King's County within the last few years, as in Prince County. The people of Cascumpec and Tignish have caught a very large quantity of fish during the past year, and the business is rapidly extending.

HON. MR. DUNCAN.—Mr. Chairman: I believe Newfoundland is a colony of paupers, for more than half the Revenue is expended on pauperism—this shows us that the practice of granting the public money to private individuals has a demoralizing tendency. But I am quite willing to see the thousand pounds expended upon Tignish Run, for I believe it will afford some encouragement to the fishermen of that locality. I hope the Government will grant a sum of money towards the completion of Wood Island Breakwater. There is now eight feet of water at low tide where they once drove across with carts. It has been estimated by a competent engineer that if it was carried to a certain point, it would be serviceable, but to do this, it must be lengthened twelve hundred feet more. If that was done there would be twelve feet of water at ordinary tides, and the work would prove of very great benefit to that section of the country. I do not look at money spent on such works as lost, for it benefits the country generally. The roads are so terribly cut up during the spring and fall that some steps should be taken to prevent the necessity of hauling grain &c., long distances. But in regard to granting money for the purchase of seed grain, I think the Government should consider well before taking such a step.

HON. MR. HENDERSON.—Mr. Chairman, The hon. member from Tignish has referred to the expenditure of the public money in King's County. There

may be some truth in what he says, but I regret to say that the portion of it that I represent, by some means or other has been sadly neglected. Montague River, one of the handsomest streams on the Island is without a single public wharf, excepting one, and that a miserable puny affair. But, Sir, I am not prepared to say whose fault that has been, although I am surprised to see such a state of things at this moment. There was an appropriation made by the House, Session before last, of £70 for that purpose, on condition that right of way be first procured. Right of way was procured, but the site was pronounced unfit for a wharf, and the Government took no steps to procure a more suitable place, therefore the money which might have been spent with benefit to the inhabitants of that locality, is still in the Treasury. I said the money was in the Treasury, but I dare say some of it went to Tignish Run, to which, I may now state, I do not begrudge a single farthing. At the same time I must not forget Montague Bridge and River. As the Leader of the Government is a representative of King's County, I hope he will attend to the representations made to this House on the matter, and I think, considering the manner in which that part of the country has been neglected, that my statement should receive some consideration.

Mr. PROWSE.—In reference to the large amount of money represented to have been expended in King's County above that spent in Prince County, I can tell the hon. member for Tignish, that in comparing his district with that which I represent, I find the pauper grant has been more than double that of mine, in his district.

Hon. Mr. HOWLAN.—I believe that my District contains more than double the number of people in his District. Probably I polled as many votes as any hon. member of this House.

The paragraph was agreed to.

The Speaker then took the chair, the Chairman reported progress and asked for leave to sit again.

House adjourned for one hour.

Afternoon Session

Hon. Mr. CALBECK presented the Report of the Committee appointed to receive Tenders for publishing the Debates of the House of Assembly for the present Session.

It was stated in the Report that the Committee had only received one Tender, and the person tendering would not agree to publish the Debates in a Newspaper, and as this had been the method adopted in former years the Committee did not recommend that the said tender should be received, but referred the matter to the House.

After some little discussion it was decided that the Report should be referred back to the Committee to be amended.

The House resolved itself into a committee of the whole to resume the further consideration of the Address in answer to the Speech of His Honor the Administrator of the Government.

Mr McCormack in the Chair.

The fifth paragraph was then read.

Hon. Mr. McAULAY.—Mr. Chairman, this paragraph states that, "it is satisfactory to learn that whilst the various branches of the public service are to be efficiently conducted, yet that the estimates have been prepared with a due regard to economy." Now, are we to understand from this that there is to be great economy in the expenditure of the public money, or is it to be disregarded as similar promises made in years gone by. I think there is something like a censure on the Government in this paragraph; it implies that previous to this period the Public Service has not been satisfactorily performed, and the estimates have been framed without due regard to economy. The Hon. Attorney General has a great deal to say about Grammar and I would recommend him to examine this paragraph before us. I suppose the Government side of the House can vote as they please, and can vote that right is wrong and wrong is right, and if they wish to let the passage before them pass, they are at liberty to do so; but it would be absurd for such an emanation to go before the public.

Mr. BELL.—It is a very good evidence that the hon. member (Mr. McAulay) cannot make any amendment, when he does not do so, for he is always very ready to make amendments. I think it is a proof that the paragraph is perfectly correct when he does not propose some amendment.

Hon. LEADER OF THE GOVERNMENT.—The Address is generally considered as echoing the sentiments expressed in the Speech, and in the Speech this matter is referred to. I am inclined to think, however, that a slight verbal alteration would be advisable. I would move that the words "efficiently provided for," be inserted in place of "efficiently conducted."

The amendment was carried, and the clause as amended agreed to.

The sixth clause was then read.

Hon. LEADER OF THE OPPOSITION.—I should like to have a little information on this subject before I can give my assent to the clause under consideration. It states "Although the Expenditure for the past year has been in excess of the Receipts, owing principally to the purchase of lands and the advances for Seed Grain, yet we rejoice to know that the Revenue evidences a steady increase in the trade of the Colony." Now, sir, it seems to me that we are rather voting in the dark. No doubt the members on the Government side of the House understand all about this matter, as they have access to all the offices of

the Colony, and can ascertain what have been the receipts at the various Custom houses through out the Island, &c., but we in the cool shades of Opposition have not the same light on the subject. From what I have seen, however, in a semi-official paper—the *Herald*, it appears, from the reason given there for the Expenditure being in excess of the Revenue, that the reason given in this paragraph is not the correct one. It is here said that the reason of the Expenditure being in excess of the Revenue is that so much money was expended in purchasing Land and Seed Grain, while, from the *Herald*, it would appear that the Receipts from public lands were greater than the disbursements. I cannot see how hon. members can give their assent to this paragraph as it now stands.

HON. LEADER OF THE GOVERNMENT.—I think, Mr. Chairman, that the public accounts will show the statement in the Address to be correct. If no land had been purchased, £5180 would have been struck out of the expenditure. There was also £3030 paid for seed grain and only six or seven hundred received. There is also another item which has been an extraordinary expenditure—£2100 to close the Troop account, which has not been put in the paragraph. I think that although the present method of making up the accounts is the same that has been adopted for many years, yet a better mode should be devised. When land is purchased, the cost is charged against the Colony as absolute expenditure. Until some change is made in respect to the way of making up accounts, and the land accounts kept separate from the rest, there can be nothing improper in bringing to the notice of the House, in the Speech and Address, the purchase of land.

HON. LEADER OF THE OPPOSITION.—What I do not fully understand is this—why should the purchase of land take all the blame for the country being in debt, when the receipts in the land office have been greater than the disbursements. There are several other things that might be mentioned such as the £1000 expended on the Tignish Run, and a large amount for the printing of the Laws, and why should not these items be mentioned as well as the £6000 for public land. I think it is not fair to take those particular items and leave out others that have helped to cause the debt.

MR. REILLY.—I think it is quite fair as long as the paragraph states only what is true. The items mentioned have caused an extra expenditure, and such being the case, I think the hon. member might save himself the trouble of expending so much eloquence. The Address is only an echo of the Speech, and as these were the only two items mentioned in the paragraph, to which this is a reply, I think there can be nothing improper in having them in the Address.

MR. BRECKEN.—The hon. member says that this is merely an echo of what was in the Speech. That may be very true, but it is equally true that both the Speech and the Reply are the emanation

of the Government; and both are so tame, that certainly, if we adhere strictly to the discussion of the subjects mentioned in them, we shall not be able to give the Government much trouble. But, Sir, we know that when the Conservative Party were in power, they made very heavy purchases of land, and the question turns upon this—have the transactions of the land office for the last year depleted the Treasury or increased its funds. Bearing in mind that the predecessors of the present Government have made large purchases, I am under the impression that the instalments made on account of these exceed what has been paid out by the Government for land. There are times when it is sound policy for a government to go in debt, but how can the present Government come forward and say, we have expended more than the Revenue, because the land office has been a burden to us, when such is not the case. I believe there are other causes for the extra expenditure, and they may be justifiable.

HON. MR. McAULAY.—I think the members of the government are under a deep obligation to the independent members of the House for pointing out to them what seems to be untrue in the Speech and the Address; for if the Public Accounts of the Colony do not tally with what is in the Speech and the Address, what position will they be in. It is clearly stated here that the cause of the extra expenditure was on account of the money expended for land and seed grain; now, if the people find out from the accounts of the colony that this is not true, will they trust the fate of the country in the hands of the present party again. It is a feature of Responsible Government that the independent members should see, before they put money into the hands of the government for any purpose, that former grants have been judiciously expended.

MR. BRECKEN.—This paragraph is of more importance, and involves more than at first sight appears. The conservative party for a long time contended that we could not bear the whole of the cost of Education out of the funds of the Colony; and I believe, if the truth was known, that the alteration in the Education Act has more to do with causing the expenditure to exceed the revenue than the purchase of land, and the longer it remains as it is, the worse it will be, and the government will have to forge excuses to hide the results of their own folly.

MR. P. SINCLAIR.—I am not going to stand up here to justify any unnecessary expenditure, but I do not think this clause can be looked upon as a forged excuse. If £5000 have been expended in the purchase of land, and £2000 in the purchase of seed grain, and the whole deficiency is only £9000, then, I think it is quite plain that these two items have been the cause of the greater part of it. If no land or seed grain had been purchased, the colony would have been £7000 better off.

Hon. Mr. DUNCAN.—I cannot agree with the last speaker, that the colony would be better off if that land had not been purchased, for it will be repurchased from the government by the settlers, and there need be no loss by the transaction. It is my opinion that it is for Education they have increased the expenditure, and they have made no provision for it. There should be some means taken to meet this extra expense and not go into debt. I do not want to see our debentures again at twenty per cent. discount.

Hon. LEADER OF THE GOVERNMENT.—I think the hon. member will find that the interest on the Debentures for the purchase of former estates, as well as the expenses of the Land Office, have to be taken out of the receipts, and only the remainder taken as an off-set against the disbursements.

Hon. LEADER OF THE OPPOSITION.—I do not think the whole burden should be put upon the Land Office and the purchase of seed grain; it is making an invidious distinction, because other large public works have helped to cause the deficiency. I would therefore move that the words "owing principally to the purchase of land and the advances for seed grain," be struck out.

Hon. Mr. LAIRD.—It is not to be supposed, Mr. Chairman, that a Government would speak of every item of expenditure. Probably two of the greatest causes of the increased expenditure have been mentioned, and I do not see anything wrong in it. The hon. member for Charlottetown (Mr. Brecken) seems to think that the government are ashamed of their own child, when they do not say anything about the extra expenditure for education. I think they have no reason to be ashamed, but, on the contrary, should feel proud that the money has been spent in so worthy a cause. I for one, feel proud that the people have availed themselves of the privileges placed within their reach, to such an extent as to cause an increased expenditure for education. The people would rather have a tax imposed upon them by the government to defray any extra expense that may be incurred, than be called upon again to tax themselves as they were obliged to do under the former Act.

Mr. BRECKEN.—I believe that money cannot be better expended than in forwarding the cause of Education, but what I wish the Government to do, is, to come forward and own the first results of the Act they are so proud of, and not put it on some other departments.

Mr. SPEAKER.—Mr. Chairman, although a large amount has been expended on Education, yet I do not think there is any expenditure that has received more commendation from the people. Go from one end of the Island to the other and you will not hear any complaints about too much money having been expended for education, but if the amount is too great for the Revenue to bear, I think the people would willingly submit

to increased taxation rather than have the system altered. In reference to the accounts of the Land Office, I think they are not properly made up. It has been asked of me whether the Land Office was paying or not, but I could not give a satisfactory answer. I should like to see the accounts made up in such a manner that we could see at a glance how much had been paid in from each Township, and how many acres remained unsettled, and then we would be able to form a pretty correct opinion of the whole matter.

Hon. Mr. DUNCAN.—I think if Education is the real cause for the extra expenditure, it would have been better to have so stated, and then the Government could have gone to the people and asked them to submit to a tax to support it. When the salaries were reduced by the late Government, the people in the district which I represented were not in favor of having the whole salary paid out of the Treasury.

Hon. Mr. HOWLAN.—It would have been well if the hon. member for Charlottetown had thought five or six years ago of curtailing the expenditure. There is a monument of their folly just outside of Charlottetown. If they had saved the £12,000 they spent in building Barracks, it might now be used in purchasing land. There was also £2,100 paid for the expenses of the Troops, which was a legacy from the late Government. There has been a great deal of extra expense during the past few years, and we have yet to learn that it is the cost of Education that has caused the expenditure to exceed the Revenue.

Hon. LEADER OF THE OPPOSITION.—The hon. member (Mr. Howlan) has given a clear and positive proof that the paragraph under consideration should not remain as it is, for he has shown that there are other items, besides the purchase of land and seed grain, that has caused the extra expenditure. It is very incorrect to select only two special causes where there are so many. I think the Government side of the House must feel very thankful to his Honor the Speaker for censuring them for the manner in which the accounts of the Public Land Office are kept.

Mr. BRECKEN.—I would like to see a little Tenant League got up to see how this Government would deal with it. I wish that the hon. member from Tignish (Mr. Howlan) and his friends had been in power when that little agitation took place. Some hon. members seem to say that the accounts in the Land Office are in such a state of confusion that they cannot tell whether it has proved a gain or a loss to the Government—how then can they say that it was owing to the Land Office that the Expenditure was greater than the receipts. The only censure I cast upon the Government is this, that when it is proved that paying the whole amount of the Teachers' salaries out of the Public Treasury is the cause of the extra expenditure, they have not the honesty to ac-

knowledge it. If their doctrine is right that it is the proper method to take the whole cost of the education of the children out of the revenue of the people, then the United States and the British Provinces are all wrong.

Hon. Mr. HOWLAN.—The hon. member for Charlottetown says he would like to see another Tenant League got up, in order that he might see what way the Government would act in reference to it. I can tell him that I, as one member of the Government, would go and endeavor to show the people wherein they had erred, which method I think would be preferable to the one adopted by the late Government of building Barracks, and keeping a number of soldiers to overrun every man's farm, when under the influence of intoxicating liquor supplied by the Government.

Mr. McNEILL.—I certainly must give the Opposition credit for fighting out the battle against education, as well as they have; but it appears to me they have begun their objections on a paragraph in which there is nothing said about education. I never understood that it was necessary to mention every item of expenditure in the Address in Answer to the Speech of His Honor the Administrator. It appears that the old feeling against education, on the other side of the House, is cropping out again—the same feeling that prompted the petition that was sent to England, and which was signed by every proprietor, against the laying on of a land-tax to support education. There are some things that people will submit to taxation for, and one of them is education. I think it is hardly worth while to bring up this discussion just now, for although the country may be running in debt, perhaps we may find some way of wiping it off—perhaps we may be able to sell the Barracks, or give them to the hon. member for Georgetown to ornament the town which he represents. I do not think they will be wanted in Queen's County any more, as there is not much danger of a Tenant League springing up again. I believe there was a disturbance in Murray Harbor district, some years ago, about hay, which the soldiers were sent to quell, and if there should happen to be as scarcity of that article again, their presence might be required.

Mr. CAMERON.—I do not see what objection the members of the Opposition can make against this paragraph. One hon. member says it is not true, but I cannot agree with him—It may not advance the whole truth, but what it does say is true. I think the Government have no need to be ashamed of the amount of money expended for education. The hon. member (Mr. Brecken) gave it as his opinion that the old system of compelling the people to pay part of the teacher's salary would be an improvement, but I cannot coincide with his views. The state of the Colony was such under that system that only the most favored localities had any school, for a teacher would not engage in a place where the peo-

ple were too poor to make up the deficiency in his salary. Besides this the Colony generally had to pay an indirect tax of fifteen pounds in every school district. If the present Government would put a tax on the people equal in amount to this the Opposition would raise a great hue and cry against them. The hon. member for Belfast says that the people of the district which he represented when the late Government were in power, were not in favor of having the whole of the teacher's salary paid out of the general revenue, but if such is the case, I think they were an exception to the general rule. The hon. member stated that members of the Government got into power by making promises to the people, but I think this existed only in his own imagination.

Mr. BRECKEN.—I think that last Session it was stated in the Speech that the Education Act was to be amended so as to make the advantages commensurate with the cost. I never thought that the schoolmaster had too much pay, but I think my position is the correct one, that he should not draw his whole salary from the General Revenue. I contend that if you pay the schoolmaster wholly out of the public chest, you leave the impression on the minds of the parents that it is a free gift, and they will not take the same interest in the education of their children, as if they were obliged to pay one-half of the teacher's salary. And should the farmers of this Island be under the delusion that they are to pay nothing for the education of their children? I believe that if this matter were looked into, it would be found that there is a great deal expended for education, and very little superintendence of the schools to see that this large outlay of money is expended judiciously. It is like sending a fine ship to sea with very poor officers—she will not be very profitable to the owner. If every householder were called upon to pay twenty shillings, he would take more interest in the education of his children. Look at the United States, where the people in every district meet to tax themselves, there they strive to excel in education. Are we wiser than our neighbors on this subject? Look at Canada, where they raise more than a million dollars a year for educational purposes; and education there is in a flourishing condition. We know that it is only when people pay for a thing that they appreciate it. The schoolmasters suffered by the late Act, but it was their own fault; for they had no right to take a school unless the whole amount was promised them—if they had met together and agreed upon this plan there would have been no difficulty about the matter. I know the popular cry is do not levy a single farthing—but the nurse does not let the sick child have just what he wants—and so a faithful legislator must do his duty fearless of consequences. As the population of the Island increases, the expenses of education must increase, and where is the statesman on the Government side of the House who can tell where this thing is going to stop. You cannot lower

the Schoolmaster's salary: you must raise it, for as the wealth of the country increases wages increase. The School-teacher is not now as well off as the laboring man who gets three pounds a month.

Mr. G. SINCLAIR.—The drift of the hon. member (Mr. Brecken's) argument, seems to be, that the people do not pay for education, and therefore do not appreciate it; but the people of this Island know very well that when the expenses of education are defrayed out of the general revenue, they have to pay for it. He compares our system with that of other countries and shows that there is no country in the world that does as we do. Now, it is possible that we may be ahead of those countries; or there may be certain reasons why they cannot have such a system,—they may be so heavily taxed that they cannot tax themselves for education; but we live in a country where there is not much taxation, and we can afford to pay a good deal for education. It comes lighter on the people who have children to send to school when all contribute for their education. I think the people are well satisfied and would not grumble at the expenditure being in excess of the Revenue when it is devoted to this purpose.

Mr. BRECKEN.—I do not wish the hon. member to misunderstand me. He is wrong when he says the people are taxed for the support of education—the Land Tax does not pay one-fourth of the amount. I maintain that the education of this Island is not provided for by special tax. When the hon. member—the present Colonial Secretary, introduced this measure, it was one that reflected great credit upon him; but this is a progressive age, and this question is progressing, and I ask what guarantees have you to give the country, that the Revenue of the country will increase in proportion to the educational expenses.

Hon. Mr. HOWLAN.—It is amusing to hear the hon. member for Charlottetown laying down this elaborate system. We had a very celebrated Bill brought in by an hon. member who is not now in the House, to amend the Education Act, and the consequence was that all the best teachers left the profession and went to something else, and many schools were left without teachers. The teacher was in such a miserable position that if he attempted to sue any man for the balance of his salary, he would have to run the risk of losing his place, and I believe there were very few instances in which he received the whole amount. But we adopted a different course, and placed the teacher in a position of respectability. I am glad that the hon. member for Charlottetown has spoken in the manner he has, so that if the Government wish to impose any additional tax, they will have his assistance.

Mr. HOWATT.—Mr. Chairman, with respect to the question at issue, I do not think it is a matter of very great importance whether all the causes

of this extra expenditure were mentioned in the Address or not. The members of the Opposition wish to make it appear that the principal cause of the increased expenditure was the payment of so much for education. Who has a better right than those who pay that Revenue, or their Representatives, to appropriate any portion of it they may think proper for the support of education. The people in the country may appreciate learning to the fullest extent, but they wish to see the best method of carrying it out adopted. The hon. member, (Mr. Brecken) said that if the people had to pay a portion of the cost of educating their children they would take a greater interest in it; but if that principle is correct, I suppose, if they had to pay the whole amount they would take a greater interest still. But perhaps it would be well to try the principle in Charlottetown, and let those who attend College pay the expenses, and let us withdraw the grants altogether. I believe the present Education Act is the best we have had in this Colony for some time.

Mr. BRECKEN.—In reply to the hon. member (Mr. Howatt) in respect to Colleges, I would say that every pupil who attends College is obliged to pay; but in the common schools, the parents of the children do not pay anything. My argument is not that the schoolmaster is too well paid, but that there has been no proper provision made for paying such a large amount. The Government have imposed a tax of three or four thousand pounds a year, and have built up a system that costs annually eighteen or twenty thousand. It is those who use the most dutiable articles that pay the most for education. I think my constituents help to educate a good many children. I would make every man pay for education; for every man has an interest in the education of the rising generation, for when they are well educated they will make better citizens.

Mr. CAMERON.—If it is necessary that the people should be educated, then means should be taken to have that object accomplished. The hon. member for Charlottetown (Mr. Brecken) says that the people will take a greater interest in it if they have to pay directly for it. I think that people will generally avail themselves of what is cheap rather than of what is dear. There are also other communities where the people have not the means to make up any considerable amount of a teacher's salary, and they would be deprived of the advantages of education. The hon. member says it was the teacher's own fault that they did not get the portion of their salary that was to be made up by the people, and speaks of the want of unanimity. On the same principle they might now agree not to teach unless the people raised their Salaries to £100. He also speaks of the system in other countries; but although such a system may work well in other countries, it will not here, for it has been tried and found wanting.

Mr. HOWATT.—I wish to correct a wrong impression of the hon. member for Charlottetown—he seems to think that only those pupils who attend College have to pay anything—but in the country districts the children or their parents have to defray the expense of fuel and repairs, just the same as students in Colleges have to pay fees for the same purpose. I believe that the people in the country are well satisfied that the present system is the best that can be carried out at the present time.

HON. LEADER OF THE GOVERNMENT.—I think, Mr. Chairman, that this discussion has taken a very wide range. The question before the House was, the paragraph in the Address, referring to the Expenditure exceeding the Revenue, and it was there stated that the extra expenditure was on account of two special objects. The hon. Leader of the Opposition wished to have that part which referred to these two special objects struck out, and leave the statement that the Expenditure exceeded the Revenue, without assigning any special reason. It appears, however, that when any one question is brought forward, every other may be discussed, that we may have the whole history of the Island from the Deluge down to the present time—if this Island existed before the deluge, a fact which some geologists seem to think very improbable. I think this question was discussed before when the subject was before the House. In the opinion of myself and many others, the more independent you make the teacher, the more likely he is to do his duty and give satisfaction. I do not blame the other side of the House for changing the Education Act, if they thought their amendment was an improvement; but there is no doubt it gave great dissatisfaction in the country.

Mr. P. SINCLAIR.—Although there is nothing in the paragraph before us, respecting education, the hon. member for Charlottetown cannot help having a rap at it. He has referred to me, and seems to think that I will assist him in cutting down education. I am not going to give my assistance to cut down the teachers' salaries or injure the cause of education in any way. Anything the colony receives a general benefit from should be paid for out of the general revenue, and if you wish education to benefit the whole population on this Island you will have to pay for it out of the public funds; but if you go back to the old system and pay the teachers only a small pittance from the Treasury, the cause of education will decline. I believe that our educational system is superior to that of Canada or Nova Scotia, or even Prussia.

HON. Mr. HENDERSON.—I believe, Mr. Chairman, that if our people had a part of the system which is in Prussia, it would be a benefit to them. The hon. member (Mr. Sinclair) must have some experience as a school Trustee, and he must have seen the remissness of the people on the subject of education. I would desire something more

stringent in the Education Act than has yet been in it. I am not for despotism, but there is something required to make the people avail themselves more generally of the advantages of education than they do at present. What made the amendment introduced by the Conservative Party so unpopular was very well stated by the hon. Colonial Secretary last year—the people were deprived of what they had been accustomed to for many years, and that made it be more keenly felt than it otherwise would have been. It is very difficult to adjust this matter properly. I do not think it is fair to institute a comparison between the people of this Colony and those of the United States, for it is well known that a considerable number of the people of this Colony were entirely deprived of education in the old Country, and consequently they do not appreciate as they otherwise would the education of their children. In consequence of this the teacher is discouraged and our schools languish and the same thing is the complaint in other places. Now, Sir, this is not an argument against education, but it shows conclusively that every legislator who takes the subject into consideration, will find that it will take considerable trouble to settle it properly. It has been stated that the act passed by the late Government, placed the teacher in such a relation to the people, that they had the advantage of him and that if he endeavored to obtain any money from the people by legal means, he would soon be told to go about his business. That does not argue very much for the manliness of the people, when it was distinctly specified in the act, that the teacher should not get the Government allowance unless the fifteen pounds was paid by the people; but I have to say that in the settlement in which I resided, the teacher was paid to the last farthing.

Mr. G. SINCLAIR.—The hon. member (Mr. Brecken) seems to think that the expenses of education will become so great in the future, that the burden will be too heavy for the Revenue. Now, I think the burden will become lighter, for our Island is now pretty well dotted over with schools and the population may increase to a great extent without there being any necessity for additional schools.

HON. Mr. CALBECK.—At this late hour I would not wish to take up the time on this subject, but in reply to the Hon. Leader of the Opposition. He seems to think that the Government are ashamed of their child, but I think they have no reason to be so, for it must be apparent to every person that the Expenditure in the cause of Education is counterbalanced by the advantages derived therefrom. When it rested with the people to make up a portion of the teachers' salary, in many instances they could not afford to keep up the schools, but since the Act has been amended these schools have engaged teachers, and new schools have also been opened, so we must expect an increase in the expenditure. With re-

spect to the promises made by members on this side of the House last election, I will say that the only promise I made in reference to this subject was that the fifteen pounds should be paid out of the General Revenue, and I said that it would probably be necessary to lay on an additional tax. The people of this Island are not so unenlightened as to think they do not pay for education, when the teachers are paid out of the General Revenue.

The amendment proposed by the Hon. Leader of the Opposition was adopted and the paragraph as amended agreed to.

House adjourned.

MONDAY, March 8th.

Forenoon Session.

Hon. Speaker in the Chair.

Hon Mr. Calbeck presented the Report of the committee for printing the Debates, which was read and adopted.

HON. LEADER OF THE GOVERNMENT moved that the House Resume the consideration of the Draft Address.

HON. LEADER OF THE OPPOSITION said, that as there had been two Chairmen, it was necessary to know which was to be continued.

Hon. Leader of the Government, was not aware of any rule which would show that the same Chairman should always preside. He knew such had not been always the case, and thought that in the absence of the Chairman of a committee, another might be appointed.

Hon. Leader of the Opposition considered when a chairman was appointed, he should regard it to be his duty to be in his place, unless prevented by sickness, or some other unavoidable cause; and that if he otherwise absented himself, he should apologize to the House.

Mr. Cameron said, he knew the hon. member was alluding to him, but believed the same had occurred on former occasions.

Hon. Leader of the Opposition thought the hon. member was purposely absent in order that he might have an opportunity of firing a shot at the Opposition. The motion was then agreed to, when the House went into Committee on the further consideration of the Draft Address.

Mr. Cameron in the chair.

The seventh paragraph being read.

HON. LEADER OF THE OPPOSITION said:—I would like, Mr. Chairman, to know what particular

reason the Government have for taking the Census this year. In England and the United States, for some time past, the practice has been to take the Census decennially, and unless there is some special reason for so doing, I do not see that we should be called upon to appropriate money for that purpose this year. In 1861, if I mistake not, a Despatch came out from the Home Government, wherein, for reasons therein set forth, we were asked to have the Census taken that year, and you are aware, Sir, that in the same year they were taken in Great Britain, the Australian Colonies, Canada and the Lower Provinces. This was done in order that an opportunity might be given for obtaining correct data from which to obtain the population of the Empire, and as the same will likely be done again in 1871, I think it would be better to wait until then, and thus get into the practice of taking the Census decennially.

HON. LEADER OF THE GOVERNMENT.—When the Census was last taken, a despatch had been received from the Home Government, which stated that the Census was then required to be taken for a particular reason, but that despatch did not say that the Imperial Government wished us not to do so again until 1871. In some of the Australian Colonies they take the Census every two or three years. Formerly in this Island we did so every seven years, and having now allowed eight years to elapse, I consider we should fall back upon the old rule. We have had no intimation like that received in 1861, or instruction that we should now have the Census taken; but if in 1871 a despatch similar to the one received in 1861, should be received, I have no doubt but that its request would be complied with in 1871 as it was eight years ago.

HON. Mr. McAULAY.—I am altogether at a loss, Sir, to understand the wording of this paragraph. It reads thus; "we agree with Your Honor as to the necessity of adopting measures to renew it." Whether it is to be taken to mean, the renewing, reprinting, remodelling, or white-washing of the last Census taken, I cannot say; but if you do not take it in one of these senses, then it is nonsense. If it is the intention to take the Census anew next summer, and if it can be shown that a benefit will arise therefrom equivalent to the cost, then I shall not oppose it. We are or ought to be the guardians of the public money, and should therefore have some foundation for knowing that a corresponding benefit is to result before we incur so much expense. But I would like to know the meaning of the paragraph. I have not yet heard a reason assigned for the measure. If there is a good one, I shall give the Bill when brought forward my support. If not I will oppose it.

HON. LEADER OF THE GOVERNMENT.—As regards the grammatical error which my hon. friend from Georgetown perceives, I hope he will rise and define it.

HON. MR. McAULAY.—I did not allude to grammatical errors. The objection is, that we are left in the dark as to what is meant by the wording of the paragraph. Does it mean to re-publish the last or some former census?

HON. LEADER OF THE GOVERNMENT.—The hon. member has failed to show an error in the paragraph, but when asked to do so confined himself to asking questions. The hon. member was a supporter, if not a member of the Government of 1861, and supported the speech from the Throne that year which has in it the same expression: the speech of that year says: "I would, therefore, direct your attention to the propriety of this year renewing that census."

HON. MR. McAULAY.—Yes, they adopt the errors of their predecessors; how much more to their credit would it be if they would follow them as closely in the other direction. What I complained of in the paragraph, was its want of sense.

HON. LEADER OF THE GOVERNMENT.—I am sure I am very grateful to my honorable friend for his friendly interest in the matter; but still this hon. Committee cannot but notice that the hon. member has failed to point out a single error.

MR. REILLY.—He could not do so.

HON. MR. McAULAY.—I am glad the Government see the necessity of following their predecessors, but that should not lead them to adopt their errors. With respect to taking the census in 1861, there was a necessity for so doing then, which does not exist now, and I appeal to the honor of hon. members on the independent Benches, to say, if there is any cause now for such an expenditure of the public money? If the measure is not required, we are in duty bound to oppose it.

HON. LEADER OF THE OPPOSITION.—In Great Britain, since 1821, the practice has been to take the Census every tenth year, which I think is as often as we should do so. The progress of the Australian Colonies is so rapid, when compared with what takes place in this Island, that it is not necessary that in this Colony we should adopt their practice. In those Colonies what is a wilderness to-day, will in many cases, in the course of five years, be a flourishing town. The matter before us, however, is one for the consideration of the Government, although I think it would be better to defer taking the Census until 1871; but I have no wish to have it put to a vote; it is only a matter of £400, or £500, which is not worth wasting time over in this progressive age.

The paragraph was agreed to.

The eighth paragraph was then read.

HON. LEADER OF THE GOVERNMENT.—I believe both parties have steadily arrived at the conclu-

sion that a change in the management of our Public Works is required, and I believe the late as well as the present Government have arrived at the conclusion that in this respect we are behind the age, and hence it is our duty to consult the experience of other Colonies, the most of whom we find have their Boards of Works, and it is time for us to have such a Board also, under the charge of which should be placed our Wharfs, Bridges, Light Houses, and all of our other public buildings. Such an arrangement would be more satisfactory than the present practice. At present all our Public Works are placed under the Superintendence of one man, who is badly paid; and who receives his instructions from the Government. Our present system throughout is bad and requires amendment, hence the intention of the Government is to establish a Board of Public Works similar to the one they have in Bermuda, and some of the other Colonies; and as the office of the Road Correspondent is now held in that of the Colonial Secretary's, we think that the Colonial Secretary should be the Chairman of the Board of Public Works. As matters are now managed, there is no organization in connection with the Expenditure of monies for Government House, Jails, Light Houses or any other similar Public Service; but by this arrangement the Board would, through the Colonial Secretary, who is a member of this House, lay a Report annually before the Legislature, and I believe if the whole matter was thus arranged, the results would be more satisfactory than they are at present, as there can be no doubt but that the public money would, under such an arrangement, be much more judiciously expended than it is under the present system. It is contemplated also to give this Board the Superintendence of the Public Roads. The intention is not to break up the present Road system, but to give the Board power to take under its control any portion of the Public Roads they may see fit. This would enable the Board to take the whole management of the building of Wharfs, Bridges, and such portions of our highways as the Board would deem expedient, and by giving it this general power over the Road Commissionera, we shall have a guarantee that all such works will be more efficiently performed than they now are. It is intended also to have surveyors placed under this Board, for experience has shown that it is utterly impossible for the Superintendent of Public Works to do full justice to all that is required of him. It is more than any one man is capable of accomplishing. He has to travel over the whole country, from one end of it to the other, and as his travelling expenses have to be paid, it is found that the amount thus called for would almost cover the costs of establishing a Superintendent of Public Works in each County. The Government, therefore, think it would be more satisfactory to have one in each County; and hon. gentlemen who have had any experience in these matters will agree in saying, that at present when the services of the Superintendent of Public Works is required at one part of the Island,

he is often at the other. In adopting this course the Government is only following the precedents set by other Colonies; for, in Bermuda and elsewhere, all public works, including Government House, have been placed under a Board of Works. With us, the practice has been to place Government House under the management of a Committee of the Legislature, and however competent gentlemen who have been, or now are, on this Committee, to discharge their legislative duties, I think they have often found themselves incompetent for discharging the duties of such a trust. The proposed alteration, I am persuaded, will give general satisfaction. With these remarks I shall leave the subject to the consideration of this hon. committee, merely observing, that it is a matter which, while it will increase expense in one direction, will, to some considerable extent, lessen the cost in another, and in the end give more general satisfaction than the present system.

Hon. LEADER OF THE OPPOSITION.—I quite agree with the learned Leader of the Government, that, in this direction, there is ample room for reform. In fact, it is a farce to regard the Superintendent of Public Works as authority on such questions. It is quite true, that different parties have been thinking of establishing such a Board, and I am glad that my learned friend intends abolishing the old style, and I hope he may succeed in establishing a better system than the present inefficient one; and I think the Bill, when it is brought down, if properly framed in its details, will be well received. For my own part, if such shall be the case, I, as one member of the Opposition, will offer no objection to it. I also concur in the opinion that there should be a properly qualified Superintendent of Public Works for each County. Such an arrangement would cost more than the present, but I am confident it would be money well spent, and that, in the long run, it would prove to be money saved. We all know that one man cannot look after all the public works in the country as he should do. He cannot be every where; often he cannot be met with by parties who, at great expense and inconvenience, come to town to see him about contracts which they have taken. Often when thus wanted he is in a distant part of the country, perhaps at the East Point, looking after the replacing of a broken lamp or pane of glass; and, besides all this, we should recognize the fact, that it is utterly impossible for one man to become acquainted as he should, with all the public works of the country, nor can he be now as accessible to contractors as the interests of the country require. I do not know how it will suit to have the Colonial Secretary placed at the head of this Board of Works. I think that public officer has quite enough to attend to already, and that it would be better to have the chairman of this Board from some other office, or, at least, that he should be a less hardworked officer than the Colonial Secretary. At all events, I presume, if the Government make

that officer the chairman of the Board, they will add to his salary, for doubtless it will add greatly to his present labour, and immensely so, as the road service is to be gradually dovetailed into it. Whoever receives the appointment will find it to be no sinecure.

Hon. SPEAKER.—I believe such a measure will meet the requirements of the country, and as to the extra expenditure which will be required to meet the expenses which it will incur, I am satisfied the country will fully justify it, on account of the great benefits which will result from the alteration. Under the present system, it is beyond the power of any man to give proper attention to all the duties required of him. There are so many contracts, in all parts of the Island, which should receive an attention which it is utterly impossible for him to give, as he is kept constantly travelling from place to place, which fatigue him so much as to sometimes disqualify him for the efficient discharge of his duties. I therefore fully concur in the opinion that we should have a Superintendent of Public Works in each County, and a Board of Public Works also, and I think a Bill of this nature will meet the approval of all parties.

Hon. Mr. DAVIES.—This paragraph is an important one, and perhaps the establishment of a Board of Works is required; and it may be, that it should be established, providing the Finances of the country will admit of it. I know such a Board would cost the country at from £400 to £500 a year. Now, if we think we can afford to spend this amount annually for this service, and provide also for all the other departments of the Public Service, it probably may be well to have such a board; but I confess that I have my doubts, that even after such a board would be appointed, that it would not accomplish more than is realized under the present system. The inefficiency complained of cannot be remedied, until the Superintendent of Public Works has a seat in this House; and if such a Board is appointed, and the Colonial Secretary is made the Chairman, it will be found that his presence will be more required in this House than that of any other public officer. I do not think we are in a position to spare the money necessary for such an arrangement. Out of the amount granted to me, for instance, for my own district, I would be very sorry to take £75 to pay the proportion which such a Board would cost that district. I believe I am as competent to conduct the erection of a bridge or wharf as the Superintendent of Public Works, who has to be present at the erection of such, or appoint a deputy in his place.

Mr. BELL.—There will be a Superintendent for each County.

Hon. Mr. DAVIES.—Yes, but the principal would have to give in a report of the state of all our Public Works. Such a man will be required, for already we have had to send for one from one of

the other Provinces, to examine and report upon some of our Public Works; and if this Board is appointed, it will not be complete without such an officer. No doubt, if an efficient Board was appointed, it might be of great service; but are we able to incur the expense? Is it right to put the country to an annual cost of perhaps £600? Or would it be better to expend this much more in the improving of our Roads? Just now, the Superintendent of Public Works will suit our purpose very well—just as well as a Brunel or some other distinguished Engineer. I shall reserve to myself the right of voting on the measure, when it comes before us, as I shall consider shall best promote the interests of the country.

HON. LEADER OF THE OPPOSITION.—I congratulate the hon. member for Belfast, on his being able to be present; and on the fact, that he does not now find himself bound, as he would be, had he still retained his seat at the Executive Board. Had the hon. member been in his place a few days ago, he would have ascertained, that the money necessary to establish the Board, is all to be saved out of the amount hitherto granted for stationery and the extra sheets of the Parliamentary Reporter heretofore usually allowed to hon. members. I quite agree with the hon. member that the Chairman of this Board should have a seat in this House. It is of great importance that such should be the case. He should be a departmental Officer, and have his seat in this end of the building.

HON. MR. DAVIES.—I beg to return my thanks to the hon. Leader of the Opposition, but I assure him that although my leg has been a little lame, it did not prevent me from knowing, from my experience of the country, that we cannot afford such an expenditure of public money.

MR. P. SINCLAIR.—If the hon. member for Belfast had taken the trouble to have examined this subject closely, he would have found that it is one which will not injure the country, and I do believe when the hon. member gives more consideration to the matter, that, when the Bill comes down he will give his support to it. Of course we are only now discussing the general principles of the measure, but as we have been told, that the intention is to have a Superintendent of Public Works in each County; and when we take into consideration the amount which the country is now called upon to pay for the travelling expenses of the present one, and the loss incurred by his not being able to give proper attention to all the duties which he is now required to perform, it will be found that a Board of Works will be far more of an advantage than loss to the country, and that upon the whole it will cost very little, if any, more than our present system does. I consider that we will not require to employ any man, whose salary will amount to so high a figure as £400, but I do believe there is as much money expended now, as would, if properly applied, meet the expense of the object aimed at in this

paragraph. Considerable of the work now performed in the office of the Colonial Secretary, is not such as properly belongs to that office, and as might be expected, it is to some extent neglected, or inadequately performed. Under the present system a man comes in from the country and wants to see the Superintendent of Public Works, but cannot, because, in all probability he is at one of the remote parts of the country. He is travelling the greater part of his time, which renders it difficult for people to meet with him. A change I consider is absolutely required.

MR. BRECKEN.—I look upon the contemplated change as one in the right direction, especially so when we all know that the present organization has been found to be inefficient and inadequate to meet the public requirements of the country. Large amounts of public money are expended annually on the public works of the Colony; new and expensive public buildings, and other similar works, have to be built and erected, and these are continually increasing on our hands. It is therefore of great importance that Public Works which cost so much, and which involve the expenditure of so much money, should be under the control and management of a Board of Public works. In cost and importance it is next to Education, and is therefore worthy of a mature and an unbiassed consideration. If the idea is carried out, and a Board of Public Works established, its efficiency will greatly depend upon the Chairman of the Board, for whoever he may be, he will require a large amount of practical knowledge respecting the duties over which he will be called to preside. I therefore cannot agree with the suggestion thrown out by the hon. Leader of the Government, that the Colonial Secretary should be appointed to this position. That gentleman may be a very competent member of this House and well qualified to discharge the duties of his office, and yet be altogether disqualified to discharge the duties which will devolve upon the Chairman of a Board of Public Works; besides, the Colonial Secretary from the responsible and high position he occupies, should not be required to be always in his office, nor ought this hon. Committee to expect him to be working for one shilling and six pence a day. I agree with the hon. member for Belfast, that the Chairman of this Board should have a seat in this House, as you could then more readily hold him responsible for the expenditure of all monies appertaining to his department of the Public Service; and to place the Colonial Secretary in this office, would be to put the wrong man in that Department. There are but few questions of more importance to the public than those which will come under the Supervision of this Board. Some of our harbors may require deepening; our Mercantile and Agricultural interests require encouragement; and what public works are more likely to give encouragement in these directions than are good Roads, Bridges and Wharves? If one thing is more important than another in this direction it is

increased facilities for communication. I would therefore say to the Government, do not be afraid of a little extra expense. Do not in this matter be penny wise and pound foolish. There is no use, Sir, in being too economical; we have the resources of the country to develop, and while it is our duty to see that the public money is judiciously expended, there is no necessity for going into extremes in an opposite direction. This is a question in the discussion of which we can well afford to bury the hatchet of party. At present if a sum is required for Tiguish Run, for a new Market House in Georgetown, or a Post Office in this city, by abolishing the present system, and having a practical man here, in the person of the Chairman of the Board of Public Works, hon. members could at once receive any information which on these or similar subjects they might require. I think the Government would be perfectly justified in bringing in such a measure as will make due provision for the establishing in this Island of a competent Board of Public Works, the members of which should be properly paid for their Services, for I do not agree in having half paid public officers. If the Government will take hold of the subject and deal properly with it, they will not meet with any opposition.

Hon. Mr. LAIRD.—As the general question, and not the details of the measure is now before this hon. Committee, I think it would be better if hon. members would refrain from entering so fully into details. The question for us to consider now is, do we require to adopt such a measure? My own opinion is, that if such a Board had been established sooner it would have been to our advantage. A very large amount of money is expended in this service, and to oversee or superintend this expenditure there is but one man. I think, therefore, it is high time to change the system. If the Colonial Secretary is appointed the Chairman of the Board, he will be relieved of much of the labor by the other members with whom he will be associated. Even now he is relieved of a large amount of labor by his deputy, and I have no doubt, but as Chairman of the Board of Public Works, he would be also relieved from much of the labors of the Board. The plain matter of fact is, we cannot afford to have many officers with high salaries, and in this case, the expence of the Board will be high enough without unnecessarily increasing it; but by appointing this Board, I believe more money will be saved than the extra expense will amount to. It is allowed in other countries that it costs ten per cent, to oversee the expenditure of public money, but this Board I do not expect will cost this much. What people mostly look to is, to have public work well done, and such a Board will be an important guarantee that this will be the case. If, however, it should be hereafter found that our expectations have not been realized, the act can be either amended or repealed. In the meantime it will be well for the Government to guard against the necessity of appointing too many public Officers, with high salaries;

nor do I think that some of those we have already are overtaxed with work. In the Old Country, some public officers do a great deal more work than do some of those who are here.

Hon. Mr. McAULAY.—Is it not really amusing to hear an hon. member of the Government discussing the details of a Government measure before the Bill is brought down? If, Sir, this hon. Committee is satisfied that the public service requires such a Board, then let it say so. For my own part, Mr. Chairman, I am glad the Government has come to this conclusion, for I believe that an institution of this kind is now absolutely required; but it does seem to me highly ridiculous to be wasting money by wasting time. The paragraph before us, Sir, is the best and clearest written one of the whole Address. When the Bill is submitted for our consideration, it will then be proper to enter into a discussion on the details of the measure.

Mr. McNEILL.—There does not appear to be much difference of opinion on this subject. The principal objection seems to be the cost which the establishing of the Board will entail upon the country, but if such a Board is established, I am of the opinion that in ten years the expense incurred will be found to be money well expended, as it will result in saving many misappropriations of the Public Revenue. Country people are much dissatisfied with the way in which much of the public money is now laid out on some of our public works, and it is our duty to remove this cause of complaint if we can. If we are going to encourage trade as we should, improvements will have to be made in several of our harbors, and to do this properly we will require an efficient Board of Public Works which will see that our Light Houses, Buoys, Wharfs, &c., are properly built and kept in order. In this way the attention of some of our young men might be drawn from the study of Arms to the more peaceful pursuit of commerce. As to the expense which this Board will incur, how often do we hear of Rifle shooting, &c., which costs the country money for which we will never receive an equivalent, for a great military people we can never become. We might succeed in taking the Magdalene Islands, but it is not likely we could keep them; therefore, it is much better to use our means and exertions to induce our young men to cultivate the arts of peace.

Hon. Mr. DAVIES.—The hon. member for Georgetown took exception to the grammatical construction of the last paragraph agreed to, which he was unable to improve. The hon. member is of course well posted up in all the proprieties which relate to the construction of a sentence, but there may be some hon. members, who, like myself, may not have had these advantages, and who therefore would listen attentively to the remarks of the hon. member, but when they notice his utter inability to make good his assertions, they

will, I fear, like myself, begin to lose confidence in the judgement of my hon. friend.

Hon. Mr. McAULAY.—The hon. member for Belfast sprained his ankle a few days ago. I hope he has not sprained his judgment. I distinctly stated that it was the utter absurdity of the paragraph to which I took exception. We cannot discuss the details of this measure now, but if the hon. member has the Bill, let him lay it before us. Some hon. members are so fond of speaking, that they do not know when to stop. I would be sorry to say that my hon. friend is one of them, but regret that I cannot wholly exonerate him.

The paragraph was then agreed to, as was also the ninth.

The tenth paragraph was then read.

Hon. LEADER OF THE OPPOSITION.—As no sunlight has shone from the Government upon the opposition, in reference to the matter referred to in this paragraph, we are left to grope our way in the dark on this subject. When on Saturday we complained that one paragraph did not give sufficient specific reasons for the excess of expenditure, the Government yielded; now we have to complain that this paragraph is too meagre. In the speech, something is said about Railways, and I would like to ascertain why that subject was introduced into the Speech; and also what the Government propose to do this year, more than was done last year in the extension of Steam Communication? When it suits the Hon. Leader of the Government, or when a pet paragraph of his is read, he will rise and give us some information, but not otherwise: Now, here is an important paragraph, and one which we should have fuller information upon, before we give our sanction to it, or we may, when the Supply Bill is brought down, find a proposition which we may disapprove of, and to our astonishment we may find that it was involved in this paragraph, and when we object to it, be told that we gave our assent to it. I wish the hon. member to explain the paragraph.

Hon. LEADER OF THE GOVERNMENT.—I know that my learned and hon. friend at least eight years ago had strong views on the idea of a Railway between Georgetown and Charlottetown; and there has lately been some discussion in Literary Clubs, on the subject, in different parts of the country, but for my part, I do not see my way clear to support them; though I do not lay my opinion down conclusively. Some advocate the laying down of a Railway from the head of the East River, to Georgetown, while others would have it to run from this City; others again are asking aid for more Steam Communication from Georgetown, including a new Ferry Boat. Looking at the way this Island is cut up and intersected with Harbors and Rivers, it is manifest that many facilities are thus presented for the use of

Steam Boats; and an extension of facilities of communication in that direction, is the object pointed at in the Speech. Several petitions on this subject have been received, which will be laid before the House. I do not see any necessity now for entering into a discussion about Railways.

Dr. JENKINS.—I am far from thinking that inland communication by Steam will save the roads—on the contrary, it will the more speedily necessitate the building of Railways. There is no place where you can send a Steamer; but what a sailing vessel can go to; and therefore I do not see my way clear to increase to any extent at least, our Steam Communication; for were we to do so, I do not perceive what the benefits are which would result therefrom; but I do see strong reasons why, in my opinion, we should have a Railway built from Charlottetown to Georgetown, as it would aid so immensely in facilitating our commerce, and in the development of our varied resources. As business is now done in the country, when the Farmer gets up his crop of grain, he has to go to work and have it prepared for and hauled to market; and when we remember that from the time he lifts his harvest, until the frost sets in, there are but six weeks; so that when his grain is now disposed of, he has little time left for hauling manure, and making those other preparations necessary for the ensuing spring. But if there was a Railway from here to Georgetown, our Farmers could leave the threshing and hauling of their grain to market, until the frost set in; and as the roads would then be hard, they would not be cut up with the carts as they now are. I was in company with some gentlemen in New Brunswick last year, who were competent to form an opinion on this subject, and they assured me, that a Railway suitable for our purpose, could be easily and cheaply built. Our soil was, they said, favorable for the purpose. The distance to Georgetown is not great—once a day is all the cars would require to go and return. We would not require to drive fast; and lighter engines than are used in the other Provinces would suit our purpose.

Mr. HOWATT.—The feeling in the country is that we do not want Railways, nor is any discussion on the subject called for. The Government, in the Speech, merely pledges itself that should the subject be brought to the notice of the Executive, due consideration will be given to it. The Dominion Government is now trying its hand at Railways on a large scale, and perhaps if we should get into a difficulty by commencing the same kind of work, they might in a very kindly way, take us out of the difficulty, by placing us in the Dominion. (Laughter.) I hope none of our public men are in this way endeavoring to pave the way for Confederation. (Renewed laughter.) If such a work was determined upon by the Government, one of the first considerations would be the obtaining of a right-of-way, which in some cases would render some farms useless. (Laughter.)

HON. LEADER OF THE OPPOSITION.—The hon. member had better see to it, that the Dominion is not at work with the Government. All I can say is, that if this is to be the entering in of the thin point of the wedge, the hon. member has to thank the Government for it. Indeed, I am afraid the Dominion is already at work with the Government. (Laughter.) The difficulty, however, to which the Hon. member refers, is one that will be very easy to get over, for instead of a Railway injuring a farm by crossing it, it adds greatly to its value.

Mr. HOWATT.—Yes, at the Depots.

HON. LEADER OF THE OPPOSITION.—Aye, and everywhere else. Such has been the experience in every country in the world. But I am surprised that no person has taken up the matter except the hon. member for Charlottetown. I observe that attention has been drawn to the subject in the last *Islander*, by the new Adjutant General, who has given figures, and laid down the cost per mile. But I am afraid that for some time to come we shall only hear of Railways in discussions in Literary Societies and articles in newspapers. The subject, however, is in the Speech and it was therefore proper to refer to it now. I fully agree with the suggestion that as a substitute for Railways, increased facilities of communication by Steamboats is very desirable, and to any reasonable and well matured undertakings of this kind I shall not object.

HON. Mr. HOWLAN.—It is all very well for gentlemen to discuss the Railroad question, and to write letters in the press on the subject, but the plain matter of fact is, that a Railroad could not be built on this Island for \$10,000 a mile. This calculation does not include all the cost; nor has Col. Gray, in his calculations, taken into account the cost of building the offices and other important items of expense. The Ballasting alone, of the Road from Point Du Chene to St. John cost £640 a mile, a sum in itself, which, if expended on our roads, would make them very good: and even if we had a Railroad built, we would then require to have increased facilities for carrying away our produce by Steamboats. Our harbors may be divided into three classes. Souris, Georgetown, and Murray Harbor, are open the latest and earliest in the year; Charlottetown, Crapaud, and Bedeque are frozen over when some of the first are open; then, there is Cascumpec, Malpeque, New London and a few others on the north side. Now, Sir, if you had a Boat plying direct from Georgetown to Pictou (Hear, from Leader of the Opposition) you would be in communication from that end of the Island for a considerable portion of the year with the Railway to Halifax; from Cascumpec there might be a boat plying alternately to Shediac and Chatham. At the latter place, there will be a Depot of the Inter-Colonial Railroad; while from Charlottetown and Summerside, daily

Boats might run to Shediac and Pictou. If we had these Boats, we should then, very likely, have all the Steam Communication that we shall require for many years, and to obtain these is what I consider the Government should aim at before taking up the question of Railways.

Dr. JENKINS.—All I wish to have done now about Railways is, to have the matter brought forward and have the subject well ventilated. I think a Railroad could be built on this Island for between \$10,000 and \$12,000 a mile; and if we had one, our Roads would not then require to be macadamized, as the carting would not require to be done until the roads were frozen, and therefore they would be less liable to be cut up.

HON. Mr. HOWLAN.—It is all very well to argue in this way, but gentlemen engaged in business, could not afford to submit to such an arrangement.

Dr. JENKINS.—It would be an advantage to them.

The Committee then rose, and the Chairman reported progress.

Adjourned until three o'clock.

Afternoon Session.

House in Committee of the whole, to take into further consideration the Draft Address in answer to the Speech of His Honor the Administrator of the Government.

Mr. Cameron in the Chair.

The tenth paragraph, on the advantages of steam navigation, was read.

A motion having been made that the paragraph be adopted—

HON. LEADER OF THE OPPOSITION rose and said: Mr. Chairman, I am sure we might have a little debate on that paragraph, considering that we had only two hours' debate in the morning on the draft address. I think we might now enter into the question a little. I should like to hear the views of hon. members on the paragraph just read on steam navigation. Although railroads were mentioned in the Speech, they are not mentioned in the Draft Address. If a railroad were constructed from the great and flourishing town of Summerside to Georgetown, it would be a great saving of the horses of this country, and, besides this, the farmers, instead of crawling through the mud with their teams, in the fall, would be driven helter-skelter to market. This would give them time to put their fences in order and to attend to the sowing of their fall and winter wheat. They could then do their work more leisurely; instead of being in a continual hurry, as they now are, they could ship all their oats to Georgetown in the months of December and January, as that

harbour remains open longer than any harbor in Queen's County. The hon. Leader of the Government need not mention Souris—that is only a small harbor fit for a shallop. And the Queen's Printer, with all his efforts, will hardly make St. Peter's a good harbor. The first question in connection with railroads, is the great expense required in their construction. The second is, whether the talked of road would get work enough to do to make it pay. These points have been touched upon by one hon. member, who also tells us that a railroad would depreciate the value of all the farms through which it would pass—he thinks that railroads and confederation are synonymous terms, and that both would be equally ruinous to the country. But (jokes asides) we should not treat this subject in an indifferent manner. The question of railroads has been agitated in all our literary societies—in the chief debating society in this City, and all the clubs in the principal settlements of the Colony. All the young men of the country are bringing their minds to bear upon the question, whether railroads would be an advantage or otherwise, to this Island. When we see the effects of the schoolmaster's being abroad, and that the young men are buckling on their armor to grasp this question, we should not allow the tide to flow over us. The hon. the Leader of the Government, in venturing to express an opinion upon this subject, need not be afraid of a vote of want of confidence, for it is very easy to ascertain the opinion of this House in regard to it.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman, it is not difficult to set forth the views of the Government upon the question before us. There can be no doubt whatever that, in the peculiar position in which this Island is placed, steam navigation is just the thing for us. The time has not yet arrived for us to take up the railroad question; but, in making such a statement, I do not mean to disparage the advantages of railway communication. No one who travels by rail, with its ease, comfort and freedom from restraint, can deny that it has many and great advantages, with rapidity of communication and everything else which contributes to comfort and convenience in travelling. At the same time, I am not, at present, prepared to advocate the construction of a railroad by the Government of this Island; but if any hon. gentleman wishes to lay down a railroad policy, and can show that the interests of the country would be advanced from the outlay necessary for such a work, I should be happy to give the subject that attention which it would deserve. I would almost say that I would support him, if he can show this House that it would prove a benefit to the country. The weighty matters contained in this paragraph should, in my opinion, provoke some discussion, for they materially affect the interests of the Colony. There are some parties, called *statisticians*, or something of that sort, who are well posted up in such matters, and who should give us their opinions on this subject. We had a great

deal of talk this morning on the subject before us, and I am sorry that some hon. member did not table some calculations and lay down some results which would be of service to us in considering the question. However, I believe that it is premature to venture upon the subjects relating to railroads at present. Let us first attend to steam navigation, and when we advance sufficiently in material prosperity, we can take up the other matter. While we are discussing this subject, we might look back at the advances which this Island has made during the last ten or fifteen years. I recollect, although I cannot go back far, when we used to cross from Charlottetown to Pictou in an old fashioned sailing vessel. I myself, have been two days in getting across to the latter town; and when we consider that we now have two beautiful steamers constantly running between this Island and the mainland, which would be a credit to any Colony, and which keep up that communication twice a week, we see a great contrast. And again, when we look at the means supplied for rapid conveyance on the East River, where a handsome steamer runs up to Mount Stewart twice a week, we have every reason to be satisfied that we are not behind our neighbors in this respect, at least. We have made some advances in communication by steam and for these advantages we do not depend on outside assistance, for these beautiful steamboats belong to men in our midst. All this shows a great advance in these matters, and we can now defy any port in the Gulf of St. Lawrence to compete with us in this respect. There is also, for our convenience, a steamer plying between Canada and the Gulf ports. Our own Boats run to Georgetown, Murray Harbor and Souris, weekly, as far as the weather and circumstances permit. These Boats have discharged their duties with great satisfaction to the public. The experience of the last few years has proved to us, beyond a doubt, that steam communication has been productive of many and great advantages to this Colony, both in a travelling and commercial point of view. There was a time when we did not expect to derive as many advantages as we now do, and a close observer will easily see that if the Colony continues to progress as it has done in the past, Railway communication is not far distant. Communication by steam is a subject to which we cannot direct too much attention. In a short time no doubt, steamboats will run to Crapaud, Tryon and other ports on the south side of the Island. I will undertake to say that if one of our present steamboats took an occasional trip to Tryon and Crapaud, it would prove to be an advantage to the Colony. We complain of our roads, and there is no doubt there is often great difficulty in transporting grain and other farm products at the very busiest season of the year. The best way to relieve our roads of the immense traffic upon them, is to increase our Steam communication between the different ports of the Island. The people of Belfast and Crapaud, when coming to Charlottetown, have to travel long lines of road. Now, this trav-

elling might in a great measure be done by means of steamboats running between the different ports. We should not therefore be too hasty in coming to conclusions with respect to Steam navigation and Railroads; for when we see how the improvements already made effect our prosperity, we think it better to encourage them, than otherwise. For the reasons I have given, I think the Legislature cannot do wrong in forwarding these movements as much as lies in its power. I merely make these observations by way of ventilating the subject. My views on Confederation, I would inform the hon. Leader of the Opposition, are not at all changed.

Hon. Mr. DUNCAN.—Mr. Chairman, as the question of Steam Navigation is before the House, I cannot let it pass without a few remarks. A sum of money might be profitably spent on a Steamer running around the Island, touching at all the ports on her route. But one thing very much required, and which I would press upon the attention of the Government, is a wharf at Belfast, that a Steamboat might stop there for the purpose of landing goods, &c. As that locality is between twenty and twenty-four miles from Charlottetown, a wharf is really required to enable the people to ship their produce. If this accommodation were provided, the people could come to town by Steamer in an hour and a-half, instead of occupying a whole day, as they do at present. The Boats could call both going and coming, which would be a vast advantage to the people of that section of the country. A small Boat might be profitably employed to call at Crapaud and all the lesser ports, where our larger Boats cannot enter. Money spent in encouraging Steamboat Communication is not lost—those who labor under an impression that it is lost, are greatly mistaken. I believe money spent for such purposes will return more than the sum spent.

Hon. Mr. CALLBECK.—The hon. member who has just sat down has a very ingenious way of drawing the money to his district. If there is any money spent on that wharf, it should be taken from the sum annually granted to the district—not from other sections of the country. With respect to the question of railroads, I may state that, even to make a survey of the route between Charlottetown and Summerside, would require an outlay of £500 or £600. But it is well to discuss the railway question, to ascertain whether feasible or not. One of the first questions which arises in connection with the subject is, what advantage are we to derive from a railway? There are countries so situated that, although the road might not at first be self-sustaining, it would have the effect of drawing trade there, which would be an advantage. If there were land communication between this Island and Shediac, a railroad might be of great advantage to us; but we must remember that we can have no trade from abroad through land carriage. If a railroad is to be supported in this Colony, it must be done at our own cost. It is an acknowledged fact, that water

carriage is much cheaper than land carriage, by means of railways, and therefore, while we have great shipping facilities around the Island and at every important place on it, we can make up in a large measure for the want of railroads. Some talk a great deal about the effects of railway communication, but it appears to me that we are, perhaps, a century in advance of many places where they are established. If a railroad will not pay in the other Provinces, it will not pay on this Island. In Halifax, there is a direct advantage to the Nova Scotia railways, because there is a large quantity of goods of every kind landed there to be conveyed to distant parts of the country. In that instance, the railways attract trade; therefore, the quantity of stuff conveyed by them will continually increase; but that would not be the case here. If a railway were in existence here, it would have to be supplied along the road; but we know that there is not sufficient trade in the country to employ it. We have no manufacturers to support it—all we could employ it for would be to convey farm produce from the inland parts to a shipping place. A large number of stations would be required, and even then it would often be farther to cart produce to the stations than to a shipping place. Supposing that produce was put aboard the train, there would be an extra expense incurred for the carriage; therefore, I think we may come to the conclusion, from all these circumstances, that it is quite unnecessary to make a survey for a railroad while we have so many excellent shipping places. It has been stated that Railroads could be built cheaper here than in the neighboring Provinces; but I am of the opinion that they would cost just as much here as they would there. In this Colony the land through which the road would pass, would have to be paid for, but in the other Provinces they have large tracts of Government land, which, as a source of Revenue, materially aids in constructing Railways. In this Island, it is quite different—there would be a great difficulty in procuring ballast for the road, and stone must be had. In cutting down a hill, the work would perhaps, cost just as much as a like cutting in the other Provinces, because the rocks, being soft, would not fill up the hollows so quickly as it does over there where the rocks are very hard. In my opinion, therefore, it is quite time enough to make a survey for a railroad when our population is double what it now is.

Hon. Mr. DUNCAN.—If any hon. member present could show me that a Railway would benefit the country, I would support him in endeavoring to obtain one, by means of private enterprise, but not by means of a public grant. If a Railway were constructed here, I do not believe it would pay working expenses, for there is no trade to support it. I should be happy to assist a Company in obtaining an Act of Incorporation, but never by means of a Government Grant.

Mr. HOWATT.—I wish to correct a statement made by the hon. Leader of the Opposition. That

hon. member said that I stated that a Railroad would depreciate the value of the land through which it would pass. Now, Sir, I said no such thing. I said that the right-of-way would have to be purchased for the Railroad; but I did not say that the value of farms would thereby be depreciated.

Mr. P. SINCLAIR.—Mr. Chairman, the question before the House is on the advantages of Steam Navigation. I do not consider that this Colony is in a position to take hold of the Railway Question; still, I do not think we are a century behind those Provinces where Railroads are established. I believe that the subject requires to be thoroughly ventilated, and that this Colony may before long take hold of the question. Although there might not be trade enough at first to support a Railway, it would continually increase by means of increased facilities for communication and conveyance. In regard to Steam Navigation, I am of the opinion that money judiciously expended upon that department of trade benefits the Colony to a large extent. We may commence macadamizing, but it is a slow process and requires a great number of years to cover any great length of road. If railroads were built, a macadamized road to the depots would still be required, therefore, under our present circumstances the best thing we can do is, to encourage Steam Navigation and extend it to all our principal harbors and rivers which would prevent the necessity of the people's hauling their produce many miles to market. The interest of the money required to build a railroad would suffice to macadamize all the principal roads in the Colony, and good roads, together with convenient shipping places and numerous steamboats would do away with the necessity for a railroad. A Railroad would cost a great deal more than we suspect; therefore, before entering upon such a work as building one, we should let the Revenue increase. I believe that if a Railway was in operation in this Island, it would find work which we little dream of at present. In the mean time we should open up the numerous harbors around the Island which are at present useless for want of an outlay of the public money upon them. If these were properly attended to, the necessity for a railroad would be obviated for some years to come.

Hon. Mr. DAVIES.—Mr. Chairman, the general opinion is, that railroads are not required in this Colony, and any man who advocates the construction of one is laughed at. To keep a Steamboat plying between Georgetown and some point on the mainland in winter, would prove to be a great benefit to the Colony. Instead of keeping the boats idle after the first of December, they might be employed in plying between Georgetown and the Gut of Canso, which would be found to be a great advantage. The Speech shows us that something more will be done than has ever yet been accomplished in this matter.

Hon. Mr. DUNCAN.—I believe that the Gut of Canso would be the most suitable place to which to run a Steamer in the months of December and January. After the latter month expires, Murray Harbor would be the best Island port to put into; but if the Navigation is moderately clear, Georgetown Harbor would be the best. In regard to what the hon. member for the second district of Queen's County said about the people of Belfast building their own wharf, I may remark that it would be just as reasonable for the people of North River to build a wharf at that place.

The paragraph was then agreed to.

The eleventh paragraph, relating to the increased accommodation required for conducting the public business, was then read.

HON. LEADER OF THE GOVERNMENT.—The clause just read relates to the additional accommodation required for some of the public offices in Charlottetown, an improvement which has been necessary for a long time past, but which has never been prominently brought before the notice of the public. I think any one who knows anything about the Post Office building and the great amount of business transacted there, together with the great want of security from fire and water, must come to the conclusion that that office is a disgrace to the Colony, and that it is high time that a change should take place respecting it. When an English mail comes in some ten or twelve bags, you can hardly tell how the officials manage to move about, on account of the great want of space. I believe that there will be no dispute as to the requirements of the Postal service, and that it is high time this matter was remedied. Indeed, we ought to be pleased that the Colony has progressed so much as to throw the buildings of by-gone days into the shade—that we are going forward instead of backward. The great want of increased accommodation and improvement in all parts of the country, is to be looked upon as a satisfactory evidence of the progress which the country has made during the past few years. The present Post Office building, I believe, was the place in which the Legislative Council formerly sat, although it does not now afford sufficient space for the Post Office department. We may now look upon it with astonishment, yet such was the case. It is a fact clearly to be seen that the building is, now, not fit to be occupied as an office for the public service of this Colony; for if you put a Postmaster and three or four assistants in it, it is impossible that, in those ill-ventilated, cramped-up rooms, the business can be properly conducted; therefore, it cannot be allowed to remain as it is much longer. There are one or two valuable officers whose health has been injured, and some have been lost to us altogether, whether owing to the ill-ventilated state of the building or not, we cannot determine, but we should not allow matters to remain in a state which would allow of the shadow of a doubt on our minds with regard to this subject. Wherever

public servants are employed, we should provide good accommodations for them. The bad state of those buildings is a crying evil and should be remedied without delay. We might almost say the same about the Supreme Court Room of this County, although it was a great improvement on the old one which was formerly occupied. But, when we look around the present Room, and sit there time after time, observing the bad ventilation, we must come to the conclusion that it is wholly unfit for its present purpose. I am one of those who hold that a Court-house should be open to the public, who should be admitted for the purpose of seeing the ends of justice carried out. But, what is the fact in regard to this? The bad ventilation and the smallness of the area prevented the admission of the people during the administration of justice, in the past year. The room is not to be compared with similar ones in the neighboring Provinces. Then, again, there is no suitable accommodation for the Customs Department. I am surprised that the public records have been so long allowed to remain in such an unsafe place—in case of fire they would soon be consumed. Looking at the Act under which this Building was built, I find that it provides for the safe keeping of the public records, that they should be kept in fire-proofs. But the fire-proofs provided are altogether insufficient for the purpose intended. In the office of the Registry of Deeds, the titles of half the lands in this Island are only protected by a wooden cover, and therefore a fire even of a few minutes' duration would destroy these valuable papers. If these documents were destroyed and a registry should be questioned, what trouble would be occasioned? Looking at these things and the consequence of a destruction of these records, we should lose no time in providing a remedy, by erecting a suitable building for their preservation. I claim no originality in this idea, nor do the Government; but it is high time that this state of things should be remedied. It is well to do these things altogether because one action of this House can dispose of the whole, and provide a building which will be a credit to the Colony, thereby enabling the Government to discharge their duty to the people and to see that these things are properly cared for. This is a matter which presses itself upon the attention of the Government and this House, and therefore should be considered.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman: the answer contained in this paragraph is very short. It is a reply to four paragraphs in the speech of His Honor the Administrator of the Government. I think there is hardly a member on either side of this hon. committee who is inclined to oppose the suggestion contained in the paragraph under consideration, because it is a self-evident proposition, apparent to everybody, that these offices are inadequate to the wants of the country. For instance, there is the Customs Office—a most important department of the Public Service, which is a disgrace to the Colony. The

Collector of Impost and Excise is obliged to stow the Registry Books of shipping in some cock-loft, where I do not know but he has to burn a candle in the daytime. The danger of moving these books from one room to another is very great, and therefore, I think every hon. member must admit that we require a new Custom House. Then, again, as regards the Post Office, the necessity for increased accommodation in that branch of the public service is also evident, as the hon. Leader of the Government has already stated to the House. When several mails arrive, the Postmaster and his assistants can hardly turn round to assort the letters and newspapers pouring in, in all directions. It is pretty much the same in out-going mails. Every one must perceive the absolute necessity for a new Post Office. Besides all this, the unhealthy state of that building has been proved before the Local Board of Health—it has been proved that there is an old necessary in close proximity to the room occupied as the Post Office, and which has never been cleansed since the Colony had a Legislature. Of course, noxious vapors proceed from that place and injure the health of the officers in the Postal Service. I may say the same with regard to the Supreme Court Room, but I suppose it would be of very little consequence to some hon. members whether the Lawyers were killed or not. It is easy to see how injurious to our health as well as to the health of the Judge on the Bench this must be. I think the Government will have little or no trouble in obtaining the funds necessary for the erection of a new building for the accommodation of all these departments of the public service, from the large majority of this House. I promise that I shall not try to cut them down to a small figure, or blame them for extravagance at the hustings for erecting a suitable building which shall be a credit to the Colony. They shall have my support without quibbling of any kind.

The Hon. Messrs. Laird and Davies, and Messrs. Brecken and McNeill addressed the House, and stated that they quite agreed with the remarks of the hon. gentlemen who had spoken on the necessity of increased accommodation for the Postal, Judicial, Customs and other public departments.

The paragraph was then agreed to.

The twelfth paragraph, relating to the necessity of appointing an additional Judge in the Supreme Court, was read.

MR. BRECKEN.—It is very improbable that any gentleman will accept the Judgeship till the improvements intended are effected. I should like to hear the opinion of the hon. Leader of the Government on this matter.

HON. LEADER OF THE GOVERNMENT.—This clause merely expresses the willingness of this House to attend to the matter when the papers come down; and that is the only way the subject could be introduced. When the question comes up I shall

give my individual opinion upon it. I have already signed a document setting forth the inefficiency of the Court and the desirability of the appointment of a third Judge. I think any one who has any acquaintance with the Courts of this Island, must be aware that any court provided with but two Judges, must be an inefficient one. Where there are three Judges in a Court, there can be no failure, because two out of the number can decide on any disputed point. We had an important case involving large amounts before us last summer, and a question arose as to the capability of the Judge to decide on the case before him, because he had an interest in an institution concerned in the trial. Judge Peters gave a decision that he was not disqualified to sit there and the Chief Justice decided to the contrary. Here we were in a dilemma—one Judge voting one way and the other another. We have a Statute authorizing us in that case, to call in a third Judge from the neighbouring Provinces or elsewhere; but the Government were first called upon to decide whether Judge Peters was disqualified or not before they could legally call in a third Judge. The Government were in a predicament and did not know how to get out of it; and unless one of the Judges had offered to dispose of his interest in the aforesaid institution, the difficulty could not have been settled. The Judge then sat with all his freedom from bias, but I thought that it was hard for some parties interested in the trial to throw off the idea that the Judge might still be biased on the original position—this is a state of things which the law jealously guards against. All this inconvenience arose from our having only two Judges. In a question of life or death, the matter becomes still more serious. For instance, what did we see in Canada the other day in the Whelan case, when the question of appeal came up? We find that the question was decided by six Judges against four, so the man was executed. If there had been two Judges on the Bench in the late Dowey case, a similar scene might have taken place. If so, what a deal of trouble would have arisen. The only way to have got out of the difficulty would have been for the prerogative of the Crown to step in and give a pardon, where, under all the circumstances of the case, perhaps it should not be given. I mention this merely to show the inconvenience that frequently arises where there is not a balance of power in a Court. These are the principal reasons in questions where the life and liberty of the subject are involved, and these are the circumstances which led to the memorial of the Bar. But this is not the only document the Government have received on the subject; there is a numerous signed petition which will be brought up when the proper time arrives.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman: this matter does not only affect the Lawyers—it affects the country at large; because the whole of the people ought to have an interest in the due administration of Civil and Criminal Justice. It has been laid down by one writer that

there is never any fear of a people's losing their liberties, provided the Judges are pure and impartial. I will take a broad ground and assert that the great object of the people of Prince Edward Island should be, in having an institution like the Supreme Court, having power, jurisdiction and authority not only in certain matters, but as a Court of Appeal, constitutionally formed. Now, with only two Judges, this cannot be the case—it is unconstitutional. I do not believe there is a precedent for such a state of things to be found anywhere, in any country. In every dispute between two persons in regard to a matter of eighteen or twenty pounds, the matter must be decided in a Court of three Commissioners—all of our Small Debt Courts are constituted in that way. A trifling case, involving but the amount of a few shillings or pounds, must be decided by three Commissioners or Judges; but in our Supreme Courts, where all important cases are tried, we have only two Judges. In reality we have only one Judge—I say this with no disrespect to the gentlemen occupying these high positions, because I have every confidence in their talents, legal lore, and judgment, but, at the same time, when a nice question comes before them, if they should happen to differ in opinion, sooner than stop the wheels of justice, one honorable gentleman gives way to the opinion of the other. For instance, if the Chief Justice is more at home in a particular subject than Judge Peters, the latter gives way to the opinion of the former, and vice versa. At the same time, they may differ very much from each other in opinion. In reality, therefore, we have only one Judge, and I think it is depending too much upon the judgment of one man to have our civil and criminal laws administered by one only. Besides this, we do not know how often our Lieutenant Governor may be absent, and when that is the case the Chief Justice will be called upon to Administer the Government of the Colony. As long as that gentleman occupies the position of Chief Justice, he may be called upon to fill the position he now occupies, for no other person, but that officer is eligible to the office of Administrator. The hon. Leader of the Government in his remarks upon this subject, alluded to the case in the Supreme Court last summer, in which a large amount of money was involved; but I look upon that as a trifling affair compared to the position in which Judge Peters was placed in the murder case this winter. Dowey was tried and convicted, and the Counsel for the prisoner took certain exceptions to the composition of the Petit Jury, but these were overruled. An appeal was then made for a new trial, but after mature consideration the Judge decided against it. The prisoner was tried before the very same Judge who pronounced against appeal. It is a serious matter to place the life of an individual under the control of one or two individuals; therefore, it is high time that we had a properly constituted Court where at least three Judges would bring their legal ac-

men and learning to bear upon the cases brought before them. If there were three Judges, each would express his opinion independently of the rest, knowing that the decision of the majority would be pronounced upon any subject. The Judges at present cannot state their difference of opinion on any question, because they would paralyze justice by so doing. When we recollect that this Island now contains a hundred thousand inhabitants, we will instantly come to the conclusion that we can well afford to have three Judges in our Supreme Courts. Our lives and property are all directly or indirectly under the control of those Courts, therefore, it is very important and necessary that these institutions should be organized in a constitutional manner.

Mr. BRECKEN.—Mr. Chairman: I would like to hear the opinion of several hon. members on the other side of the House on this subject. I quite agree with the hon. gentlemen who have already spoken, that three Judges are really required to sit upon the Bench of this Colony. If three Judges or Commissioners are required to decide questions in our Small Debt Courts, how much more is it necessary that there should be three Judges in our Supreme Courts where far more important matters are decided. I say that the composition of our Supreme Court is an anomaly. We could have justice administered just as well with one Judge as with two. When they happen to concur in opinion, no difficulty arises; but when they differ, where are you? There can be no judgment at all. In the latter case, rather than the wheels of justice should be stopped, one judge gives way to the opinion of the other. This state of things is very unsatisfactory. A very amusing case occurred in our Supreme Court last summer—one Judge thought he was qualified to sit upon the case before the Court and the other thought him not qualified. There was a question of the propriety of sending to New Brunswick for an additional Judge to try the case; but Judge Peters disposed of his interests in the institution connected with the matter before the Court, and that put an end to the difficulty. There is another consideration to be noted: Judge Peters became ill and the Court could not sit to finish the business before them. If that case had been tried and decided, a writ of error would probably have been asked for, on the old grounds, because our Courts are not properly constituted. It is well we have as much confidence in our Judges as we have. Think of a court where a man is being tried for murder, and where certain objections are made, which are overruled by the Judge. If an appeal is made, and granted, the prisoner is brought a second time before the same Judge to ask him to undo what he has done. Is it reasonable to expect him to unsay what he had said? I say the constitution of our Court is an anomaly. The very fact that three Commissioners are required to settle trifling cases in our Small Debt Courts, shows us the necessity for a

Bench of three Judges in our Supreme Courts. At present the whole administration of justice in our superior courts devolves upon one man; this is a state of matters not to be found in any of the Provinces of Great Britain except this Island. In Nova Scotia, where there are greater resources, they have five judges. In New Brunswick, they have five also. Generally speaking, the larger the country, the greater is the number of Judges required.

Hon. Mr. HENDERSON.—Mr. Chairman. I do not believe that it is the prerogative of members of this House alone to discuss this subject. I believe that the people themselves have not been slow to express their opinions upon it. I know that if my constituents were in a position to speak for themselves, they would endorse every word which has been uttered by hon. members on the subject. That the people feel and comprehend their interest in the appointment of a third Judge, is beyond a doubt. Let every hon. member of this House bring to mind the letters written by a layman, and which appeared in one of the public newspapers some years ago. That individual keenly felt the necessity for a third Judge of the Supreme Court. I reiterate the statement I have already made, that the people have a most decided interest in this matter. That one of the Judges often yields to the opinion of the other is a comparatively small objection to the present state of things. There are many and strong arguments to be urged in favor of this movement, many of which have been laid down by the hon. members who have spoken, but a great many more might be added. And I do hold that no hon. member should remain silent upon this subject, for it is one which affects the interests of the whole country.

Mr. G. SINCLAIR.—Mr. Chairman. I do not think that the feeling is general, as to the necessity for the appointment of a third Judge. The way I look upon the matter is this: the Judges are not the only persons who give a decision on the cases before them in the Supreme Court—the jurymen are the real judges. I always was under the impression that the Assistant Judge was merely appointed to sit when the Chief Justice could not attend, from sickness or other causes. In criminal cases, the Judges do not decide upon the guilt or innocence of the prisoner—the jurymen do so. It has been stated by several honorable members that it requires three men to decide on a question in the Small Debt Courts; but I believe that two men might decide on the matter as well as three, if not better, because, they may search into it more. In deciding a question by three men it just depends upon which side the third takes, after two have differed in opinion upon it. Where there are two, one man gives his opinion but the other hesitates; they then go to work to argue it out, and when they have heard each others views they will come to the same conclusion. Is it not reasonable, then, that they would form a correct judgment on the matters brought before

hem? For these reasons, I think two Judges are sufficient; and that they are capable of fulfilling the duties required of them, in the Supreme Court. There cannot be any danger of the lives and liberties of the people as long as the cases to be tried are submitted to a jury of their countrymen. I believe that two judges are as competent to decide in a case, as three.

HON. LEADER OF THE OPPOSITION—**Mr. Chairman:** The hon. member for Princetown, (Mr. G. Sinclair) is much mistaken. True, the jury are the judges, but they are bound to give a verdict according to the evidence admitted—but even juries may make mistakes, and give a verdict contrary to the evidence; their judgment is not final. There was a great case tried at St. Eleanor's Court between Miss Sullivan, and a gentleman of the name of Ramsay. The verdict in that case was set aside. The verdict of a jury is not like the law of the Medes and Persians which cannot be changed. The argument of the hon. member concerning a jury will not hold. Supposing that you have a Judge upon the bench, who does not understand the laws of the Island; he could not decide upon what evidence to admit in the cases brought before him. The hon. member must not lay the flattering unction to his soul that he is correct in his argument. Where a jury gives a verdict contrary to the law and the evidence submitted to them, that verdict can be set aside as easily as you can read the newspaper.

Mr. G. SINCLAIR.—Their verdict may be set aside according to law; but the case must still be decided by a Jury.

HON. LEADER OF THE GOVERNMENT.—There is a vast difference between the duties of a Jury and that of a Judge. The Jury must decide upon a case according to the law as laid down by the Judge. The real business of the Judge is to lay down the law of the land; and this should not be done by one man alone.

Mr. HOWATT.—I am not fully satisfied with the statement of the hon. Leader of the Opposition. The whole tenor of his argument is that the decision of two Judges is apt to be wrong. If that is the case, they may be wrong in setting aside the verdict of a jury. A great many persons are of the opinion that in the Ramsay case the Judges were wrong, and that the Jury were right. I agree with all the hon. member for Princetown has said; but if the verdicts of the Jury were continually set aside, where would the affair end? But if the appointment of a third Judge would conduce to the ends of justice and to the satisfaction of the country I, for one, would not offer any opposition to it. Still, I think this House should be somewhat cautious in the expenditure of the public money. We want a building for the public offices and other expensive improvements, and I should like to know who is to pay the piper. I heard that the people of Summer-side want the Court House at Saint Eleanor's re-

moved to their own town—all this will cost money, and where is it to come from? In reference to an additional tax for schools, I believe the people would not offer much opposition to it, but for those other matters, they would. Before taking my seat, I may state that some people think the Judges interfere too much with the Jurymen, in the Supreme Court.

The paragraph was then agreed to.

The Speaker took the Chair: the Chairman reported progress and asked for leave to sit again.

House adjourned till ten o'clock to-morrow.

TUESDAY, March 9th.

Forenoon Session.

HON. Mr. CALBECK submitted the Report of the Committee appointed to receive Tenders for printing the Debates of the House. The Tender of Mr. Thomas Reilly being the lowest was accepted.

House again in Committee to take into further consideration the Draft Address.

The paragraph relating to the laying down of a new Cable and extending Island Telegraphic Communications, was read.

HON. LEADER OF THE OPPOSITION.—This paragraph, Mr. Chairman, is rather an important one, more so to us, than to any other Colony in America. Cut off as we are from our Sister Colonies during the winter season by a barrier of ice, we have a greater interest in having Telegraphic communication than any Colony not so situated. I am sure we would appreciate the advantages of Telegraphic communication at the present moment, when in all probability our Mails will be very irregular during the remainder of the winter in consequence of the storms we have had. I am very sorry that the learned Attorney General and his able confere, who took that business and pleasure trip to New York, were so unsuccessful in their mission as to prevent us now from enjoying the fruits of it. But I hope the submarine cable will be laid immediately after the opening of the navigation, for it is a great disadvantage to all classes in the community to be without it. But, Sir, I see by this paragraph that we are to have an extension of inland communication. The Speech at the opening of the Session is, I must confess, the fullest that I have ever seen since I have been in the House—It is as long as a President's message, and if the Government do all that is promised here, I think it will give satisfaction to every member in the House, even to the hon. member for Tryon. I trust that King's County will come in for a share of the benefits to be derived from Inland Telegraphic Communication; I hope the line will be extended to Georgetown and Souris.

HON. LEADER OF THE GOVERNMENT.—I am gratified to learn that the hon. Leader of the Oppor-

sition will give his support to the extension of telegraphic communication. I am happy also to say that the reference to this subject in the Administrator's Speech is not a mere flourish, but that inland Telegraphic communication is going to be a reality. In August last, when the Telegraphic communication ceased, there was nothing done for a few weeks, because it was thought the Telegraph Company would take the matter in hand. Soon, after, I went to New York and met the Directors, who decided that it would be better to have a new cable than attempt to repair the old one, an opinion with which I coincided. After meeting and consulting on the matter they offered to lay a new cable, and if the inhabitants of Prince County would provide posts and put them down, they would supply the insulators and wires and provide them with an office at Alberton. They offered to lay the submarine Cable for £900 which, I considered an exorbitant demand. We offered them £600 which they refused. I wrote again, when they agreed to do it for the £600, and promised to have it done immediately; but the work was delayed for reasons over which we had no control. Under these circumstances, there is every reason to believe that the Cable will be laid down early in the spring, and I believe no person will grudge the sum which the Government agreed to give. As far as the Government is concerned, they are quite willing to extend the same privileges to King's County if the same offer is made as was by the people of Prince County. Although no steps had been taken by the people of King's County; yet, I referred the matter to the Company, and I have no doubt they will be willing to have a line there also.

Hon. Mr HOWLAN.—The people in the outlying portions of Prince County receive no benefit from the Steamers which the people of Summerside do, and we thought it but fair that we should have telegraphic communication. There was a meeting held there and the people subscribed £150 and asked for the same sum from the Government. A gentleman who is very competent has undertaken the contract and there is now a number of the posts on the ground.

The words "affords us much satisfaction" were inserted instead of "meets our cordial approval" and the paragraph as amended agreed to.

The next paragraph was read, when

The Hon. Leader of the Opposition suggested that the discussion of it be left till the afternoon as several members were absent—and the next paragraph, which was not likely to elicit so much discussion, be considered. After several members expressed their opinions, the suggestion was adopted and the next paragraph, relating to the settlement of Wilderness Land, was read.

Hon. LEADER OF THE OPPOSITION.—Upon this paragraph, although I am a proprietor myself, yet, I can echo the sentiments of those gentlemen who

have brought in this Address, and feel pleased that so much land has been taken up by actual settlers, because, we are aware that the future prosperity of this country depends upon the success of its agricultural population. I am much surprised that so many acres should be taken up under the provisions of the Act of last Session, but I hope it will go on from year to year, and that we shall see more bought up every year, so that we may gradually get rid of the leasehold system, if it can be got rid of by paying a reasonable price to the proprietors.

Mr. REILLY.—If I was called upon to point to one of the best Acts passed by the Government, I would point to the Act for the settlement of Wilderness Land. It is one of those measures which any Government can look back to with pleasure. The people are also wide awake to its importance, as is evidenced by the amount of land they have purchased under its provisions. During the discussion last evening, some hon. members referred to the subject of having a Railroad on the Island. Now, judging from what has taken place during the last ten years, I have no hesitation in saying that the time will come when Railroads will be in operation in this Colony. Our duty at the present time, however, is to see that the wilderness lands are settled, and Steam and Telegraphic Communication extended as much as possible.

Hon. Mr. DAVIES.—If there is one measure I would congratulate the Government on more than another, it is the one mentioned in the paragraph under consideration. For my own part, I did not expect that it would be beneficial so soon. I expected that by its provisions, a place would be provided for poor persecuted tenants, who would be turned out of their farms by arbitrary proprietors. But we see that it has been very beneficial already, as nearly 14,000 acres have been purchased. There is a measure which should be brought forward in connection with this Act; and that is a Homestead Bill. The purport of such a Bill is this: that when a person takes land from the Government, no former creditor should be able to take it from him. If such a provision is not made, a Proprietor might take the land from a settler for arrears of rent, which had accumulated on a place which he had formerly occupied. If such protection were provided for young men, there would not be so many leave the Island as do at present. I believe that young men can make as good a living on this Island in Agricultural pursuits, as they can in any other country; and I think it is not a matter of indifference to the House, whether young men leave the country or not; and I believe the Government should do something more than they have done. I do not wish to censure them; but it appears they have not used that energy they might have done. The last Government endeavored to get the Award sanctioned, and the present Government have made greater efforts—they have made larger

offers to the Proprietors; but they have been set at defiance. I think some measure should be brought forward to coerce the Proprietors to sell their land. I would not be in favor of giving them less than the value of their land; but when they will not take a fair price, there should be something to compel them to do so. It is rather a singular thing that the laboring classes have been obliged to pay the whole of the Revenue, while those who have received thousands of pounds have contributed nothing towards it. I think that a tax should be placed upon the absentee Proprietors; and believe that if the subject was properly represented to the Home Government, they would agree to it. The Island has been put to an enormous expense for the purpose of collecting the rents of those men, who have paid nothing into the Revenue except a mere trifle in the shape of Quit Rents. If it is right that the country should go to nearly £30,000 expense to collect the rents of those men, they should contribute something to the support of the Government. If this is an unjust proposition, then I am laboring under a great mistake. We pay about ten per cent. of our income to keep up the Revenue; and I think if there was a tax of ten per cent. put upon the rent roll of the Absentee Proprietors, they would not object to it. There has been some talk about appointing a third Judge; and I believe three-fifths of the time of the Courts is taken up in settling cases between landlord and tenant. I bring this up as an additional reason why these men should be made to contribute to the support of the Government. There was a case of very great hardship occurred here not long ago, in reference to two men from Prince County, who had several actions brought against them, and were incarcerated for a length of time in the Jail at St. Eleanor's—I allude to the Messrs. Ramsay. I would also refer to another method by which money might be raised. The expenses of Education are very great, and I think the intelligent portion of the community would not object to the land tax being raised four or five shillings per hundred acres.

HON. MR. HOWLAN.—Mr. Chairman, there is no doubt that the cost of Education is a subject which occupies the minds of men in this House; but they should be very careful how they make statements in reference to taxation to support it. If you double the tax on land, it would not be enough to support Education. I made an estimate of what it would cost, and it would require a tax of thirty shillings per hundred acres for cultivated lands, and thirty-two shillings and six-pence per hundred acres on wilderness lands. I think it would be the best plan to strike at the root of the matter. It is not good policy to let the Government own too much wilderness land. When the Bill for the settlement of Wilderness Land was brought in last year, some laughed at it, and said we were going to give away the land; but we were not going to do so, except to the men who constitute the bone and sinew of our

country; and by means of that Bill we have probably saved five hundred young men from leaving the Island, who would otherwise have done so. There are many cases in this Island where farms are in debt, and young men rather, than continue to live on a farm so encumbered, would leave the Island; but now they have an opportunity of getting a farm of their own. The Government were also losing the land tax by keeping this land in their possession. The hon. Leader of the Opposition taunted me about a pet Bill; but there is a pet Bill of his—the Fifteen years' Purchase Bill, and I question if there were 13,000 acres taken up under that Bill. I believe the fact is that only about thirty or thirty-five persons, have availed themselves of the provisions of that Bill, if we judge by the records of the Land Office.

MR. BRECKEN.—The records of the Land Office will show nothing about it, except in cases where parties borrowed part of the money.

HON. MR. HOWLAN.—Just so, and, therefore, I contend that the class of tenants whom the Bill should have assisted—the poorer class, who could not purchase their land without the assistance of Government, derived very little benefit from that Bill, which was to be a panacea for all their evils. I agree with the hon. member (Mr. Davies) that something should be done immediately. Here we are expending large sums of money in building wharves, and what is the result? Why, we are taxed to make the proprietors' lands valuable. I am glad the hon. Leader of the Opposition stated that he was not a proprietor.

HON. LEADER OF THE OPPOSITION.—I beg the hon. member's pardon. I stated that I was a proprietor, but, if the Government give me a fair price for my land, they can have it.

HON. MR. HOWLAN.—But who is to settle that proper price? The Hon. Leader of the Opposition himself. That is the trouble. If all the wilderness land was peopled by a thriving population, then we might discuss the question of a railroad; but if you run a Railroad through the wilderness land, the proprietors will put a double price upon it.

MR. BRECKEN.—It will be well when the Land Purchase Bill has done its work, for it will have a great influence on some politicians. It will have the same effect that civilization and the white man has had on the red man of the forest—their political wigwam will be neither wind tight nor water tight; it will be perfectly uninhabitable. When I came in, the hon. member (Mr. Davies) was in the middle of a very good speech on the merits of a homestead law, and I really believed that he was going to bring in a Bill to that effect, but when I saw that he ended in such a way, I was surprised. Now, Sir, a homestead law is very necessary in some cases, but while it has its benefits it also has its proportionate disadvantages. It is a very good thing in a large country where emigration is necessary; but if you pass such a law here, a

young man who goes on a new farm will not be able to get credit, even if he requires the necessities of life, for this homestead law is not confined to proprietors alone, but is applicable to all debts. If it is true that a man can make a comfortable living on a farm, then there is no necessity for throwing the protection of such a law around him. There was an amendment to the Small Debt Act passed here some years ago providing that debtors should be free from arrest, and the very men whom it was intended to protect, petitioned to have it repealed; and a Homestead Law would receive the same fate. The hon. member (Mr. Davies) has alluded to a case where two men were incarcerated, but what will he think when I tell him that it was not the fault of the Court nor of the Proprietors but of their own Attorney who did not take out the proper papers, that they remained in jail. I hope next year to see a paragraph in the Speech showing that a great many more acres have been purchased. But I think the Conservatives did more to get the land question settled than the Liberals did.

HON. MR. HOWLAN.—You ran away with our clothes.

MR. BRECKEN.—Yes, we ran away with your clothes, and we mended them up, for I can tell you there were some ugly rents in them, and we made them more serviceable to protect the people of the Colony than ever the Liberals did. The proprietor of Lot 19 was on the Island last Autumn, but the Government never entered into communication with him, and it is believed that had they been a little more active, the Estate might have been purchased. I think if the Conservative party had been in power, they would have been a little more vigilant. The tenant farmers of Lot 19 may say to the Government—Gentlemen, if you had been the friends to the tenantry you pretend to be, we might have been on the high road to freedom. And if the Government had carried out the Loan Bill, which so miserably fizzled, they might have been ready to plank the money down. When a Loan Bill was passed some years ago, the Tories were twitted with having strangled it; but the last Loan Bill received no Tory opposition—we only said, you are a little premature; but no, said they: we want a loan, not only to pay for land, but to buy up the Treasury Warrants and Debentures. But none of this has been done. They passed the Loan Bill, and it remains on the Statute Book a monument of the political folly and inconsistency of the present Government. They will go to the country some eighteen months hence and tell the people they have fulfilled their promises—they promised them a Loan Bill and they have got it.

HON. MR. DAVIES.—The hon. member for Charlottetown (Mr. Brecken,) soon jumps up when there is anything said against Proprietors. The hon. member thinks that I said a man's property

should not be taken for his debts; but what I want is this, that when a tenant is driven from his land by a proprietor, and settled upon Government land, that that land should not be taken for the debts contracted before he settled there. The hon. member says there is an outcry because the Government did not purchase certain lands, and I think there may well be an outcry when we see an officer of the late Government who has been fattened and gorged at the Government expense, refuse to take a fair price for his land and rid his tenants of the leasehold system. I am very glad that the Government did not purchase Lot 19 at such an exorbitant price. I think that whenever the Government can lay hands on a man who shows such an inhuman spirit, they will not show him any favor.

HON. MR. HOWLAN.—I think we should have some explanation in reference to the case of the Messrs. Ramsay. The honorable member for Charlottetown said that they need not have remained in jail if their lawyer had taken out the proper papers.

MR. BRECKEN.—I repeat, Sir, the Messrs. Ramsay might have been taken out of Jail, if their lawyer had taken out the proper papers; but he, not being a native of this Colony, it seems, was not aware of the proper course to pursue.

HON. MR. HOWLAN.—The hon. member has paid a very great compliment to the Bar, when not one of its members would inform this lawyer who did not know any better, and thus allow a worthy member of the community to remain in Jail for a considerable length of time.

HON. LEADER OF THE OPPOSITION.—Barristers never interfere in cases where they have no business.

MR. BRECKEN.—I may state that this was a very unusual case, and the lawyer allowed his clients to remain in Jail, thinking that bail would not be taken; and it is not likely that the opposing counsel would inform him of his mistake. It is the first time I ever heard a man condemned for not selling his client. Although we lawyers are thought to be so bad, yet we have partial glimpses of what is honest; and, Sir, the popular cry is not always on the side of right.

HON. MR. HOWLAN.—The hon. member tries to make his side of the argument good, by saying that a lawyer should not sell his client. Does he mean to say that all the lawyers in Charlottetown were retained on this case? I think the hon. Edward Palmer was one of the counsel for the Messrs. Ramsay, and surely he was not ignorant of the law.

MR. BRECKEN.—This was a very unusual case, and it is no disgrace or discredit to other lawyers because they did not interfere—the insinuation of the hon. member is groundless.

Hon. Mr. HOWLAN.—I have the pleasure of being acquainted with these men, and they are men of more than ordinary intelligence; and it is a most extraordinary matter that they should be incarcerated for several months, because their attorney did not know what to do, and none of his brother lawyers would tell him. The blame must rest somewhere, and according to the hon. member's argument, it must be thrown on the Judge. The Messrs. Ramsay are smarting on account of this matter, and through the public press, have thrown contempt on the Judges, and given people to understand that in cases between proprietors and tenants, there is no justice to be had. This matter should be sifted to the bottom, for we do not know how soon some of us may be in the same predicament; and if we accept the explanation of Mr. Ramsay, I think there is a necessity for a third Judge.

Mr. BRECKEN.—The hon. member has given us one of the most lamentable exhibitions of ignorance I ever saw. I will explain this matter in a few words, although I do so under protest, because I think it wrong to discuss in this House, a matter that has been decided in a Court of Justice, for it is apt to create prejudices in the minds of the people against the purity of the streams of justice.

Mr. DAVIES.—What is to be done if we think the streams of justice are impure.

Mr. BRECKEN.—You should come forward and say so, and have the matter properly investigated. But to explain this matter: many years ago the Rose Hill farm was rented to a man named Gallant and a lease was given him by Stephen Sullivan. Mr. Gallant afterwards sold the farm to Mr. John Ramsay, who paid the rent during the life of Stephen Sullivan. After his death, some dispute arose, but Lawrence Sullivan having proved his heirship, John Ramsay continued to pay the rent while he lived. Mr. John Ramsay died and left the farm to his widow, who also continued to pay the rent. At this particular time, Mr. Sullivan had not the good fortune to be represented by a very diligent agent, and he neglected to pay the land tax on a good deal of the Estate. In the lease of the Rose Hill farm, the proprietor was bound to pay the land tax. I think about the year 1858, a good deal of the land was sold, and some of it was bought by the late honorable James Yeo, and other persons. When Mr. Sullivan's agent was superseded by a more diligent one, he found that several thousand acres of land had been sold for land tax, but fortunately the two years allowed for the redemption of such land, had not expired; so he went round and settled with those persons who had bought it and had it conveyed back again to the owner. In ascertaining what land had been sold, the Rose Hill farm was overlooked, but the agent found out that several Deeds had been given to one Hugh Carr. The Rose Hill farm had been cut into three pieces and the description so altered that none

but an experienced Surveyor would have found out that it was the same farm. Now comes the point. There was no dispute concerning the title of the Sullivans to the farm. The Ramsays had paid rent for about forty years—yet one of the relatives bought this farm for forty or fifty shillings and gave a pocket Deed of it to the Ramsay's. The agent went to Hugh Carr and offered the money to him but he would have nothing to do with it, nor would he tell him who had the farm. The argument of the Ramsays, when brought into Court, was that two years had elapsed; and they thought that on this account they could cheat the proprietor out of the land: but the Court would not allow the proprietors to be cheated. Now, if you acknowledge the rights of the proprietors, and both sides of the House have acknowledged them, whether it be for the good of the country or not, impartial justice must be meted out to all.

Hon. Mr. DAVIES.—The hon. member seems to think that the Messrs. Ramsay were guilty of fraud, because the farm was cut up and the description changed; but, according to law, the Sheriff was obliged to sell it in pieces of one hundred acres each. It was sold according to law and the money paid for it; but it seems it did not please some, men who think themselves above the law, and whom the Courts of this Island would place above law.

Mr. BRECKEN.—I said there was concealment resorted to in the way this land was cut up and purchased. It was the bounden duty of the man who lived on that farm to see that the land tax was paid and not allow the land to be sold. I ask what would that hon. member think of the morality of the transaction, if I rented a house from him and he went away to New York, and neglected to pay the land tax, if I allowed that house to be sold, and get a friend to buy it for me, and put the Deed in my pocket.

House adjourned for one hour.

Afternoon Session.

Debate on the fourteenth paragraph resumed.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman. As hon. members in their speeches this morning, took such a wide range, it would, perhaps, be as well to read the preceding paragraph also. My hon. friend Mr. Davies reviewed the Land Question, this forenoon, in all its phases. Indeed, since the hon. member left the Government, his hand, like that of Ishmael, seems to be against every man who comes within the range of his weapons. He cuts right and left, and spares neither friend nor foe; for with one swoop of his scimitar, he seems disposed to cut off the head of the hon. Atty. General, and with another, that of the learned member for Charlottetown. I never saw the hon. member more vehement, or, I will do him the justice to say, more in earnest, than he was this forenoon: in fact, there was no

resisting him at all; for he was more extreme than I ever knew him to be. I thought when the hon. member went into the Government, that he had buried the hatchet of Escheat and Quit Rents, in the tomb of all the Capulets, but to my surprise, I found this morning, that such was not the case. Now, I think all parties have arrived at the conclusion, that nothing can be made out of the Escheat or Quit Rent question.

Hon. Mr. DAVIES, I rise to a point of order. I did not say I was going to agitate these questions.

Hon. LEADER OF THE OPPOSITION.—I thought the hon. member was still under the impression that if the majority of this House would agree to pass a Bill to enforce the payment of the Quit Rents, that they could be recovered; but I am glad to see that the hon. member is drawing in his horns.

Hon. Mr. DAVIES.—I was going to show that the Quit Rents were given up in lieu of the Land Tax which the proprietors are still paying.

Hon. LEADER OF THE OPPOSITION.—Nor was I aware, sir, that any of the decisions of the Supreme Court would or could have the effect of annulling the intention of the law, with respect to the payment of Land Tax. I pay a considerable amount of Land Tax; but if this is to be the result, I perhaps had better not pay any more. Something at all events to this effect was said this morning by the hon. member.

Hon. Mr. DAVIES.—We had proof that such was the case, in the Ramsay case. (Some confusion occurred here.)

Hon. LEADER OF THE OPPOSITION.—The hon. member had better keep cool. This is his pet subject, and when considering it, the hon. member is in the habit of looking upon the hon. member for Charlottetown (Mr. Brecken) and myself, as those he should aim his fire at. This is the horse upon which he rode into power, and because the Government, when he held a seat, at the Executive Board, refused to support him in his views, he resigned.

Hon. Mr. DAVIES.—I did not leave the Government on account of the Land Question.

Hon. LEADER OF THE OPPOSITION.—I am glad the hon. member makes the admission.

Hon. Mr. DAVIES.—I did not say what the reason was which induced me to leave the Government.

Hon. LEADER OF THE OPPOSITION.—I know the impression in the hon. member's district, is, that it was because the Government would not bring in a compulsory Bill to compel the proprietors to sell their Lands to the Government, and hence the hon. member became dissatisfied and left. He said that steps should be taken to compel the proprietors, to sell their Estates to the Government, and that would be, in the sense in which

the hon. member views it; at whatever price the Government might choose to offer for it, which would be different from all other transactions in buying and selling. From the Home Government we have had enough in Despatches, to show that such a measure would never receive the Royal Assent. Such a principle the Home Government will not sanction. During the recess, previous to the last Session of the Legislature, the Government sent home to know if such a Bill would be allowed, and was told it would not, which the Government very well knew would not, before the application was made. Hon. Members attempt to delude the people thus, and thereby lead them into a snare as unworthy of true and patriotic statesmen. The hon. member for Belfast threw out the suggestion also, that a Bill should be brought in for taxing the Rent-Roll of the proprietors, but that was attempted in Lieutenant Governor Daly's time, the result of which we all know. It is therefore utterly useless to be attempting to introduce such a measure through any such measure. The only proper way to annihilate the proprietary system, is by fairly and honestly working out the Land Purchase Act; by the Government on the one side, and the proprietors on the other, agreeing to sell and buy, on such specified terms as they may mutually agree upon. The hon. member knows this, but finds it difficult to bring himself thus to act. Hon. members on the Government side of the House will never give the Conservatives credit for sincerity, when supporting measures affecting the interests of the tenantry. They say to us, "your professions are but from the mouth;" but, Sir, I can freely point to the fact, that from 1859 to 1866, the Conservatives bought nearly four times as much land as the Liberals did, during the whole time they were in power.

Hon. Mr. DAVIES.—Yes, but the Liberals paid for it.

Hon. LEADER OF THE OPPOSITION.—Are not the Conservatives taxed equally with the Liberals? Are they not their equals in talent, wealth, loyalty and public spirit? I think, in these respects, they will bear a favorable comparison. I say, Sir, that the Conservatives have paid as much for the land, if not a great deal more, than the Liberals ever did; and I challenge the hon. member to prove the contrary.

Hon. Mr. DAVIES.—The hon. member wishes to justify a proprietor in not paying his Land Tax.

Hon. LEADER OF THE OPPOSITION.—Is the hon. member alluding to what we heard this morning? Sorry, Sir, am I that my learned and hon. friend, the member for Charlottetown, felt it to be necessary, this morning, to enter into the details of a private matter, which was not in any way before this hon. committee. All I can say is, had I been in his shoes, I would not have done so, and in doing so the hon. member was much more sub-

servient to the unconstitutional dictates of this House than I would have been. Does the hon. member for Belfast say that the land-tax was put on for the purpose of affording opportunities for taking the land out of the hands of the proprietors? The tax was placed upon the land for a different purpose. It was imposed to raise a fund in aid of Education, and not for those reasons referred to by the hon. member. (Mr. Davies.) But I was going to say, that if by the law of the land, to-day, the payment of quit-rent could be enforced, seven-eighths of it would have to be paid by the leaseholders of this Island, for in all the leases, after the usual covenants, they are bound to pay the quit-rent and other taxes; at least such are the usual conditions of all such documents when drawn by professional men, and therefore, the proprietors, in almost all cases, are not now liable for this rent, but it would fall upon the great bulk of the people; and, therefore, I think, the sooner the hon. member lets this matter drop the better. I am utterly unable to understand the hon. member for Belfast; for this morning he said it was a duty to agitate public grievances until they were removed; but the hon. member should remember that the remedy lies in the hands of the Government, of which he was so lately a member and is yet a supporter; but, to hear him speak, one would suppose he was in the Opposition. We have now this composite Government which comprises so much of the intelligence, wealth and respectability of the country, and which is supported by a majority which is all but unparalleled in the history of this House, why then, I ask, do they not settle the question, and be done with it? I was also struck this morning with the remark of the hon. member for Tignish, who has been termed the Finance minister of the Government, when he laid down the principle, that the public records should show how many have purchased land, under the provisions of the Acts relating to the purchase of land; when, had the hon. member considered the matter he would have found that such could not have been done, because it applies to the business done by the proprietors, as well as to that done in the Land Office of the Colony; for many of those who have benefitted by the measures of the Legislature, have done so under the provisions of the fifteen years' Purchase Bill, and of course, bought directly from the proprietors, and not from the Government. Yes, Sir, there are many men in the country, who have by means of that much abused Act, been enabled to purchase their farms under its provisions, who too have bought out their lands otherwise, would have had to pay a sovereign an acre for it. Then again, there is the Act that was passed to aid men who would be buying under the fifteen years' Purchase Bill, which provided, that when a party had half the purchase money for his farm, he could borrow the balance from the government at six per cent interest; a measure which in itself demonstrates the sincerity of the Conservative Government, in wishing to abolish the Leasehold System; and in the course of my professional practice I have obtain-

ed a knowledge of several who have been benefitted by this very considerate measure. The fifteen years' Purchase Bill is a sound one, and in proof, I care not if but twenty individuals bought their farms under its provisions, it nevertheless establishes the truth of my assertion. If, however, it has not done much good, it cost but little; it is certain, however, that it has been of more benefit to the country, than the Bill brought in by the hon. member for establishing a Bank at Alberton.

HON. LEADER OF THE GOVERNMENT.—I had no idea that the Alberton Bank Bill would have been brought into this discussion.

HON. LEADER OF THE OPPOSITION.—There is no rule, Mr. Chairman, for keeping hon. members to the point, when anything relating to the Land Question comes up for discussion, and, Sir, I could not allow the hon. member for Belfast to assert that no Act passed by the Conservatives had been of any benefit to the people, without showing the unfairness of the assertion. The Fifteen Years' Purchase Act would have done an immense deal of good, had it been fairly dealt with by all parties, but such was not the case, and hence the cause of its limited usefulness. It does appear strange that the hon. member should oppose a measure which limits the proprietors to the conditions contained in the Fifteen Years' Purchase Act.

HON. MR. DAVIES.—I am not aware that I alluded to the Fifteen Years' Purchase Bill to day.

HON. LEADER OF THE OPPOSITION.—Well, then, I must have confounded the remarks of the hon. member for Tignish, with those of my hon. friend, Mr. Davies, for the two hon. members appeared to vie with each other this forenoon, as to which of them should go to the greatest extreme. I do not know, though, that it behoves me to say any more just now on this paragraph; I shall therefore reserve any further remarks which I may deem it necessary to make until a future occasion.

HON. MR. HOWLAN.—In the discussion of this paragraph we have, Sir, had quite a variety of matters brought forward, some of which have no connection whatever with the paragraph before us, and among these is the Act for the Incorporation of a Bank in Alberton, which certainly is a matter that is not referred to in the paragraph under consideration. The hon. member, the Leader of the Opposition, endeavored in the course of his remarks, to throw ideas upon me, which I never uttered, or entertained, thereby charitably hoping, I suppose, to bring inconsistency upon me, if by any means my intentions could be made to be misunderstood. The hon. member said this morning, that I said the Government wished to dictate the terms which the Proprietors should be bound to accept. What I stated this forenoon was, that the liberals passed the Laws which enabled the Government to par-

chase Estates from the Proprietors; that, to use an expression before uttered here, they borrowed our clothes, and used them, without acknowledging that they did so; that, apparently at least, they had no ability to provide themselves with a measure of their own, but used ours, without giving us any credit for it; but I think we have had quite enough of this fault-finding with each other, and judging from the past, I believe that both parties are anxious to have the question settled, although, in doing so, each party has pursued a course of its own. When the Conservatives came into power they condemned the Land Purchase Act, and obtained a Royal Commission to settle the question, which held a Court in each County, and in this way they raised the hopes and expectations of the people higher than they had ever been before, all of which, to use the choice, if not, classic expression of the learned member for Charlottetown "Fizzled." But, sir, is it not a fact, that while those who signed the conditions which bound them to abide by the Award that might be given were thus bound, the Records of the Colony show, that while this was the case, yet that some of those who aided in having the Bill passed, refused to be bound themselves to abide by the decision which might be arrived at under its provisions. So that if we were disposed to review their conduct at that time, there is ample room to do so; but I have no wish to do anything of the kind. What I said this morning was that in my opinion, the time had arrived when a grand measure should be introduced for settling up the whole question, which is altogether different from a measure for the spoliation of the proprietors' land. A measure of this kind I have no intention to bring forward, or do I wish to see others do so; but I am fully of opinion that the time has arrived when some such grand measure must be introduced, and when I say so I find myself in good company, for I notice in a December No. of the "Cork Daily Herald," that among other subjects to be brought before the House of Commons, Mr. Maguire has given notice of his intention to move for a select committee of enquiry, which is to embrace in its questions of enquiry ideas precisely similar to those I alluded to this morning, and am I, I ask, to be unnecessarily found fault with for expressing ideas precisely similar to those contained in Mr. Maguire's notice, because, forsooth, they do not happen to meet the approval of certain parties on this hon. Committee. Where there are private rights, let them be respected, but whenever the whole question is approached, I hope it will be in a proper spirit by both parties. The Parliamentary notice of Mr. Maguire reads thus: "To move for a select committee to inquire into the management of the Irish Estates of certain London Companies, with a view to consider whether under existing circumstances it might not be advisable for the public interests to recommend the annulling of Charters of such Companies, and the sale of their Estates with the right of preemption to occupying ten-

ants." I have no doubt, but that if my hon. friend the Learned Leader of the Opposition, or the Learned member for Charlottetown, were there, when the matter will be brought forward, but that they would vehemently denounce it as one of intended spoliation; but Mr. Maguire's notice embraces more than ever was spoken of here. He is for annulling of Charters, &c. I do not see why all parties here, ought not to unite in an earnest and proper spirit in maturing a measure which would at once and forever settle a question which has so long retarded the peace and prosperity of this Colony, for the hon. member is aware that extraordinary Legislation is required to meet some cases.

Mr. BRECKEN.—The hon. member (Mr. Howlan) is a member of the Government of this Island. Mr. Maguire, is not a member of the British Cabinet. I would like to know what the hon. member calls "extraordinary cases?"

Hon. Mr. HOWLAN.—One like the Ramsay case, for the reason given for their detention in Jail by the hon. member this morning was a mere quibble, and the hon. member knows it is. Will the hon. member deny that one of the Counsel of the Ramsay's was the hon. Edward Palmer, a gentleman who certainly knew how to draw up any paper, or make any motion necessary to be presented to, or made before the Court.

Mr. BRECKEN.—I cannot deny that Mr. Palmer was one of their Counsel.

Hon. Mr. HOWLAN.—The hon. member is afraid of the Messrs. Ramsay, for he knows very well that it was not because their Counsel did not make a motion, to that effect, that they did not get out of Jail.

Hon. LEADER OF THE OPPOSITION.—I think, Mr. Chairman, it is most extraordinary that such matters should be introduced here. It is wrong to do so.

Hon. Mr. HOWLAN.—It is quite proper that this matter should be referred to here. No matter who the person is, if he has been improperly and unjustly incarcerated, the case should be considered in this House, and it ought not to be cried down by the hon. member.

Hon. LEADER OF THE OPPOSITION.—I rise, Mr. Chairman, to offer a remark by way of explanation. What I said was, that it was not right that such matters should be introduced here, as this one was to-day; and that both sides were in error in doing so. No doubt there are cases which it is quite proper to have brought forward here, for investigation, but not until all other Constitutional means have been exhausted.

Hon. Mr. HOWLAN.—I would ask the hon. Leader of the Opposition, would he deny any man the right of having his case heard at the bar of this House? or if there was a petition before this House praying that Mr. Ramsay should be heard

at its Bar, would it not be proper that it should be granted? There is a good deal of interest taken in this case in the country. Some are of opinion that these men were most unjustly dealt with; while some may think otherwise, and the sooner doubts upon the question are removed the better. This may be a wrong case on the part of the Ramsays, but judging from the writings of one of them on the subject, which appeared in the papers—and which was never contradicted, one is prepared to conclude that they were unjustly dealt with.

Mr. BRECKEN. I am sorry, Mr. Chairman, that I should have so shocked the mind of the hon. member, this morning, by the use of the word *hizzle*; but I did so to avoid using a much stronger expression—political abortion; but which would nevertheless have been much more appropriate, than many of the blatant and ignorant expressions of the hon. member. The learned Leader of the Opposition does not approve of the course I pursued this morning; and, perhaps, I was in error in noticing what was said by some hon. members on the Government side of the House; but when I was goaded on by improper charges, I considered it to be a duty to repel such unwarranted assertions. We, Sir, were charged with conniving at the imprisonment of an innocent man, and I still do not know but I did right to show up the true history of this case. I protested against debating the question, and, perhaps, in reply to the rambling speech of the hon. member, I may have been somewhat indiscreet; but I always think it better to meet such charges when they are made, and thus let the whole matter be made known. The hon. member drew our attention to a notice placed by a Mr. Maguire, on the Order Book of the House of Commons, but in doing so, he did not seem to understand the difference between his position and that of Mr. Maguire. Mr. Maguire is a free lance in the House of Commons. The hon. member for Tignish is a member of the Government of this Island, and, is therefore, responsible for what he says on the floor of this House. I confess I am at a loss to understand what the hon. member means. If he considers a measure necessary for settling the question, why does he not bring it forward? He is now all powerful. The numbers in this House now being twenty-two, to seven, and, therefore, if the party now in power know of grievances which ought to be removed, it is their duty to have it done at once. They have been in power for three years, and should apply themselves to the removal of grievances, instead of making complaints before this hon. Committee. I hope we will hear no more from the hon. member on that score, and trust that the intelligence and good sense of his Constituents will not allow him to remain in the government, if the Executive Board refuse to carry out their views. I have heard it stated that the hon. member said, there was one question in which his constituents feel an interest; that it was no use for him to move

in, or to leave the Government for refusing to carry it out; for that if he did so, it would be like going out of the frying-pan into the fire. I never knew that there was a rule which could compel an hon. member to retain his seat at the Executive Board, after it refused to carry out his views, and when the hon. member has such a majority now at his back, why does he not resign, instead of his complaining; and looking to this side of the House for aid? Let the question be brought before the country, and more independent men will be sent here to decide it. How many numerous and sore grievances have we not heard of, since this composite government came into power? all of which, as they allege, were brought upon the Country by the horrid Tories. Sir, I told you already, this party is composed and made up of opposite materials; for there are hon. members who sit on the Government benches, who believe that there are important grievances that should be redressed; but which they are not independent enough to press upon the Executive. Sir, that is not the way for hon. and independent members to act. If a measure is right, why not bring it forward? You do not hear any complaints from us. Our duty here is to remind the Government of unfulfilled promises made to those who sent them here. The opposition is not in a position to do anything; but if a measure is right, you do not hear us opposing it; and I would say to hon. members on the Government benches, that if they have in view any measure which they think ought to be brought forward, will they allow me to inquire why they do not do so? They may depend upon it, the people will not take speeches for unfulfilled promises. The hon. member made allusion to the Fifteen Years' Purchase Act; but, Sir, in the prices which the Government have paid for what was purchased, how near has it not come to the price set upon land in that Act? Aye, Sir, and they will have to see that line yet. We have been told that we are the proprietors' men; but have not both sides been buying land from them? No doubt an injustice was done to this Colony when the lands were granted away, but neither party in this House is responsible for that transaction; but both have come to the conclusion that the Titles of the Proprietors are now established in Law; and if so, why not throw around them the same protection we do around our own rights? Let it not be said that one man cannot receive the same protection here as another. The opposition is now powerless; but there is this in our favor, we are not responsible. Did the party in power say to their constituents, that when they would come into power, they would go to the Imperial Government, cap in hand, and ask if they could do so and so? Whether they said so or not, they have done so on one question; but the Colonial Minister said to them: "No! To grant your request, would be to ignore an important principle of British Law." It is, therefore, folly for them now to attempt to continue any longer pulling the wool over the eyes of the people. The measures passed by the Conservatives for enabling

the people to buy their farms, were good ones, and proved that the Conservatives had no wish to hold the land for the Proprietors; but still, when you come to look at the matter closely, you will find that the Freeholders of the Colony have been called upon to put their hands into their pockets to support them; and none have had to do so to a greater extent than my constituents, of whom my hon. friend, Mr. Davies, is one.

Hon. Mr. DAVIES.—You put your hands into theirs.

Mr. BRECKEN.—No! I think the Freeholders have paid a large share, and that my constituents have paid a seventh of the whole; yet I do not know that the Land Purchase Act was in any way a more liberal measure, than the one passed by the Conservatives for assisting those who wished to buy, under the Fifteen Years' Purchase Act. After what took place here this morning, I thought it was better to let the whole truth come before this hon. Committee; but I agree with the hon. Leader of the Opposition that this is not the place to have such matters dragged in. But, Sir, if there is oppression in the country, and such tyranny practised as the hon. members have stated, then as they have the power, on them rests the responsibility if they do not have it rectified. If the stream of justice is impure, on them rests the responsibility of having it purified. We are not responsible—they are. We have a right, also, to demand from the hon. member for Belfast, the reason why he left the Government? If it was not on account of the way they dealt with the Land Question, when they inquired if they might resort to coercive measures, or of their treatment of the Quit Rent Question; whatever the reason is, it should be known, because when a man accepts so honorable and responsible a position as a seat in the Executive Council of his Country; when he resigns it, the Country has a right to demand what the reason was which made him do so. And I, through you, Sir, call upon the hon. member for Belfast, to rise and state that reason now.

Hon. Mr. HOWLAN.—I am not going to follow the example of the learned member for Charlottetown, by using, in my reply to him, such choice and classic phrases as blatant, ignorant, and fizzle. I will content myself by merely saying that when an hon. member has to resort to the use of such terms, it but exposes the weakness of his position. Arguments must be weak indeed, when they require the aid of such props. The hon. member wishes to know what I have done for the country since I became a member of this House. I might reply by enquiring what has the hon. member for Charlottetown done? The hon. member represents the wealthiest and most intelligent constituency in the Colony, and I would like to know what measure he ever introduced for their benefit?

Mr. BRECKEN.—I have done all they ever asked me to do.

Hon. Mr. HOWLAN.—Then a pretty representative is the hon. member, if he only does what they ask him to do. I merely asked the hon. member this forenoon for some explanation in a certain case, and I hope the day will never come when in this House we cannot do so; but for so doing the hon. member twits me with acting inconsistently and unconstitutionally, but I tell the hon. member that I never allowed myself to be made a tool of, by allowing my name to appear as holding an important public office, while another man took the pay. When the hon. member will consider this and other facts I might notice, I think he will in future be more careful in making statements which are uncalled for. Had the hon. member consulted with the Learned Leader of the Opposition before he spoke, he would not now find himself in a position which I think he now wishes himself to be clear of.

Mr. BRECKEN.—I will apologize to this hon. Committee for allowing myself to be drawn into the debate which introduced matters which ought not to have been brought up for discussion here; but in doing so, will say to the hon. member for Tignish, that my constituents do not wish me to be always tickling their fancy about measures. They are too intelligent for that. Besides, they have a local Corporation which takes up many matters which would otherwise require to be brought up here; but I believe the hon. member held meetings lately in his district, and asked his constituents what he should do.

Hon. Mr. HOWLAN.—No, the hon. member has been wrongly informed.

Mr. BRECKEN.—I never held a seat in a Government, but I tell the hon. member that if I held one at an Executive Board, which would refuse to aid me in carrying out my views, I would resign. The hon. member does not know his position, although the press has alluded to it: yet he holds on to his seat and comes down here complaining. When the hon. member finds me in that position, then he may retaliate. My constituents have no interests to be advocated here but such as are general, and which apply to the whole Island.

Hon. Mr. DAVIES—Where is Government Farm?

Mr. BRECKEN.—The hon. member will find that I have not overlooked that matter. I referred to it here, and agreeing with the suggestion of the Hon. Leader of the Government, I did not wish to embarrass the Government in its efforts to secure the payment of the salary of the Lieut. Governor, well knowing that my constituents are too patriotic, under these circumstances, to wish to press the matter further just now. Every hon. member in this House is not merely a Representative for the District he more immediately represents, but is also a representative for the whole

Island, and therefore should accustom himself to take a broader view of public matters than those which are purely local; and in this sense have I given my aid to the party to which I belong; and my constituents are too enlightened to be imposed upon by pretensions. The hon. member last session, made a very good, if not a flourishing speech on the subject of a Homestead Law, but what has he done to carry it into effect?

Hon. Mr. HOWLAN.—To the best of my knowledge I never made such a speech.

Mr. BRECKEN.—Does the hon. member deny it? Let him say yes or no.

Hon. Mr. HOWLAN.—I have no recollection of making such a speech.

Mr. BRECKEN.—But, Sir, I say the hon. member did.

Hon. Mr. DUNCAN.—This is surely travelling out of the Record.

Mr. BRECKEN.—Well, the hon. member for Tignish should not be taking up the time of this Hon. Committee by telling us what ought to be done, if he has such a majority at his back.

HON. LEADER OF THE GOVERNMENT.—We, Mr. Chairman, have for sometime listened patiently to the two hon. members who have just now engrossed the debate to themselves, and I would have spoken before, but their anxiety to engage in controversy so far prevented my doing so. I regret the warmth of their debate, and hope both the hon. members will excuse me for saying that they are useful and respectable members of this House; and that the constituents of neither of them need not in any way be ashamed of the position they occupy. I would be sorry to hold my seat in this House if I refused to have questions put to me respecting my public doings, and I hope I shall never have recourse to the expedient of throwing the blame upon others if I cannot give a satisfactory answer to any question proposed to me. We should all try to recollect that we were sent here to attend to the business of the country, and that instead of making personal attacks upon each other by stirring up the disagreeable features of the past, it would be far better to forget much that is behind us and press forward in a closer attention to the duties we came here to discharge. I make no personal allusion to my friend the hon. member for Alberton, or the hon. and learned member for Charlottetown. There is no professional gentleman at the Bar whom I respect more highly, or whom I would trust a case of my own to with more confidence, than the learned member for Charlottetown. I would feel that he would do all for me that an able and faithful Lawyer could in the management of my business, and therefore think that much that was said on both sides was not called for. We were this morning getting along swimmingly with the Address, and by an arrangement with the Hon. Leader of the Opposition, the paragraph having reference to the

visit of the Congressional Committee was passed over until this evening, in order that we might then more freely enter upon the discussion of the merits of General Butler's mission, and consequently we passed on to the next paragraph. Now, it is well known that the origin of the Wilderness Land Bill is wholly due to the persistent exertions of my hon. friend on my right (Mr. Howlar,) and the intimation in the Speech having reference to its successful working, must be satisfactory not only to my hon. friend but to every member on this hon. Committee. Reference is also made in the next paragraph to the amount of land purchased under the Land Purchase Act, and these two subjects are now properly before this hon. Committee. My learned friend the hon. member for Charlottetown, reflected harshly upon the Loan Bill of the last Session, and in doing so has added a word to the vocabulary of this House, which may probably entitle him to distinction hereafter, as it may be often quoted in our debate. The hon. member used the word "Fizzle," the first time in this House, and perhaps it would not be difficult to find other measures which passed here, to which it would also apply. There was at least one important measure which was passed by the Conservatives, and for which they took great credit to themselves, to which it would also equally well apply. I refer to the Land Commission. When a question comes up for discussion it should be discussed upon its merits. And when a Government brings in a measure each member should be sincerely in earnest in supporting it. Now, it is well known that the late Government carried through the Legislature a Bill which resulted in the appointing of the Land Commission and, as a matter of course, the first thing the country expected was that each member of the Government who owned Township Lands would have placed them under the decision of this Commission, or failing to do so, would have resigned, and left the measure to be worked out by men who were sincerely in earnest in the matter. Now, the fact is, that very little can be said in favor of the consistency of some of those who held seats, at that time, at the Executive Board, for there were some of them who would not place themselves in the position which they wished to place others in. In these remarks I do not include the honorable Leader of the Opposition, for to him or Col. Gray, they do not apply, but when charges are made by hon. members on one side, it would be well for those who make them to look back and recall some of the incidents of the past, and see whether the same charges might not be made against themselves. It is highly probable that if the whole of the Government had been faithfully in earnest in carrying out the intentions of the measure which brought the Land Commission to this Island, the result would have been very different from what it was. How could you expect much from it, unless the Government which originated it was sincere to a man, and each member of that Government personally setting the example he wished

others to follow? But each member of that Government did not do so, and, as a result, it fizzled. The Government at that time, did me the honour to appoint me one of their attorneys to appear before that Commission, and I hesitate not to say that there was too much half and half earnestness, and amount of indifference on the part of some members of the Government, to escape observation. Under such circumstances, it would have been unreasonable to have expected a more favourable issue from that Commission. I do not wish to cast reflections upon that Government, but think if the hon. member (Mr. Brecken) had looked back, he would not have made the statement he did to-day. When the Fifteen Years Purchase Bill was brought forward, I opposed it because I believed then, and am of the same opinion yet, that the suggestions of the Duke of Newcastle as to the basis upon which a measure might be framed, was much better, and suggested that a Bill should be framed in accordance with that Despatch. This was not done. Far be it from me to say that they erred purposely or intentionally; yet we must admit, that the result has not been satisfactory, and when hon. members charge us with approaching closely to the price set in that Bill for Land, I am compelled to say to hon. members opposite, that we are forced to do so by that very Fifteen Years Purchase Act which, by Statute, sets a legal value upon the Estates of Proprietors.

Hon. Mr. McAULAY.—Why not pass an act to compel them to sell on certain specified terms?

Hon. LEADER OF THE GOVERNMENT.—The hon. member is very well aware that if such an act was passed, it would even then, be difficult to set aside this fact, so that a compulsory Bill, even if it was carried, would, in view of the fifteen years' Purchase Act, be in some instances of little service. It is said that the late Government bought more land under the Land Purchase Act, than the Liberals; but yet, I do not know that they are entitled to much credit for it, for they before, and after they came into power, persistently maintained, that the only way the land question could be settled was by a commission which would accomplish that object in eight months; yet, although they were eight years in power, they did not settle it; and notwithstanding the fact, that under the Land Purchase Act, they purchased the most land, yet, I think the country will not hesitate to give the Liberals the credit of having introduced the only measure which has to any extent settled the Land Question. The hon. member referred also to the Loan Bill of the last session. I considered from the first that if a loan could be obtained on advantageous terms, it would be well to have one, but if not, that it would be unwise to negotiate for one at all. (The hon. member then reviewed the purchases made during the year, and in speaking of lot 19, said): The Government has been charged with a neglect of duty in not purchasing lot 19; but it is well known that the gentleman who was agent for that Estate had been in the Government

of this Island for many years, and, although I am very glad to see my friend Mr. McMillan here, yet, in the discussion of this question, I would be glad if the hon. Mr. Pope was present. It is also known that the Government, previous to the sale of lot 19, purchased an estate from Mr. Pope, and when that transaction was concluded, I had a conversation with him respecting lot 19, of which he was then the agent, and was pleased when I learned from him that he was, as I understood him, willing to use his influence to assist the Government to obtain it, as he would like to see the tenants on lot 19 placed in the same position as those on lot 27. I was not at home when the proprietor was in town, or at least when he arrived in Charlottetown, but certainly, after what had passed between Mr. Pope and myself, I did not expect that he would have made that purchase, without first letting me know that the proprietor would sell; and when I met him afterwards I told him so, and reminded him of the conversation I had had with him, and expressed my surprise that it had not been first offered to the Government. Mr. Pope then offered it to the Government and the correspondence will be laid before the House. All I can say is, that when it was offered to the Government as purchased, I considered I was entitled to demand inspection of the agreement. I regret the government did not succeed in obtaining that Estate, but the fault does not, I think, lie with us. With respect to Lot 23, which was offered to the government by Mr. Hodgson, I have but to say that we offered him one shilling an acre more than it cost him, which he refused to accept; and there the matter rests. I regret that so many reflections were made here to-day about what took place on that Estate, but upon the whole it is satisfactory to know that 17,000 acres of land have been purchased by the government during the past year. I have been eighteen years in the Legislature and have always found that no matter what party is in power, the Land Question is sure to come up, and, therefore we should all feel an interest in having it finally set at rest. I do not know that it is necessary for me now to address myself further to the paragraph before us, but I cannot sit down without expressing my extreme regret that the Ramsay case was brought up in discussion here to-day, because this House is not the place where such matters should be introduced for discussion. I may say for myself that I have been an Attorney at the Bar for several years, and have been engaged in a great many cases, and whatever may have been the antecedents of the judges, I never saw them bring anything to bear upon a case, while on the Bench, which in my opinion ought to be construed into partiality, and am sorry that the hon. member for Charlottetown felt himself called upon to-day, to state the merits of a case which was not properly before this hon. Committee. This, though, I may say, one man has as much right to go to law as another, and when a lawyer is called upon by a landlord, he is as much bound by his professional oath, to take up his case as that of any other man, and it is al-

so his duty to exert himself in his interest as much as he possibly can. Whatever the court have done in cases coming before them, I believe they done so from motives of integrity, and with a desire to do justice; and I believe the same honorable principles pervade the Bar; when it shall be otherwise, it will be an unhappy day for the country.

Mr. BRECKEN.—I rise, Sir, for the purpose of pointing out the difference between the Land Commission and the Loan Bill of last Session, and to show, that though the word Fizzle does apply to the latter, it will not to the former. I had not the honor of a seat in the House when the first was passed, but I supported it afterwards. A tribunal was opened, over which three Commissioners were appointed to preside; they were from the other Provinces, two of whom were eminent Lawyers, the other a distinguished statesman; and they were brought here to settle those conflicting rights. Now, Sir, the responsibility of the Land Commission fizzling, rests with the Commissioners themselves, because they in their decision disregarded a highly important principle of law when they delegated their authority to others; for it is a fundamental principle of law, that an Arbitrator cannot transfer the power in him vested to another, and although two of the Arbitrators were able Lawyers, yet they overlooked this point when arriving at their decision. Now, we know that the Conservative Government was in earnest in its endeavours to compel the Proprietors to abide by the Award:—nor do I find fault with the proprietors for resisting it—they said that it was a departure from the original compact; and so it undoubtedly was. The Government sent home a delegation to endeavor to have the Award confirmed, and this shows they were in earnest, nor does the Hon. Leader of the Government charge insincerity upon the Hon. Leader of the Opposition, or Col. Gray, in the matter. Had the Commissioners brought in an award for but two shillings and sixpence an acre, as the price to be paid for the land, those proprietors who signed the Award would have had to abide by it. The fact is the Commissioners made a mistake and the matter fizzled. The fault was in the Commissioners and not the Government.

Hon. Mr. HENDERSON.—I quite agree with the remarks made by the hon. member for Charlottetown (Mr. Brecken,) relative to the well known Land Commission and some of its results; but as the Land question is to a great extent yet unsettled, it may be important to make some observations on a portion of its history prior to that referred to by the hon. member. It cannot be forgotten that the legal opinion obtained in London in 1864, was conclusive as to the illegality of the Award, and equally so with respect to the painful fact, that the so called submission made to the Colonial Minister by the proprietors was not binding upon them. Whether they intended that their submission should be of this character or

not, I am not prepared to affirm; but it is very amusing to reflect that although the Colonial Minister could with the greatest readiness have obtained the opinion of the Law officers of the Crown on the subject, yet that notwithstanding the commission should have issued on a basis so untenable, as actually to defeat its professed objects. I said once to the head of the Executive that the Duke of Newcastle, should have taken the step first which he took last. But despite these disappointments some good to the Colony has resulted from the Commission. It has proved that the grievances complained of were real and not imaginary. I think the Fifteen Years Purchase Bill contributed also to the settlement of the Land question, for taking it even on the principle contained in what was said by the Hon. Attorney General, that every thousand acres bought by the Government, or by private individuals, makes the number of acres held by the Proprietors that much less. I have pretty good authority for stating that the Cunard Estates would not have been bought but for the influence of the effects of the Fifteen Years Purchase Act. Again when we look at the Act passed also to assist those who might require to borrow money in order to enable them to purchase their farms, I ask did the Conservatives pass this measure for the purpose of increasing the value of the lands of the Proprietors? No, for I know of parties who inquired if the Government would advance them money to purchase out their Leaseholds at a higher figure than that named in the Fifteen Years Purchase Bill, and were told that the Government would not. I consider at any rate that the two Acts of the Conservative Government,—the Fifteen Years Purchase Act, and the one for assisting those who would buy under its provisions have had the effect of bringing the proprietors to feel the necessity of submitting to the terms of the Land Purchase Bill. I readily give the Liberal party all the credit to which it is entitled, and which is their due in this matter, yet when any of them assert that the Acts of the Liberals have alone benefitted the tenantry, and argue that those of the Conservatives were the reverse, I thought it necessary briefly to show that such is not the fact.

Hon. Mr. McAULAY.—I have listened with great patience to what has been said by both parties, and believe that each party wishes to do what is right in the matter, but I think much extraneous matter has been introduced into this debate, a great deal of which had no reference to the matter before us. It is, however, clear enough, that the Land Commission was a failure.

Mr. HOWATT.—While I approve of the Bill which was passed last Session for the settlement of Wilderness Land, and am glad that it has worked so well; yet I feel now, the greatest interest in the obtaining by the government, of Lot 19, if it can possibly be effected, and although the negotiations on the subject were broken off; could they not be renewed again? Perhaps the Gov-

ernment would be justified in taking the offer of the proprietor. I for one feel an interest in that part of the country, and would like to see that Estate owned by the government.

Mr. MACNEILL.—I agree with the hon. member for Murray Harbor (Mr. Prowse) that the time of this hon. Committee should not be unnecessarily taken up; but, perhaps, the time thus occupied has brought up some matters which required ventilation. I am glad that hon. members on both sides admit that the act mentioned in the paragraph has been one in the right direction, and there can be no doubt that the sooner the Leasehold System is abolished the better. Some hon. members believe it to be a real grievance, but the legal gentlemen on the other side of the House, believe it is imaginary.

HON. LEADER OF THE OPPOSITION.—I cannot allow the hon. member to misrepresent me thus, what I said was, that I would be glad to have this question settled, because both parties were making political capital out of it.

Mr. MACNEILL.—I am surprised that the hon. member, who has had so many advantages in his favor, should arrogate to himself the right to interrupt hon. members on this side so frequently.

HON. LEADER OF THE OPPOSITION.—Every hon. member has the right to have his version of the matter. And I said boldly and fearlessly, that this country would never prosper until this question was settled, for that both sides were making political capital out of it; but that is not the only reason why it should be settled.

Mr. MACNEILL.—But I will tell the hon. member the truth, I will not disguise it; that there are people in the country who feel it to be a real grievance, and not an imaginary one, although I heard a young gentleman of not more than twenty summers, when asked a question before the Land Commissioners, was the Rent System a real or imaginary grievance, who stood up, and in the coolest manner declared it to be all imaginary. It reminds me of what I have read in Don Quixote, who persuaded his squire, Sancho Panza, that all the hardships he underwent in his Knight errantry expeditions, were enchantment, but Sancho after being tossed in a blanket, and finding his bones sore, maintained that it was not all enchantment; and I think if the hon. Leader of the Opposition had been tossed about as much as some of the tenants have been, he would not regard it as all imaginary. The case of the Messrs. Ramsay has been brought up in this debate, and I have heard more of the merits of this case to-day than I ever heard before. I remember reading in the public newspapers, that the agent of Mr. Sullivan had a great deal of trouble in the affair, acting in the capacity of a common constable, prowling round the house of the Messrs. Ramsay, endeavoring to shove papers under the door; but what I felt indignant to hear was, the morality of the

Messrs. Ramsay called in question, but I think, Mr. Chairman, the people of the Western section of this Island, who gave a verdict in their favor, should be the best judges in the matter; and I know their character stands high in the estimation of the people, not only there but throughout the country generally, and I think the majority of this hon. committee is of the opinion that the Messrs. Ramsay were harshly treated; and on account of this, a want of confidence was felt in our Supreme Court by many of our people. I do not say there was just cause for this, but the same was stated by gentlemen of standing in the Colony, before the Land Commission. I think, however, it is high time some pressure should be brought to bear upon the small proprietors. They will listen to no proposals, but are sending writs among the tenants as thick as leaves in autumn. They must have their rent, even though it takes all the tenant has, and the family should be left to starve; and, Sir, is it not high time that a stop should be put to such oppressions. The legal gentleman opposite appears to think I have an ill feeling against him, but I have not; no, I vow I have not; but on the other hand I have looked upon the law as an honorable profession, for what can be more honorable than pleading the widow's cause, but my admiration is somewhat abated, when I see the instrument drawn out that takes the widow's pot of soup and pours it out of doors, and puts out her fire to eject her out of the premises. I do not say that the legal gentleman opposite had a hand in doing this, but I do say it has been done. But one legal gentleman asks the question is it not right to do business for the proprietors, and another says I am sworn before God and my country to do my duty as a lawyer, evidently making the Allwise a party in the matter, but, Sir, will He who hears the cry of the widow and the orphan lend Himself to anything of the kind? No, Sir, if my teaching has been right, assuredly He will not. Upon Lot 23 about twenty writs have been issued this winter, and many of the people had to come in two or three times before they could see the proprietor, and that too in bitter frosty weather, and when he does see the proprietor how is he treated, does he even get a civil look, he is asked, have you got any money, what brought you here without money. Then with a look which none can portray but those who have witnessed it, but is well described in Pollock's Course of Time:—"Then with a look that hell might be ashamed of, drove the poor away." I was pleased when I heard the hon. Leader of the Opposition sold his land, but after I came to Charlottetown I heard that he still retains part of a Township, but if the hon. member wishes to upset the government, this will be the most effectual way, get rid of the rest of his Estate, and bring in some measure to sweep the whole of the Rent System away, for it was never more needed than at the present time. For it is those men who have always been making false representations to the Colonial Office, and who also

dicated the memorial that defeated the Tenant Compensation Bill, in which they alleged that the Tenantry of this Island are as destitute of property as of principle, and that the sanctity of an oath would be little regarded, if a proprietor could be injured thereby. I forget exactly what the hon. Leader of the Opposition said, but I think he said the Cursed Tenant Union, but the hon. member can set me right if I am wrong.

HON. LEADER OF THE OPPOSITION.—I can hardly tell the hon. member; perhaps I said so.

Mr. McNEILL.—Had he said the cursed rent system, perhaps he would be nearer the point. The Tenant Union has done the same work the Temperance Societies are now doing against an evil, scarcely less pernicious to the community; they have turned public opinion against the system and have made it disrespectful to be seen drinking liquor, so in like manner the Tenant Union have made it unpopular to be a Proprietor or Land Agent. The Leader of the Opposition will be glad to get out of it, for I am sure he does not like the business.

HON. Mr. DAVIES.—When I said I considered that the Proprietors should be made to contribute a fair share towards the public burthen of the Colony, and that the government should bring in a Bill to compel them to pay a proportion of the expense which the collection of their rents costs the country; I brought down the ire of the Hon. Leader of the Opposition upon me; who, instead of showing the injustice, or unreasonableness, of my proposition, attempted to draw off the attention of this hon. Committee from the correctness of my statement, by a reference to other matters. But I never expected anything else from the hon. member, as he never yet lent his aid in enabling this house to compel the proprietors to do their duty; and as for the honorable and learned member for Charlottetown, one would suppose in listening to him, that he was sent to the Legislature especially to plead the cause of the Proprietors, for he annually gets up here, and as an able pleader, argues their cause. I showed to-day, that in one year the country had to pay £30,000 to collect rent for the Proprietors, paid out of the pockets of the labouring classes. And I ask you, Mr. Chairman, if such was not the case? and further, Sir, is it reasonable or right the people should have to pay the whole of this expense? There is no reason in it. It is unfair; nor has what I said been attempted to be combated by the hon. member. I would also again, Mr. Chairman, refer you to our courts of justice, by way of exemplifying its dealings with the Tenantry, to the statements of Messrs. Ramsay, which were published, and which, Sir, have never been contradicted, nor do I believe they can be successfully combated. If a Proprietor neglects to pay his Land Tax and it is sold, and he failing to redeem it as prescribed by law, within two years, why should any more favor be shown to him by our courts than would be to any other man? Now,

the farm of Messrs. Ramsay was sold by the Sheriff for non-payment of Land Tax, and certainly they were not to blame for that, for one of the conditions of the Lease was, that the Proprietor was to pay this Tax.

HON. LEADER OF THE OPPOSITION.—I am not certain of that. If I recollect right, the Lease is silent on that point.

HON. Mr. DAVIES.—Nevertheless I am positive the Lease states so. The Law says that if the Land Assessment is not paid, the Land shall be sold, and this the Sheriff did according to law, and when the farm of the Ramsays was sold, they bought it in. Two years is allowed to pass over, but the proprietor failed to redeem the land according to law; but because it was one of the great proprietors who had thus neglected to comply with the requirements of the law, he was allowed by our Judges to come into Court contrary to the letter and spirit of the Act: Aye, Sir, and he has been, and is, held up above the law, and as a consequence the Messrs. Ramsay were incarcerated in Prison and as ignominiously treated as if they had committed a Murder, and had in order to get their liberty to sign a Deed re-conveying this property to the great Mr. Sullivan. Now, it appears when this Deed was executed, it conveyed only a life interest. Mr. Sullivan died and it reverted to the Ramsays, yet after all this, these men are dragged into Court again, and although they obtained from the Jury a verdict in their favor, yet, notwithstanding, the Court sets it aside. I ask you, Sir, and every hon. member of this hon. Committee, if this is not a grievance which should be remedied, and if this is unadulterated justice.

HON. LEADER OF THE OPPOSITION.—How is the hon. member going to remedy it. Or will the hon. member say how it can be removed.

HON. Mr. DAVIES.—We shall have a better chance now, under the Gladstone Administration, for correcting these abuses, than we formerly had, and I think it will be found that the proprietors will have yet to bear their proper share of the burthens of the Colony. Reference was also made to the Award of the Land Commissioners. Now, I believe that the Leader of the Government at that time, (Hon. Col. Grey) was sincerely in earnest in that matter, but there was one at least, who had a seat in that Government who was not sincere or in earnest, and this I think has been satisfactorily shewn by the Hon. Leader of the Government. If a disputed case is agreed by the contending parties to be left for settlement to arbitration, it is always the practice, to bind down both parties to abide by the Award which may be arrived at; but in this case, it appears, that but one party was bound—and strange to say, that party was the people, but the proprietors were left free because the Government of the day—the far-seeing statesmen and noble patriots of the opposition—neglected to protect the in-

terests of the Tenantry in obtaining the assent of Proprietors to abide by the decision of the Award. If therefore followed that the Crown was powerless to enforce the Award of Her Majesty's Commissioners given in favor of the Tenantry; but if on the other hand the Award had been in favour of the Proprietors, the tenantry and the Government would have been compelled to comply with it. In fact the whole matter was an abortion as intended; no party acting under a sincere desire to protect the public could have acted in so stupid a manner.

The paragraph was then agreed to.

Hon. Mr. Speaker resumed the Chair, when the House adjourned.

WEDNESDAY, March 10.

Forenoon Session.

House in Committee on the Bill relating to the publishing of advertisements in connection with the public service.

Mr. G. Sinclair in the Chair.

After a short time the Speaker took the Chair and the Chairman reported the Bill agreed to without amendment.

Hon. Mr. Howlan presented a petition from James Moorside, William Hubbard, and others relating to kelp and seaweed.

On motion, said petition was laid on the table.

The House then went into committee on the further consideration of the Draft Address in answer the Speech of His Honor the Administrator of the Government.

Mr. Cameron in the Chair.

The seventeenth paragraph, relating to the Land Purchase Bill, was read.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman. As this paragraph scarcely brings up a new subject—the land question being pretty well ventilated last night—I move that it be adopted. The result of the purchase of lands by the Government, and the advantages of the Land Purchase Bill, is, a desire on the part of the people to make themselves freeholders. The returns from the Land Office are satisfactory; but a considerable part of the money laid out in the purchase of estates is, of course, not yet due. The Government appointed a Committee to investigate the accounts of the Selkirk estate, and the result will show that, although the full amount is not yet paid, it is not far from it. Some six thousand pounds will be struck off the amount due from that estate; this will, no doubt, be gratifying to the parties who purchased the lands, as well as to the representatives of that district.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman: I must express my surprise that the hon. member for Belfast (Mr. Davies,) who is peculiarly the champion of the tenantry, should have omitted to state the satisfaction he must feel in consequence of the people of his constituency having been redeemed from the bondage of proprietorism. I am surprised that he has not given the Conservatives credit for the manner in which they managed that estate, in making it self-sustaining—not like the Worrel Estate. I was not satisfied with the manner in which the Government let Lot 19 slip through their fingers. If I remember aright, the affair collapsed because Mr. Pope refused to produce his agreement with Mr. Todd, that the Government might know the terms of the contract between them. I really cannot see why the Government should refuse to purchase the estate in consequence of the non-production of that agreement, because when Mr. Pope guaranteed a title in his proposition to sell to the Government, the agreement between himself and Mr. Todd is of little consequence, provided he sells on the conditions specified in the original contract. I never quite understood that action of the Government, although I read the correspondence in the newspapers. I believe that the estate in question is one of the most valuable on the Island and as well settled as any other. I cannot see why the Government did not exert themselves more in regard to the purchase of that township. Considering that the Loan Bill was passed for the purpose of buying lands yet remaining in the hands of the proprietors and for redeeming the securities paid for the Cunard and other estates as well as to put the financial affairs of the Colony in a better condition. I am at a loss to understand the slackness of the Government in this matter. After returning from England the Attorney General stated that he had entered into negotiations with all the proprietors, and that they had refused to sell on the conditions offered them. It seems strange to me that Mr. Todd, who was only within three or four days sail, and easy of access, was not visited for the purpose of negotiating with him on the purchase of his estate, particularly when the Government could get money at any moment for that purpose. Mr. Todd visited the Island and was here for weeks—he was introduced to the then Leader of the Government—Mr. Coles, and also to the Head of the Executive—Mr. Dundas. I am not going to find fault with Mr. Coles now, because he is labouring under an illness, but I am astonished that the Government were not more active in communicating with that proprietor. The instructions which I have received are from Mr. Pope himself, and these are to the effect that Mr. Coles never had the courtesy to return Mr. Todd's visit to his residence, to ascertain whether that proprietor was willing to sell or not. There was no offer made till a very late hour, and when it did come, Mr. Todd was not in the very best humor, on account of the discourteous manner in which he had been treated,

to make a bargain. I think the Government lost the estate merely because they could not get the original agreement which was made between Mr. Pope and Mr. Todd. What right they had to that agreement I cannot see. These are my candid and honest views on the matter, and I would like the Leader of the Government and his hon. friends from the Westward—Mr. Howlan and Mr. Laird—to throw some light upon the affair. Although Mr. Laird represents the district in which the estate in question is situated, he has not offered one word of explanation upon the subject. I think that both Mr. Laird and Mr. Howatt—the two members for the district—should have used more diligence in securing the estate. I believe that seven-eighths of the arrears of rent will be collected by the present proprietor, for there has been a large amount paid in within the last few months. All this would have been saved to the people, if the Government had used proper diligence in negotiating with the original proprietor, or, if they had accepted Mr. Pope's offer. If there was a township where the people should have been made freeholders, it was that one; for the people supported the present Government at the last election. However, the Opposition are not responsible for the slackness of the Government, but I know that, if I were the representative for that district, I should expect a good many heavy raps at the next election.

HON. LEADER OF THE GOVERNMENT.—I think I explained that matter pretty well last night; but, if necessary, I can do so again. The principal difficulty in making the purchase of lands, at that time, was, that, according to the provisions of the Land Purchase Act, the Government could not give more than seven shillings and six-pence per acre. Mr. Todd's estate was offered at thirteen shillings and nine-pence per acre, and contained 13,000 or 14,000 acres. Now, if we had given the price demanded, we should have overrun the amount named in the Bill. But I resolved that that difficulty should be overcome by purchasing part of the estate under the provisions of the Land Purchase Bill, and the remaining part under the Act which placed Ten thousand pounds at the disposal of the Government for the purchase of proprietary lands. What took place between His Excellency and Mr. Todd, I do not know, but I heard that His Excellency was displeased with the statements made in one of the newspapers on the matter, for the statements, he said, were not founded on fact. I have not such a bad opinion of men as some people have; therefore, I expected that the gentleman who was the Leader of the late Government would not have dealt with Mr. Todd, knowing that I was in the act of negotiating with proprietors at the time for the purchase of estates. If Mr. Todd should have been brought before any of the members of the Government, it should have been to myself, because it was well known that I negotiated, on the part of the Government, in such matters. As it was, I felt disappointed,

when I heard that the hon. gentleman, who should have had the interests of the people at heart, had concluded the purchase of the estate from Mr. Todd. I availed myself, on the first opportunity, of telling Mr. Pope that I was surprised that he acted as he did after expressing his desire to see the people get the freehold of their farms. Shortly afterwards, he tendered the estate to the Government, who were willing to purchase it. Commissioners were appointed to value the land and to report to the Government. It is all very well for the hon. Leader of the Opposition to talk about the Government giving cash for the estate. Even although the Government had raised the money on the spot, I consider that if Mr. Pope's was a *bona fide* offer, his agreement with Mr. Todd should have been produced. If Mr. Pope had five years to pay the amount to Mr. Todd, the Government should have been allowed to see that agreement. I do not know the nature of that agreement. Perhaps Mr. Pope had no interest to pay on that money, if so, the Government should have been allowed a like advantage. Mr. Pope offered the estate to the Government only on the terms of cash down, and the latter were not disposed to give this without the production of the original agreement. If the hon. Leader of the Opposition thinks there was no occasion for this demand on the part of the Government, I merely beg to state that I differ from him on that point. There was no occasion to keep back that important document in such a negotiation. We offered Mr. Pope £150 to pay all the expenss of the transfer, and therefore had a right to ask for that agreement, and when it was refused, we had a right to break off the negotiations. This is my opinion, and it is in perfect accordance with that of the other members of the Government.

HON. MR. LAIRD.—Mr. Chairman, I have listened patiently to the whole of this debate on the Land Question for information, for it is not to be expected that a young member like myself should be posted up in a matter which has been before the public nearly a century. I believe that the question has been before the House for at least a quarter of a century. I have listened patiently to the arguments of hon. members on both sides of this House, and have come to the conclusion that both political parties have failed to settle this long vexed question. I think it would be more becoming at this time of day for both political parties to unite and sweep away this question from the Colony and from the debates of this House. I listened patiently to the speech of the hon. member for Charlottetown (Mr. Brecken) on the different measures that have been proposed by the Liberal Party; and then when I heard the remarks of hon. members on this side of the House, it appeared to me that both parties were on a level on the matter, and that both have failed in settling this long vexed question. I have been twitted with having neglected the interests of my constituents on this Lot 19 affair. I think the hon. Leader of the Government has explained this matter satisfactorily, but if any

thing I can offer will throw any light upon it I shall be happy to give it. I considered that the interests of the people of Lot 19 were safe in the keeping of the Attorney General, and I think his explanations were so plain that I cannot make them any plainer; but, "as in a multitude of counsellors, there is safety," I may add something. In the first place, I am accused of neglecting to correspond with Mr. Todd, in connection with the negotiations for the purchase of Lot 19. The hon. Leader of the Opposition is well aware that the laws of the land do not allow the Government to give more than seven shillings and sixpence per acre for the proprietary lands. Mr. Todd was not disposed to sell at that price, and as we could not give more, it was useless to correspond with that gentleman on the subject. Until the ten thousand pounds were placed at the disposal of the government, it was useless to begin to correspond with Mr. Todd, but as soon as that measure was passed, we purchased an estate from Mr. Pope. After this, the Government were not in a position to purchase Lot 19, for a considerable part of the ten thousand pounds was spent. However, the Government made Mr. Pope an offer for that estate after it came into his possession, and thereby acceded to the wishes of the people. As Mr. Pope made a compromise in the former case, I am not surprised that the Hon. Leader of the Government should feel confidence in that gentleman in regard to the people on the Todd estate. But what do we find? The Attorney General was absent on business at the time Mr. Todd was here, and, during his absence, Mr. Pope purchased the estate. It is well known that from the very principles upon which the government is constituted, very few of its members can remain in Charlotte-town, therefore I and some others were not in a position to communicate with Mr. Todd on the matter. I, for one, was not aware that Mr. Todd was in the Colony, till I heard that Mr. Pope had purchased the estate. As the Attorney General was the proper official to negotiate with, Mr. Todd should have been referred to him. As regards the threat thrown out concerning my constituency, I will inform the hon. Leader of the Opposition that I am quite independent on that score, for there are much more important things for me to attend to than political honors. I am fully satisfied that I have done my duty, and I believe that no reflection can be thrown upon the action of the Government in regard to this matter. Should Mr. Pope yet wish to sell his estate, I should be one of the first to meet him half way and to negotiate with him again. I should be quite willing, also, to allow him all the political capital that can be secured in the transaction. I have the interests of the people of Lot 19 at heart, as neighbors, not as political supporters only. The importance of the people becoming freeholders, cannot be valued in a money point of view,—it is discreditable to this Colony that her yeomen should be under the power of any man.

I am better acquainted in Lot 23 than I am in Lot 19, for that is my native place. The proprietor of a part of that Lot—Mr. Hodgson—offered to sell his land to the Government, and they immediately appointed three Commissioners who have occupied political situations in this Colony—men who were qualified to value our lands—to report on the portion of land offered us. They went and consulted with the tenantry—I have heard it stated that men in that capacity have no right to consult with the tenantry—and reported that eleven shillings per acre was as much as the land was worth. I have been informed that the land on Lot 27—formerly Mr. Pope's estate—was worth more than Mr. Hodgson's land on Lot 23. Now, Mr. Hodgson asked fourteen shillings per acre for his land, which was too high a price for it. The Government, anxious to make the people freeholders, offered him twelve shillings per acre, but he refused the offer. The people of Lot 23 should receive some consideration at his hands, because, if it had not been for the enterprise of the people of New Glasgow and other fine settlements on that Lot, his estate would not be as valuable as it now is. I always was led to believe that Mr. Hodgson was a gentleman in every sense of the word, but I am almost shaken in my opinion; as he holds a high office in the Colony, I think he should have given the people a proof of his regard for their interests by selling his estate to the Government; but he never offered the least inducement to the tenantry on his estate. Perhaps that gentleman may yet change his mind and accept the offer of the Government. For my own part, I should be very much pleased if the Government could succeed in settling both of these cases, but it would be very injurious to the interests of the whole country if the Government were compelled to give three or four shillings per acre more than those estates are really worth. Mr. Hodgson has placed himself in a very wrong position, and considering the high position he occupies in the Colony, I am surprised at his refusal of the offer which he has received from the Government for his land on Lot 23. I am willing to use my influence to endeavour to free the people from landlordism.

Mr. Prowse.—Mr. Chairman: I shall not occupy much of the time of this hon. House with many remarks: but as it is generally thought that this subject should be well ventilated and that the business of the country will be expedited by going into it, I shall express my opinion on the matters before us. At the time I read the correspondence between the hon. Leader of the Government and Mr. Pope in reference to the latter gentleman's Estate on Lot 19, it appeared to me, that the Government were rather premature in demanding the original agreement between Mr. Pope and Mr. Todd. If up to that time they had not any reason to believe that Mr. Pope would not act in good faith in reference to the matter, why did they demand that document? I believe that Mr. Pope refused to give up that

agreement, because he was annoyed; he had been previously informed that the Government did not intend to buy the Estate at all, and therefore he thought they were not in earnest when they made him an offer. If the Government were disposed to purchase the estate, they could have got the original agreement afterwards, which would have answered their purpose just as well as getting it before the bargain was concluded. The hon. member for Bedouque (Mr. Laird) expressed his wish that all parties would unite in settling the Land Question. Now, Mr. Chairman, that is an important step in the right direction—I believe it is one of the most important that has been made in this House for some time. There ought not to be any difference between parties in reference to this question. I believe that all hon. members on this side of the House would willingly assist the Government in perfecting any measure calculated to benefit the people of this Island and to enable them to become freeholders. At any rate I, for one, would willingly give my support to such a measure. But why is that measure not introduced? Every estate which falls into the hands of the Proprietors only tends to raise the price of those lands and to place them further out of the reach of the Government. All the land in the district which I represent, is in the hands of the Government, except one Lot—Lot 61. In that township, the people are pressed very hard for their back rents and there is no probability of their ever being able to come to terms with the proprietor. For this reason the Government should make some effort for the settlement of the whole Land Question. We have seen how the price of the proprietary lands has been raised within the last few years—from two shillings and fourpence to eleven or twelve shillings. The state of these matters loudly calls for some measure which will comprise the whole of the proprietary lands in the Colony, and which will enable the people thereon to become freeholders. This, I believe, can only be brought about by a compromise with the consenting proprietors. I could not lend my assent to a coercive measure unless I saw that it was probable it would be sanctioned by the Imperial Government.

Mr. P. SINCLAIR.—Mr. Chairman. As the paragraph relates to the Land Question, this is a proper time to take hold of the subject, and I believe that it will be none the worse for being well ventilated. The state of the country at present is not what it ought to be on account of the evils arising from the proprietary system. The purchase of Lot 27 gave great satisfaction because it was conducted in a straightforward manner. The proprietor offered that estate to the government, at a price which they did not think right to give; but it was purchased, for the people thought they would be placed in a better position by accepting it even at that high price. It was the intention of the government that the Land Purchase Bill should benefit the people of this Island

by enabling them to become freeholders. The first attempt at the purchase of the proprietary lands, was in the case of the Worrell Estate, but a middleman stepped in between the government and the proprietor, and made money out of the transaction. I recollect hearing the Leader of the late government make the boast that that man had a right to do so, if the government were slack enough to allow him. If the government had purchased the Todd Estate from Mr. Pope, on the terms offered them, I believe that no less than £2,500 would be wrung out of the tenants on Lot 19. The government had at least as good a right to be strict in making a bargain as any gentleman has in his private business transactions, therefore, they had a right to know what the original agreement between Mr. Pope and Mr. Todd was. If Mr. Pope had five years to pay for the estate, free of interest, the government would have been obliged to demand that interest from the tenantry, had they purchased Lot 19. The government deserve credit for being so careful of the peoples' money; in my opinion, they acted perfectly right in refusing to purchase that estate, till they saw the original agreement. If Mr. Pope got five years to pay for that Lot, without interest, the people should have the same chance; still, at the same time, I am sorry that the government could not complete a bargain which would be fair to all parties. But, instead of the people thanking the government for their efforts, what do we hear in reference to Lots 19 and 23? We hear the cry that the government do not wish to purchase these estates, and we hear the proprietors declare they will have all their back rents. Right should be right. If these proprietors would not consent to act in a straightforward manner in negotiating with the government for the sale of their lands, why should they turn round and revenge upon the poor tenantry? Certainly, the latter should not suffer; but my candid belief is, that the proprietors, by revenging upon the poor tenantry, thought to drive the government to accept their lands at a price which they, themselves, should fix, and thereby make money out of the transaction. I ask this hon. House whether any good member of society would act in that manner? I believe that the more the conduct of these proprietors is examined, the more glaring it will appear. Anything which they can wring out of the government, they think they have a right to. I was one of those who were appointed to value the lands on Lot 19. We found much of the land rocky and poor, but we thought it better to value it as high as we reasonably could, for the people were in a deplorable condition. We sifted the whole matter thoroughly, and came to the conclusion that if the government paid eleven shillings per acre for it, all round, some of it would have to be sold for fifteen, because much of it was very poor and worth but little. The government did not purchase the two estates of which I have spoken, on account of the extravagant demands of the proprietors, and I believe the former are fully justified in the course they pursued relative

to both Lot 19 and Lot 23. I think those proprietors will yet find that it would have been far better for them to accept the offer of the government than to take vengeance on the poor tenantry

Hon. Mr. HENDERSON.—Mr. Chairman: I am glad to see this debate taking a practical form so far as speaking is concerned; but many of the facts in connection with this question are painful ones to any person who has any sympathy for human nature. As the hon. member for Bedeque has observed, any green spot to be found in the Rent System merely depends upon the humanity of any particular proprietor. The evils of that system must, to a greater or less extent, injure the moral character of a proprietor who otherwise might be a man of the tenderest and kindest feelings. I am thankful that my subsistence does not depend upon the screwing principle which has been adopted by some of those gentlemen. I feel thankful that I do not experience that "poverty is an enemy to virtue." I feel thankful that I am neither a proprietor nor a Land Agent in this Island. I am sometimes at a loss to know on what principle these gentlemen are now acting; but I believe they are oppressing the people with the expectation that they will force the Government to purchase their land the more speedily. They think that unless the back rents are now collected, their time will be short, therefore, they are now screwing the people hard to make them pay the last farthing. I know that the remarks of the hon. member for New London (Mr. P. Sinclair) are pretty well based upon facts, for many actions similar to those of which he spoke have come under my own observation. I know that a proprietor acted in this manner when I was a member of the late Government—he put the screws upon the tenantry so hard that they begged that that Government might relieve them. There is no doubt that men of the same stamp are capable of doing the same thing again. But that proprietor did not obtain his own ends, for the tenantry on his Estate were liberated. He might have made a better bargain if he had been more moderate in his demands upon the people. I state without fear of contradiction that one of the blackest stains on the British Constitution is the arbitrary or despotic power put into the hands of individual landed proprietors—it is inconsistent with the other parts of that Constitution. You are well aware, Sir, that even in France the land tenures are not placed upon such a footing as they are in Great Britain and Ireland. Proprietors in the former country would not dare to clear out a whole country by means of the Sheriff and his constables, as they do in British territory. I cannot but feel deeply on the state of our tenantry whenever I examine this subject, for I feel they are under the pressure brought to bear upon them, and that they are sorely pressed and harassed. I would support the Government in any measure consistent with the constitution, and which would coerce the proprietors for the pur-

pose of enabling the tenantry to become freeholders. Any measure that would bring a pressure to bear upon the former I would support with all my heart. I quite agree with my hon. colleague in his remarks that as the Government have now a decided majority in this House, the way is clear for them to bring in a measure that will relieve the country from landlordism. I am quite willing to give them credit for any right step they have taken, but there is ample room for them to work yet. I hope they will leave no stone unturned till they accomplish the great object they have in view.

Mr. HOWARD.—Mr. Chairman: I am gratified to see this Lot 19 question introduced to the attention of this House; but as I said last evening, I have no intention to blame the Government or any other party, for I believe the former have done their best for the relief of the people from the evils of the rent-paying system. I hope the Government will not delay in making another offer to the proprietor of Lot 19, and as my hon. colleague says that the laws, as they now stand, do not allow the Government to go to a high figure in making a purchase, I would gladly support any measure that would enable them to buy up any estate that may be offered to them. It cannot reasonably be expected that Mr. Pope will sell at a loss—the estate would cost at least thirteen shillings and nine pence per acre, and I believe that it would be self-sustaining even at that figure. At any rate, I cannot see that there is any chance of getting it for less. It appears to me, that the trifling differences which exist between the Government and Mr. Pope, might be settled in a way honorable to both parties. If the Government should succeed in purchasing that estate, I would go in for giving the land to the people at first cost. There are large arrears on that Lot which would be all wiped off if the estate were purchased by the Government. If there were a small loss sustained in the matter, I believe the country would bear us out in purchasing the estate, for the people would be largely benefitted. It has been stated that Mr. Pope will never again have anything to do with the present Government. Should that be the case, it will show he is not sincere in his professions of anxiety for the good of the people; for we do not expect a trifling matter like that should be allowed to interfere with the public interests. If he will not sell, he is not a friend to the people, for I believe they have a claim upon him, having supported him in time past. The advantage to the people by purchasing at the price demanded, would not be great; still, the satisfaction in the people's becoming freeholders, would be productive of good, and I hope, therefore, that the Government will renew their offer.

Mr. BELL.—Mr. Chairman: The paragraph before us includes the question discussed yesterday and to-day, namely, the long vexed Land Question. To go over the whole ground taken up by the different speeches which have been

made, would be an endless task; therefore, I shall confine my remarks to the negotiations for the purchase of proprietors' lands. As regards the Lot 19 affair, I think the government acted a very prudent and wise part. The Hon. Leader of the Government showed great tact and business knowledge in his negotiations with the proprietor of that Township; if he had done anything else, he would have been roughly handled by the Opposition. When Mr. Pope offered to sell the Todd estate, he asked the same price which he had given for it, and, therefore, the Attorney General had a right to see the original agreement. I firmly believe that that proprietor was not sincere in his pretended willingness to benefit the people on his estate. He is a gentleman above want, and could do as he pleased with his own; but we must admit that it was hard that he should turn round and vent his vengeance upon the poor tenants on his estate. His late acts only show his insincerity to sell at the same price he gave for the land. In a former transaction of this kind with which his brother had something to do, there was a large sum wrung out of the poor tenantry; however, that is all over, but "it shows which way the land laid" in this respect. I know that the Land Purchase Bill has been a great benefit to the people of this Island, for in my neighborhood the whole of the wilderness lands have been taken up, and I believe, that in a short time, we shall have a great settlement there. I hope the government will continue to bring forward measures which will increase the prosperity of this Island, for much remains to be accomplished. I should like to see a measure brought forward which would encourage immigration and which would hold out inducements to a better class of farmers to settle amongst us. There are many good farms for sale all over the Island, upon which such a class of men might settle; and we know what competition does in this Island as well as everywhere else. A good leader does good in every community, and a good example is very much wanted amongst our Island farmers. As regards Lot 23, I do not know much about it, but I think the government acted prudently in not giving the price demanded by the proprietor—Mr. Hodgson. The Land Purchase Bill would not enable them to purchase at so high a price, and they had spent so much of the ten thousand pounds granted last Session in purchasing another estate, that the balance was not large enough for the purpose. I should like to see Lot 19 purchased so as to do justice to all parties. If a measure were brought in for the purpose of enabling the government to give more than seven shillings and six pence per acre for the proprietary lands; I would willingly give my vote to support it, because, I should like to see the people freed from such landlords as Mr. Pope. It was mean of him, to say the least, to oppress the poor tenantry in the manner represented to us to-day. I do not say that he has no feeling; but if he has any, he has not shown it. For these reasons, I hope the government will endeavor to purchase Lot 19.

Hon. Mr. CALBECK—Mr. Chairman: I am as peculiarly situated with regard to Lot 23 as my hon. colleague in the Government—Mr. Laird, is, with regard to Lot 19. As Lot 23 is within the district which I represent, it may appear strange that I coincided with the action of the government in regard to it; therefore, I shall offer a few explanations on the matter. With respect to Lot 19, I may state that the present Leader of the Government held a conversation with Mr. Pope, respecting his views on the purchase of that estate. Looking at Mr. Pope as one who had been a public man, it was reasonably to be expected that he would not act in a manner contrary to the interests of the people whom he had represented. He was also in a better position to influence the proprietor than any party in the government. He promised the Attorney General that he would use his influence in assisting the government in obtaining possession of the estate. The latter was, shortly afterwards, absent from the city, and I was not aware that Mr. Todd was in town until he had left. Then, with respect to the correspondence between Mr. Pope and the hon. Leader of the Government, I take it, that if a power was delegated to me by another party, it would be my duty to act as cautiously as if I was acting for myself. A certain power is vested in the Government, and, therefore, they should act in a similar manner. If I were intrusted to make a purchase, say of a bale of goods, for an individual, would I not, as a gentleman, in honor bound, ask to see the invoice of the goods I was about to purchase? It appears to me that if I purchased at what was supposed to be the cost, without seeing the invoice, I should not be doing my duty. The Government offered to remunerate Mr. Pope for any loss he might sustain in the expenses of transfer, therefore, was it not reasonable that he should produce the original agreement, when offering his estate to the Government at cost? I think, in this case, we had reason to expect some liberality from that gentleman, because it was a question which concerned his former constituents. With respect to Lot 23, I may say, that I am immediately interested. As Mr. Howatt has been supported by the tenants on Lot 19, so I have been supported by the tenants on Lot 23. The people on the estate in question supported me almost unanimously, therefore it is to be supposed I would try to benefit them by every means in my power. Mr. Hodgson made the Government an offer, and we appointed the best men, I believe, we could get, to value the estate. These men went through the lands owned by Mr. Hodgson, and reported them to be worth eleven shillings per acre. We offered something in advance, and at the rate of twelve shillings per acre, but that gentleman would not accept the offer. If we had accepted Mr. Hodgson's proposal, we should not be doing justice to other portions of the Colony. Is it reasonable to suppose that we should give Mr. Hodgson fourteen shillings per acre, and thus establish a bad precedent for the purchase of other estates? Although these tenants were in

my own district, I considered that if we gave fourteen shillings per acre, we would give more than the real value of the land. The proper way for the Government to act in such matters is to take what they can purchase at a reasonable price first, and thus they will not raise the value of the remaining estates in the Colony. It is all very easy to say that there are large arrears on an estate and that the proprietor may demand the whole; but there is a great difference between demanding and collecting. I know of no proprietor who is able to collect all his back rents, except in cases where estates are situated in advantageous situations. Then, again, respecting our ability to purchase. There was a certain amount voted last session for the purchase of estates, but a large part of that had been expended previously in purchasing an estate; therefore, the government had not a balance sufficient to purchase a large tract of land at a high price. We could not have purchased Lot 19 without a little manoeuvring in going beyond the limit. But the greatest consideration in that case was, that if Mr. Pope was offering at nett cost, he should have produced the agreement. I do not think that by so doing, we doubted that gentleman's honesty. A body of men to whom are intrusted the interests of the people, the Government should not trust any man from whom they were making a purchase for the Colony. With respect to Lot 23, I dare say the public are aware that petitions were sent in, asking the Government to do what would be injuring other tenants in the Colony, by purchasing at the price at which the estate was offered; but we know that when people are driven to extremities, they might ask the Government to do what would be wronging others. In this case, I am free to say that although I represent Lot 23, I was opposed to giving fourteen shillings per acre for lands of inferior quality on that township. I have had delegation after delegation from the people to reason with me and to show me that it was my duty to purchase at the proprietor's offer, but, for the reasons before mentioned, I refused. I told them that by so doing, I should raise the price of other estates and possibly might not benefit my constituents much after all. A good deal has been said concerning the merits and demerits of the late Government. I am willing to give the gentlemen who composed that Government all credit for a measure enabling the people to purchase the freehold of their farms on some estates; but with respect to the Fifteen Year's Purchase Bill, I must say that I cannot agree with the sentiments expressed by a gentleman on the other side of the House. I have tried to take an impartial view of that Bill, and have tried to give them credit for it; but it appears to me that we should legislate for the many—not for the few,—and therefore that Bill is not founded on the right principle. It appears to me that that Bill has had the effect of raising the price of the township lands, and therefore is a boon to the Proprietors. I think that Bill originated between

the representatives of the people—who were extremely anxious to purchase the lands even at a high figure, to please their constituents—and the late Government. It is very reasonable to suppose that a proprietor would argue and urge the very points which have been given in favor of that Bill. By the people's accepting and acknowledging that Bill, they acknowledge fifteen year's purchase to be the actual value of their lands, but which every hon. member in this House knows is far more than the real value. But I am willing to give the late Government credit for all the really good measures which they passed for the public good. I believe there are gentlemen on the other side of the House who are disposed to give even-handed justice to all. I was much pleased to hear the remark from the hon. member for Murray Harbour (Mr. Henderson) that he was pleased to know he was not a proprietor or a proprietor's agent. When I look at the offer of the hon. Leader of the Opposition to sell his land to the Government, I give him credit for that honorable act, because I know he could not have the heart to send out bailiffs to take the last cow or pig from the poor man's barn. But hon. members are well aware that these acts of oppression have been committed by a gentleman who occupies a high official position in this Colony, by one who is well treated by the people and in receipt of a large salary from the people's money. I think that gentleman could have well afforded to allow his back rents to remain—especially at this season of the year. But it would appear as though some proprietors were pushing the people at this inclement season for the purpose of forcing the government to give them their own price for their lands. I do not say that this is their motive. I trust it is not, but it appears very much as if it was. I trust that these proprietors will yet relinquish the course they have taken. We, as the representatives of the people, should visit them in their distress and advise with them as to what should be done. I visited the people on Lot 19, in company with the Hon. Mr. Haythorne, and consulted with them, and I am happy to say that not one individual among them made use of any remark which would lead us to suspect that they would abuse the law. They gave us every information on the situation in which they were placed and on the claim which the proprietor had against them. They stated that they were willing and anxious to buy the freehold of their farms, but that they had not the means. We did not go to the wealthiest nor the poorest, but to the middling class of the people for information. We both felt that if all their back rents were demanded from them, they would be stripped of all they had, in the way of moveables, in the world. I am happy to hear that the hon. gentlemen of the Opposition are disposed to help us in freeing the country from landlordism. A gentleman informed me that a certain road was in a very bad state, and that there were very few settlers upon it; he, therefore, wished the Government to assist them in mending it. I visited it and found that one side of the road was

in a flourishing state, while the other side was a wilderness. I was informed that the settled part was Government land, and the other side was a proprietary estate. It struck me that the government, in granting money to this road, were increasing the value of that proprietor's land from the public Treasury. It is our duty to do all we can to purchase the remaining estates, because, every year they are becoming more valuable, not by the proprietor's money, but at our expense.

HON. MR. HENDERSON.—Mr. Chairman: I am very unwilling to enter into details of the measures that have been passed by the late Government: but the remarks which have just been made call for a few words from me. I have grave doubts as to whether the hon. member who spoke last has taken in every item connected with the Fifteen years' Purchase Bill under the state of things out of which it resulted. When the Commissioners made their award, they fixed the price of the land at twenty years' purchase—any lands under that price were to be left to legal arbitration. After the award was pronounced a failure, the proprietors drew up a valuation of their own, which was considerably higher than fifteen years' purchase, after reserving the most valuable portions of their estates, such as choice farms and mill streams. As it was, that Bill was a compromise; and what has it accomplished? Why, the sweeping off of £50,000 of back rents, to pay which, would have taken everything the people had.

HON. MR. CALLBECK.—Could that rent ever have been collected?

HON. MR. HENDERSON.—The facts brought before this House to-day show that the Government should make every effort consistent with the principles of the Constitution to free the people from the rent-paying system. After this has been done, the hon. member will find the answer to the question he has put, in his own position. Is it not a fact that while there was a hoof on the tenant's farm, under the operation of the law, the proprietors could collect the rents due for twenty years back? If not, I am greatly mistaken. Well, when the proprietors made that offer, there was a great hue and cry raised, so much so, that something had to be done. The Fifteen Year's Purchase Bill and its general operation were coupled with an Act to assist tenants in the purchase of the freehold of their farms. After this measure was passed, the people whom it benefitted were surprised to hear such a hue and cry against it. But they soon found that there was something more in that Bill than was generally supposed. This measure has relieved the people of an enormous burden, but I never claimed more for it than that it was the entering of the wedge in the best shape within the bounds of the Constitution. The Fifteen Year's Purchase Bill was a coercive measure, and it is a coercive measure we now want to compel the remaining proprietors to sell their estates. If a measure of that kind was introduced by the Gov-

ernment, it should receive my hearty support, provided it was constitutional.

HON. MR. CALLBECK.—I must confess that I differ widely from the hon. member for Murray Harbour on the Fifteen Year's Purchase Bill. It would be strange if a body of Proprietors would bring in a measure calculated to injure themselves. If that Bill originated with the proprietors it appears rather singular to me that they would not take care of their mill-streams and valuable lands.

MR. McNEILL.—Mr. Chairman: It will be expected that I should give my opinion on the matters introduced in connexion with this paragraph, as Lot 23 is a part of my district. In regard to Lot 19, I shall not say much; I have seen all the correspondence on the affair in the newspapers, and my mind was pretty well made up as to what the intention of both parties was. I would have been very glad if it could, have been purchased on reasonable terms, for I have some old friends on Lot 19, but we should not look too much at our own interests. Let us look at the interests of the whole Colony and endeavor to free the remaining portion of the tenantry as soon as we possibly can; but it does not appear that this will be easily done. I was one of the persons appointed by the Government to value Mr. Hodgson's Estate on Lot 23; and I was anxious that it should be purchased, not because I wished to make political capital out of the transaction, because a number of the tenantry there did not support me; being in arrears of rent, they were afraid to come forward. But there was no partiality shown by the proprietor in writing them this winter—he served those who supported me and those who did not, all alike. I was born on that township, Mr. Chairman; my great-grandfather was one of the first settlers on that township, and my grandfather purchased his land from a person who claimed to be the owner; but in a short time after, he had to pay his money over again to another person. I urged this purchase upon the Government on account of the hardships the people had suffered. Three farmers in Cavendish had at one time to pay all the quit-rents for the whole township—they had their teams seized for that purpose. Although the money was paid back, they were never paid for the expenses and loss of time they had sustained. I have long known the quality of the land on Lot 23, and, as I said before, I was much interested in the purchase of it. I never could look upon my land as my own, and therefore, I can feel for the tenants settled there. We looked over the estate and found that it was nearly denuded of wood. Some of it you would hardly take as a gift—it had been beech land, which is good enough with plenty of manure, but it was far from being in a good state. We considered that the highest price it was worth, would be eleven shillings per acre. The Government promised me that they would give a shilling more if the people were very anxious to get the freehold of their

farms. I believe the tenantry would have been glad to give a little more than the price at which we valued it, provided they could free themselves from landlordism. But, as is well known, Mr. Hodgson refused to sell at the price offered by the Government. If one proprietor obtains his price by oppressing the people, another will do the same, so that there would be no end to the evils arising out of such a system. I feel for the people, not only because they are my constituents, but because they are my neighbors. It is not very pleasant to see one's neighbors disturbed in the way they have been. I am proud to hear that the hon. Leader of the Opposition has sold part of his land, for last year he invited me over to his side of the House. As he has such a good head-piece, and is posted up in the secrets of the proprietary system, I have hopes that with his assistance we may do something to settle the long-vexed land question. This sending constables to the country for the purpose of stripping the poor of what little property they possess, must be contrary to the finer feelings of that hon. gentleman. If proprietors persist in sending their bailiffs through the country, they will have the bodies and souls of these men to answer for, because we must expect that when men are exasperated, they will turn round and shoot the first man that comes in their way—as in the late Gay shooting case. We cannot expect that the people will submit to ill treatment or to having the last cow and pig taken from the barn. But in reference to Lot 23, I may state that the hon. member for New London (Mr. P. Sinclair) assisted me and hon. A. Laird, of New Glasgow, in valuing it, and he said that the land on Mr. Hodgson's Estate was not as good as that on Mr. Pope's, which he had previously valued. Many of the people on the former estate are very poor; but these proprietors think they have a right to everything a poor man has, if there is a large amount of back rent due them, and therefore that they have a right to distress for it. I hope, for the sake of human nature, that there are not many like them. As my hon. colleague stated, it would take all the poor tenants have to pay their back rents, and many of them have not enough to do it. To prevent the proprietors from doing this, we should have a measure something like the Tenant's Compensation Bill. The Fifteen Years' Purchase Bill, of which the hon. member for Murray Harbor has spoken, proved a great injury to the country; but I believe that gentleman was sincere in his statements. I blame that Bill for all this trouble with the proprietors, because it tended to raise the price of the Estates which remained in the hands of those men, at the time that measure was passed. I believe the late Government had a better chance to settle this grievous question than any other party that ever was in power in this Colony; but instead of doing so, they only made matters worse than before. There was a grievance to be settled between landlord and tenant and as has been stated by the hon. member for Belfast (Mr. Davies) the people were bound to

accept the Award of the Commissioners appointed to settle the Question—whatever that award might be. But it turned out that the proprietors were not bound to accept it, if it was unsuitable to their wishes. Rather than pass the Fifteen Years Purchase Bill, the Conservatives should have put the matter off, and in the meantime, have called upon the Home Government to do us justice, for the honor of that Government was at stake in the matter. If that Government had been requested, I believe that as they favored the plan of settling the Question,—if the proprietors had been bound and broken their bargain,—they (the Home Government) would have done us justice. When the Fifteen Years' Purchase Bill was once passed, the people formed themselves into an association for the purpose of bringing the proprietors to reasonable terms; but the Troops were brought here, as General Doyle stated in one of his Despatches, for the purpose of collecting the rents and nothing else. If the conservative Government had called upon the Home Government to compel the proprietors to abide by the decision of that Award, I believe the whole Question would have been settled.

The Speaker then took the Chair, the Chairman reported progress and asked for leave to sit again, which was agreed to.

House adjourned for one hour.

Afternoon Session.

MR. BEECKEN.—Mr. Speaker: in pursuance of a notice in the Order Book, I ask leave to present a petition, praying for an alteration in the Law for granting Patents to inventors. The law, as it now stands, requires that any person wishing for a patent for any invention, must have resided twelve months previously to the time of his application for such patent, in the Colony. The circumstances which have given rise to this petition are these:—One of my constituents has invented a very important machine—a grain sowing machine—and the field here is not wide enough to make such an invention a profitable speculation to the inventor. The object is to reciprocate with the United States in reference to patents. The law of that country is, that a citizen can take out a patent for any useful invention, by paying about thirty-five dollars; and a citizen of any other country that reciprocates with them in this matter, is entitled to the same privileges. I believe the machine referred to is one which the farmer of a larger country than this would be glad to avail themselves of. It is a serious question, whether it would not be a wise and sound policy to reciprocate with the United States in this matter, and give our inventors an opportunity to introduce their improvements into that country. The person who has invented this machine, is Mr. George Millner, who is well known in this community.

HON. LEADER OF THE GOVERNMENT.—In seconding the motion that the petition be received and read, I may say, I coincide entirely with the remarks

of the hon. member (Mr. Brecken). The United States have, as far as the Patent Laws are concerned, a reciprocal Act. They permit their citizens, by the payment of a small fee, to take out a patent; and the same privileges are accorded to the people of any country that reciprocates with them. The advantages will be on our side; for if persons on this Island shall invent any machinery, and the United States will be open to us, they will have a large country in which to dispose of their invention. But we should be certain that the United States will reciprocate with us, as we are only a small portion of a nation, before we give them any advantages.

MR. BRECKEN.—I may just remark, that if the inventor of this machine went to the United States now, to take out a patent, it would cost him \$500. After some further remarks, the petition was received and read, and hon. Messrs. Hensley, Laird and Brecken, were appointed a Committee, to report by Bill or otherwise.

The Act to continue an Act relating to publishing advertisements and notices relating to the public service, was read a third time and passed.

The House again went into Committee on the Draft Address in answer to the Speech.

HON. MR. DAVIES.—When we adjourned this morning, I was about to rise to reply to the objections raised by the hon. Leader of the Opposition, in reference to the Lot 19 Estate. The remarks which I intend to make, will be in relation to the position of the gentleman who offered that land to the Government. I think when we look at this matter properly, it will be seen that the Government acted very judiciously. We know that a practice has prevailed, that when the Government wished to buy land, land jobbers would step in and purchase it, and sell it to the Government at such a price as to make a handsome profit by the speculation. Now, it is the duty of the Government to endeavor to put a stop to such things. Now, Sir, although it is quite legitimate for any private individual to do such a thing, it is quite beneath the position of any public man to stoop to such a transaction. Every public man has professed his desire to free the people from the leasehold system, and assist the Government in carrying out the Land Purchase Bill. The Lot 19 Estate was purchased from Mr. Todd, by hon. Mr. Pope, a gentleman who occupied a very different position from a private individual, having been at the head of a Government in this House. He was bound by every tie of honor, to assist the Government in relieving the people from the leasehold system—he was even at that very time in the political field, and looking forward to a seat in this House. What I wish to represent to the House is, that the Conservative party cannot claim much credit or honor in reference to this matter. I would be very sorry if any of my colleagues acted in such a manner. The Government were not aware that Mr. Todd wished to sell his

land, and when the hon. Mr. Pope knew, he should have given the information to the Government; but instead of doing so, he bought the land himself, and thus brought himself down to the position of a land jobber. The Government have lost all confidence in Mr. Pope as a public man, and must deal with him merely as a land jobber. It is said that Mr. Pope offered the land to the Government at the same price that it cost him, but he refused to show his agreement with Mr. Todd. It seems extraordinary that the hon. Leader of the Opposition should claim any credit for this.

HON. LEADER OF THE OPPOSITION.—I neither claimed credit for Mr. Pope, nor did I censure him. But I claim credit, sir, for the Conservative Party for purchasing the Belfast estate, whereby they freed the constituents of the hon. member (Mr. Davies) from the grip of the proprietors; but the hon. member has not the candor to admit the fact that such benefits have accrued to the people of his constituency. He has alluded, however, to the negotiations between Mr. Pope and the Government, which collapsed. It appears to me that the Government do not feel very easy at the thought of having let slip the opportunity of making the people of Lot 19 freeholders. I can not see how it was that on a mere question of professional etiquette—because Mr. Pope refused to show his agreement—that the Government should have broken off the negotiations, if they were really in earnest to emancipate the tenantry. Suppose, for the sake of argument, that Mr. Pope, as has been said, had five years to pay for the estate, and that he would have made one or two thousand pounds by the speculation, what was that in comparison with the great object of relieving the tenantry. The hon. member, Mr. Laird, seems to think that neither the Liberals nor the Conservatives have done all they should have done in regard to this question; but, if the Government to which he belongs has acted contrary to his wishes on so important a matter, it is his duty to resign his seat in the Government. Judging from the tone of some hon. members on the other side of the House, they seem to think that the Government should now resume the negotiations for this estate, and one hon. member went so far as to say that if the Act which was passed last session, limiting the Government to the expenditure of only £10,000 at once, was any hindrance, he would wish to see it amended so as to increase their powers. One thing is very evident to the country, that, to use a vulgar saying, "There's many a slip between the cup and the lip."

HON. MR. DAVIES.—One great object the Government will accomplish in defeating the project of Mr. Pope is this, that it will be the means of preventing any person, hereafter, from stepping in and buying land which the Government is about to purchase.

MR. BRECKEN.—Last night, sir, the question that was discussed was, the policy of the Conser-

vative and the Liberal party; but now the question seems to be, whether or not it is right for private individuals to come between the Government and land owners. I have no personal interest in this affair, and know nothing of it except what I have seen in the papers. I am not going to pinch, Mr. Chairman, from expressing my opinion in regard to this case. Although I do not deny the abstract right of any person to speculate as he thinks proper, yet still, sir, I think, in the present state of the country, it is not right for any individual to step in between a proprietor and the Government. I do say, that, if this unfortunate land question can be settled in a constitutional way, let it be done. I would be true to the constituency which I represent if I hesitated to express my opinion in this matter. I believe that my constituents pay one-tenth of the revenue of the country, and this work of making freeholders is a losing speculation to the Government, so that my constituents have to put their hands in their pockets for the general benefit.

The paragraph was agreed to.

The paragraph referring to the visit of the Committee of the Congress of the United States to this Colony was read.

HON. LEADER OF THE GOVERNMENT.—In moving that this clause be agreed to, I may say, that whatever may be the result of the visit of the Congressional Committee, I am certain that the subject of Reciprocal Free Trade between this Island and the United States, will be viewed by every inhabitant of the Colony as one of great importance. Although Prince Edward Island is so small, that some men of great minds would think it beneath their notice, yet it is the place we live in, and we must always take an interest in it, and I am confident that we are worthy to occupy some little consideration in the eyes of the world. We know that some small countries have worked out great names for themselves. Even one individual may bring fame to a country. If the mere fact of having a large country were a measure of greatness, the Chinese Empire would be a great nation. But notwithstanding its vast territory and almost countless millions of inhabitants, China, if we except its tea trade, exercises very little influence on the affairs of the world. It is the individual virtues of a people that give them standing in society. However, Sir, no matter what reasons may have led to the visit, we should be gratified that we have had a visit from a Congressional Committee of the United States, a country which is next in importance to the great Empire to which we belong. It is pleasing to reflect that the Congress of the United States should think it necessary to send a Committee to make any arrangements respecting trade with this Island. We know that the question of Reciprocal Free Trade was made the subject of a Resolution in the Congress of the United States last year, and

the consequence was that a Committee visited this Island to ascertain its resources and other things in connection with such a matter, and papers relating to the whole affair will be laid on the table of this House. As soon as the Government were made aware of the purport of the Resolution of the House of Congress, they addressed a letter to the Home Government regarding this matter, the answer to which will be laid before you. We know that national Treaties must be made between nations, but there is such a thing as Reciprocal Treaties; and there was an Act passed in the year 1849, that, so soon as the United States should permit the goods and commodities of this island into their country free of duty, the Governor should issue a Proclamation permitting their commodities to come into this Island free of duty. Now, that Act remains on the Statute Book and if the Government of the United States would let our commodities into their country free of duty, the Government of this Island could reciprocate with them at once, without any reference to the Imperial Authorities. But, then, another question comes up in reference to the fishing grounds. There has been a license imposed upon American fishermen, and there the difficulty arises. I think that the fishing grounds should belong to this colony, as much as any of its other resources, and the advantages that would accrue to us from Reciprocal trade with the United States would justify the Home Government in making some change in reference to this matter, such as imposing a mere nominal license, say five dollars per vessel. As the Lieutenant Governor was absent when the Congressional Committee arrived in our harbor, a letter was sent to myself, as the official representative of the Governor, and I was obliged either to receive the Committee as courteously as possible, or tell them to go away, that they would not be received in Prince Edward Island. I think the Government were bound to receive them with every courtesy and to listen to their views on the subject of Reciprocal Trade, and also to express their own opinions. They did so, and the whole matter was discussed, and all papers relating to it will be laid before this House. There have been various communications between the Home Government and the Government of this Island on the subject which will also be laid on the table of this House. I think every one will be satisfied, and I believe the Representatives of the people will say that the Government had every right to accommodate these gentlemen, and hear what they had to say on the subject. I do not think this matter will fall to the ground, for I have been in communication with the Congressional Committee ever since their visit; but even should it end in nothing, we shall have the satisfaction of knowing that we endeavored to get the benefit of Free Trade for the Colony.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, the paragraph before us is one of great interest to the country, for, as agricultural pursuits are our chief dependence, it is very important that we

should have a market for our surplus produce. I do not wish to occupy your time, however, in any lengthy remarks at the present time, for I have come to the conclusion that the proper time to discuss whether the representative of the Governor and those members of the Government who acted with the Congressional Committee, have acted prudently and as statesmen should have done, will be when we have the documents before us. I take it that every member in this House is a free-trader, so that there will be no difference of opinion as to whether unshackled trade would be beneficial to this Colony or not. The only question is whether the Government have acted in such a manner as to advance the interests of free trade in reference to our Island. I do not blame the Government for having enjoyed themselves when General Butler and his friends were here, and for having received them with courtesy and drenched them with champagne, and when the bill comes up for paying the expenses, I shall not object to it, for I think everything should be done to show that there is a good feeling between the inhabitants of this Colony and the United States. But, go cap in hand to beg for this boon of free trade; because it is not our fault that we have not a treaty at the present time. As the American Government thought fit to abrogate the treaty, they should be the actors in coming forward to renew it. The hon. member (Mr. Hensley) has pointed to the Act on the Statute Book to show that we can enter into a treaty at any time if the Government of the United States is willing. But the grand difficulty is in the Government taking control of the fisheries, when they, as you are well aware, are under the control of the Imperial Government. As long as we are under imperial rule, we have, in various matters, only restricted rights and powers, and in respect to the fisheries, our powers are restricted. The hon. Attorney General and myself are at issue upon this question; he thinks we can exercise authority on this question, and I think we cannot. I will give my opinion on this subject, when the proper time arrives.

Mr. BELL.—I should not like this paragraph to pass unnoticed, because I think there is no subject of greater importance to the people of this Colony than finding a market for their surplus produce. In regard to receiving the Congressional Committee, I think we all, with very few exceptions, believe that the Government acted right in doing so. Both agriculturists and fishermen require a market for their commodities, and there is now such restrictions in reference to fish exported to the United States, as materially to affect that branch of trade. I do not see that we went cap in hand to Washington, or any other place—the Committee visited us, and we received them kindly. It appears that the old Act is yet in force, and were it not for the difficulty about the fisheries, we might avail ourselves of any offers made by the United States Government. I remember a few years ago, the British Government sent out a large Steamer to protect the fish-

eries; the whole matter was a farce from beginning to end, for if she endeavored to capture a small fishing vessel, while she would be turning round, a smart little schooner would be miles away. I think the British Government should either protect the fisheries, or leave them to us, and let us make the best bargain we can. It is for the interest of every man in this Island to have free trade with America. Talk of Confederation, but what have we to ship to Canada—there is no market there for either our fish or produce. Fortunately for this Island, there has been a high price for oats in the British market, but this may not always continue.

Mr. BRECKEN.—Mr. Chairman, it has been my good fortune to attend two great Conventions in America. I had the honor, in the year 1865, of going to the Convention at Detroit, and I can assure you I enjoyed there a rare intellectual treat. There was not a city or town of any note in the United States or Canada but had its representatives there. It was just at the close of the American War, a time when the feelings of animosity between Great Britain and the United States ran high. The cry then was that Great Britain and the British Colonies, by the moral support they had given the Confederate States, had tended to prolong that dire struggle, which cost the nation so much. Up to the time that the Hon. Joseph Howe stood on the platform and delivered his memorable speech in that Convention, national animosity was in the ascendant. But, Sir, he controlled that public meeting, he electrified that vast assembly and changed the tone of that Convention as if by some magical power. Last year, I had the good fortune to go to another Convention, held at Portland, and I was surprised at the difference in the feelings of the people with regard to these Colonies. It was very evident that the object of that Convention was not so much reciprocity with other countries, as projected Railroads and other things in their own country. Yet, every facility was afforded us to conduct the business we had in hand, and I must say that the civility and kindness of the people of the United States cannot be surpassed. A resolution in favor of Reciprocity was passed in that Convention, with but one dissenting voice. A man belonging to the State of Maine argued very strongly against it, and evinced a very anti-British feeling, but he did not appear to have a single sympathizer in the room. I made a few remarks before that Convention. I thanked them for the kindness and friendly feeling they had extended towards us. I told them, that as they considered the abrogation of the Treaty necessary during the War, that we did not complain, but hoped that as that matter was now settled, they would renew it. I stated that we had lost nothing by the abrogation of the Treaty, that we had found a market in the mother country better than ever before. With regard to the fisheries, I said it was a subject for Imperial Treaty, that the voice of Great Britain must be heard in the

matter. For once, I feel disposed to support the Government in what they have done in this matter. They did not go cap in hand to look for a Treaty—the Committee came here, and I agree with the Attorney General that it was not a time to stickle about formalities. The Committee thought they could negotiate a treaty, and if there was an error, it lies on their shoulders, and not on the Leader of the Government. If the Leader of the Government and his Council took upon themselves to interfere with Imperial power, they did what they should not do, but to show the Congressional Committee every kind feeling, and let them know that we had the utmost respect for their Government, was nothing more than just to them and for our own interest. They are our neighbors, they live near to us, and are eager customers for what we have to spare of our products, and I do not think treating with them impugns in the slightest degree our loyalty to the British Crown.

Hon. Mr. HENDERSON.—I would make a few remarks in reference to what the hon. member from Cascumped has said, regarding the steamer sent out by the British government to protect our fisheries. I think he rather took a mercantile than a military view of the matter. The American Government were thinking of sending first class vessels to our fishing grounds, to protect their interests, and if the British Government, cognizant of this fact, should have sent out a few small piddle steamers, it would have looked very incongruous with the standing of Great Britain. There is sometimes policy in connection with defences, in time of peace as well as in time of war, and on this account, I would not wish it to be said that it was a mistake on the part of the British Government to send out such a large steamer to our waters. And in regard to the efficiency of such a vessel for the purpose, I may say that one of those large steamers, if it set about the work, would soon bring a number of American fishing vessels to their bearings, if such a thing were necessary.

Mr. BELL.—I would like to ask the hon. member (Mr. Henderson) if it is the duty of the British Government to wait till their rights are threatened before they provide means for their protection.

Hon. Mr. HENDERSON.—I have never learned that the British Government failed to properly protect their interests.

Hon. Mr. HOWLAN.—I think, Mr. Chairman, that the government could not have done anything else than what they have done in reference to the reception of the Congressional Committee. We know, Sir, that when that foul deed was committed which deprived the American nation of a beloved President, the Colonial Secretary of this Island sent a telegram to the United States, to express the feeling of detestation with which the people of this Island viewed the act. And dur-

ing their fratricidal war the feelings of the people of this Island, was very different from that of Nova Scotia and New Brunswick, towards their American neighbors. The press of this Colony did not teem with vituperation against them. It is a tribute of respect to our Island that they did not forget our kindness and thought fit publicly to send a steamer here with a Congressional Committee. They came here as an authorized Committee, with a Resolution certified by the Clerk of the Congress; and I ask what position would we stand in, if we had sent them from our shores without giving them a hearing. We would occupy a strange position if we had told General Butler that we were a Colony, and would not treat with him. If we had treated him as he was treated at Halifax, would any person justify the insult. An insult to General Butler, when acting in the capacity he was, would be an insult to the whole American nation. All our intercourse with that nation has been friendly and surely no person would like to see us so far forget the old elements of hospitality as to order the steamer out of our harbor. I think the information received and the kindly feelings that have been experienced during the visit, will have their weight in assisting to break down the barriers to free trade that at present exist.

Mr. HOWAN.—It is a well known fact that the people of this Colony regretted very much the abrogation of the Reciprocity Treaty, for two reasons—one was, that it decreased the friendly relations that had hitherto existed between this Island and the United States, and the other, that it was a loss to them. We know that trade with the United States is beneficial to this Island, for we want their manufactured articles, and they want our produce. We have not suffered much for the last few years, but we do not know how long the price of grain may be high in the British market. I think we have a duty to perform, we should do all in our power to get this Treaty renewed, and I do not see why the British Government should throw any obstacles in the way. What are the trifling fees imposed on fishing vessels in comparison with the advantages of free trade.

Mr. PROWSE.—In so far as I have read about the visit of the Congressional Committee, and of the reception given to them here, I certainly have no disposition to find fault with the Government for what they did in the matter. I also coincide with what was said by the hon. member for Alberton, with respect to the services of the vessel sent here to protect our fisheries. It is a well known fact, that the American vessels last year fished around our shores the whole season and as close, too, as suited their purpose. One of them ran in so close while fishing on the Sabbath day, near Georgetown, that she got ashore, and it should be made known that the American fishermen fish in all parts of our waters, so that what is now called protection, is really no protection at all. One American Captain who had taken a License

expressed regret because he did so, and that, too, because he perceived that it afforded him no better privilege than was granted to those who had none. My own opinion is, that those who knew the disposition of the Captain of that vessel sent here by the British Government to protect our fisheries, knew very well, that nothing was further from his intentions than to take any American vessel for fishing within the prescribed limits, and this no doubt the American fishermen soon perceived.

Hon. COLONIAL SECRETARY.—The British Government gave instructions to the Captain of that vessel not to seize any American vessel for fishing within the prescribed limits until he had served three notices upon the master of the vessel, informing him that he would be seized if caught so trespassing. Now, this was next to impossible to do, and as a consequence, considered it almost useless to attempt anything of the kind; hence the whole affair was a farce. A small schooner, like the one sent out here a few years ago, would have been of much more service to us than the one sent here last year.

Mr. McNEILL.—I was not aware that three notices had to be given, as now stated by the hon. Colonial Secretary. A Treaty was entered into between Great Britain and the United States in 1818, which gave the Americans the privilege of fishing in our waters within certain limits. The conditions of this treaty were strongly remonstrated against by Nova Scotia, and in consequence the British Government promised protection, and a bounty to Colonial fishermen, neither of which was carried out. We can easily see from what was said by the hon. Colonial Secretary how utterly impossible it was for the Captain of that vessel to execute his orders, and at the same time render assistance to our fishermen; and no doubt the American fishermen soon perceived that he was not disposed to molest them. With regard to the Congressional Committee, I would merely say, that it must be patent to every person that our best market lies in the United States. For the sale of our oats, potatoes, mackerel and other articles, there is no market that suits us so well, and when this committee came here to ascertain what articles of export would best suit their market and obtain the information it was commissioned to come here after, I believe the Government did right when they afforded them an opportunity to obtain the information that was desired by them, and in extending to the Committee a courteous reception, they only done their duty. The United States is a great country; and one we need not be ashamed to cultivate a friendly feeling with, even if we should not succeed in obtaining a commercial Treaty with that people. In importance, the United States is next to Great Britain, and has produced some of the most eminent men of modern time. In arts and sciences, it ranks next to Great Britain, and I do not know but that in some of the Arts, it has gone ahead of Great Britain, for they have built a Railroad

across the Isthmus of Panama, an undertaking which the French and English, after surveying the country, failed to undertake. They have in the late unhappy civil war, in raising an Army to put down one of the most formidable rebellions that ever existed in any country, shown a capacity which no other people ever did. In an incredible short time, they raised, equipped and trained one of the greatest Armies we ever read of, and when the object for which it was created was achieved, it was disbanded, and every man returned again to his former peaceful pursuits; they have since built a railroad which extends from the New England States across the Rocky Mountains to the shore of the Pacific Ocean, which will probably be completed next July, when had we free trade relations with that country, our mackerel, next autumn, might go from Boston to California. We know that during the late war much ill feeling was created against Canada on account of the open sympathy and encouragement extended to southern Guerilla Bands, which, had the Americans been eager to revenge, they could have easily done when the war was over. They did not do that, but they repealed the Reciprocity Treaty, and if there is any way now by which we can obtain its renewal, it is our duty to use our utmost exertions to further the attaining of so desirable a result. We have been already benefitted by our intercourse with the American people, and if it was less restricted than it is at present, we would find it to our advantage. There can be no doubt, but that a renewal of Reciprocal trade relations with the United States on an enlarged scale would be of immense advantage to our people. In Naval architecture, the American Nation has surpassed any other Kingdom in the world. That country has a Mercantile Marine, which for model, workmanship and finish, is, I believe unrivalled, and from their models, our own active Shipbuilders have built vessels, which for workmanship and speed, is not much behind them, and of those advantages our enterprising merchants are now receiving the benefit in the satisfaction they find in the employment of such vessels.

Hon. Mr. LAIRD.—I must confess, Sir, that I was surprised at one expression which was made by the hon. the Leader of the Opposition, when he said, the Government should not have gone cap in hand to the American people for favors. Now, Mr. Chairman, I think all will admit that the very reverse of this is what the government did. Would not it have been outrageously improper, if, when the Congressional Committee came here, the members of the Government had acted toward them, as some did? Had such been the case I suppose they would not have found anyone willing to meet with them, and afford them the information they desired, unless they fell down on their knees before them. But, Sir, in this matter, I feel that the members of the Government did what was perfectly right. We often hear of the duties and

responsibilities of the members of a government, but the position also brings honor along with the duties; and, Sir, I never felt the position more honorable than when I had the privilege of meeting with the distinguished gentlemen who composed the Committee; nor do I think that those of us who had the pleasure of thus associating with them, will ever regret that we embraced the position we occupied to enter into a free conversation with them. Of course, we all knew we could not enter into a Treaty; but we knew we could withdraw the Licenses, and if the Imperial Government allows us to place that value upon the granting of this privilege to American Fishermen, and to put the proceeds into our own Treasury; the Imperial Government may also allow us to give up this privilege in lieu of one that would be more beneficial to us; and, then, too, the danger of quarrelling with the American Fishermen, for fishing within the prescribed limits, would be wholly removed. I think it was our duty to ask for some privilege from the Home Government. We have the right of petition, and while I have the honor of a seat in the Executive, I will use every influence I can command for the best interest of the Colony, and I am sure that such also was the feeling that was uppermost with each member of the Government at that time. The right of asking is sacred, and we would have done wrong had we neglected this duty. We found in conversation with the Committee, that there are several articles which we produce that the American Government would be willing to admit, on a slight duty being paid, and that there are several articles which are in good demand in the American market, which we can supply cheaper than any other country on the earth, and there are some articles which we might allow them to place a higher duty upon. I am glad that the reception which was given to that distinguished Committee, is so generally approved of by hon. members on both sides; and when the despatches are laid before the House, I hope it will be seen that all was done which under the circumstances could promote the interests of the country.

Mr. GEORGE SINCLAIR.—I heartily concur in the sentiments expressed by the hon. member who spoke last, as I also feel gratified that a Congressional Committee from the United States should have paid us a visit for the purpose of enquiring if there was any way in which free trade relations could be opened up with us; and I think we should feel proud that they singled us out, and came here for such an object. In the course thus adopted, certainly there was no going cap in hand to them; and coming here as they did, they deserved to be treated handsomely and courteously, as I am pleased to know they were. We are already, as a Colony, indebted to the Americans for much of the labor-saving machinery now used in this country. We have but to look around to witness this in all parts of the country, and for much of this we may thank the inventive genius

of that people; for various reasons, it behoves us to be on friendly terms with them. When we had the Reciprocity Treaty, it was the means of bringing much money here. I think our Government did perfectly right in this matter. They were not so silly on either side, as to think that they could enter into a Treaty; but they mutually endeavored to give and receive information. At present, each of the Colonies has the same right to the Fisheries around our coast, and hence a Fishing License from one Province, give access to all the fishing grounds. I think, therefore, that we will have to be separated from them: nor do I see that it is impossible to induce the Home Government to allow us to make the Fishing Licenses merely nominal, or at a price which will simply secure the acknowledgment of the right of the Imperial Government to these waters, and this, I think, the authorities in England will allow. I think it is our right, although objection might be taken against allowing us any exceptional advantages over the other Provinces. However, even should it turn out that we are to be disappointed in these expectations, I think that benefits will yet result to us from the visit of the Congressional Committee, in the enlarged knowledge the American people will derive from its report, of our position and resources.

P. SINCLAIR.—I think the members of the Government deserve great credit for what they did in this matter. The information which we have thereby received, is in itself of some advantage. I believe that in so far as trade with England goes, we can never receive much general benefit from it. It is too distant a market for our limited means. I hope the Government will go forward as it has begun, and I trust the visit of that Committee will be the means of having Free Trade with the United States opened up to us before long; and am glad that the action of the Government meets the approval of this Committee.

HON. MR. DAVIES.—I regard the visit of the Congressional Committee, as one of the greatest honors ever bestowed upon this Colony; and had the Government failed to extend the hospitalities of the Island to that delegation, there is no question but that they would have received the reproof of this House, and of the country; but, Sir, they knew their duty better than that, and I am glad they discharged it in the handsome manner they did. Until we can obtain a Reciprocity Treaty with that country, this Island cannot prosper as it should, and therefore it would have not only been improper, but it would also have been madness in us not to have extended the courtesies of society to the Representatives of Congress when they visited us. You will ask an humble man whom you may meet at your door, into your house, and extend your hospitality to him. How much more unseemly would it have been to have neglected doing the same to the Representatives of a great country? As a member of the Board of Commerce, I at one time thought we should

attend to the matter; but on reflection, I came to the conclusion that the Government of the Colony was the only proper party to do this. Some wished for a precedent to fall back upon, and turned up some old book of the time of King George; but George the third was silent upon the matter. But our Executive Board, I am happy to know, did not require precedents to guide them in this common sense matter. The gentleman who composed that delegation, were among the most distinguished public men in the United States; and if our Lieutenant Governor went away in order that he might have an opportunity to avoid receiving them, I think he will not, for such an act, receive the thanks of his Royal Mistress. Such, at least, is my opinion. This Island sympathized heartily with that country in their recent great struggle, and they are willing to show their gratitude. There never was such a war in any country. Some nations have engaged in wars for conquest; but this was war for principle, and when that principle was obtained and recognized, the war ceased; and it is well known that the people of this Island rejoiced, Sir, when they saw that the shackles of Slavery were broken. Yes, Sir, I rejoice—we all rejoiced, to see the Flag of both Nations hanging in amity above the Speaker's Chair. Great Britain does not wish to be on any but the most friendly terms with the United States. Their trade relations are so great, that it would be injurious to them both were it otherwise. At one time the Provinces were allowed to fit out vessels of their own, for the protection of the Fisheries, but this has been put a stop to, lest it might lead to disputes which might end in war. What did Great Britain then do? She placed vessels of her own on our coasts, not to take the American Fishermen, but to prevent us from doing so; and I believe it will all yet end in producing good results. As to our going cap in hand to the Americans, which means humbling ourselves beneath our proper position in society, we have done nothing of the kind; but we know of some who, in the matter of confederation, have been going down the steps cap in hand striving for terms which they will not receive. The American Congress know that the amount of produce which we could supply their market with, would not materially affect the interest of the produce of their own country, while it would benefit us, and be an equivalent for the privilege, which, without injuring ourselves, we might grant to them; but it would be quite different were they to admit the Canadians to the same privileges, for their country is so large, they might overstock the American market to such an extent as to seriously injure the American Farmer; and this is one reason why they would admit us to privileges which they would deny to grant to the Dominion. I believe the action of the Government will receive a cordial response from every liberty loving subject of this Colony.

Mr. REILLY.—Some attribute the Repeal of the Reciprocity Treaty to the ill-feeling manifested

in some of the other provinces during the late war. Whether this was the case or not, we all regret its abrogation, and know that as a consequence the trade of the Colony has suffered; when the Congressional Committee came here, I think it was the duty of the Government and people of this Colony, to meet them in a spirit of amity, and good will, and am glad that both sides of this hon. Committee agree in saying, that it is our duty to endeavor to obtain a renewal of that Treaty if we can. Before the arrival of this delegation, there were parties here, and in the other provinces, who endeavored to throw ridicule upon the whole affair, and especially upon those who took steps to give the delegation a proper reception; they denounced them even as though they were disloyal, and, as a matter of course, the press of this Colony, with a trifling exception, visited those parties with that castigation they so richly merited. But I do not know that the hon. the Leader of the Opposition was among those whom the press felt it to be a duty to hurl back those charges of disloyalty upon. I have too much respect for the hon. member, to say that they were intended to apply to him; but it was the duty of the press to hurl back those unjust charges which were made against the loyalty of our people by some portions of the press of the other Provinces. I am in favor of using every means in our power for obtaining a renewal of that Treaty if we can, and think the only difficulty in the way is the Fishing Licenses; and believe also, that it is the duty of the people of this Island, to arise as one man, and use their influence to have it renewed; I believe if they did, they would succeed in having a system abolished that is but injuring our Trade. I feel confident if the Government relax their individual and united efforts in this direction, they will be visited with the indignation of the people.

The Paragraph was then agreed to, Progress reported, when the House adjourned until 10 o'clock to-morrow.

THURSDAY, March 11th.

Forenoon Session.

House in Committee of the whole to take into further consideration the Draft Address in answer to the Speech of His Honor the Administrator of the Government.

Mr. Cameron in the Chair.

The eighteenth paragraph, relating to the Militia and Volunteer Forces, was read.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman: I rise to move the adoption of this paragraph. It relates to the amendment of the Militia and Volunteer Laws. It is the intention of the Government to dispense with the drilling of the general Militia until Arms are served out to them, because drilling them several times in the

year without supplying them with arms, seems to be productive of no real benefit. Although I am not a military man, it seems to me that drilling men without arms does not place them in a pleasant position. A man does not like the idea of "presenting arms" with a walking stick or a broomstick instead of a Rifle. I think our farmers, if called out to defend their country, would show themselves as equal to the occasion as men are in other parts of the world; but it is very disagreeable for them to be compelled, when no danger is near, to straighten their legs and turn out their toes, &c. I know that there is a great deal of murmuring and dissatisfaction throughout the country on account of the disagreeable drill to which I have alluded. With respect to the Volunteers, there is at present a grant to assist them in purchasing clothing, and they are exempted from the Jury-roll, yet, strange to say, they have to pay for their own ammunition out of their own pockets. Instead of this, it is proposed that all their expenses shall be paid by Government. Estimates of the expenses of the proposed changes will be brought before the House for its consideration, and accounts will be presented to show how the money granted last Session has been spent. It is proposed that the Captains and Colonels be paid five pounds per year each, to reimburse them for the expenses in connection with notifying their men—I think it is only fair that they should be recompensed for such losses. In making these statements, I merely wish to give the House some idea of what the Government intend to do in the matter. I believe the time has arrived that the Militia should be relieved from the present disagreeable drill, but there is no intention to disband that body of men. The idea is to encourage the Volunteers in such a manner as to prevent the necessity of calling out the Militia for drill.

Hon. Mr. HENDERSON.—Mr. Chairman: I agree with the remarks just made by the hon. Leader of the Government on the paragraph before us; but I believe that the efforts made by the hon. member for Tryon last Session, to get a Bill passed to amend the Militia law arose not so much from the fact that the general Militia drill was disagreeable to the people, as on account of the calling out of the men by the officers at busy seasons of the year, such as seed time and harvest. It was then thought by the House that the ventilation which the question then received would prevent a recurrence of such actions, and that the officers would, as far as possible, adapt the time for drill to the conveniences of the people in the different localities; but I regret to say that some of those officers have been just as indifferent as ever, if not more so. When it is well known that this House is desirous that the people should not be troubled in this manner, the officers should take notice and govern themselves accordingly. It is not the wish of this hon. House that the Militia system should be harassing to the country, and therefore those parties who have been acting un-

wisely in the matter should bear the blame. If the Militia Companies were well attended to, and a proper amount of correspondence kept up, they might prove to be a valuable body of men; but I, for one, would rather see the Volunteers made as efficient as is consistent with the interests of the Colony. Still, I would consider it an extreme notion on the part of a people possessing a constitution like ours, that they would not wish to be prepared, in case of riot or invasion, to defend their homesteads and hearths from an enemy. Considering our position as a Colony, and the burden of rent hanging over our progress, I believe that our Military efforts will increase with our resources and that we will not be behind our neighbours. I am perfectly agreed to the proposed amendment.

Mr. SPEAKER.—Mr. Chairman: I believe that the amendment to the Militia Laws spoken of by the hon. Attorney General, is much required. If the drilling of the Militia were confined to one day in the year, I do not think there would be any objection to it on the part of the people. I have heard some of the Captains, themselves, in the different parts of my constituency, complain of the number of days during which drill was performed; therefore, I believe, that the amendment which is about to be introduced will give general satisfaction. By giving the Volunteers proper encouragement a more efficient body of men would be trained than under the system carried out during late years. As there have been several instances where men have been sued for non-attendance at Militia Drill, in busy seasons, I believe an amendment to these laws is required.

Mr. HOWATT.—Mr. Chairman: I am sure the people will be very much pleased when they hear that an amendment in the Militia Law is about to be made. As to the difficulties with which the people have to contend, I believe most hon. members are already acquainted with them, but it appears to me that in my part of the country, matters are worse than anywhere else. In Crapaud, the men were called out in seed time, and in Tryon they were called out in harvest; this caused a great inconvenience, and therefore, I was requested by the people to do all I could to get the law amended. Most hon. members present, know how the Bill which I introduced last spring was treated—even the hon. member for Belfast wheeled about and voted down the very thing which was calculated to relieve the people from a heavy burden. The amendment which is about to be brought down, seems to show that I was right, and therefore, I hope it will be carried; but why my Bill was not supported last year I am not aware. It must be remembered that it was not my own interest which was most at stake—I was working for the interests of the country. I do not think my Bill was fairly treated, but I am glad that a measure will now come down in better shape. The hon. Leader of the Opposition said that such a Bill should only emanate from the Government, but I do not think such a despotic principle should

be carried out in this house. If a measure is calculated to benefit the people, I do not see why any hon. member should not be allowed to bring it in. However, I am glad that the question will now come before us in proper shape, and that the people will be protected. As there is no appearance of war to disturb the harmony of the people, I do not see any occasion for the drilling of the Militia.

Hon. Mr. DUNCAN.—Mr. Chairman; I am pleased to hear that an amendment is to be made in our Militia Laws. I am somewhat surprised that among such a number of intelligent people as there is in Tryon, suitable men who would not call the people out at busy seasons of the year for drill, cannot be found. I think the Officers in the district which I represent, did their duty in this respect, for I never heard a word of complaint in regard to it. I know that the people who send me here do not expect to live without taxation; they know that it is necessary to keep up a Militia force which would be ready in case of emergency to defend the country. But, I believe, that if only a part of our present force was properly equipped and well drilled, it might be better than calling out all the Militia.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman: I was not in my place when the hon. Leader of the Government made his remarks, but I cannot allow this paragraph to pass without making a few observations. The hon. member for Tryon seemed to be puzzled this morning, because he cannot understand why he was not allowed last Session to amend the Militia Law. He thinks any hon. member, whether he belongs to the Government, or not should be allowed to carry his measures through this House. If that were the case we would not want a Government at all. It is the duty of a Government to bring their measures before the Legislature, and when this is done the members of this House hold them responsible for their acts, but if any hon. member of this House were allowed to bring in a Bill of his own, we could not hold the Government responsible for such Bills. True, there are certain local matters not within the functions of the Government of the country, which any hon. member may introduce to this House, and which he has a right to press upon its attention; but such an important question as that of Militia is never carried through by a member who is not in the Government. Any question relating to the defences of the country, whether Military or Naval, is under the management of the Government alone. For the reasons I have given the hon. member for Tryon failed in carrying his Militia Bill last year. But as there is now a vacancy in the Executive Board, and as the Government have not behaved very handsomely to the hon. member by leaving him out in the cold, and by stealing his policy, I think they should have considered his case and put him into the seat aforementioned. But I do not think he would rest well; like the hon. member for Belfast, he would have too many

crotchets, and would soon be back in the independent benches. The hon. member is a sort of political Ishmael "whose hand is against every man and every man's hand against him." He is the sport of the Government and the butt of the Opposition. He has peculiar ideas of his own on public questions, but until a third party is formed, he has no chance to carry out these ideas. If the intention of the Government is to do away with the general drilling of the Militia throughout the country, and to husband the public money in such a manner that we shall have quality in the drill instead of quantity, I shall not object to the movement, because I do not think that the Militia, with the drill they have received, can be made efficient. I think it would be much better to offer encouragement to one or two companies, and to drill them well, than to maintain the old system. But as to going back to the old state of things which existed from 1851, till Mr. Cardwell's despatch came out (when he said our defences were not a credit to the Colony) I would strongly object. However irksome it may be considered to the people of this Colony, we must provide for our own defence. The men of all countries must sacrifice a portion of their time in preparing for the defence of their hearths and homes. The men who neglect the military preparations for the defence of their country are unworthy to enjoy the liberties which their forefathers obtained for them. From our insulated position in winter, our country is not at that season, likely to be invaded, but as we are a portion of the British Empire we must assist in our own defence. We are liable at any moment to be at war and our assistance might be required by a demand for a regiment, to be sent to the assistance of the British authorities, we do not know where. But, notwithstanding all this, I should not like to see military matters carried so far as to be made obnoxious to the people in private life. It is for the Government to say whether they intend to encourage a competent and well-drilled Militia force or not.

Mr. HOWATT.—Mr. Chairman: I feel called upon to reply to some of the remarks just made by the hon. Leader of the Opposition. He says that "my hand is against every man, and every man's hand's against me," politically, and that I am nowhere. Now, Sir, I might apply the same doctrine to that hon. gentleman—I have seen him pop from the Speaker's Chair into the independent benches, and declare himself to be an independent member. I doubt whether any hon. member ever seen me cut such a caper. I certainly go for measures, not for men—I do not wish to be tied down to the principles of any political party. The hon. member says, I am against everybody—why I have seen that hon. gentleman against the Council and against the majority of this House at the same time. If that is not pretty nearly against everybody, I know nothing about it. On public questions, I have seen him vote flat against nearly the whole

of this hon. House, therefore he should be the last to taunt anybody on that point.

HON. LEADER OF THE OPPOSITION.—When I left that Chair, I did it to maintain the independence of Parliament and the rules of this hon. House. If I were placed in a like position I would do so again. The hon. member for Tryon, said that I occupied a seat in the Executive Council against the wishes of the people. He alludes, I presume, to the year 1865, when I contended that it would be better for this country to be annexed to the Dominion. If I accepted office, I adopted the usual constitutional mode in doing so—I went through the proper ordeal to obtain a seat here. If the hon. member considered that I was there unconstitutionally, he should have moved a want of confidence. As to the Confederation question, I acted upon my honest convictions.

MR. BELL.—**MR. CHAIRMAN:** The subject has taken a rather large scope. I think the Government is justified in cutting down the Militia Drill as much as possible, for it has proved a great annoyance to the country. But in the part in which I reside, there is not the least appearance of either Militia or Volunteers. Some years ago, there were several companies of Volunteers in Alberton, and they went to considerable expense in providing suitable clothing, &c., for the men. The Government partly supplied them with ammunition, but a few years ago, all the arms were called in, and the men felt so indignant that when the last move was made they would have nothing to do with it, and I have not heard a word about Volunteers since. If there is any good in drilling the men, why not have something in the shape of a Militia or Volunteer force in Alberton? In that part of the country we have not heard a word about such a thing during the last six years. A young man living with me was at that time a Captain, and corresponded with Head Quarters, but at present we have not the ghost of a Volunteer. I should like to know the reason of this. If there is any good in the system, why not make it general. An army might land in Cascumpec, and sweep the Island. But I do not think this Colony is in a position to drill an army for her own defence.

HON. MR. HOWLAN.—**MR. CHAIRMAN:** With respect to the questions asked by my hon. colleague. Captain Matheson kept up his Company for a time and received ammunition for its use. The Government did not enforce the calling out of the Militia up there this year, because of the great scarcity of fodder and seed grain, that existed. As to a standing Army, I always thought the idea of endeavoring to sustain one, a farce. If we had one good Company for each Regiment existing at present, they would soon, in case of emergency, bring the remainder of it into proper drill. The Company spoken of by my hon. colleague, were pretty well drilled and received ammunition and guns; but they broke up amongst themselves on

account of a misunderstanding amongst the officers—since that time Captain Matheson has not tried to keep it up.

MR. MCNEILL.—**MR. CHAIRMAN:** I understood the hon. member for Tryon (Mr. Howatt) to say that no one supported him when he tried to push his Militia Bill through this House last Session; but I can tell him that I supported him because I do not think any man should have it in his power to turn out his men for drill at a busy season of the year. It was then stated on all sides of this House that it would be expected that the Officers would pay due attention to this matter; but I received instructions to turn out the North Rustico Company in the middle of hay making, and in the best month for fishing—in the month of August. When I received my instructions I wrote to Colonel Rodd and wished him to postpone the drill for some time. I sent the letter by a private conveyance but received no answer. I wrote again but he did not get the letter for some time. After a short time Colonel Rodd himself came along and asked where I was. The answer given him was that Captain McNeill was on the top of a load of hay down in the field. The Col. was a very affable gentleman and being a farmer himself, thought I had done right. I told him I did not think I could have turned out a force of twenty men out of the whole Company if I obeyed the order, and that I did not wish to disgrace the North Rustico Company in that manner. I think the Government are right in the proposed amendment of the Militia Laws, for it is high time that the present state of things should be remedied. I have belonged to the Militia force ever since I was eighteen years of age, I remember mustering when Gov. Young was here. I think it would be better to encourage commerce than to keep up an ill-trained cumbrous Militia force, and as to our services being required by Her Majesty, it will be long before we can supply her with many Troops. I think our Militia force in their present state would not prove of much service in resisting an enemy. Suppose a Civil disturbance took place, our Militia and Volunteers would be useless, for they would very probably be mixed up in the trouble. But if an invasion took place, I believe the people would be as loyal as those of any other part of the Empire; but there is no probability that such will ever be the case, and it is not likely we shall ever try to make incursions upon our neighbors. The best thing we can do, in my opinion, is to improve our harbors, build wharves and bridges and improve our roads. It would be far better to turn the attention of our young men to these things, than to soldering; I think there is too much money spent upon Military affairs. It would be well to have a few efficient companies kept up; but it is clear that we can never be a military people. We must look to our own interest—the Imperial policy is not always the best on this side of the Atlantic. It was owing to Imperial policy that the American Colonies were lost to the Mother Country. It

was the Imperial policy which starved Newfoundland, that allowed the French, in consideration of their dismantling an old fort, to monopolize the best fisheries on that coast. This enables the French to man their Navy from men trained on those stormy seas. The Imperial policy towards this Colony need not be described—suffice it to say that we need not, on that account, embarrass ourselves in keeping up a Military force.

Mr. BRECKEN.—Mr. Chairman: I am not sorry to hear the suggestions of the hon. Leader of the Government. I have been obliged, as captain of a Company, to turn out with my men ten days every year, and every man in our office is of course obliged to go out and perform duty. My Company turn out very regularly, but just as they begin to learn the drill they are sent home; therefore, I cannot see that such a system does any good. When the men are called out the next year, we find that they have forgotten what little they had learned and are as awkward as ever. I always admired the policy of the hon. Leader of the Opposition in this matter, we should do something towards our own defence. But I agree with the Government that it is better to concentrate the movement and thereby render it more effective. I believe my hon. colleague started a measure of this kind last session, but his effort fell to the ground. The people of Charlottetown have always been willing to do their duty in this matter—they have not been so highly favoured as the constituents of the hon. member for Cascumpec (Mr. Bell.) All classes in the city have been turned out for drill ten days in the year; no excuse is taken for neglecting to turn out. But in the country, if a man wishes to go to town, on business which is very important to him, his Officer can hardly refuse to let him go. The Militia drill as at present carried out, puts both the people of the country and town to a great inconvenience; but I do not wish the Home Government to think we do not wish to provide for our own defence. I think it would be better to have quality than quantity, and therefore I approve of the intended action of the Government. I agree with them, that a small allowance should be given to the Officers, for they incur not a little expense in notifying their men; I contributed my portion of this expense and was glad to do so, but at the same time, it comes rather heavy on some.

Dr. JENKINS.—Mr. Chairman: I think, with my hon. colleague, that this is a move in the right direction, and I congratulate the Government on the improvement which is proposed. The time lost in Militia drill is a serious loss to a country of a hundred thousand inhabitants. In Ch'town, the law has been carried out very strictly. I would not object to this if there was any necessity for it, but I cannot see that there is the slightest. My hon. colleague says he has a number of notices to serve. The Government would save him and others a great deal of trouble if they gave notice that the men should not be

called out till the matter is decided in this House. It would save both my hon. colleague and my constituents a great deal of trouble. The present drill is perfectly unnecessary and the men forget it from one year to another.

Mr. G. SINCLAIR.—Mr. Chairman: I agree with the hon. members who have spoken, that the Bill which will be introduced on this subject, will give general satisfaction. The present Militia drill is, in many instances, a very great hardship; but this proposal to pay the Officers is something new, and I do not see any necessity for it. As the Militia drill will be discontinued, and as the duties of the Officers will not be very onerous, while the honor is great, I do not think it necessary to put the country to more expense than in former years.

Hon. Mr. DAVIES.—Mr. Chairman: The hon. Leader of the Opposition has been in a very happy frame of mind this morning, and has coupled my name with that of the hon. member for Tryon, whose hand he says, has been against every man, and every man's hand against him. Now, I do not think this allusion to me worth answering, but in regard to Mr. Howatt's bringing in a Bill last session, for the amendment of the Militia law, I think when the Government fail to introduce such measures, any hon. member of this House, should try to do so. I think that hon. member showed a good deal of spirit in trying to remedy the evils caused by the present Militia Law, and that the Government have shown that he was correct. I, for my part, would support the Government in abolishing the Militia force altogether by striking them off, in both rank and file. In proportion to our population, we sustain our Volunteers quite as well as they do in England. I believe the military ardor of this country is greater than it is in Great Britain. The population of the United Kingdom is about 28,000,000 and their Militia Force does not number more than 250,000 men. If we calculate the ratio we will find that our force, to be relatively equal to theirs, would not amount to more than 500 or 600 men. According to our population, we are the greatest military people in America. I believe that the Government will, if their suggestions are carried out, make our military force more effective than ever, and at the same time do away with the odious Militia drill; therefore, I shall support them in carrying out that reform.

Hon. Mr. LAIRD.—Mr. Chairman: It appears that the chief point in dispute is in regard to the person entitled to the chief credit for the new Bill, which is to be brought in for the purpose of amending our militia Laws. It must certainly be a popular measure when hon. members are already beginning to quarrel over the claim of originating it. I was very happy to see the Government willing to adopt the principle which has been suggested. The reason why I am opposed to the inefficient system which has lately been carried out, is, that there has been a great

waste of time, and time is money. When the Yeomanry of a country are taken from their legitimate labors,—from their fields and their teams,—there must be a heavy loss sustained by the country as one hon. member, who is a Captain, has happily mentioned—how much better to be on the top of a load of hay than unwillingly drilling a number of men who suffer a heavy loss of time. “Whatever is worth doing, is worth doing well” will apply to the drilling of Militia and Volunteers as well as to anything else. If a military force is really necessary, let us have a body of men who are willing to serve without constraint, and then we shall have a force upon which we can rely. Our Volunteer force should be provided with ammunition, proper weapons and clothing; this will encourage them to take an interest in being perfectly drilled for the defence of their country; but the present system is a grievous burden with no corresponding benefit. There was a remark made by the hon. Leader of the Opposition, to the effect that there is a possibility of our being called upon to contribute a regiment in case of war. If that is the case, I should like to see a body of Volunteers efficiently drilled and ready for any emergency. As to paying Officers a small sum to enable them to pay the expenses which, it is well known, they incur, I think it is necessary, for those gentlemen lose a great deal of time as well as money, in fulfilling the duties of their office.

Mr. REILLY.—Mr. Chairman: I am very glad this Militia matter has been taken up and that the law is to be amended. The general opinion throughout the country is, that the Militia is an almost useless force and that it is not necessary under the present circumstances of this Colony; but I believe an efficient Volunteer force well trained and equipped is required to quell any disturbance that may take place. Looking at the unprotected state of the Island at those ports where the fisheries are carried on, and where a large number of foreign sailors often come on shore, I think it is necessary to have a small force stationed there during the fishing season. Among those ports are Georgetown and Souris, and several others on the North Shore. Last year a number of sailors came ashore at Souris, broke open several houses and nearly destroyed the Bridge up there, putting the lives and property of the people in danger. I think it necessary to have a small body of efficient Volunteers in the Colony, in case their services may be called for; but I cannot see any need of the continuance of the present Militia system.

Mr. P. SINCLAIR.—Mr. Chairman: I approve very much of the intention of the Government to amend the Militia Law, probably the Bill brought in by the hon. Member for Tryon (M. Howatt), last session, has had the effect of stirring up the Government to attend to the matter. But that Bill did not go as far as the government now intend to go in amending the law. I think we would be just as well without a Military Force

altogether, for according to the opinion of Military men, that body would be almost useless in active service. The hon. Leader of the Opposition has stated that a body of Volunteers might be required to suppress a riot; but I think they would not be of any service in such cases—in the Tenant League disturbances most of the Volunteers were involved in the trouble. If a disturbance of any kind arose the Volunteers would probably be in the midst of it, and therefore, I do not think they would be of any service in putting it down. But if we intend to keep up a small but efficient body of Volunteers, the Government have suggested the way in which it can be done.

Mr. McNEILL.—I trust that if the suggestion of the hon. member for St. Peters is carried out, the Government will be very cautious; as sailors come ashore often under the influence of liquor; no liquor should be given to the volunteers sent against them. It would be a dangerous experiment to send drunken men against drunken men.

Mr. HOWATT. Mr. Chairman: I beg to call the attention of this hon. House to the calling in of the arms from the Volunteers, some years ago. I do not know whether that act was really necessary or not, but I heard one of the Captains say that it was doubtful whether the men would ever take their guns again. It was a troublesome affair to transport the arms to distant parts of the country in the first place. I fully agree with the hon. member for Princetown (Mr. G. Sinclair) that there is no necessity for an allowance to the Captains to pay expenses—I never heard any complaints from them in regard to that matter, and I do not think the expenses in sustaining the force should be increased.

HON. LEADER OF THE OPPOSITION.—The hon. member for Tryon (Mr. Howatt) has found fault because the guns were called in, and because the Officer had, at their own expense, to transport the arms from place to place. He then turns round and says that these Officers should not be made. As regards the objections he has made to the calling in of the guns from the Volunteers, I can tell him that there is a general order calling in all the arms at certain periods. I am sorry for the Captain of whom he speaks—I am glad the gentleman is not in my regiment. The rifles are worth £5 each and therefore are valuable property. It is necessary that they should be called in at certain intervals that they may go through a certain process—this is why they were called in at the time spoken of. If they are allowed to become laded and foul, they would soon become useless. Some volunteers employ them in goose shooting which soon renders them unfit for use—the lead has then to be cut out by those who understand such matters. We have two thousand stand of arms, and they are very valuable and expensive weapons; therefore they should be taken care of. I thought that long before this our volunteers would be

armed with the Snider Rifle, as in the other Provinces; for with the Rifles we now have, it would be downright murder to send men against an enemy. We have an instance of this in the case of the Garibaldians when they met the French, it is like the grass meeting the scythe.

The Paragraph was then agreed to.

The last paragraph, relating to the general prosperity of the Colony was read.

Mr. PAOWSE.—Mr. Chairman: It would be a pity to close this discussion without a few remarks upon the last clause. There is scarcely a subject which could possibly be brought before the attention of this House that has not been discussed under the Draft Address. Among the first were the Salary of the Lieutenant Governor, the appropriation for seed grain, the taking of the Census and that political fund, the Land Question in all its phases. Then came up the several Bills relating to the latter. The following questions were also discussed, namely, Public Works, the additional Public Buildings required for the Public Offices, Telegraphic Communication, Railroads, Steamboat Communication, and Militia and Volunteers; but there is one subject, which, according to the *Examiner* newspaper is of very great importance, and has agitated the country from one end to the other, upon which not one word has been said either in the Speech or the Address. I refer to Denominational Schools. This is a subject upon which a great deal has been said and written, on both sides, and one which has, in one instance, been made a platform at an election. The establishment of Denominational Schools has become such an important question in the eyes of some persons, that they would almost believe that the country was bordering on a state of rebellion. They have threatened to withdraw their children from the public Schools because they could not get Denominational Education; but I am glad that such will not be the case. In this paragraph we have come to the conclusion that the country is prospering. I believe that no greater evil could befall this Colony than the establishment of Denominational Schools throughout the Island. A respectable gentleman professing the Roman Catholic Religion, stated in my hearing, that such Schools would prove one of the greatest curses that could befall this Colony. I am glad that many who were in favor of such a measure last year now unite heart and hand in being satisfied with our present Educational arrangements. In maintaining the present system, I can give the Government my hearty support; I feel so strongly on this subject, that I could support no Government no matter on which side of politics it might be, which would introduce sectarian schools, or lend them its support. With these observations I shall wait for further remarks upon that question.

Hon. Mr. HENDERSON.—Mr. Chairman: My hon. colleague has saved me the labor of going

over the ground which I was about to take up; for if I spoke on this matter I could only repeat what he has stated. Several prominent Roman Catholics have expressed their opinions to me in the identical manner in which others have done to my hon. colleague. These gentlemen stated that there is no call for such an agitation, that Roman Catholics do not demand Sectarian Schools, and that they deprecate such a step. The journal alluded to, has come out clearly on the Sectarian ground; there is also an example of an hon. member of this House, who has struck off at a tangent and adapted the some principles. However, it is quite enough for me to say at present that there is no change in my own sentiments, nor in those of my constituents, on this question.

Mr. REILLY.—I think the hon. member for Murray Harbor have flown off at a tangent, for I see nothing on the subject of which they have been speaking, in this paragraph. I do not think this is the proper time for the discussion of that matter.

Hon. Mr. HOWLAN.—I do not think there is any fault to be found with the hon. member for Murray Harbor, as he is the Minister of Education; we shall, no doubt, hear a good speech from him on the subject by and by. It must be refreshing to know that the hon. member has not changed his opinion on that subject; but he must remember that he is not this whole House, and that others have their opinions as well as himself. It seems that notwithstanding all the subjects mentioned in the Address, there is not food enough for a Speech for the hon. member. I can only say that I am sorry he has gone off at a tangent on the whole Education Question. The two hon. members for Murray Harbor constitute an efficient Brass Band for this House.

The paragraph was agreed to.

The Speaker then took the Chair, the Chairman reported the Address as amended, agreed to.

Mr. CAMERON.—Mr. Speaker: As I have been deprived of the privilege of speaking on the Address, I will now express my opinions on some of the subjects which it contains. With reference to the last clause, I fully agree with the Government on the necessity of amending the Militia law at present in operation. I think there is no necessity to put the inhabitants of this Island to the trouble of being drilled so many days in a year; but the system might be nominally maintained. I fully believe that the men would rather attend drill two days as Volunteers than one hour as Militiamen. With respect to the paragraph on the Land Question, I may state that I am well satisfied with what has been done by the Government in regard to the estates of Messrs. Todd and Hodgson. I am free to give both parties in politics credit for having done a great deal to free the people from the leasehold system, but much remains to be done, there are still many

estates in the hands of the proprietors. I fully agree with the principles contained in the Tenant's Compensation Bill and the Rent Roll Bill. I think a compulsory measure should be introduced to compel the remaining proprietors to dispose of their estates to the Government. I was fully satisfied with the steps taken by the Government last session to bring about such a measure, but I think, as a change has taken place in the Imperial Government, another effort should be made. Mr. Gladstone's administration might prove more liberal in dealing with this matter. I cannot see why a compulsory Bill should be looked upon as unjust or unfair, for there is not a single law upon our Statute Book, but what is compulsory; and I cannot see that such a Bill would inflict any evil upon the proprietors. As regards Reciprocity, I believe the inhabitants of this Colony are unanimous in favor of a new Treaty with the United States. Such a measure would be of immense benefit to the Island as it would greatly tend to enhance our commercial interests. A great many other questions besides those which I have touched upon, have been discussed; but I cannot enter upon them to any great length. With respect to our harbors, I consider that their improvement is of paramount importance to the interests of the country, and therefore it is necessary that the Government should particularly attend to this matter. There are petitions from two different sections of the District which I represent—from New London and Crapaud—for assistance in improving their harbors. I hope the Government will deal liberally with these petitions, for Crapaud has been neglected for many years past—they have not received a grant for the improvement of their harbor during the last eight or nine years. They want their harbor dredged and a bridge built. Some remarks have been made with respect to Railroads. Many hon. members are not willing to entertain the scheme with favor; but in my opinion the time for taking hold of this question is not so far distant as many imagine. I believe that our trade would increase four-fold if railroads were introduced into this country. Not long since, I read an article from a correspondent in Halifax, showing the advantage of cheap railroads, and that the cost would not be more than one eighth of that of the common Railroads. He recommended that two tracks should be laid throughout the whole length of this Island. It is my opinion that if ever this Island should take hold of the question, that the plan recommended should be adopted. In that article the writer has stated that a team of horses could draw five hundred bushels of oats a distance of forty miles with greater ease than they would draw a common load on our present roads. With these few remarks, I shall leave these subjects for the present.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker: As there was nothing before the House, the hon. member who has just spoken, was out of order. The rules of Parliament should be obeyed just as

well as the other laws of the Colony. As a question is now before the House, I shall make a few remarks on what has been brought before us. The hon. member has made statements calculated to tickle the fancy of the New London people who are in his constituency, but he knows that what he has stated on the Land Question cannot be carried out. He well knows that in the year 1867 the Land Question was closely reviewed in all its phases, and an appeal made to the Home Government, the reply to which from the Secretary of State refusing to entertain such a measure was positive and conclusive. Why then does the hon. member talk of reviving that question? No change in the Government of Great Britain will alter Constitutional principles. Mr. Bright's policy was a compromise in regard to the land tenure in Ireland, and it could not be supposed that he would support a different policy in regard to this Island. To talk of a compulsory measure is only calculated to deceive and delude the people. The only plan now left us, is to meet the Proprietors on the principle of a compromise.

HON. MR. DAVIES.—Mr. Speaker: I differ much from the views which have just been advanced by the hon. Leader of the Opposition—I believe that a measure which would compel the proprietors to sell their lands on reasonable terms would be perfectly justifiable. When an officer of the Government, holding public lands, refuses to a compromise and to accept of a fair value for his estate, it is high time to talk of a compulsory measure. I know well that the stand I have always taken on this question is distasteful to a certain class, but I shall discharge my duty regardless of their opposition. If the first British settlers of this Colony had only savages or slaveholders to subdue, instead of contending with landed proprietors, they would have easily conquered them.

MR. MCNEILL.—Mr. Speaker: I cannot believe that a compulsory measure might not be introduced which would effect the object much wished for. We know that the Royal instructions were long against the introduction of Responsible Government; and I ask how long did Nova Scotia contend for the right to her gold mines? How long did Wilberforce contend against slavery? The hon. Leader of the Opposition thinks that a compulsory measure might once have been introduced, but that the time for such a step has passed. I cannot see why we should not still contend for it, for it is but just to an oppressed people to continue the advocacy of their rights in every possible way until those rights are conceded.

House adjourned for one hour.

Afternoon Session.

SAVINGS BANK AMENDMENT BILL.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker: I would ask leave to introduce a Bill to

authorize the amount in the Savings Bank to be increased. I may remark that last year the amount of deposits which the Savings Bank was allowed to receive, was raised from fifteen to twenty-five thousand, but the latter amount has been received, and the accounts of the Bank are closed as far as receiving deposits are concerned, but the Bill which I wish to present contemplates extending the powers of the Bank so that fifty thousand may be received. The large amount that has been received speaks well for the providence and prosperity of the people. It is the opinion of several members of the House that branches of the Savings Bank should be established in Prince and King's Counties. I see by referring to the accounts of the Bank that there are only twenty-eight depositors from Prince County, and forty from King's County, but that would rather argue for the establishment of branches in those Counties than not, for it is probable if they had the same facilities for depositing as the people of Queen's County, they would have deposited a much larger amount, and I think it is the duty of the House to afford them those facilities. The Savings Bank, however, is not merely a Bank of deposit, but also a Bank of withdrawal, and it is in this respect that the difficulty would arise in establishing branches in Prince and King's Counties. In order to meet the demands upon the Bank, there would require to be a considerable amount of cash on hand and there would require to be some safe place to keep it.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker: I think it must be very gratifying to members on both sides of the House to see the Hon. Leader of the Government come down with a Bill to extend the operations of the Savings Bank, because it is a very strong evidence of the prosperity of the country that so much money has been deposited in the Bank as to render an extension of its powers necessary. Although some hon. members seem to think that this is a poor country, yet I think there are very few better countries for an industrious man to make a comfortable living in, either by Agriculture or mechanical pursuits or fishing. We have a strong proof of this in the fact that there is now twenty-five thousand pounds deposited in the Savings Bank, when we remember that no individual is allowed to deposit more than one hundred pounds; and I believe it would be found on investigation that the average amounts are under fifty pounds. It gives the Government of the Colony the use of large amount of specie, and it costs the country nothing, for the depositors receive only five per cent. and the money is worth six per cent. to the government, and one per cent. pays the costs. I feel very proud as a member representing a King's County constituency, that we have excelled the great northern County—Prince County,—a County that was advancing so rapidly in commerce and wealth that it was thought one Bank was not sufficient. There was an Act passed to have a Bank at Alberton, but I think it has not amounted to much.

HON. MR. HOWLAN.—I am very glad that the hon. Leader of the Opposition is in such a pleasing frame of mind. But, Sir, I am glad to find that even twenty-eight in Prince County availed themselves of the advantages of the Savings Bank, and I am pleased to discover that a large proportion of them belong to the district which I represent. In regard to Banks, I may remind the hon. Leader of the Opposition that the one at Souris happened the same fate as the one at Alberton. But, Sir, I maintain that the banking operations of this Island are not sufficient for the wants of the Colony. I may say that probably the reason why so few in Prince County have deposited money in the Savings Bank, is on account of the distance they are from it, and people do not often wish to trust their money to go by post, whereas if the Bank was nearer, they would avail themselves of its advantages.

HON. MR. HENDERSON.—Mr. Speaker: I may say that if the people of this Colony have deposited so much money in the Savings Bank notwithstanding the drawbacks with which they are burdened—the principal one being leasehold system—then if these burdens were removed, they would show still a higher degree of prosperity. Although members on both sides of the House seem pleased with this subject, yet I think it is but fair to state that the Conservative Party are entitled to the credit of having introduced the measure.

HON. MR. DUNCAN.—Hon. members who wish to have a branch Bank established in Prince and King's Counties should show how such branches are to be worked. If the money was only to be deposited there and sent to Charlottetown, it could be done through the Custom House officers.

HON. LEADER OF THE OPPOSITION.—It would be very desirable to have branches of the Savings Bank in Georgetown and Summerside, but I do not see how it can be done very well, unless the Government are willing to lose money by the operation, for, if the money was kept in those places, the Government would not get any benefit from it while the depositors would be drawing interest.

HON. MR. LAIRD.—I consider, Mr. Speaker, that the establishment of branches of the Savings Bank in the different Counties would be a great benefit to them. It is well known that sending money by mail is not the safest mode, and that is probably the reason why so few from Prince and King's Counties have made deposits in the Savings Bank. In regard to paying out money in Summerside, there might be a cash account kept with the Bank.

MR. BELL.—If the Savings Bank has done so much for Queen's County, there is every reason to believe that it would have a beneficial effect in the other Counties, and I think branches should be established in them. I think the difficulties with regard to paying out the money might be got over, by making a depositor give several days notice before making a withdrawal.

HON. LEADER OF THE OPPOSITION.—That would be striking at the root of one of the main principles of the institution, which is, that depositors can get their money at any time.

MR. BELL.—If we cannot get the whole of the advantages, we must be content with such as we can get.

MR. P. SINCLAIR.—I consider the reason why so little money has been received from Prince County, is its inconvenient situation with respect to Charlottetown. I think it would be a good method to let the Custom House Officers in Georgetown and Summerside attend to the business, and remit the money to Charlottetown, and when a depositor wished to withdraw his money, give him a cheque on the treasury payable on demand.

MR. PROWSE.—Mr. Speaker, if the collectors of Customs are to take the responsibility of this matter, I think it would be well to let the officers in the different parts receive deposits, for if there was one only in Georgetown, it would not be very convenient for a great part of King's County. I think the people of Lot 64 would nearly as soon go to Charlottetown as Georgetown, unless better travelling facilities are provided. It has been remarked that it is not safe to send money by mail, but the sooner it is made safe the better, so that the country may have confidence in the postal arrangements. I might mention cases where letters from Murray Harbor to Charlottetown have been missing.

HON. MR. McAULAY.—In regard to the want of confidence in the Mail service, there is no department of the public service that may not meet with a mishap, but in the place where I reside I have heard no complaints in reference to it. I think it would be well to let the postmasters take the management of the Savings Bank in Prince and King's Counties, instead of the Collectors of Excise—that is the method adopted in other countries.

MR. REILLY, as Chairman of the Committee appointed to wait on His Honor the Administrator of the Government to ascertain when he would be pleased to receive the Address to the House of Assembly, in answer to the Speech at the opening of the Session, reported that His Honor had appointed three o'clock, p. m. to-morrow, and the Legislative Library, as the time and place to receive the said Address.

MR. BRECKEN, as Chairman of the Special Committee, to whom was referred the Petition praying for an alteration in the Patent Laws of this Island presented a Bill in accordance therewith, which, after some remarks by several hon. members, was received and read.

House adjourned.

FRIDAY, March 12.

At three o'clock, p. m., the House waited on His Honor the Administrator of the Government

with the Address, and, on their return, the Speaker reported and read the following reply:—

“MR. SPEAKER AND GENTLEMEN OF THE HOUSE OF ASSEMBLY:

“I thank you for this Address, and for the assurance it contains of your readiness favorably to consider the various important measures brought to your notice and recommended to your attention.

“I appreciate and sincerely thank you also for the kind manner in which you have alluded to my administration of the Government and to the dignity conferred upon me by our most gracious Queen.”

The Hon. Leader of the Government then brought up a message from His Honor the Administrator of the Government, transmitting Correspondence relating to Reciprocity with the United States.

PATENTS FOR INVENTIONS.

House in Committee of the whole on the Bill to add to and amend the Act relating to Patents for useful Inventions. Second reading.

Mr. Cameron in the Chair.

MR. BRECKEN said, that the advantages of this Bill were, that it would enable the inventor of a useful machine, &c., to procure a patent in the United States for the sum of thirty-five dollars, and that it would give citizens of the United States similar advantages in this Island. Under our present arrangements, an American can carry away our inventions to the United States, where, with the advantages of machinery driven by steam, he can afford to manufacture much cheaper than our mechanics can by mere manual labor. Reciprocity between a small country and a large one must always prove to be an advantage to the former.

Several hon. members made a few remarks approving of the principles of the Bill.

The Speaker took the chair, and the Chairman having reported progress, asked for leave to sit again.

House adjourned till ten o'clock to-morrow.

SATURDAY, March 13th.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker: I wish to call the attention of the House to a report of the proceedings of this House, which appeared in the *Patriot* newspaper, wherein it is stated that I said Mr. Pope would do all in his power to assist the Government in purchasing the Todd estate. What I said was that Mr. Pope expressed a wish that the tenants on Lot 19 should be put in the same position as the tenants of his own estate. I am also represented as saying that Mr. Pope said he wished to settle the Land Question; but I said no such thing. I said that as a public man he should not have interfered with the Government in this matter. I do not wish to say anything in reference to this mat-

ter that would cause any harsh feelings, and I would not have alluded to it at all, if the Government had not been charged with having failed to use due diligence in reference to the matter.

Hon. Mr. HOWLAN.—From the Summary Report of the proceedings of this House, it would appear that I find fault with the way in which the accounts are kept in the Land Office. I believe, Sir, that no accounts in this Colony are kept better than those in the Land Office. What I found fault with was the system of putting the receipts and disbursements of the Land Office in connection with the General Revenue and Expenditure of the Colony.

HON. LEADER OF THE GOVERNMENT presented the Classified Accounts and also the Public Accounts for the past year.

House adjourned.

BOARD OF WORKS.

The House resolved itself into a Committee of the whole, to take into consideration the expediency of passing an Act to provide for the appointment of a Board of Works—Mr. Bell in the Chair.

HON. LEADER OF THE GOVERNMENT.—I beg leave, Sir, to move the following Resolution:—

1. "Resolved, That it is expedient to pass an Act, for the appointment of a Board of Works, to supervise and take charge of the Public Buildings, Roads, Bridges and Wharves of this Island; said Board to consist of five members, of which the Colonial Secretary and Commissioner of Public Lands, shall *ex officio*, be members, and the Colonial Secretary the Chairman."

In moving this Resolution, I may state with respect to the matter, that some hon. members were of opinion that the Board should consist of seven, instead of five members; but I think it is better to have but five. There will be a good deal of expense attending the proper working of the Board; and it is better to keep them down as low as we can now, for the experience always is, that it is not so easy to curtail expenses, after they have been once established. I think the fact that there is now such a vast area of land under the Government, goes to prove that the Commissioner of Public Lands is an important officer, who should be on that Board, because the knowledge which he must necessarily acquire of all parts of the country, will be of great service to the Board. This Resolution, therefore, provides that he be an *ex officio* officer of the Board. It is thought that it is also desirable that the Colonial Secretary should be the Chairman; and as it will be necessary that a quorum should be on the Board, independent of these two, one will be chosen from each county, who will receive annually £20, and be allowed six-pence per mile for travelling expenses, when they attend the regular meeting of the Board. It is also intended, as I observed on a former occasion, to have a Commissioner of Public Works for each County—the principal to

be in Queen's County; but these matters will come up under the resolutions which are to follow.

Hon. Mr. McAULAY.—I consider that at no time was such a Resolution more necessary than at present, for now the Road Commissioners have, in common, but one qualification for their fitness for the office, and that is, that they are supporters of the party, for the time being, in power.

Hon. Mr. DAVIES.—I do not feel my way clear to support the Resolution for the formation of a Board of Works; but I do not see anything wrong in a Government appointing their supporters to offices. I believe it would be impossible to carry on a Government under Responsible Government, were it otherwise. I think, except within five miles of this town, the Roads are generally pretty good.

HON. LEADER OF THE OPPOSITION.—I believe that both sides will agree that some improvement is required in the management of our Roads, Public Buildings, Wharves and Bridges. If the Colonial Secretary is to be permanently the Secretary of the Board, I think it would not answer very well if he should happen to be in the other end of the Building.

Hon. Mr. McAULAY.—The hon. member for Belfast said the Roads were generally good, excepting a few miles near Charlottetown. If so, there is no necessity for this Board. I thought the hon. member was a man of progress; but I think that those who will contrast the hon. member's words with their experience, when travelling over roads in the spring, or late in the fall, will not agree with the opinion which has been expressed by the hon. member.

Hon. Mr. DAVIES.—I said the Roads were generally good in the country, except it is within five miles of Charlottetown; and the Road leading to Georgetown is good to within two miles of this city; and I believe it is the same in Prince County, until you come near Summerside.

Hon. Mr. HOWLAN.—I think it is high time a Board of Works was appointed, and one system of Road making adopted; for at present a different system is pursued, in almost every ten miles of distance in the country. I think that in a few years it will perhaps be well to do away with the Statute Labor System altogether. I regard it as a waste time, as now performed, and believe that more work would be performed for one shilling of cash, than is now done for what people are allowed three shillings for under the present plan of receiving labor instead of money for what the law demands for the Statute Labor service. We know also, that when a division of the Road money is made by hon. members, each one endeavors to secure as much as he can for his own particular district, but while each district will for the present receive its proportion of the money, yet, if the Board of Works see fit, they will take any piece of the Road they choose, besides the Wharves and Bridges, under their management and

thus prevent a misapplication of the money as has heretofore occurred, not only under former Governments, but under this one also. I know myself where a Wharf was commenced and partly finished at a certain place, but the tide carried it off to another point, and a contention has arisen, as to whether it shall be removed back to where it was first built, or be allowed to remain where it is now. Now, had this work been put up under the direction of a Board, if they had not money enough to complete it when they made a commencement, probably they would not have done so until they had, and thus the money would not have been wasted. In the affair which I have mentioned and the dispute which has arisen out of it, you might say that the Representatives of the District might settle the dispute, but this is not so easy, as each member has friends in both places whom neither wishes to offend, but a Board of Works would not only be a guarantee that such cases would not occur, but also, if they did, be a source to which such questions could be properly brought for a decision. I know of a place where £200, or £300, was expended in a similar manner, all which was in reality lost to the country. The fact is, our whole system is wrong, and I think the appointment of a Board of Works with the powers contemplated to be given to it, will effect a radical improvement to our roads and other public works, and be a guarantee that money will not be so injudiciously expended as it has, in too many instances, in this service.

Hon. Mr. McAULAY.—I would ask the hon. member if he knows, where the first road was ever made. If the hon. member does not know, I will tell him. The first road that was ever made, was made in Egypt; the material of which it was composed was Granite; and it was made to enable that ancient people of antiquity to draw upon it the stones with which they built the pyramids. Coming to Great Britain, when Claudius came to England, he pitched his tent in the place now called Gloucester, an ancient city, which receives its name from Claudius himself, and his Camp, having been originally called Claude Caster, and the road was through the camp of Claudius to the present ancient city of Tokesbury on the banks of the Severn, situate to the southern of the celebrated Melvern Hills. The soil was soft, and therefore they commenced the road by laying down large flags for the foundation, upon which they placed smaller stones and gravel. From that time the management of their public roads was under the King, until the duties of Royalty became so conflicting, that he could not give attention to it. I think the improvement now proposed will do good, if properly carried out, but if you make the Board, as a whole, and the other appointments connected with the Service, purely political, you will destroy its usefulness.

Mr. PROWSE.—I am sorry I did not hear the remarks of the Hon. Leader of the Government

more distinctly. I failed to hear what he said about the Superintendent of Public Works.

Hon. LEADER OF THE OPPOSITION.—It is the intention to appoint one for each County.

Mr. PROWSE.—Well, unless they are to be members of the Board, I would oppose that, for it appears to me, that as the intention is, to have one member of the Board from each County, that it would be attended with less expense, if the Superintendents were appointed on the Board. I agree also with the hon. member for Georgetown that those three members should not go out of office with a change of Government.

Mr. BRECKEN.—Is the Road Money to be divided as heretofore by the members of the district?

Hon. LEADER OF THE GOVERNMENT.—Yes, for this year.

Mr. BRECKEN.—I think it will be well, after the Board is appointed, that all public money for important public works, should be put under its inspection. In dividing money here, as was said by the hon. member for Tignish, each hon. member strives to get as much as he possibly can for his own district, and if it is not always judiciously expended the fault may be fairly charged to the system; but I think we should be prepared to forego this little privilege, and that all such money should be placed under the control of the Board of Works. I agree also with Mr. Prowse, that appointments to the Board should not be made political, although there is much truth in the fact stated by the hon. member for Belfast (Mr. Davies,) that to the victors belong the spoils, but in this Island I do think the principle has been carried too far; although I must admit, that a few have been retained in office, yet perhaps it has been owing to other causes than a disposition not to act upon this principle. The great object should be efficiency. The defect in too many appointments has been, that the man best qualified to discharge the duties of the office has not been appointed, but he who had the strongest claims. The idea that every man will be competent to occupy a seat at this Board is preposterous, for we all admit he should have some professional qualification, and therefore I think that one of the Superintendents of Public Works should at least be a permanent appointment. This is a progressive age, and the speech with which the Session was opened is so, and hence, Sir if we are to have a Board of Works, let the country have a guarantee that the Chief Superintendent will be a man who has had a practical and Mechanical experience which will fit him for the proper discharge of his duties. The importance of this service will be estimated, when we consider, that £21,000, or about one-fourth of the Revenue will come under the control of this Board. How important therefore, that an efficient and experienced officer should be appointed as Chairman of the Board, who would from year to year

be accumulating knowledge so necessary for an increased and increasing outlay of Public money on all Public Works and Roads; and my opinion is, that this Board will never become as useful and efficient as it should until you place a permanent professional man at its head, who should be well paid for his services.

Hon. Mr. HENDERSON.—Mr. Chairman:—Whatever may be the means devised, it is evident we require an improvement in the management of our public works, for there can be no question but that as now expending, it may be truly said that much of the public money is thrown away. I have seen a road within six miles of Charlottetown upon which labor and money was expended, where there was not even so much as a furrow turned up, to make even that much of an outlet for the water to run off, and consequently the water was covering all parts of it. I do not wish to be invidious, by naming who the Road Commissioner or Overseer was, but I mentioned it to one gentleman, who said the Salary attached to the Office was so small that it would not pay to give more attention to the matter, and no doubt this has happened under the management of both parties, but as in the multitude of Councillors there is safety; I hope that a better system may now be adopted. If our present Road Commissioners are to be continued, is it not possible to find a gentleman in each County, properly qualified to give directions to Commissioners of Roads, in all the duties which now devolve upon those men, and if so, why not place them upon the Board of Works instead of appointing others? By this arrangement the expenses of the Board would be lessened. I would not wish to be too particular, but looking at the question in general, I think it would be well to make the Board as independent of politics as possible. Is it not possible to find a man in each county as competent as the present Laud Commissioner? And was it not his fitness for the Office which led the Government to retain his services? And when men who will be appointed to this Board are found to be fully competent, I think they should be retained. I cannot approve of the appointment of three Superintendents of Public Works in addition to the three members who are to be appointed on the Board. Would it not be possible to find a man for each county who would be competent for the discharge of all these duties, and who should be remunerated for travelling from wharf to wharf, and from bridge to bridge to superintend their proper erection. I am of opinion that such men are to be found in each County, and I fear that unless some such plan is adopted our public works will suffer, except indeed, some such men as Judge Hall, are made Road Commissioners, or are chosen to office under the System.

Dr. JENKINS.—I have been long convinced of the necessity that exists for an improvement in the management of our roads and bridges. I feel quite satisfied that one-third of the amount laid out upon our public roads, would, under an im-

proved system of management do more good than the whole that is now expended, and therefore, the chief point to be considered in any alteration from the present practice, is to make it more efficient. For my part, I do not object to the appointment of the Colonial Secretary, as an ex-officio Officer and Chairman of the Board, as it would be necessary that he should be on the floor of this House to answer all questions, or supply any information which may be required. The chief difficulty will arise in the proper selection of the Board; and its utility will be destroyed if, in its formation, it is to be made wholly political. I think the three Superintendents might be made members of the Board; and if found duly qualified, their appointment should be permanent. If the Superintendents knew that during efficient service such would be the case, they would have encouragement to be duly qualifying themselves for the proper discharge of their duties, and they could attend the meetings of the Board without allowing it to interfere with their other duties. By this arrangement, we would save at least £75 a year. The hon. member for Belfast said the roads were good enough; now, my experience would lead me to say they are bad enough, not only near Charlottetown, but also, in all parts of the country where I have travelled. From my own experience and observation of this matter, I have come to the conclusion that people will, owing to the state of the roads, be deterred from coming to market late in the fall if matters remain to be managed as at present, and I do trust that this Board may prove a success, and that it will soon take the whole management of the Road Service under its control.

Mr. GREEN.—I cordially approve of this measure as I consider it a step in the right direction. With regard to the formation of the Board, I think the appointments should be made from the most efficient and experienced men who can be found in the country; and if such shall be the case, I think we shall then have a much more satisfactory state of affairs than we have at present. Much will depend upon the ability of the men who will be appointed to carry out the intentions of the measure. I agree that the Chairman of the Board should be on the floor of this House, to answer any questions which might be put to him respecting the service. I believe if we had good officers for the Superintendents of Public Works, that they ought not to be removed with every change which might take place in the Government.

Hon. LEADER OF THE OPPOSITION.—I think it is not much difference whether the Board is a reflection of the politics of the Government, or the opposite.

Mr. PETER SINCLAIR.—If you appoint the three Superintendents on the Board, they will form the majority, and of course would only be passing judgment upon their own work. Such an arrangement, I think, hon. members will perceive, would

be the destruction of the whole affair; you might save £75 by it, but you would probably lose much more in other ways, than this amount; already over £100 has been paid in one year to enable the Superintendent of Public Works to have his instructions carried out. We never can have this service properly performed, until we appoint a man for each County to give his whole time to this work. There are only two or three months in which it can be, (or generally is) done. I think it is a step in the right direction. These Superintendent of Public Works can, through the principal, who will be in Queen's County, afford information to the Board, which will be as serviceable to it as that now rendered by the Superintendents of Public Schools to the Board of Education; and I have no doubt but that after a few years it will be found necessary to have an Engineer in connection with the department.

Hon. Mr. HENDERSON.—My colleague said he thought the Superintendents of Public Works should be on the Board; but the difficulty will be this, if the other men will be on it are not scientific men, who are to guide to a conclusion, as to what may be right in determining upon a course to be pursued? I think in this matter we should copy from the example of the Mother country. When we go there, who do we find connected with,—say the Royal Navy? Are they not experienced officers, who know how to give an order, and when it is properly obeyed, or carried out?

Hon. LEADER OF THE GOVERNMENT.—The Superintendents are not to be members of the Board; but it is expected that the Superintendent of Queen's County will attend the meetings of the Board and by his presence, and the information he may be able to afford, greatly facilitate the business of the Board. And as to the selecting of an Engineer to preside over the Board on the principle that it would harmonize with what is the practice in England, I have yet to learn that Sir John Pakington, Sir James Graham and others who have been at the head of the Board of Admiralty, were ever engaged in the Naval Service and the present Minister of war is a civilian. As a general rule in England, the head of any department is seldom taken from those who are members of the profession which the department controls. The head of the department is chosen for other reasons, but is always a learned and highly intelligent man, and in the management of the department is assisted by men of experience, and that is precisely what is intended in this case, so that instead of the proposal being different from the Imperial practice, it is precisely the same.

Hon. Mr. LAIRD.—The question is an important one, and it will be seen to be such, when we remember the large amount that is now annually spent in this service. With respect to the political phase of the subject, it is a well known principle that no Government under the Responsible

System, can be carried on if the opponents of the Government are placed in office; but in this case I would be sorry to be too particular. As to the Superintendents being permanent offices, I dare say if a new Government were to come into power, it would continue them, unless it was aware that better men could be found to put in their places. I was always in favor of looking to merit, and hope the Government will consider this, when making the appointments contemplated by this measure.

Mr. CAMERON.—I am fully of the opinion that some such institution is required, and with respect to the principle upon which it is proposed that it should be based, I think it is a good one. No doubt if the Superintendents were on the Board it would effect a saving, but then they would be only having the control of their own work, which would never do to allow. It is patent to every one that an alteration and improvement are required. I know that on four miles of the road from Charlottetown to Bedeque, there has been as much property destroyed last year as would make a long piece of a road. Broken wagons and carts were to be met with on all sides along that road last fall.

The Resolution was then agreed to, and progress reported, when the House adjourned.

Forenoon Session.

MONDAY, March 15.

On motion of the hon. Leader of the Government, the House again went into Committee on the question of establishing a Board of Works.

Hon. LEADER OF THE GOVERNMENT—moved the following Resolution.

Resolved, That the allowance to each member of the Board of Works shall be Twenty pounds per annum, besides mileage to attend meetings of the Board at the rate of six pence per mile for each mile travelled.

Hon. LEADER OF THE OPPOSITION.—One member of that Committee might attend only two or three meetings of the Board during the year, while others might attend regularly, and I think they should be paid in proportion to the number of times they attend.

On motion of the Hon. Leader of the Government the words "subject to rateable deduction for non-attendance" were added to the Resolution.

Hon. Mr. McAULAY.—I cannot see that that would be fair, for some who might be very efficient members of the Board might not be able to attend some of its meetings.

Resolution agreed to.

Hon. LEADER OF THE GOVERNMENT moved the following Resolution.

Resolved, That the acceptance of the position of member of Board of Works shall not vacate the seat of any present or future member of the Legislature, and remarked—if it were otherwise, we could not get members of either branch of the Legislature to take the office and go back to their constituents for re-election. The Road Commissioners will retain their situations, as it will be necessary to have some local representative and the salaries of the Commissioners are very small. The Commissioners will be under the direction of the Superintendents, and will carry out their orders.

Mr. BRECKEN.—I was under the impression that the old system was to be done away with entirely, and the Board of Works to take the control of the Roads and Bridges. I think it will be a very complicated piece of machinery. I think this system of having Commissioners does not meet the approval of members on either side of the House.

Hon. Mr. HENDERSON.—Under the old system the Commissioners had no one to control them, but I think they would be better adapted to look after local affairs than the Superintendents. But if the Superintendents are to look after the work in the districts where the Commissioners are, and receive travelling expenses, it will be a considerable item in our expenditure.

Resolution agreed to.

Hon. LEADER OF THE GOVERNMENT, moved the following Resolution.

Resolved, That a Superintendent of Works be appointed for each County, to be paid as follows:—

Queen's County Superintendent	£150	0	0
King's " "	120	0	0
Prince " "	120	0	0

including travelling expenses.

Resolution agreed to.

The Speaker took the Chair and the Chairman reported the Resolutions agreed to.

Hon. Mr. McAULAY.—I do not think £20 will be sufficient remuneration for a member of the Board of Works, for he will be obliged to travel the most part of one of the counties twice—he must go first to see the place where work is to be done, and then go to see the work after it is finished.

Hon. LEADER OF THE GOVERNMENT.—If they have to travel, their expenses will be paid, but it is not necessary for the members of the Board to travel much; that duty devolves on the Superintendents.

The Resolutions were then reported agreed to, and Hon. Leader of the Government and Hon. Messrs. Laird and Kelly appointed to bring in a Bill in accordance therewith.

MILITIA LAWS.

Hon. LEADER OF THE GOVERNMENT.—Pursuant to notice in the Order Book, I would move that the House go into Committee on the question of amending the Militia Laws. I would remark that the first resolution which I intend to move, contemplates doing away with the necessity for the three or four days drill which have been enforced heretofore; but it requires that the different regiments shall muster once a year. I also propose moving a resolution to limit the number of Volunteer Companies to nine, and allow fifty members to each company. Then, in regard to the allowance for clothing, under the old Act, twenty shillings was allowed each man, but there was no limit to the number of men that might be enrolled. It is contemplated to allow the same sum to each man and five pounds each to the Captains, and also to allow each man one hundred cartridges, which will cost about five shillings. We do not expect, however, that the whole cost will exceed £1,500, the amount given last year, and we do not intend to ask the House to give a larger grant.

The House then resolved itself into a Committee of the whole. Mr. George Sinclair in the Chair.

Hon. Leader of the Government moved the following resolution:—

The whole of the regular and sedentary Militia, until arms shall be furnished to them, shall be formed into a reserve to be called out for an annual muster only in such manner and at such time as the Commander in Chief may direct—and said—I do not anticipate that there will be any opposition to this resolution; but as there are military men in the House, probably it may elicit some discussion.

Mr. SPEAKER.—The hon. Leader of the Government makes considerable distinction between the Captains of militia and the Captains of Volunteers, for while the former are to receive no pay, the latter are to receive five pounds per annum. I think it will be a great relief to the people to be obliged to go out only one day instead of ten.

Mr. PROWSE.—I agree with the spirit of the Resolution, but I cannot entirely approve of passing a law to have the Militia called out only once in the year. Circumstances may arise, which would require the Government to place the Militia in a state of efficiency, and in such a case a meeting of the Legislature would have to be called to pass an Act for that purpose. I think it is taking out of the hands of the Government a power which they may find it necessary to exercise.

Hon. LEADER OF THE GOVERNMENT.—There will be a provision that in case of war or anything of that sort, the Militia can be called out at any time.

Resolution agreed to.

Hon. Leader of the Government moved the following Resolution:—

Each Captain of an independent Company of Volunteer Militia, referred to in the first Resolution, shall receive an allowance of £5 per annum, in lieu of all charges for Muster Rolls and contingent expenses, and said—this Resolution would bring up more properly the remarks of his honor the Speaker, in reference to paying the Colonels of Militia. When addressing the House a few days ago, I remarked that an idea was entertained of paying the Colonels five pounds each, but it would amount to a considerable sum to pay them all, and as we are relieving them of their duties, with all due deference to all the Colonels in this House, I think they can still perform their duties without remuneration. There is my friend, the hon. Colonel Howlan, whom I think five pounds would very poorly remunerate for all the trouble he has taken to bring the Militia force of Tignish Run to such a state of efficiency. Then, we have his honor, the Speaker, who has been so long in the service that he is almost a Field Marshal; and Colonel Davies, a man of vast experience; and our friend, Colonel Coles, who may be said to command the Cavalry of the whole Island; and Colonel Kelly; and I do not know whether my friend from Tryon (Mr. Howatt) is a Colonel or not. I believe I am almost the only person in the House who has not some military rank.

MR. SPEAKER.—Although we have been so long in the service, we are to be put off in this shabby manner; but I suppose we shall have to put up with it.

HON. MR. LAIRD.—Under the present Act, the Officers are obliged to give the men a verbal or written notice to attend drill; but I think when they are only to be called out once in the year, that Hand bills should be considered sufficient notice. This would relieve the Colonels of a vast amount of work, and they would not have so much reason to complain of being ill-used.

Resolution agreed to.

The Speaker took the Chair, and the Chairman reported progress, and obtained leave to sit again.

SAVINGS BANK BILL.

The Bill to authorize the increase of deposits in the Savings Bank was read a second time.

HON. LEADER OF THE GOVERNMENT.—In regard to the establishment of Branch Savings Banks in Georgetown and Summerside, upon which we had some discussion the other day, it would involve considerable expense, and the Government are not prepared to point out a way in which it may be done the present year. Persons in Prince County could pay their money to the Bank in Summerside, and get a check which could be easily remitted. In regard to King's County,

the difficulty may be greater, but no complaints have been made and I think it would be well to leave the matter till a future time.

The House then went into Committee on the Bill.

Mr. Cameron in the Chair.

The Bill was read.

MR. KICKHAM.—I think, Mr. Chairman, that branches of the Savings' Bank might be established in the other Counties. In regard to King's County, the Collectors of Excise in Georgetown and Souris might receive deposits and remit the money to the Colonial Treasurer every week.

HON. LEADER OF THE GOVERNMENT.—This matter requires some consideration, and due provision should be made before the offices are appointed, but it will not be lost sight of by the Government.

The Speaker took the Chair, and the chairman reported the Bill agreed to.

Ordered that the Bill be engrossed.

MR. McMILLAN presented a petition from certain inhabitants of Prince County, praying for an alteration in the Jail Limit Law in respect to that County. It was referred to a special Committee, consisting of Messrs. McMillan and Brecken, and Hon. Leader of the Government, to report by Bill or otherwise.

HON. LEADER OF THE GOVERNMENT presented the Colonial Treasurer's Accounts for the past year, and also the Accounts of the Stock Farm.

HON. MR. LAIRD presented a Petition from certain inhabitants of Prince County, praying for the establishment in that County of an office for the Registration of Deeds, the Probate of Wills, and also a branch of the Savings Bank—and remarked—This Petition is numerously and respectfully signed, and I think it would be well to refer the matter to the House in Committee, for if it were referred to a private Committee, hon. members might not have an opportunity of expressing their opinions on it.

Ordered to be referred to a Committee of the whole House to-morrow.

HON. MR. LAIRD presented a Petition from certain inhabitants of the fifth electoral district of Prince County, praying for the establishment of another polling place in that district.

Ordered to be referred to a Committee of the whole House to-morrow.

HON. MR. DAVIES.—Mr. Speaker: as I was unable to attend at the first of the Session, I should like to have a little information in regard to what action the House has taken in reference to publishing the Debates. If these Debates are not to appear in the public newspapers, I do not see

the necessity of printing them at all. Some of the people in the country have said that the House has been in Session ten or twelve days, and yet they have seen nothing in the papers concerning our proceedings. I did expect to see something in the journal published by the Queen's Printer. I think he should make some sacrifice to put these things before the public; but on taking up a number of the *Herald*, I find that in it, even the Summary Report has been so curtailed, that no person in the country can tell what any member of the House has been saying. I thought the policy in appointing three Reporters was, that they might be able to furnish the Reports to the press, and let the speeches be published sooner after they are spoken than was formerly done, but instead of making the matter better, it has rather been the reverse. I am not ashamed of anything I say, and, in common with other members, would like to see my remarks published in the newspapers.

HON. LEADER OF THE OPPOSITION.—The hon. member (Mr. Davies) need not have addressed you, Mr. Speaker, to find out what has been done in his absence; his proper course would have been to refer to the journals, where he would get all the information he requires. This subject was debated here, and the House came to the conclusion to have the present Reporters, and, also, to give no subsidy to the printers, to publish the Debates in their Journals. Hon. members are beginning to find out that newspaper publishers are not very anxious to open their columns to these Debates, unless they are put out of hand in such a manner as to show that we have got some benefit for the twenty thousand pounds annually expended for education.

MR. REILLY.—Mr. Speaker: An allusion has been made to me, and I have been brought over the coals, because I have adopted a policy which does not exactly meet the views of the hon. member for Belfast. It is a matter to be settled between a publisher and his subscribers, whether these Debates shall be published in his Journal or not. When the contract was taken to publish the Reporter, there was no agreement to have the Debates printed in a newspaper; but I will state for the hon. member's information, that the principal Debates will be published in the *Herald*, in full, but I shall use my own judgment in reference to the matter.

HON. MR. LAIRD.—I very much regret that my hon. friend on my right, was not in the House at the opening of the Session, so that he might have had a voice in this matter. It appears that the first tender that was received for printing the Debates, did not stipulate to have them published in any newspaper, and the Committee called for new tenders, and made a provision that each publisher of a newspaper on the Island, should be provided with a sheet of the Parliamentary Reporter as soon as struck off. If the different publishers would avail themselves of the privileges

thus afforded them, we might have a full report of the Debates in all the newspapers. I believe the publisher of the Reporter, is bound to have it finished within six weeks after the House is prorogued, and I believe that will be better than formerly. Last year there was only one paper in the Island published the Debates in full, so that only a few of the people of the Colony had an opportunity of perusing them. I am opposed to the present plan altogether. I would leave the matter open to the publishers of newspapers. In New Brunswick, the Legislature has refused to grant any sum for reporting or publishing the Debates.

HON. MR. CALBECK.—As my hon. friend has asked for some information on this subject, and as I was Chairman of the Committee appointed to receive Tenders for publishing the Debates, I feel called upon to give some explanation. We advertised to receive Tenders for publishing the Parliamentary Reporter, as heretofore. One person only sent in a tender, and he did not agree to publish the Debates in a newspaper. He thought it injured his paper, because the Reports are so long. I then enquired what it would cost to send sheets of the Reporter to each of his subscribers, and he informed that the paper would cost about £130. I suggested the idea of sending a sheet to each publisher of a newspaper in the Colony, and to supply each member of the House with two sheets instead of six, a method, by which £14 has been saved. My object in sending sheets to the different publishers, was that they might have an opportunity of publishing them in their papers, for otherwise they would have no opportunity of seeing the Debates, as the person who is to print the Parliamentary Reporter is not bound to publish the Debates in his paper.

HON. MR. DAVIES.—I think it would be a good method to let each of the publishers give a report of the proceedings during the sitting of the House, and let a committee be appointed to decide which was the best Report, and let the publisher of it receive £30 or £40. I saw a very able report of the proceedings of the House in the *Patriot*, and I think a publisher who takes so much trouble should have a chance of getting some remuneration.

MR. REILLY.—If the hon. member (Mr. Davies) had been in the House a few days ago, he would have heard the report of the proceedings of the House, which appeared in the *Patriot*, denounced as incorrect—the Hon. Leader of the Government was misrepresented as I was myself, in reference to the subject of supplying members of the House with stationery; but I did not deem it worth while to call attention to the misrepresentation at the time.

The Hon. Colonial Secretary and the Hon. Leader of the Government also made a few remarks on the same subject.

House adjourned.

Afternoon Session.

PATENTS FOR INVENTIONS.

House in Committee of the whole on the Bill to amend the Act relating to Patents for useful inventions.

Mr. Cameron in the Chair.

After a short time, the Speaker took the Chair, and the Chairman reported the Bill, as amended, agreed to. On motion of the Chairman, it was ordered to be engrossed.

MILITIA AND VOLUNTEERS.

The House then resolved itself into a Committee of the whole to consider the propriety of amending the Militia Laws.

Mr. G. Sinclair in the Chair.

The hon. Leader of the Government moved the following:—

Resolved, that the Volunteer Militia entitled to Government allowance shall consist, of nine companies, each company not to exceed 50 non-commissioned officers and privates, with a due proportion of Commissioned Officers in addition thereto: but this shall not prevent the formation of other Volunteer Companies not receiving such allowance. And said: The number of Volunteers proposed to be kept up, is nine companies of fifty men each, or 450 men besides Officers. The force altogether will number 520 men. In speaking on this question this morning, I mentioned that in 1866, Volunteers to the number of 2,000 were organized. Now, if that number were kept up in future, however good men they might be, if they each received one pound a year, the force would cost a larger sum than the House would be willing to allow for that purpose. At the time of the threatened Fenian invasion, there was no hesitancy on either side of the House in placing the whole Revenue at the disposal of the Government for the defence of the Colony. There was a necessity for our showing that we would not be behind hand in preparing for our own defence. In 1867, as the excitement had pretty well passed over, the amount placed at the disposal of the Government, was reduced to £2,500, and last year to £1,500. There is no occasion to spend a greater sum for that purpose, than last year; but there is a necessity of keeping the forces on a respectable footing. We are a portion of the empire, and have some guns which are of service, and which will be available in case their use is called for. There will be only £1,500 asked for, and perhaps the whole of that sum will not be required. I do not think the country will grudge it, on the basis contemplated. It is agreed on all sides that the Militia is unnecessary, but notwithstanding this, we should be very unwilling to abandon the Volunteer movement, for that force will always form a nucleus from which the Militia would receive assistance in its organization, in case of necessity. I think the proposed amend-

ment will relieve the country of the Militia Drill, and at the same time, the same expense will keep up a respectable Volunteer force of 520 men.

HON. LEADER OF THE OPPOSITION.—I do not intend to take an active part either in assisting the Government or in throwing any obstacles in their way, relative to the proposed changes in the Militia Laws, because I have not given the subject very much consideration. As I understand that all the amendments that were foreshadowed in the Speech on this subject, and which the hon. Leader of the Government is now carrying out, are the recommendations of a gentleman standing at the head of the Executive Military Department of the Colony (Colonel Gray) who has served the Queen in different parts of the Globe, I think it unnecessary to criticise this resolution. I was surprised to hear the hon. member for Belfast (Mr. Davies) say that the military ardor of this Colony was unusually great; and that we spent more upon our defences in proportion to our population, than the inhabitants of Great Britain. I can tell him that he is far astray; for supposing the population of this Island to be 90,000, the militia allowance would be only at the rate of four-pence currency per head, whereas Great Britain spends one pound sterling per head.

HON. MR. DUNCAN.—I am afraid this movement on the part of the Government will do away with the Volunteer Force altogether. The men will only receive a pound per head per annum, and this will not be sufficient inducement for them to remain in the force. I would advise the Government to increase the grant, for I do not think it sufficient to keep up 500 Volunteers. The young men about Charlottetown merely join the Volunteers because they are not put to so much trouble as when joining the Militia force. Under the amendment, I am afraid that very few will join the Volunteers, therefore, I hope the Government will allow a larger sum. I do not wish to see the country without a Volunteer Force, and I think we should contribute towards their support, as well as they do in the Dominion. An officer told me the other day, that this would be a first rate move to force us into the Dominion, because it will not be an adequate Military force, such as is expected by the mother country.

HON. MR. LAIRD.—It appears that the hon. member for Belfast (Mr. Duncan) has become quite a military man. I think from what the people have already achieved, that their martial spirit is not becoming less than formerly, and that the additional stimulus will be the means of encouraging the men to greater zeal. There will at least, be a great deal of time saved to the people, and we know that "time is money." I have no fear of the Volunteers falling off on account of the doing away with the Militia. I think the people will be quite satisfied with the alteration, and if we failed to carry out their wishes, we should do wrong.

Hon. Mr. DUNCAN.—If you wish to be very economical, you had better withdraw the pay altogether. Perhaps Colonel Gray ridiculed the idea of Volunteers, and therefore thought this measure would effectually do away with them.

Hon. LEADER OF THE GOVERNMENT.—I think if you calculate 520 men for 90,000 people, you will find that, in proportion, it is as large a number as is kept up in Great Britain. In the mother country, they place their principal reliance upon their Volunteer force. I believe that if the matter now before us were to be decided by the Home Government, they would pronounce the Volunteers the most effective organization of the two. I think by sustaining the Volunteer movement in the manner proposed, there will be no fear of its going down. The men will be exempt from Statute Labor and from serving on Juries, therefore, taking all these things into consideration, I cannot see why they should not be kept in a good state of organization. But if this movement does not succeed, we can remedy its defects another year.

Hon. Mr. DAVIES.—I rise to explain a misapprehension of my statements by the hon. Leader of the Opposition. I merely compared our Volunteer force with that of Great Britain, and said that we proportionally contributed as much towards their support as Great Britain does for hers. I think our Militia force is in a ratio with that of any of the Colonies, and full of the Military ardor.

The resolution was then agreed to.

The hon. Leader of the Government moved the following resolution :—

Resolved, That the Volunteer Militia shall be provided with the allowance for clothing guaranteed in Section 34, Act Vic : Cap : 2, and a sufficiency of ammunition and the exemption from serving as Jurors or constables; they shall further be exempted from the performance of Statute labor. And said: This will allow the Volunteers 100 rounds of ammunition per year, which will cost five shillings. I expected some remarks from the Colonels who are in this House, for it is hard for one who is not a military man to explain these matters, and to say what effect this change will have upon the service.

Hon. Mr. HENDERSON.—The question is, whether the proposed allowance, which will only amount to a penny a day, to the Rank and file, will be a sufficient stimulus to the Volunteer forces. It may be so, but I very much doubt it.

The resolution was agreed to.

The Speaker took the Chair and the Chairman reported the resolutions agreed to.

Hons. Howlan and Laird and Leader of the Government were appointed a Committee to bring in a Bill in accordance with the above resolutions.

A message was received from His Honor the Administrator, transmitting certain despatches relating to Capital Punishment. Said despatches were read at the Clerk's table.

Hon. Leader of the Government submitted certain despatches relating to Reciprocity, which were also read at the Clerk's table.

House adjourned till ten o'clock to-morrow.

TUESDAY, March 16th.

SAVINGS BANK BILL.

On motion of the hon. Leader of the Government, the Bill to authorize the increase of deposits in the Savings Bank was read a third time and passed.

PATENT LAW.

On motion of Mr. Brecken, the Bill to amend the Laws relating to Patents was read a third time and passed.

MILITIA BILL.

Hon. Leader of the Government presented a Bill to amend the Act relating to the Volunteer and Militia Force. It was received and read, and ordered to be read a second time to-morrow.

JAIL LIMIT LAW.

Hon. LEADER OF THE GOVERNMENT.—Mr. Speaker, as Chairman of the Committee, to whom was referred the petition from certain inhabitants of Lot 17, praying for an alteration in the Jail Limit Law of that place, I beg leave to present a Bill. I am sure that this Bill will meet with no opposition from any member of this House, for when we know that unfortunate debtors in Queen's County and King's County, have the privilege of promenading on the wharves of the respective towns, it must seem an unusual proceeding to restrict those in Prince County from airing themselves on the wharves of Summerside.

The Bill was received and read, and ordered to be read a second time to-morrow.

Hon. LEADER OF THE OPPOSITION.—I merely rise, Mr. Speaker, to ask the hon. Leader of the Government if he will lay on the Table of this House the commission of the Governor-General of Canada and also his Royal instructions. I do so, that they may be printed in the Appendix to the Journals, as they are very convenient to refer to when any constitutional question arises.

Hon. LEADER OF THE GOVERNMENT.—I may say that as far as the Government is concerned, there will be no objection to having those documents laid on the table, if they are in the Island.

Hon. Leader of the Government presented a Bill to establish a Board of Works, which was received and read, and ordered to be read a second time to-morrow.

Hon. Mr. DAVIES.—I rise, Mr. Speaker, to ask the hon. Leader of the Opposition the reason why he has asked the hon. Leader of the Government to lay on the Table of this House the Royal instructions given to the Governor-General of Canada. If these Royal instructions were sent to this Island through the Governor-General of Canada, instead of directly to the Governor of this Island, it implies that we are in a subordinate position in respect to Canada. I would ask the hon. Leader of the Opposition if he has any reason to suppose that such is the case?

HON. LEADER OF THE OPPOSITION.—I think, Mr. Speaker, that the hon. member has pursued a very extraordinary course. I believe it is the practice of members of the Opposition to ask questions of the hon. Leader of the Government, but I never heard of members asking questions of such a kind of a Leader of an Opposition. The hon. member might have obtained the information he desired much more easily from the Leader of the Government. I will tell the hon. member, however, that I had no sinister object in view in asking this question. It was not to help forward Confederation—that scheme of which the hon. member is so frightened. But the hon. member is very much astray if he thinks there is anything unusual in the Royal instructions coming from the Governor-General of Canada. Our Governor is Lieutenant—he is subordinate to the Governor-General of Canada, and always has been so, but this has nothing to do with Confederation. Some people were terribly frightened, and thought we were into Confederation, when it was stated in the papers that Sir John Young was Governor of this Island, but such a thing is nothing new.

House adjourned.

WEDNESDAY, March 17.

Forenoon Session.

BOARD OF WORKS BILL.

On motion of the Hon. Leader of the Government, the 4th Order of the Day was read, namely: A Bill to provide for the establishment of a Board of Works, second reading. The House then resolved itself into a committee of the whole to take into consideration the said Bill.

Mr. Bell in the chair.

The first clause was read, providing that the Colonial Secretary, the Commissioner of Public Lands and three others should compose the said Board of Works.

Hon. Mr. DUNCAN.—I think, Mr. Chairman, that it is rather binding the Government to a certain individual, to enact that the Commissioner of Public Lands shall be a member of the Board. I think it would be better to leave it open, so that the Government might appoint whom they like, for a person might be found, who does not hold

office, who might be more competent than a public officer.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman: the view that was taken when the matter was under discussion, was this—that in order to prevent any jealousy between the different Counties, the best plan would be to have two officials appointed as members of the Board of Works, and the other three members to be chosen one from each County. No doubt it would be well to let the Government have the control, but it seems to be the general opinion that the method proposed is preferable. I think the Commissioner of Public Lands would be a very efficient member, as far as knowledge of the country is concerned.

Hon. Mr. DUNCAN.—I wish the matter to be left open, so that if a more competent person than the Commissioner of public Lands is found, he may be appointed; but this debars the Government from taking any other person. The Commissioner of public lands may be a very competent officer, as far as his present duties are concerned, and yet know nothing about engineering.

Hon. Mr. HOWLAN.—One reason why the Government wish to have the Commissioner of Public Lands appointed a member of the Board of Works, is this, that the Commissioner, in going from place to place, must necessarily acquire a considerable knowledge of the state of the roads in different localities. Another reason is, that the Government have a large amount of Wilderness Land in their possession, which is being settled up very rapidly. This will necessitate the opening of new Roads, and no other person would have as good an idea where such roads are required, as the Commissioner of Public Lands. In regard to the remarks of the hon. member for Belfast, respecting the appointment of a Civil engineer, I may say that all the members of the Board are not to be supposed to understand engineering. I believe that as efficient an officer as the present incumbent of the Land Office, cannot be found. I think it is even more important to have the Commissioner of Public Lands a member of this Board than to have the Colonial Secretary.

Hon. Mr. McAULAY.—I do not think that the observations of the hon. member is any answer to the speech of my hon. friend from Belfast, for he did not wish anything to be done to prevent the Commissioner of Public Lands from being appointed a member of the Board, if the Government considered him to be a proper man for the position; but only to leave it optional with the Government to appoint him or not.

Hon. Mr. DUNCAN.—The Land Commissioner will be near at hand at any time to give any necessary information to the Board of Works, and I merely wish to leave the question open, and let the government appoint him or some other man, as they may think proper.

Hon. Mr. HOWLAN.—The objections of the hon. member would be just if there were no members of the Board to be appointed by the Government, but he forgets the fact that there are three others, and in their appointment, regard will be had to efficiency. But I do not see why the same objections should not be raised to having the Colonial Secretary appointed as the Land Commissioner. The hon. member is fighting a shadow: the Colonial Secretary and Land Commissioner are not to be the Board of Works, but only a part of it.

Hon. Mr. McAULAY.—The hon. member says that I have been fighting a shadow, and as it is his remarks that I have been opposing, therefore, his remarks are a shadow.

Hon. Mr. LAIRD.—It is well known that the Commissioner of Public Lands has to travel through the country, and by so doing, he becomes acquainted with the state of the highways, and it would be very easy for him to see whether the public money is expended judiciously or not. This is one reason why he was named by the Government as a suitable person to be a member of the Board, for they might want information respecting a distant part of the country, and if the Board had to depute one of their number to visit the place, he would have to be paid travelling fees, whereas the Land Commissioner may be travelling in that locality in his official capacity, so that on the score of economy, it is wisdom to have him appointed. There is also a rivalry between the different Counties, but by appointing two gentlemen who are officers for the whole Island, and one, from each County, any jealous feelings will be prevented.

Hon. Mr. DUNCAN.—I did not say the Land Commissioner should not be appointed, but I wished it to be left open to the Government and if they consider him a competent person, they could appoint him.

HON. LEADER OF THE GOVERNMENT.—One hon. member has been said to be fighting with a shadow, but if I have a contest with the gentleman who has just sat down, I certainly cannot be accused of fighting with a shadow. When it stated as a reason for appointing the Commissioner of Public Lands a member of the Board of Works, that he had to travel so much, the thought crossed my mind whether it would not be a good plan to appoint Lloyd's Surveyor of shipping also, especially as we have seen a communication from that gentleman on the state of the roads. In making two officers *ex officio* members of the Board, I think we could not have made a better selection than we have.

Hon. Mr. McAULAY.—The hon. Leader of the Government and his colleagues seem to forget that though they now hold the reins of power, it is not likely that they will do so forever, and if their successors do not wish to adopt the same course as they have done in the matter, a new

Bill will have to be brought in before they can make any alteration.

Clause agreed to.

Several more clauses were also read and agreed to.

The clause stating the salary of a member of the Board to be £20, subject to deduction for non-attendance, was read.

Mr. PROWSE. Mr. Chairman, it appears from this clause that a deduction is to be made only in cases of absence from regular meetings of the Board, but I think it should also be made in respect to special meetings, for there may be special meetings called which will be of more importance than the regular meetings.

HON. LEADER OF THE GOVERNMENT.—The usual practice in such cases is, that when a member attends a special meeting, he gets credit for it, and in case of casual absence from one of the regular meetings, no deduction is made.

Clause agreed to.

Several other clauses also agreed to.

The clause stating that the Road Commissioners and Overseers should be appointed as heretofore, but that they should be subject to the supervision of the Board, was read.

HON. LEADER OF THE OPPOSITION.—Before you put the question on that clause, Mr. Chairman, I would like to call the attention of the hon. Leader of the Government to it. If the Road Commissioners are to be under the jurisdiction of the Board of Works, I think that body should also have power to dismiss any officer who refuses to obey them, otherwise, a commissioner might set the Board at defiance.

Mr. McNEILL.—I certainly agree with the suggestion of the hon. Leader of the Opposition, in this respect, for if the Commissioners are appointed as usual, there might be some collision between them and the Board of Works. I believe the method would have been more perfect if Statute Labor had been abolished altogether, and have the work on the roads performed in the proper time. I also think that part of the money which is expended on the roads, should be kept till the Fall of the year, when so many ruts are made in the roads. Generally speaking, the people pay now instead of working. In the place in which I reside, the poorer people generally pay the Commutation Money, instead of working, and a few of the well-to-do farmers meet together and spend most of their time in discussing politics, or some subject of general interest.

Mr. KICKHAM.—I think it would be a very good method to abolish Statute Labor and let the Commutation money be paid, and employ men, each of them to keep a certain piece of road, say four or five miles, in repair, both summer and winter.

Hon. Mr. LAIRD.—It appears that this Bill is not comprehensive enough to suit the views of certain hon. members, but I think it would be well to let it remain as it is this year, and it could be amended another year if it was found deficient in any particular. In regard to abolishing Statute Labor, I think we should be very cautious and not make too radical a change at once, for even in Massachusetts, an old settled colony, we find the system still prevails, in many instances, of having the people work on the roads instead of paying.

Hon. LEADER OF THE OPPOSITION.—I may say with regard to the remarks of the hon. member from Souris, in reference to letting certain portions of the road to be kept in repair by individuals, that the principle is sound, but the difficulty is to get the people to lay hold of the matter. A Bill was passed a few years ago to have the roads repaired in that manner, but the Tenders that were sent in to do the work, were so high, that the system could not be carried out.

Mr. McNEILL.—The system in Massachusetts, referred to by the hon. member from Bedeque (Mr. Laird), is not the same as the method adopted in this Island; for when labor is taken instead of money, it is the same as hiring men to repair the roads.

Hon. Mr. LAIRD.—In Massachusetts they make the assessments according to the amount that is considered requisite for the repair of the roads, and then it is decided how many hours, work are equal to a certain number of dollars and cents, so that it virtually amounts to the same thing as the Statute Labor of this Island.

Hon. LEADER OF THE GOVERNMENT.—In regard to the suggestion of the Hon. Leader of the Opposition, I think we need not fear that such a case as he has supposed, will ever arise—I do not think the Government would allow the Board of Works to be set at defiance. I do not think the principle of allowing the Board of Works to have the appointing of Commissioners is a good one, but if there should be found any difficulty in the working of the system, a change could be made hereafter. In regard to Statute Labor, as far as I am concerned, I would like to see it abolished, and Commutation money paid instead. In respect to letting pieces of road to be kept in repair by certain individuals—referred to by my hon. colleague—there is nothing to prevent the Board of Works from letting the roads in that way, if practicable.

Clause agreed to, as also were several other clauses.

In reference to work on the highways, Mr. McNeill remarked—I think the time of the year should be mentioned when the work is to be performed, for we not only lose on account of work being neglected, but on account of its being done at the wrong time it should be done earlier in the season.

Hon. LEADER OF THE GOVERNMENT.—I think this Bill meets with the difficulty complained of by the

hon. member, it does away with the necessity of having the work done at any particular time and the Board of works can vary the time if they think proper.

Mr. McNEILL.—If Statute Labor is performed, it will not be done at the proper time.

Mr. BRECKEN.—Mr. Chairman: I do not know much about this matter myself, but I have heard persons say, that if the work was done in the Spring, when the soil is moist, the same amount of labor would be a greater benefit than it is now.

Mr. KICKHAM.—The hon. member from Cavendish (Mr. McNeill), should be well aware that it is impossible for farmers to work on the roads early in the Spring, for the season is so short that they have scarcely time to put the seed in the ground.

Mr. McNEILL.—We generally find that if there is money to be paid out, there are plenty of people who are glad to work, so that they may get a little money to buy seed grain.

Mr. CAMERON.—I perfectly agree with the remarks of the hon. member for Cavendish (Mr. McNeill), respecting the desirability of having the road work done earlier in the Spring. There is also some weight in the objection urged by the hon. member from Souris (Mr. Kickham), but notwithstanding the trouble to farmers, I think an effort should be made to have the work done earlier.

Several clauses agreed to.

Mr. Speaker took the chair and the chairman reported the Bill agreed to, with certain amendments.

Ordered to be engrossed.

House adjourned.

Afternoon Session.

Hon. the Speaker in the Chair.

Hon. LEADER OF THE OPPOSITION.—Sir, I find on page 8, of the Parliamentary Reporter, that I am made to say that Georgetown had a Common at one time, which they lost, whereas, Charlottetown, having also a Common, knew how to keep it, which was the very reverse of what I did say. Of this misrepresentation of a fact, I must commit might cost me my election. I notice, also, that plain, and hope it will be corrected, or, otherwise some words are italicised; this should not be done by any Reporter without the sanction of the Speaker. I remember some years ago, that a Reporter to this House lost his situation because he italicised one word.

Hon. LEADER OF THE GOVERNMENT.—I do not feel surprised that my learned and hon. friend should be annoyed at such a statement, for while Charlottetown has no Common, Georgetown has one upon which her citizens may walk in summer and slide in winter, while Charlottetown has no

place where her citizens can enjoy such advantages. The construction put upon the words of the hon. member is as great an error as if I should say Souris had no Harbor or Break-water, a statement which, I think, would soon call up my hon. colleague (Mr. Kichham) to his feet. I hope the error will be corrected.

CAPITAL PUNISHMENT.

Hon. Leader of the Government introduced a Bill for the carrying out of Capital Punishment within Prisons, and said: Sir, In moving that this Bill be read a first time, I may say that it is brought in, in accordance with a recommendation to that effect, made in a Despatch from the Imperial Government, which has already been laid before this House, asking that we should provide that Capital Punishment should take place within the walls of the Prison. The Act is the same as the one passed in England, and is not brought in to meet the sad case which has occurred in this town. When the Despatch upon this subject was received, some three months ago, I rejoiced in the feeling that it was almost unnecessary for us to have such an Act upon our Statutes, and that there was no occasion for such a measure in this Colony, but we all know what has since occurred. And you, Sir, no doubt, will like to know if the Bill is intended to apply retrospectively, so that it may meet the case of the unfortunate man now lying in our Jail, in case the sentence passed upon him shall have to be carried out, and who, if such shall be the case, will, in a few days, have to expiate his crime by suffering the full penalty of the Law? To such, this Bill does not apply; yet, our mind is led to enquire what shall be the end of the Law to him? We know that under the old Law of England, Capital Punishment was executed publicly, and that the multitude has been led to go and witness the sad spectacle of an unfortunate criminal struggling in the agonies of death; and hence the experience of Great Britain is, that those sad public spectacles have had quite a contrary effect, to what they were expected to produce,—they have had a demoralizing and a brutalizing effect upon the community, and therefore, her statesmen have arrived at the conclusion, that executions should be carried out in private, within the limits of the Prison, and not to be witnessed by any but the Sheriff, other officials of the Prison, and such as, by certificate from the proper authorities, have a right to be present. After the execution, the Coroner attends, and holds an inquest upon the body, and returns a verdict to the effect that the prisoner died by the sentence of the Law. I hope such a case may never occur here, and that it may ever remain as a dead letter on the Statute Book of this Colony. But as circumstances do occur sometimes, which we never anticipated, it is well to have such a measure, and I hope this House will unite in bringing in a measure which will enable us to avoid, in so far as we can, such a sad scene as a public execution. It is an unnecessary duty for me to refer to the case

now in our jail. Whatever the peculiar merits of the case may be, and however differently people may view it, there is but one feeling, and that is one of painful regret that such a sad occurrence should have happened; and although this Bill will not apply retrospectively, yet, I think we will all unite in passing a measure which will prevent any future public execution, if, unhappily, Capital Punishment will ever again require to be inflicted upon any one in this country.

Mr. BRECKEN.—Mr. Speaker: I did hope that this Bill, when it would come in, would be such as would meet the present case, that it would be retrospective as well as prospective; and whatever result may be arrived at by the head of the Executive, I do hope the Government may see their way clear to make this Act retrospective, to meet this case, although I confess to do so would seem to say, that a mitigation of the extreme sentence passed upon that man, was a foregone conclusion. To speak of this case, reminds us that people entertain different opinions respecting it. Many believe that justice would be attained in this matter by a mitigation of the extreme penalty to which he is sentenced; especially, as upon one point, and an important one too, there is a doubt entertained by several, but I will say no more on this subject now. All who are acquainted with the history of the old Country and the nature and effects resulting from public executions, will agree in saying that the fearful spectacle of a fellow being struggling in the agonies of death, in the presence of the public, is a terrible sight. It is also known that a great many of the men and women who attend to witness such scenes, are not those of the most moral character, and evidently, many of those who are present on such occasions, are in no way impressed with the awful spectacle they have witnessed. In the case of this unfortunate man, I feel that if the Executive do not extend mercy to him, it will be because they have a duty to discharge to a higher power. No good can result to society by carrying out this sentence as formerly. Perhaps the learned Att'y General thinks that as the sentence has been passed, that the execution should be public and that it cannot now be altered; but I think as long as the law is to be vindicated and that in so far as justice is concerned, these will be attained by having the execution within the walls of the prison. I shall not speak of this case, however, as if the decision was unalterable; but nevertheless, it is a question that should engage the calm attention of us all, for it is one of those subjects upon which a good deal could be said on both sides. One reason why I would object to referring this case here is that doing so might lead to the conclusion that a mitigation of the sentence of this poor unfortunate man is a foregone conclusion, which I hope it is not.

HON. Mr. McAULAY.—Mr. Speaker: I can speak, Sir, to this Bill, and in doing so, say why, in my opinion, public executions ought not to take place. If by some it is thought to have a

tendency to check crime, I, Sir, in my native country, saw evidence to the contrary. I saw the execution of the notorious Burke:—A man who took human life for the purpose of selling the bodies of his victims. An impression was made upon my mind then, which I cannot yet forget. I remember even the weather it was a cold: drizzling day. I was at school at the time in that city, and was standing in Libertine Wynd, off the high street of Edinburgh, within twenty yards of the spot where he was executed. I recollect even the clothing I wore at the time. I had on a coat, with a cape to it, and while the execution was going on, the cape was taken from off my shoulder, which proved to me how little a public execution tended to check crime. A horrid feeling came over me, which I still remember. Public executions have a withering and deadening influence on all the most sensitive feelings of our common humanity. The learned and hon. Leader of the Government gave utterance to a truth that ought to be very generally known, when he said that public executions tend to demoralization and crime.

HON. LEADER OF THE OPPOSITION.—Sir, this Act is a very important one, and I am sure we will all agree with the Hon. Leader of the Government in hoping that it may remain idle while we remain on the earth, with the exception of the case which has been referred to to-day. It has been a pleasing reflection to me, that the morality of the Colony of which I am a native, has been such, that within my recollection, we have not been called upon to enforce the execution of a criminal upon the Scaffold, and, as was remarked by the Leader of the Government, how little did we anticipate some months ago, that we would soon have a case upon which the extreme penalty of the law will, in so far as we now see, have to be enforced? Whether Dowe will suffer the full penalty of the law or not, I am sorry this Bill does not take within its grasp his case. I do not think it would be against the principles of jurisprudence were it to have a retrospective view. The real sentence pronounced by the Court, is death, and whether it shall be by a public execution or a private one, within the prison walls, is of little consequence to him, but the manner in which this shall take place is of far more consequence to the public. For my part, I have come to the conclusion that public executions, instead of being a warning against crime, are rather incentives to its commission; for they have a tendency to harden the natural feelings and sensitiveness of our natures; and philosophers and physicians are agreed in saying that more evil than good results from public executions. As we can all approach this question in the same spirit, I would merely say that unless there are insuperable objections, which the Learned Attorney may perhaps be in possession of, I think it would tend much more to the morality of the public, if this Bill could be framed so that this man might suffer within the prison walls. Of course this is not

properly the question before us, but we all know that a Petition was sent to the Throne on this subject, and I believe the Government has received an answer; that notwithstanding the Petition, and the opinion of the Judge, that those who advise the Queen see no reason why the law should not be enforced. Such being the case, I do not know whether it would be right or not to petition the Executive that this man might have his life given him, in order that he might have time to repent all the days of his natural life. That there was in his case malice aforethought has not been, as I see the matter, and read the evidence, clearly proved. I believe in the law as laid down in Holy Writ, that "whoso sheddeth man's blood, by man shall his blood be shed," and this truth I have not forgotten in this case; but there is in it one peculiar feature, when this man was standing with the girl Flora McQuarrie and Cullen was coming towards them the second time, he told the girl to stand inside the fence so that he might not see her clothing, and might thereby pass along without noticing them. When we remember that it was Cullen who had excited him in the first instance, and the fact also of what he said to the girl, by way of precaution to avoid meeting him again, does appear to me as if there was no intention then on the part of Dowe to injure the man who was killed. It is this feature in the case that has haunted me ever since, for if he then had in his breast the animus to kill him, why did he tell the girl to stand back when he saw him coming towards them? Hence, in Great Britain, the ordinary custom is, where there is a doubt, to allow the prisoner the benefit of it; and I believe if this case had been tried in England, the verdict would have been brought in for manslaughter; we know that recently a precisely similar case has been tried in the old country. The man was tried for murder, but the verdict was brought in for manslaughter. I have no wish to make a scapegoat of this man as a warning to future criminals, or to yield to feelings of sympathy where we should not; but the facts involved in this case are of so doubtful a nature, and the apparent state of the man's mind, when he saw Cullen approaching him so shortly before the fatal act, so favorable, that intention to do the man bodily injury seems not to have been intended. Although in the short interval of two minutes, we cannot tell what occurred in Dowe's mind, or whether he had been provoked by Cullen more than we are aware of, after he left the girl at the fence. I am sorry, in view of those doubtful points, that the prerogative of mercy has not come from the Throne; and as we cannot suppose that the Administrator of the Government can alter the instructions he received from Home, yet if the Hon. Attorney General could make the Bill to include this case,—especially as such cases are so rare in our midst—it would give general satisfaction, perhaps there is not an hon. member here who recollects when the last execution took place, and I hope another may never again occur.

Hon. LEADER OF THE GOVERNMENT.—As regards the suggestions of the learned Leader of the Opposition, I can only say that in so far as I am concerned, I would be glad if the Bill could have been so framed, and before bringing it in I made the necessary enquiries, but received a reply in the negative. This, however, is but the first reading of the Bill, and before the matter comes forward again, I will take the opportunity to make further enquiries in the proper quarter:

The Bill was then read a first time, and ordered to be read a second time to-morrow.

House in committee on the second reading of the Bill to extend the Limits of St. Eleanor's Jail.

Mr. Reilly in the chair.

When the clause was read which marks the extent of the Limits—Hon. Mr. Laird moved that the limits extend below high water mark. He believed such was the case in Charlottetown and Georgetown.

Hon. Leader of the Opposition, said, the Deeds of Lots in Charlottetown were not all alike: some were bounded by the water, while others extended to the channel.

Hon. Mr. Laird, said the reason why he called attention to the matter was, that a considerable quantity of stone is dug up at Summerside when the tide is out which is used for building and other purposes, and if the Limits is extended below high water mark, a poor man, when on the Limits, might have an opportunity of earning something.

Hon. Mr. Davies thought there was no use in circumscribing the Limits to high water mark, and thought it would be found that the Act would afford but a slight protection to those it was intended to benefit.

Hon. Leader of the Opposition was under the impression when the Unfortunate Debtor's Act came into operation, that we would not require any measures of this kind. He had, as a Barrister, an experience of over twenty years, and had almost invariably found that when a man is sent to jail, the debt might as well be forgiven at once.

Hon. Speaker took the Chair, when the Bill was reported agreed to with an amendment, and ordered to be engrossed.

SUPPLY TO HER MAJESTY.

Hon. LEADER OF THE GOVERNMENT.—Mr. Speaker: I beg leave to move the following Resolution:

Resolved, that the House will to-morrow resolve itself into a Committee of the whole House, to consider of the Supply granted to Her Majesty. In laying this resolution before you, Sir, I hope the hon. member for Georgetown will not raise the objection he did last year.

Hon. Mr. McAULAY.—I intend, Mr. Speaker, still to debate on that question with the hon. member, when it comes before the House to-morrow, which he has so eagerly provoked by the remarks just made.

Hon. LEADER OF THE GOVERNMENT.—The same course was followed last year, and also, when the hon. member was himself in the Speaker's Chair.

Hon. Mr. McAULAY.—Sir, I will undertake to show that it was a wrong course, and further, Sir, the hon. Leader of the Government should know that he cannot make such a motion now without violating one of the first principles of Responsible Government. The practice of the Imperial Parliament is to make a motion that the House resolve itself into a Committee of the whole House, to consider the motion that a supply be granted; that is what should be done now, and not to consider of the supply granted when there has been no investigation made and no resolution passed that a supply shall be granted. Why, Sir, by adopting the course now proposed, we ignore the fact that the government is responsible to the independent members of this House. This is not the practice in Britain; nor is the proper practice overlooked or forgotten by our American cousins, for in the United States the House of Representatives resolves itself into an executive Committee to investigate the acts of the government before granting any supply, and before we agree to grant a supply, it is only right that we should call the Executive to account for their conduct in the use they made of the supply granted last year. How can a government be responsible otherwise? The reflection intended to be cast upon me is only applicable to the hon. member himself, for if, in this matter, he has neglected to adopt the proper course, it is a censure upon the judgment of the hon. member. There is a rule of this House which binds you to follow the practice of the Imperial Parliament; but you can make a motion for considering the question of granting a supply, and if, in considering that question, it should be found that the government did not properly use the supply granted last year, our duty would be to bring them to book. There are upwards of 400 salaried Officials in this Colony; the government should be desirous to ascertain from us, if we are satisfied with the manner in which those officials have discharged their duty. The motion might be that we go into committee for considering the question of supply, and if a resolution is come to and reported that the House go into supply, it would be proper that the committee of supply be opened. This is the real meaning of the rule of this House, binding us to follow the Imperial practice in the matter of supply.

Hon. LEADER OF THE GOVERNMENT.—Notwithstanding the arguments of the hon. member, I find many difficulties in his way, some of which, I think, the hon. member will not be able to overcome. In 1866, when the hon. member was in the Chair, they hurried matters through so hastily and

were allowed to travel so quickly by the hon. member, that the House went into the consideration of supply at once, whereas we give twenty-four hours more notice on this question than was given when the hon. member was in the Chair. In 1863, when hon. Mr. Hayiland was in the Chair, the course then adopted was precisely that which is now proposed. Nor can I agree to what was said by the hon. member, (Mr. McAulay). I believe that the hon. the Speaker, from his long experience and knowledge of the rules and practice of this House, is sufficiently well informed in these matters to know when an improper question is introduced, and I believe if any hon. member was pursuing a wrong course, he (hon. Speaker) would soon bring him to book. Now, I think, if the hon. member for Georgetown is sincere in the course he would wish us to adopt now, he should, when he was in the Chair himself, not have neglected what he seems now to regard as so important a duty; but he did not do so then, and if this knowledge has been acquired since by the hon. member, I do not know that we should place so much confidence in it.

Hon. Mr. McAULAY.—Is it reasonable to suppose, that a body of gentlemen, into whose hands have been placed from £30,000 to £90,000, of the people's money, should not be called upon to account for the manner in which they used it? Or, are we satisfied to place the same amount into their hands this year without making them responsible for the former supply? I do not charge them with corruption; neither do I say that they mis-used their trust, but I have a duty to discharge, and in doing so, I have a right to be allowed an opportunity of enquiring what was done with the supply of last year, before I am asked to go into consideration of Supply for this year. The Government may have acted with great prudence, but do we know that it did so? As to the observation of the hon. member, when I was in the Chair, I can tell him, that he was in the Opposition at that time and it was a gross neglect of duty on his part, when he allowed such a practice to be followed without raising his voice against it, but if the Hon. Attorney General was a delinquent in the discharge of his duty then, it is no reason why I should now neglect mine.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker; I have no doubt but that my esteemed Colleague believes that the hon. Leader of the Government is pursuing a wrong course; but it is rather difficult to get over the precedents which have been brought forward by the Hon. Leader of the Government, and I believe the practice of this House has always been similar to that now proposed to be adopted. The fact is, we have a practice that is peculiarly our own, and although we have a Standing Rule that says: we are to follow the practice of the Imperial Parliament, yet, our custom has been not to follow it where it interferes with Rules of our own; but perhaps my hon. Colleague and the Learned Attorney General are

only fighting with straws. My hon. Colleague thinks the hon. Leader of the Government should show how the Expenditure was appropriated last year, but this, I presume, the hon. member will do when he opens his Budget; and when the hon. member makes his statements to-morrow, I hope my hon. friend (Mr. McAulay), will be in his place to note any misappropriations which may have occurred. I have no doubt but that the hon. Leader of the Government will do his best to show that the Executive has made a proper use of the Supply which this House granted last year for the use of Her Majesty, and if the hon. member proves this to our satisfaction, I presume the Opposition will not object to going into the consideration of a Supply to be granted this year. But should it prove otherwise, our proper course will be, to move a vote of want of confidence in the Government.

Hon. Mr. McAULAY.—It is within my recollection, that two years ago, my hon. friend, the Learned Attorney General, gave a very crude idea of Responsible Government. He represented Responsible Government to be a Despotism. What, Sir! a Despotism! Responsible! Who ever heard of such a thing? To whom was a Despotism ever responsible? Are we, Sir, to be handed over to a Dictator? are our powers of reason to be restrained, and our free expression of thought stifled? Such might suit Russians or Turks; but are we to permit despotism to usurp the Throne of right and reason? I would be sorry, Sir, if any just cause of complaint should be found against our Government, but as one of the Representatives of the people of Prince Edward Island, it is my duty to know what the Government did with the Supply of last year. Why, if we are to grant Supplies in this way, we might as well, at the commencement of a new Parliament, grant four years Supply at once. It is preposterous to say that a new Supply should be granted until we know if the Government discharged its duty honestly in dispensing the Supply of the year that has passed away. It is well enough to speak of following the past practice of the Legislature of the Colony; but you cannot annihilate the Rule laid down by this House for your guidance. The Standing Rules of the House is the law made for your guidance, by yourself, and when that Law, or those Rules are in conflict with the past practice of the House, or precedents, if you choose to call them, those precedents must give way to the Standing Rules, which are the acknowledged Laws of the House, and if the Standing Rules of the House be found inconvenient in practice, then suspend the standing Rules and follow the irresponsible precedents of former years. It is as well for the Prime Minister to contend that black is white, as it is to attempt to justify the course he is pursuing, either by the test of the principles of Responsible Government, or the law of Parliament, to plead by this House the first year of its existence. A vote of the House may introduce or perpetuate a practice; but it

cannot stifle or destroy a principle, although it may stultify itself in the attempt. The judgment of the Speaker on this subject may savor of the will of the Attorney General; but if either or both diverge from the principles of right, I leave them to be chastised by the test of reason.

HON. LEADER OF THE GOVERNMENT.—The arguments of the hon. member make with the greatest force against himself, for I have always understood that the information the hon. member is so desirous of obtaining now, has not been usual by laid before the House until three or four days before the close of the Session: and I am but following out the precedents set by the hon. member himself, when I ask the House to adopt the Resolution I have submitted.

HON. MR. McAULAY.—There are no precedents referred to in the Rules of this House.

HON. LEADER OF THE GOVERNMENT.—I must say I think something unusual has come over the mind of my hon. friend.

HON. MR. McAULAY.—Nothing unusual at all, Sir. The text of your decision, Mr. Speaker, is in your desk, and if you find that it contradicts what I say, then I will admit that I am wrong.

HON. MR. SPEAKER.—It has been the practice of this House, for some time, to go into a Committee of the whole House to consider of the supply granted to Her Majesty, and I decide that the motion be put.

The Resolution was then agreed to, when the House adjourned until ten o'clock to-morrow.

THURSDAY, March 18th.

Forenoon Session.

Hon. Leader of the Government presented the Annual Report of the Medical Superintendent of the Lunatic Asylum—received and laid on the table.

The Act relating to persons now or hereafter to be confined within the limits of the St. Eleanor's Jail, was read a third time and passed.

Hon. Leader of the Government submitted the Public accounts for the past year. Referred to a Special Committee. On motion of the hon. Leader of the Government, the House went into Committee of the whole on the fifth Order of the day, viz., the second reading of the Act to amend the laws relating to the Office of Sheriff.

Mr. Cameron in the Chair.

The first clause was read.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman: This Bill will, in the absence of the Chief Justice, or during the term he acts as Administrator of the Government, place the power of nom-

inating the Sheriffs in the hands of the Master of the Rolls.

MR. McNEILL.—Mr. Chairman: Before putting the motion to adopt this clause, I would say that as the Sheriff's Office is a very important one, I think the Government of the day should have power to make the appointment. The peace of the country depends upon that Officer; and we know that it was owing to the right man not being in the right place, that in a great measure, caused the disturbances in connexion with the Tenant League movement. As the Government are responsible for the peace of the country, they should have the appointment of the Sheriffs. If a Sheriff were appointed who would not act in harmony with the views of the government, they would not be in a position to displace him unless they had the appointment of that Officer in their own hands.

HON. LEADER OF THE GOVERNMENT.—The mode of appointing Sheriffs spoken of, by the hon. member for Cavendish, (Mr. McNeill) was in force some four or five years ago. It was brought in by the Liberal Government in 1854. In the other Colonies, the rule is for the Judges to present a list to the Government, for the time being out, of which the latter selects one for each County. The Bill now before us has not been brought in with the view of returning to the old state of things which existed in 1858; it is brought in to supply a deficiency which has not been provided for. As the appointment comes on in a few days, the Chief Justice is not now in a position to make it. If the Sheriff should be antagonistic to the Government, in cases where political motives are carried to a great extent, that Officer can be displaced at the end of his year of office. But we must recollect that in 1865, during the Tenant League difficulties, there was no difference of opinion between the Sheriff and the Government of the day, for they worked in harmony. No difficulty arose from the mode in which the Sheriffs were appointed.

MR. McNEILL.—In regard to the disturbances of 1865, I know that the late Government were satisfied with the Sheriffs who were appointed; but did the Chief Justice appoint a fit and proper person? Surely that Government, if they had the appointment, would have appointed a man who would not have irritated the people in carrying out the law.

MR. P. SINCLAIR.—I think it will be best to let the law stand as it is in that respect. I do not think there is any fear but that the Government of the day can arrange with the Judges, (if it is found that they are about to appoint a man who will not work harmoniously with them) to appoint a fit and proper person. I believe it is fully as well to give the Judges the power of appointing the Sheriffs as to place it in the hands of the Government.

HON. MR. McAULAY.—I fully coincide with the opinion of the hon. member who has just spoken,

The circumstances of the country are such as to require the amendment now before us.

Hon. Mr. DAVIES.—Mr. Chairman: there is no question that the Government are responsible to the country for the Sheriffs; that being the case, the Government should appoint them. Owing to a nomination made by the Judges, the Colony was brought into difficulties, and burdened with heavy expenses. I think the Government should have a discretionary power in the appointment of the Sheriffs. If the Liberal Government had been in power in 1865, the Sheriff would have acted in opposition to the views of the Government, and therefore, I contend that the principle of placing the power to nominate Sheriffs in the hands of the Judges is not correct. I think this is a very important matter and should be duly considered by every hon. member of the House.

Mr. BELL.—The office of Sheriff is a very delicate one. I see that in some countries the Sheriff is appointed as long as his behaviour is good. I think if any officer should be retained in his office as long as possible, it should be in this case, for many great mistakes have been made in appointing unsuitable persons. I think the Government should have the appointment of those officers, because they occupy a very responsible position. Sometimes an injustice may be done by them and, in that case, if the Government had no power to interfere, a good deal of evil might arise. In my opinion, the Sheriffs should be appointed, during good behaviour or for life, but I have no particular object in view, one way or the other, for we have not had much to do with the Sheriff up our way.

Hon. Mr. McCaULAY.—Mr. Chairman: The Sheriff is merely the Bailiff of the Supreme Court, with additional powers in case a breach of the peace should take place. He is obliged to give sufficient security for the efficient discharge of his duties, when he enters his office. The Supreme Court are unquestionably the best Judges in making a nomination for that office, and therefore the principle of the Bill is perfectly correct. In no country are the Sheriffs appointed for life, or even during good behaviour. In Nova Scotia and Newfoundland, they are appointed annually, but, on their continued good behaviour, they are generally re-appointed. Mr. Sawyer, Sheriff of Halifax County, N. S., is an example of this—he has been annually re-appointed during the last thirty years. It is perfectly right that the appointment should be yearly, for if there should be any delinquency in his conduct, he should be removed, but if he is well behaved and efficient, he should be retained in his office. In England, they appoint a new Sheriff every year, for the reason that a man who knows all about the circumstances of the people in his district, should not be retained in this office.

Mr. BRECKEN.—M. Chairman: I heard the concluding remarks of the hon. member for Belfast

(Mr. Davies) which were in favor of placing the power to appoint the Sheriffs, in the hands of the Government instead of in the hands of the Judicial authorities. The Sheriff is an officer of the Judicial Court of the Colony, and therefore should be free from all party bias. No hon. member can shut his eyes to the fact that political appointments to that office, in a small Colony like this, must be swayed to a great extent by political feelings. The Sheriff's office, above all others, should be free from political prejudices and party bias. There are other public officers who are practically forbidden to exercise any political influence whatever. You will never see a Judge show partiality by entering the political arena; and no man will say that the Government are as free from political bias as the head of the Judiciary. The Sheriff should be just as free from political bias as the Judge, for when the election takes place, he, as returning officer, may influence it. We know there are many ways of doing this; for, in case of a scrutiny, he sits as Judge in the case. The appointment of the Sheriff should be practically for life, because he is called upon to bring into exercise a considerable amount of legal knowledge in making returns, &c. As the duties connected with the office are intricate, the person just entering upon the duties of his office is always a novice; therefore, it is a thousand pities that that officer is not retained in his office in this Colony, if he hold it with good behaviour. The Sheriff is a servant of the Supreme Court, and therefore should be appointed by it; if he is guilty of mal-administration of the duties of his office, there is always a way to punish him.

Hon. Mr. DAVIES.—It is true that the Government have at present very little to do with the appointment of the Sheriff; but it is a pity they had not a little more to do with it. That officer can turn out the *Posse Comitatus* without any sufficient reason and bring the townspeople into collision with the country people. This has already been done, and we do not wish to have such a ridiculous scheme repeated. Who had to answer for such conduct? Why, it was the Government of the day; and therefore they should have the appointing of that officer. The people look to the Government for redress in such cases; but the Judges are, at present, the parties who are responsible for the conduct of the Sheriffs. Because a man happens to be placed upon the bench, it does not follow that he is free from political feeling. Does the appointment of the Sheriff by the Judges do away with all political bias in the matter? No, not by any means. Political bias exists upon the Bench as well as in other positions. I do not wish to withdraw the power of nominating a certain number of men for the office of Sheriff, from the Judge; but I think the Government should have the appointment in their own hands. The statement made by the hon. member for Georgetown, that the Sheriff is bound by penalties to obey the law is an extraordinary one.

Hon. Mr. McAULAY.—The Sheriff, before accepting office, is bound down by laws and penalties to give security for his good conduct.

Hon. Mr. DAVIES.—There is no reason at all in that answer. If the Sheriff brought one portion into collision with another, the Government are held responsible by the people for his conduct, and therefore, should have his appointment in their own hands. If that Officer displeased the Court, they have the power to punish him. I do not see, therefore, why they should have the power of appointing him as well as the power to punish him. Were not the late Government accountable to the people for the calling out of the *Posse Comitatus*, and for the sending for the troops. Are the Court accountable for all the expenses incurred in connexion with the troops? No, the people hold the Government of the day accountable.

HON. LEADER OF THE OPPOSITION.—I think the hon. member for Belfast (Mr. Davies) is more accountable for those expenses than either the late Government or the Sheriff. If he had stood aloof from the Tenant League movement and had not subscribed his five pounds, the Tenant Leaguers would not probably have gone so far as they did; therefore he is accountable for their actions. It would be a pity for the Legislature to carry out the extreme ideas of that hon. member on the appointment of the Sheriffs. I think the Judicial authorities should have the sole power of making these appointments, because those Officers should be free from political bias. The Sheriff has to superintend the writ issued for the election of members to represent the people in this House, therefore, the Judicial authorities should have the appointment of that Officer. Political Sheriffs are, in my eye, an abomination; these Officers should be as much aloof from party politics as possible. We know that for a considerable time, the appointment was a political one, but after seeing the working of that plan for some years, it was considered expedient to go back to the old British principle. If a Sheriff is found to be well behaved and efficient, he should be retained in his office year after year, if possible. Our seats in this House depend upon the manner in which those Officers conduct the election; and, in a case of scrutiny, they can determine whether a vote is good or not. For this reason, they should be free from all political bias. At present, the Chief Justice sends in the names of three persons, to the head of the Executive, who chooses one of them as Sheriff for the County. Were it not for the present law, political parties who are anxious for office, would use all their political influence in obtaining this office, and probably they, if appointed, would not be the right men in the right place. At present, it is useless for any individual to use his political influence to obtain that office. I consider it far better to allow the law to remain as it is, than to carry out the alteration proposed by the hon. member for Cavendish.

Mr. McNEILL.—The principal objections which have been made to the suggestions which I have offered, are to the effect that we should not have political Sheriffs. I quite agree that the Sheriff, above all men, should be non-political, but in a small community like this, it is hard to get a person without political bias—it is almost impossible to do so. But men of strong political feelings were appointed by the Judges, while the late Government were in power. In the old country, a man without political bias might be easily found, because a large number of persons there take little or no interest in politics, one way or another. In this country the Sheriff is, in a great measure, an officer of the Government, therefore they should have the right to appoint that officer. For the calling out of the *Posse Comitatus*, the Sheriff laid the blame upon the late Government, and the Government on the Sheriff.

After a few further remarks on the subject, by hon. members, the clause was agreed to.

The next clause was then read. This imposes a fine of £20 upon all persons who refuse to act as Sheriff when appointed to that office.

Hon. Mr. DAVIES.—That is a rather obnoxious clause. It is well known, that if I had accepted the appointment I received to the office of Sheriff, I could not have been a candidate for the district which I afterwards represented. I therefore paid the fine; but it was afterwards reimbursed by the Legislature. I do not see why the Court should be given power to punish a man for not accepting that office. The Judges might break their vengeance upon any of their opponents by appointing him to the office for the purpose of making him pay £20.

HON. LEADER OF THE OPPOSITION.—All laws are liable to be abused; but I do not think it would be advisable to do away with the penalty. There are many persons in the very class of society from which the Sheriffs should be selected, who would refuse to accept office unless a fine were imposed in case of refusal.

HON. LEADER OF THE GOVERNMENT.—In England, if a man refuses to accept the office, he has to pay a fine of £500 sterling. The office is beset with so many troubles and difficulties, that a penalty is necessary to compel people to accept it; therefore I think the clause is very necessary.

The clause was agreed to.

The Speaker took the Chair, the Chairman reported progress and obtained leave to sit again.

House adjourned for one hour.

Afternoon Session.

On motion of the hon. Leader of the Government, the House again resolved itself into a Committee of the whole to take into further consideration the Bill to amend the laws relating to the appointment of Sheriffs.

Mr. Cameron in the Chair.

Several clauses were read and agreed to without any discussion, after which, the Speaker took the Chair, and the Chairman reported the Bill, as amended, agreed to. Ordered to be engrossed.

A message was received from the Legislative Council, stating that they had passed the Bill to authorize the increase of deposits in the Savings Bank, and also the Bill to amend the law relating to the granting of Patents for useful inventions.

MILITIA BILL.

On motion of the hon. Leader of the Government, the second order of the day was read, namely, the second reading of the Bill to amend the Act relating to the Volunteer and Militia forces, and the House resolved itself into a Committee of the whole on the said Bill.

Mr. Reilly in the Chair.

Several clauses were read and agreed to.

The clause was read relating to the payment of the Captains of Companies.

Mr. PROWSE.—I think, Mr. Chairman, that it would be necessary to add to that clause the words "provided they keep up the standing of their Company." A Volunteer Company might be broken up, and, I think, in that case, it would be unfair to give the Captains their pay, although they might retain their Commission.

Dr. JENKINS.—Mr. Chairman: I would be unwilling to vote money to Volunteers unless they are to be available in case of war or commotion of any kind, when their assistance would be required. I believe a Volunteer can resign his position at any time, and I should like to be informed concerning the regulations in this respect.

Hon. LEADER OF THE OPPOSITION.—The present regulations are, that any Volunteer who pays up his Company's dues and performs all his drill, can sever his connection with his Company by giving three months notice.

Hon. LEADER OF THE GOVERNMENT.—The only additional privileges given to Volunteers under this Bill, is exemption from Statute Labor, and the supply of a few shillings' worth of ammunition, and I think the amount is very small for the purpose of keeping up the Volunteer organization.

Mr. McNEILL.—Mr. Chairman: I should like to know what will be the probable amount that will be required to keep up the organization. I consider that in a small Colony like this, with a sparse population, we cannot afford to keep up a force of this kind. I think it would be useless in time of war, and in time of peace is only an expense to the Colony. I think when the Captains of Volunteers get five pounds each, it is rather hard that the Captains and Colonels of Militia should get nothing, for some of them have spent a great deal of time in the service.

Hon. LEADER OF THE OPPOSITION.—I thought when this subject was debated twice before, during the debate on the Draft Address, and when the Resolutions were moved—that when the Bill was introduced, we were not going to fight over the principles of it. I know that my hon. friend from Cavendish is not much in favor of the Volunteer and Militia forces; he thinks it is a waste of time for men to be drilling, that they would be much better employed in Agriculture operations, or mechanical pursuits. That may be the opinion of that hon. member, or it may be the opinion of other hon. members in this House, but it is not the opinion of the Imperial Authorities, as has been very clearly stated in certain Despatches. And while we live under the British flag, under the Government of our gracious Sovereign Victoria, we must comply with the wishes of the Imperial Government. When we know that the whole force of Great Britain would be put forth to protect us from foreign insult, surely no person will object to spending the paltry sum of £1500 to keep up a Military Force in the Island. We have an instance of how dear to Great Britain, the lives and liberties of her subjects are, in the late Abyssinian war, which three millions of pounds sterling was expended, and great risks run, to release a few men who were put in slavery by a foreign tyrant. There is too much of the almighty-dollar spirit in the present day. In regard to the nine companies, I would like to ask the hon. Leader of the Government how they are to be divided among the different Counties. I think there should be some force in Georgetown and Souris, for we know there is a large influx of strangers in those places, and if there was some military force there, it would be a great check on them, and prevent deprivations such as are sometimes carried on. There is also another question,—what is to become of the companies which are already organized—is it by ballot, or by seniority, that those are to be chosen which are to receive the Government allowance.

Mr. KICKHAM.—There is a great necessity for having some military organization in Souris, for strangers come there and commit acts of violence, which the presence of a good Military Force would effectually prevent. Last autumn, a man's house was actually taken possession of, and other deprivations committed.

Hon. LEADER OF THE GOVERNMENT.—In answer to the question how much money is to be expended under the provisions of this Bill, I may say that the grant asked for this year is £1500, and I think we should not object to this small sum when we see the readiness with which our young men turn out to drill, and also when we consider the position of our Island, and the necessity there is for some Military Force. This Bill does not ordain where each company shall be located, it leaves the matter entirely in the hands of the Commander-in-Chief, and I think he would select some companies in the outlying Counties as well

as in Queen's County. To meet the difficulty proposed by the hon. member from Murray Harbor, I would move that the words "Provided they keep up their organization and company" be added to the clause.

HON. LEADER OF THE OPPOSITION.—I do not think there is any necessity for adding those words to the clause, for, under the laws defining their duties, Volunteers are not entitled to any remuneration unless they attend drill.

MR. PROWSE.—Although there might be no regular organization of the company, the Captain might perform his drill and draw his pay.

MR. BRACKEN.—The same amount of labor may devolve upon a Captain, in summoning his men and making out his returns, whether his company is kept up or not, and if so, he should be entitled to his pay.

HON. MR. HENDERSON.—Mr. Chairman, I would infer that when my hon. colleague moved this amendment that he had two objects in view—one to make the Captains of Volunteer Companies more diligent in their duties, and the other to prevent any waste of the public money, however small. When we know that it is the prerogative of the British Government to say on what terms they will defend us, I think we should have no objections to keeping up a small Volunteer force. It may be remembered that a few years ago, in Canada, when the Government there were at sixes and sevens, as the saying is, that the Government of one month would pass a Bill in accordance with the wishes of the Imperial Parliament, and the Government of the next month would repudiate it. One noble Lord, in his place in Parliament, said that if the Government of Canada were going to act in such a manner, he would be in favor of ordering the British Troops then in Canada to take up their position in the fortresses, where they could best defend themselves, and leave the Canadians to provide for their own protection. I think that in view of such facts, we should do all in our power to give the British Government reason to think that we wish to do our duty in this matter.

Clause with the amendment agreed to.

Next clause read.

MR. PROWSE.—That clause states that the number of members in each company shall not exceed fifty, but it does not state how small a number shall be considered a company.

MR. P. SINCLAIR.—I think there is an Act now which states that unless there are forty members, it shall not be considered a company.

Clause agreed to.

The clause relating to arms and accoutrements was read.

HON. LEADER OF THE OPPOSITION.—In a former section of this Bill, it was provided that other Vol-

unteer Companies might be formed besides the nine which were to receive an allowance for clothing, &c., and this clause states that such companies shall not be entitled to arms and accoutrements. Now, I do not know what use a company would be without arms, and as we have at the present time about two thousand stand of arms in the Colony, and as only four hundred and fifty will be required for the regular force, I think it would be well to distribute the remainder to other Volunteers.

HON. LEADER OF THE GOVERNMENT.—I think the words "no other" were unintentionally put in this clause, and I would move that they be struck out. No ammunition will be supplied to any but the nine companies, but the Commander-in-Chief shall have power to supply others with arms. We must remember that these arms cost the country nothing—some of them were a present, and some a loan from the Imperial Government.

The clause as amended was agreed to.

The remaining clauses of the Bill were also agreed to.

The Speaker took the Chair and the Chairman reported the Bill agreed to, with amendments.

Ordered to be engrossed.

House adjourned.

FRIDAY, March 19.

The Act to amend the Militia laws was read a third time and passed.

The Board of Works Bill was also read a third time and passed.

A message was received from His Honor the Administrator of the Government, containing the answer of the British Government to the Address of the House of Assembly at its last Session, on the Salary of the Lieutenant Governor of this Island. Received, read and laid on the table.

Hon. Leader of the Government moved that the House go into Committee of the whole on the second order of the day, viz: "the Bill to carry out Capital Punishment in Prisons," and said:—Mr. Speaker:—When this Bill was read a first time, considerable discussion took place respecting it, and views were expressed by the Hon. Leader of the Opposition to the effect that the principle of the Bill should be carried out in the case now before the minds of the people of this Island. That hon. member stated that unless I could positively say that it could not be carried out, he would move an amendment to the Bill, that it might apply to the said case. I should have been very glad to have made such a provision in the Bill, so as to adapt it to the present wants of the country, but did not feel myself in a position to do so. But before proceeding further, I thought fit to take

the opinion of the Judges on the matter, and they were both of the opinion that the Bill can only be made to apply to the cases hereafter to occur. Having taken the opinion of the Judges, no alterations will be made in the Bill to the extent suggested by the hon. Leader of the Opposition.

The House then resolved itself into a Committee of the whole on the said Bill.

Mr. P. Sinclair in the Chair.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman: I am sorry that the unfortunate man, Dowey, could not have been executed in private, in the same way that executions have taken place in England and elsewhere, of late years; but as the highest authorities think the Bill should only apply to future cases, I, as a member of the Legislature, must bow to their decision. I am sorry that we shall have so repulsive an exhibition as a public execution.

The Bill was read clause by clause.

The Speaker took the Chair, and the Chairman reported the Bill agreed to, with an amendment.

A message was received from the Legislative Council, through Mr. Ball, their Clerk, to the effect that they had passed the Bill relating to Saint Eleanor's Jail.

The Bill relating to the office of Sheriff was read a third time and passed.

On motion of the Hon. Mr. Kelly, the rules of the House were suspended for the purpose of receiving a petition from Lots 57 and 58.

Hon. Mr. Kelly then presented said petition, which prays for a law to regulate lawyers' fees, &c.

HON. LEADER OF THE GOVERNMENT.—I shall be glad to lend the hon. member for Fort Augustus, (Mr. Kelly), any assistance in investigating the matters mentioned in the petition, which I possibly can. If the petition should result in the bringing in of a Bill in accordance with the prayer of the petitioners, I shall give my assistance. But I think, on investigation, it will be found that lawyers, as a class of men, are oftener underpaid than overpaid. Surveyors, such as the hon. member himself, get their share of fees as well as the lawyers, and therefore we should, on the principle prayed for in the petition, regulate the fees of all professional men. We, lawyers, do not make as much money as people suppose. Lawyers in the old country often get 100 guineas as a retresher before sitting down to breakfast; but in this country they do not get any such refreshment. I think that the result of an investigation of this matter will be a great satisfaction to know that lawyers' fees are so moderate in this country, compared with other parts of the world.

Mr. BRECKEN.—Mr. Speaker: In regard to the petition, I may state that it contains a great libel on the profession to which it alludes. In no place are lawyers as miserably paid as in this Island; therefore, the statement in the petition is simply untrue. I have sat in the Supreme Court Room from daylight till dark, for much less than my hon. friend from Fort Augustus would do a day's work at Surveying. I very much doubt whether any lawyer in this Colony has made anything worth speaking of by his profession. Lawyers in England get four or five times as much as in this Colony, and in the other Provinces they are also paid far more for their labour. There are more lawyers in this country than this House is aware of, and my opinion is, that the next generation of lawyers will reap a rich harvest, for when the deeds and documents which have been drawn up in this Island by those who do not understand such matters, come before the courts, the lawyers will have plenty to do. I do not charge my hon. friend (Mr. Kelly), with getting up that petition, for he is half a lawyer himself; but he has, from first to last, favored the prayer of the petitioners. Perhaps the petitioners do not know what it is to spend from four to six years in acquiring the knowledge necessary for the profession. Besides this, a lawyer is prohibited from engaging in any business while he is a member of the profession. I cannot see how you are going to regulate the lawyers' fees. A man may bring in an intricate question which requires much time and labor for solution, and he is not in a position to estimate the value of the labor spent upon it. Can these petitioners tell what compensation a lawyer should receive for many days' and nights' labor bestowed upon an intricate question? No hon. member of this House will say that they are in a position to do so. But this petition will not produce much effect, for the lawyers will be paid in defiance of any such movement. If the lawyers' honesty cannot be trusted, you need not trust to the effect of a Statute to regulate the fees which they shall receive. From an experience which I have had of three years in the old country, and a considerable period in the other Provinces, I know that lawyers in this Island are greatly underpaid for their professional services. We are, as a class, under a great responsibility which none but professional men understand. I have advocated in favor of prisoners time and again, without receiving any fees whatever. An active merchant can make more money in five years than a lawyer can in a life-time. I ask any one who entertains the idea that the lawyers are making money, to show me one in this country who has been placed in a wealthy position through his professional services. There is not a single instance of the kind.

Hon. Mr. KELLY.—When I introduced the petition, I did not think hon. members would blame me for the statements it contains, for I did not get it up. I do not want lawyers to work for nothing. I merely want what is fair and just to all parties.

There is a rule by which these fees are regulated in Great Britain and Ireland, and in all the neighboring Colonies, and, therefore, I cannot see why we cannot have a law of the same nature. We want to know what the lawyers' fees will be before we go to law with any one who does us an injury. There is a large number of people who are afraid to run the risk of going to law, because they do not know what the expenses will be. There have been many poor people who have had very large sums to pay as expenses, while perhaps the sum in dispute was but small. I believe that this hon. House will see, when an investigation is made into the matter, that there should be a law to regulate the fees of persons engaged in the legal profession.

Mr. BRECKEN.—Mr. Speaker: The hon. member for Fort Augustus will find that it is generally the persistency of the client that prolongs the litigation—not the lawyer. You cannot bring in a law to measure the services of legal gentlemen any more than that of medical men. I can tell the hon. member that when a man comes in and asks for advice, it is the exception if you get anything at all. They come and ask a question and when they get the answer, you are left with as little as when they came. A great variety of cases come before the lawyer, and some of them require days and nights of close study and attention. To regulate the fees, therefore, in all cases, is impossible. We have sat during the whole term of the Supreme Court and did such an amount of that £50 would not have overpaid us, but we received only four guineas, or five shillings a day. I have good reasons for saying that members of the legal profession are very poorly paid for their professional services in this Colony.

Hon. Mr. HOWLAN.—If there are any cases where an excessive charge has been made, they should be brought before a Committee, composed in part, at least, of members of the Bar, because those gentlemen are the most competent judges in the matter. I believe that the members of the legal profession in this country are as honest as those in any other; therefore, there is no necessity for putting a number of laymen upon this Committee. If the fees are cut down, there will be a market for the cheapest man, and the able members of the profession will leave it. There should be two members of the Bar on this Committee, at all events, because they are in a better position to explain matters of this kind than those who are not engaged in law affairs. For my own part, I think we should have known the reason why the petition was got up before anything was said upon the subject, contained in it. If it can be proved that there have been any irregularities in relation to the matter complained of, we should be informed of them.

Hon. Mr. KELLY.—There have been instances where the costs have amounted to £70 or £80, while the sum sued for was only £15.

Hon. Mr. McCaULAY.—Hon. members should handle this petition with great caution. The people who signed it are asking for what will be very injurious to them, viz., greater facilities for going the law with each other. They are praying for what will prove their greatest injury—they almost seek self-destruction.

Hon. LEADER OF THE GOVERNMENT.—I am quite convinced that when the matter is looked into, there will be found to be no foundation for complaint on the part of the petitioners or any other parties. I know of one lawsuit in connection with a School district in that part of the country, the expenses of which were £56. I know that if the lawyers had got the whole of the expenses in that case, they would not have been overpaid; but the Prothonotary and witnesses had to be paid from that sum. I do not see how we could make a change in our present system, for I consider lawyers to be miserably paid in this Island. A lawyer is just as responsible in giving advice to his client as a man is in carrying out a contract which he has undertaken. Few persons know what labor a lawyer goes through, or they would not begrudge him his pay. I believe that the lawyers in the neighboring Provinces are not paid higher than they should be; but they are paid much higher than gentlemen of the legal profession in this Island. I think it better that the Committee should be composed of laymen, and that they shall send for persons, papers and records for aid in investigating the matter. If they should want any legal information, I should be happy in assisting them all I can, and I am sure the other members of the Bar will do the same. I believe that the investigations of the Committee will show that the complaint of the petitioners is not well founded.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker: I fully coincide with all that has fallen from the lips of the hon. Leader of the Government in regard to the petition before us. I do not think it would be right that the members of the Bar, who are also members of this House, should form part of that Committee, because there is a strong charge against them in that petition. They know that their fees are already lower than in any part of Her Majesty's dominions, or in the Dominion of Canada, and therefore there is no reason why any of them should form part of that Committee. I defy any hon. member of this House to point out a professional man in this Colony who has made a fortune. They have merely got sufficient bread and butter for themselves and their children, and pretty hard running at that. I do not intend to flatter the members of the Bar in this country, but I can say, without hesitation, that as a body they are as honest, independent and confidential as can be found anywhere, and that they are free from the charge brought against them, of encouraging litigation. Hon. members must not labor under the idea that the lawyers get all the fees; a large proportion goes to the Prothonotary, witnesses and constables. If, in the case men-

tioned by hon. Mr. Kelly, the verdict had been for ten thousand pounds, the Lawyers' fees would have been no higher than when it was only for fifteen pounds, because we have the same trouble in going over the law books and in preparing evidence in the one case as the other. Our fees are the same, whether the damages are given by the jury at one shilling or forty. Only the other day I was in conversation with the President of the Legislative Council, and he told me he never was so convinced of the moderate charges of our lawyers as when, happening to be at St. John, N. B., on business, he had occasion for the services of a legal gentleman. He went to one of their offices and received advice without any trouble. Next day, he went to pay his bill, imagining that a guinea would be quite sufficient, but the lawyer said, "my charge is fifty dollars." The President thought he was joking, but the man said "That is my regular charge." The business would have been done for a guinea in this Island. How are these petitioners to judge of the fees a lawyer should receive for his professional services? In some cases, he has to spend two or three nights, with the lamp burning the "midnight oil," over the case. If the fees are reduced, the only effect will be that the Province will be literally swarmed with pettifogging gentlemen, who will not be masters of the profession, nor able to solve difficult points of law. They will not be acquainted with either the laws of this Island, the Sister Provinces, Great Britain or the United States. Even in this small Colony, the most difficult points of law sometimes arise, and therefore must be dealt with by a master hand, and it cannot be expected that such men can be found, who will work at very low rates. However, let the Committee go to work; this has always been a hobby of the hon. member for Fort Augustus, (Mr. Kelly). If a Bill should be brought in, I trust that it will contain a clause prohibiting surveyors and schoolmasters from drawing up any legal documents for pay.

Hon. Mr. KELLY.—If I intended to go to law, I should first ask the lawyer what his charge would be, and if it did not please me, I should go to another man. We want to know what a client, in going into the Supreme Court, would have to pay for the lawyer's services. I do not see that there is a crime committed in merely asking for a law to regulate lawyers' fees in the same manner as in Great Britain and Ireland, or why the opposition should make such a terrible fuss about this petition.

Hon. LEADER OF THE OPPOSITION.—If a Committee of laymen were appointed on this petition I should be happy to assist them by every means in my power; but it would not be fair to put lawyers upon such a Committee as this. If any explanation should be wanted, I will go before them and give it with cheerfulness—nothing shall be kept back.

On motion of the Hon. Mr. Kelly the petition was referred to a Committee.

Ordered, that Hon. Mr. Kelly, Mr. McNeill, Mr. P. Sinclair, Mr. G. Sinclair and Mr. Reilly do compose the said Committee.

On motion of the hon. Leader of the Opposition, the rule of the House was suspended to allow of the presenting of a petition.—Hon. Leader of the Opposition then presented a petition from the inhabitants of Charlottetown, praying for the repeal of the 'Act for the relief of Unfortunate Debtors,' and said:—This petition is for the repeal of the "Act for the relief of Unfortunate Debtors." The petitioners state that the said Act is not working satisfactorily and that it has proved to be of greater injury than advantage to the Mercantile community of this Colony. They think it will injure our credit in the Sister Colonies and in the Mother Country—that orders sent Home for goods will not be as well received as in days gone by—that there is not sufficient provision in it to prevent debtors guilty of frauds, from making away with their property—in short, that it is a one-sided Act. Never was a petition more respectably signed, and it terminates with the name of a lawyer—the President of the Union Bank.

Petition received and read.

On motion of the hon. Leader of the Opposition, the petition was referred to a Committee of the whole House on Tuesday next.

HON. LEADER OF THE GOVERNMENT.—I am fully convinced, from my own observation, that the Act requires amendment. I heard of a gentleman who, a short time ago, lent £12. 10s. to a man whose name he saw, the week after, figuring in the Unfortunate Debtors' list. On his making inquiry, the man told him that he had borrowed it for the purpose of enabling him to take advantage of that Act.

Hon. Mr. HOWLAN.—Mr. Speaker: I do not see any good and substantial reason given in this petition for the repeal of the Act. The amount named in that Act, by which a man can take advantage of it, may be too small, but if this is found to be the case, the sum should be raised. The only reason given for its repeal is, that in one or two cases, it has proved an injury. It is well known that it is impossible to make a law suitable to every individual case, and this remark is peculiarly applicable to this Act. If it can be proved that a man has purchased his goods with the intention of taking advantage of the Unfortunate Debtor's Act, the Commissioner can either sentence him to pay a heavy fine or to be imprisoned for two years. The cases which have come before the Court are the debris of old debts contracted during the last thirty years, and therefore it can hardly be expected that all such cases can be adjusted satisfactorily to all parties. Nearly all countries have Insolvency Courts; but it has never been found that the law has given perfect satisfaction in every individual case.—It is a desperate law to meet desperate cases. What has been the effect of the Act in this Island?

Thirty cases have come before the Court within the past few months. Does not this of itself show us the necessity for such a law? We know that the Bankruptcy law of Great Britain was often taken advantage of by parties who have made away with their property in this Island—a local law, therefore, must suit the people of this country much better. A man who may have been most extravagant, makes over his property to his relatives and away he goes to Liverpool, where, amongst strangers, he goes through the Bankruptcy Court by the aid of well-paid lawyers. But by the Act which was passed last Session, a man must go through the Court in the presence of his friends and neighbors, and undergo a strict examination. Is this not better than having such matters settled among strangers, who know nothing about individual cases, and do not care to know anything about them? There are many instances where honest men have failed in business, but who, with the aid of such an Act, have regained their former position. Under the old law, the moment a man had sustained any loss or found himself in a ticklish position, two or three of his creditors poured down upon him and took away everything he had; the others got nothing if they had happened to be ignorant of the state of his affairs. But, under this Bill, all of the Bankrupt's creditors share alike, in proportion to the amounts due them. The latter is certainly the most honest way of settling such matters, so that no wrong shall be done to any creditor. The moment a man makes over his property to his relatives or friends, he deprives himself of the benefit of this Act. For these reasons, I think we should be doing the Colony a great wrong by repealing this Act. If £100 of indebtedness is found to be too small amount, for a man to take advantage of this Act, we can raise the figure to suit the wants of the country. As our people are naturally inclined to trade, a large quantity of goods have been forced into our markets, so as to make the supply far to exceed the demand. This is one reason why there have been so many failures among business men during the past few years. To repeal this Act, before it has had a fair trial, would be a very foolish piece of business.

Mr. BRECKEN.—Mr. Speaker: I was not present when the petition was presented; but I believe that the Unfortunate Debtors' Act does not give Mercantile men much satisfaction. I said at the time it was brought in, that it might not prove as valuable as a Bill of that kind ought to be, because such subjects require a great deal of long and very careful consideration. Before it was improved upon, I thought it better to let it operate for a little while, so that its defects would be more clearly seen. I think the amount of indebtedness fixed on the Act is too small, for it would be better for a man, when his indebtedness is only £100, to buckle on his armor and endeavor to liquidate the amount. When a merchant fails in business, his debts generally amount to a much greater sum than that; therefore, the amount might be raised with great ad-

vantage to the mercantile community. I believe that the Act, as it now stands, will tend to destroy the credit of the Colony, abroad. As long as a man can go into the Bankruptcy Court and get whitewashed for so small a debt, we cannot expect, but that such a law will injure the credit of our merchants, in the other Colonies. But a law of this kind is found to be necessary to enable men who have failed in business, to get upon their feet again; therefore, if this Act were amended by raising the amount of indebtedness, it might prove of great benefit to the Colony. It is not a perfect measure, because the debtor himself can apply to the Court, while his creditor cannot. They have had Bankruptcy laws in the neighboring Provinces, but they have repealed them. I think there is room for a good deal of amendment in this Act, and that the creditor ought to have the right to bring the debtor before the Court. The Act gives so little satisfaction, that I would rather see it repealed than have it remain as at present.

Hon. Mr. DAVIES.—Mr. Speaker: I do not think this House will repeal an Act merely because the merchants of Charlottetown have petitioned against it. I dare say that not one-fourth of the persons who signed that petition, have read the Act, for the repeal of which they are petitioning. Such a thing as a law which prevents the necessity of a debtor's giving up his body and soul to his creditor, is a new thing in this city, and very distasteful to a certain class of men. I am not surprised, therefore, that so many of them are praying for the repeal of this Act. The hon. member for Charlottetown had but few charges against the Bill after all. The reason such a number of men are taking advantage of the Act is, that a large quantity of goods were brought into the market and sold to merchants who, having but little caution, resold them to almost any person who wanted goods on credit, whether able to pay or not. Thousands of pounds due, for these goods, could never be collected, because the parties were unable to pay. The consequence was, that the merchants fell behind hand in their payments. It has been said that this Act will injure the credit of our merchants abroad. What an idea of business this is! To suppose that in well-informed communities, an act which enables all creditors to get a fair share of the Debtor's property, will prove injurious to the mercantile interests, is absurd. Instead of having that effect upon business, it will prop it up and place it upon a broader basis. The Act is very well guarded, and I think it will make the interests of anybody safe in that Court. If a debtor makes a fraudulent statement, the creditor can come in and demand the proof for such a statement, so that the interests of both parties are safe.

Mr. BRECKEN.—I know that the law, as it at present stands, would benefit many persons, but there is great need for an amendment. The wholesale merchant in Canada knows that if a

man can take advantage of this Act, where the indebtedness is merely a hundred pounds, there is little security for business transactions. A man should only resort to a Bankruptcy law in extreme cases.

Hon. Mr. HOWLAN.—If a wholesale merchant abroad knows the working of this Act, he has a feeling of greater security, for he knows that if his debtor should fail, he will get his share of the remaining property; this will tend to strengthen the credit of our merchants, instead of weakening it. Under this law, every creditor will get his due proportion of the property of the debtor.

Hon. LEADER OF THE OPPOSITION.—As regards the remarks made by the hon. member for Belfast that those who signed the petition are tyrannical in dealing with creditors, I must say that I entirely differ from him on this point; I believe that many of these men are as warm-hearted and kind and charitable as any on this Island, and therefore, it is hardly fair that the hon. member should be so very touchy because his pet measure is criticised by the outside eye. A merchant expressed his opinion on this Act to me a short time ago, and said that it was doing more harm than good, not merely in this Colony, but in injuring the credit of our merchants in England, the neighboring Provinces and the United States. Even the father of the Bill, (in spirit), advises that the standard of indebtedness should be raised. To say that any man who owes a hundred pounds, should get the benefit of such an Act, and be freed from all liability to pay his debt, seems absurd. It will be time well spent for this House to go into Committee upon the petition to consider whether it is expedient to amend or repeal the Act. As to the necessity for its amendment, we have not the shadow of a doubt. For my own part, I think the Act is far too cumbrous a machine for this small Colony, and that it would have been far better to have given an order to the Judges of the Supreme Court, where they see a meritorious case of an honest debtor who had been unfortunate in business, to give him some discharge from his debts. This would have been far better than the complicated Act introduced by the hon member for Charlottetown last Session. This Act was got up in too great a hurry—the two hon. members (Messrs. Howlan and Brecken) worked by steam, and, consequently, could not give it the consideration required for such a measure. Before they introduced it, they consulted the Bankrupt Acts and some others, and shook a lot of clauses out of them, just as if out of a pepper box, and the result was, this Bankruptcy Act. I agree with the principle of such a law, if it is placed upon a proper foundation, so as to satisfy both creditor and debtor—for there are two to arrange between. It is one of the most difficult things in the world to satisfy the public at large in a measure of this kind. In the old country, they have had a Bankruptcy Act for hundreds of years, but they have been tinkering

at it ever since it was introduced. There is a petition now under signature in the greatest commercial city of British America—Montreal—praying the Dominion Parliament to alter the Bankruptcy laws of Canada; therefore, we see that it is not an easy matter to arrange these laws to suit all cases. It will, therefore, be no wonder to us to hear that the Act of last session does not work well. It will do no harm to take it into consideration, in Committee of the whole House.

Mr. REILLY.—With reference to the petition before the House, I am surprised that any number of intelligent men would sign such a petition, for, although there is no question that the Act requires amendment, there is not one case yet to justify a demand for its repeal. As far as my vote was concerned, I never contemplated that every Tom, Dick and Harry, who could, to the injury of the honest, but poor debtor, scrape up, by hook or by crook, £100 of debt, should take advantage of the new Bankruptcy Law. I was quite surprised to see parties who owed only £100 rushing in to get the benefit of it. We should have an Act which will injure no one, and which will answer the purpose for which it was intended. The reasoning of the hon. member for Tignish and the hon. member for Belfast was sound on this point, but I believe the present Act is very defective and that there is great need of amendment. I know of some who have taken advantage of it, who were great rascals. One, in particular, left his lawyers—those *unfortunate* gentlemen, of whose poverty and misfortunes we have heard so much this session—without their fees, and even the poor printer is minus some two pounds ten shillings—the *unfortunate* debtor having made a masterly retreat across the Straits of Northumberland as soon as he received the protection of the Court.

Mr. P. SINCLAIR.—This Bill has not had a fair trial—it is not likely that so many will take advantage of it another year. It is almost impossible to make a Bankruptcy Act that will suit both debtor and creditor, in every case. I believe that the present Bill is well protected—the figure may, perhaps, as a rule, be too low, but there are some men who owe a hundred pounds, to pay which would take all they have, to whom it would apply.

House adjourned till ten o'clock to-morrow.

SATURDAY, March 20th.

Forenoon Session.

Mr. McNEILL.—Mr. Speaker: I wish to ask the hon. Leader of the Government, if the Estate of Daniel Hodgson, Esq., has been purchased by the Government, and, if so, on what terms.

Hon. LEADER OF THE GOVERNMENT.—In reply to the hon. member from Cavendish, I may state that the Estate referred to has been purchased by the Government at the rate of thirteen shillings

per acre. The Deeds are now in course of preparation and will be ready in a few days. The price asked by Mr. Hodgson was fourteen shillings per acre, but the Government succeeded in getting it at the price I have mentioned.

Hon. Leader of the Government presented the returns of the Small Debt Court at Lot 8, and also the Returns of the Union Bank, which were laid on the table.

House adjourned until three o'clock on Monday.

MONDAY, March, 22nd.

Afternoon Session.

Mr. McMillan presented a Petition from Charles Otto Winkler praying that an Act be passed to permit him to become a citizen of this country.

Received and read.

Hon. Leader of the Opposition stated that there was an Act on our Statute Book providing that any foreigner could become naturalized after a residence of seven years in the Colony, by taking the Oath of Allegiance.

The petition was referred to a special Committee—Messrs. McMillan and Green, and hon. Leader of the of the Opposition—to report by Bill or otherwise.

Mr. Brecken presented a petition praying for an Act of Incorporation for the Trustees of a new Wesleyan School, to be established in Charlotte-town.

Received and read.

Referred to a Committee of Messrs. Brecken and Owen, and hon. Leader of the Government, to report by Bill or otherwise.

Mr. McNEILL presented a petition from certain inhabitants of Wheatly River, praying for an Act of Incorporation for a Lime Company.

Received and read.

Referred to a Committee—Messrs. McNeill and Brecken and hon. Mr. Henderson—to report by Bill or otherwise.

SUPPLY.

Hon. Leader of the Government moved that the second Order of the Day be read, namely, that the House go into Committee on Supply granted to Her Majesty.

Hon. Mr. McAULAY.—When was that Supply granted to Her Majesty?

HON. LEADER OF THE GOVERNMENT.—I am surprised at the question asked by the hon. member, because he knows better, and I may say I am not surprised, because the hon. member has been so consistent in opposing going into Supply to Her Majesty. If it depended on that hon. member, and the House had no control over him, I think

Her Majesty would starve. The supply has been granted, as much as we thought necessary, and now we are to go into Committee to discuss the subject. This is the method which has been adopted for many years, and the one followed by the British Parliament, and unless the hon. member can show some solid objection to it, I trust the old rule will be carried out.

Hon. Mr. McAULAY.—The hon. Leader of the Government shows great sympathy for Her Majesty Queen Victoria. I suppose he is not Queen Victoria. Technically speaking, the Supply is granted to Her Majesty, but in reality it is voted to the Government to pay the expenses of the different branches of the Public Service. It is stated that the Supply has been granted, and, if so, I should like to know how much has been granted, and for what purposes. The principle I contend for is this,—the Government are responsible to the independent members for the manner in which they have used the Supply of last year, and also for the patronage they have dispensed and the official appointments they have made, and if we permit the House to go into committee without asking the Government to give an account of their stewardship, it is tacitly acknowledging that the Supply of last year has been expended properly. The House might, with greater propriety, grant a Supply to the Government for four years than foster the vicious practice proposed by the hon. Leader of the Government. The practice of having annual parliaments originated to check extravagance and abuse of power on the part of the Government, and if this House will depart from that practice, by what means, I ask, are you to lay any claims to the enjoyment of Responsible Government? To whom are the Government otherwise responsible? Certainly to no person or power for the space of four years, and if the independent members of this House do not endeavor to make the Government accountable for their proceedings, they will be recreant to their duty as an Opposition, and adopt the definition given by the Leader of the Government of Responsible Government, when he, in this House, termed it a quadrennial despotism. The Government can vote that black is white, but that does not deprive black of its color; there is such a difference between right and wrong, that no action of theirs can remove it, and Responsible Government must be responsible, otherwise it does not exist. This side of the House cannot control the Government, and they are so discourteous as not to acknowledge our right to ask them to show us any act of their superlative wisdom to admire. Surely, they are riding high on the top of their magnificence, so much so, that I cannot but feel that for the sake of the Colony over which they at present hold sway, I must suppress a feeling of mingled sorrow and pity, consoling myself with the thought, that a retributive day of reckoning is fast approaching, which will convince them that responsibility is not yet wholly prostrated, and

dead beneath their harsh and unconstitutional feet.

Hon. COLONIAL SECRETARY.—The Public Accounts have been on the Table of this House for some days, and any hon. member could, by referring to them, ascertain how the money has been expended last year.

House in Committee.

Mr. Bell in the Chair.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman: I must endorse what fell from the lips of my hon. friend from Georgetown (Mr. McAulay) in reference to the duty of a Government giving an account of its stewardship before supplies are granted for the current year. In the British Parliament, the Chancellor of the Exchequer has to open his budget, and show how money has been expended, and where expenditure is required, and also where taxes have been levied, and where it is necessary to reduce or increase taxation, and other matters of this nature, and then it is for the Opposition to approve of the expenditure or censure the Government as they may think proper. There is a necessity for a party to check the extravagance of the Government, and if the Opposition neglect their duty, the Government is apt to get tyrannical.

Hon. LEADER OF THE GOVERNMENT.—Mr. Chairman: I quite agree with the remarks of the hon. Leader of the Opposition, that an opposition is quite necessary to a Government. It is my intention to go somewhat into the financial condition of the Colony. The Revenue for the past year was £83,391, and the expenditure £92,424, which leaves a balance of £9,033, which is the amount that has been expended over and above the receipts. The land purchased has cost £5,196, Seed Grain £3,030, and there has also been £2,100 paid on Account of Troops, so that, if these items had been left out of the Expenditure, there would have been left over £500 to the credit of the Colony. There has been an expenditure in excess of the receipts, and the question is, whether it has been caused by a falling off of the Revenue, or by an excess of Expenditure, and if the latter, then, in what branches of the Public Service was this Expenditure. The Revenue has not decreased, for, although there was a slight falling off in some quarters, yet the receipts at the Custom House was a good deal in excess of former years, and this shows that the general trade and prosperity of the Island is increasing. The cost of Education, as was anticipated, has increased considerably. The Act to pay the whole of the teachers' salaries out of the Treasury, was passed the year before last, but it did not come into operation until the following June, so that it was only for one half of the year that the Expenditure was increased. Last year, the Expenditure was £19,733, while the year before it was only £15,737. Last year, the cost of Roads, Bridges and Wharves was £17,149, and the year

before, £13,475. The extra expenditure for Roads, Bridges and Wharves, was, in a great measure, caused by the great gale of 1867, which destroyed a great many Wharves and Bridges that it was necessary to replace. Now, though there has been an increase in the Expenditure, yet I do not think there has been any money expended for Bridges and Wharves unnecessarily. But it will be well to state the amounts that will likely be required for the present year and also the probable income. The whole revenue for the present year, is estimated at £77,300. Now, the question is, will that be sufficient to cover the Expenditure. Some of the items have been estimated—Education will probably cost £20,000—House of Assembly and Legislative Council, £4000,—the same amount that was spent last year. In regard to this matter, there has been a great deal of talk, because the expenses last year were greater than the previous year, and many seemed to think that all the extravagance was in the House of Assembly; but the expenses of the House of Assembly last year exceeded those of 1867, only by £87, while, in the Legislative Council, the excess of last year over the previous year was £337, a fact which hon. members in the other end of the building should bear in mind. I believe there will be provision made for having Steam Communication on the coasts of King's County, which will involve some outlay. There is another thing, also, that must be taken into consideration, in making up the Estimates for the future. We know that we have received a very important Despatch relative to the payment of the Governor's Salary. Notwithstanding our very earnest remonstrances against it, and our very reasonable complaints, that we have been deprived of our public lands by the action of the British Government, yet we have received a peremptory despatch, calling upon us to defray the expenses of the Governor's Salary. It is proposed to raise a sum of £5000, for the purpose of erecting new Public Buildings, and also to place £5000 more at the disposal of the Board of Works for road improvements. As Public Buildings will be permanent works, it would not be fair to charge the whole cost of them in the expenditure of one year, and it is intended to raise this money by Debentures, payable in ten years, and let £1000, with the interest, be put in the expenditure for each year. If this method be adopted, there will be £1600 charged in the expenses of the current year. If we take into account all the expenses, as estimated for the current year, and allow £1000 for contingencies, it will leave a surplus of £150, if the expenditure will be £77,150. Yet, we know that notwithstanding all attempts to keep down expenditure, extraordinary items will creep in, and there has also been some talk about the appointment of a third Judge. Now, taking these things into consideration, the Government think it necessary to make some provision for an increase in the Revenue, and it is their intention to have £2240 15s. 11d. additional raised by land tax. Although we have a good deal to contend

against and only a few resources, yet our Island will compare favorably with any of the other provinces in regard to the prosperity of the people. This fact is noted by strangers who visit us—even the Congressional Committee, who visited us last summer, spoke favorably of the prosperity of the people of this Colony. As regards taxation, I believe there is no country where the people have to pay so little. A farmer here only pays six shillings and eight-pence tax on a hundred acres of land, which, if compared with the taxes paid in other countries, is very small indeed. If we have to provide for the payment of the Governor's Salary and the expenses of Roads and Bridges, all these things cost money, and if we wish to have proper public buildings, and keep up with the spirit of the age, we must submit to taxation.

The Speaker took the Chair, and the Chairman reported progress, and obtained leave to sit again.

A message was received from the Legislative Council, stating that they had passed a Bill to be entitled "An Act for the appointment of the Clerk of the Legislative Council," to which they desire the concurrence of the House of Assembly; and that they had also passed the Bill relating to the Volunteer and Militia Forces.

BILL FOR THE APPOINTMENT OF A CLERK OF LEGISLATIVE COUNCIL.

On motion of the Hon. Leader of the Opposition, the Bill passed by the Legislative Council for the appointment of its Clerk, was read a first time.

The Bill provided that the power should be vested in the Legislative Council of appointing their own Clerk. It also provided that the Clerk should be paid as formerly.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker, The Legislative Council should have left out the clause relating to the payment of the clerk, because they have no right to originate a Bill that appropriates any portion of the people's money. Of course, it remains with the Government to say whether they are willing to surrender the privileges they now enjoy or not, but I shall vote against this Bill, because it is an infringement on the rights of this House. I am jealous of the present Legislative Council, because opinions have been freely expressed by some of its members, that, as they were elected by the people, they have as much power over the purse strings as we have. We know that there were battles in days gone by between the Legislative Council and the House of Assembly, on this very question, and the House of Assembly had to be very strict in maintaining their rights.

HON. LEADER OF THE GOVERNMENT.—The Legislative Council might have passed a Bill to alter the appointment of their Clerk, without providing for his pay—that clause is against the Bill.

Hon. Leader of the Opposition moved that the Bill be read a second time this day three months, and the question being put by the Speaker, was carried unanimously.

On motion of Hon. Leader of the Government, the House again went into Committee to resume the consideration of supply.

Hon. Leader of the Government moved the following resolution—

Resolved, that the sum of five thousand pounds be granted for the general service of Roads, Bridges and Wharves, for the present year, and that the same be appropriated for each County in the following order:

Queen's County,	£1742	0	0.
King's " "	1429	0	0.
Prince " "	1429	0	0.
Road compensation	100	0	0.
Contingent expenses of Roads, Bridges and Wharves, to be equally divided between the three Counties,	£300	0	0.

Resolution agreed to.

Hon. Leader of the Government moved the following resolution:—

Resolved, that the sum of five hundred pounds be granted and placed at the disposal of the Government, for the relief of paupers during the current year, to be divided among the Counties in the following manner:—

Queen's County,	£200	0	0.
King's " "	150	0	0.
Prince " "	150	0	0.

HON. LEADER OF THE GOVERNMENT.—I may state that in the estimates, there is the same allowance for paupers as was granted last year, but, in another resolution to be brought down, we intend to ask for £200 more for the purpose of establishing something like a poor-house. It is right to relieve the poor, but the great question is, how can the money granted for that purpose be laid out to the best advantage. In Halifax, they have a magnificent building erected for the purpose of a poor house. It is a very expensive one—better than our Colonial Building—and I thought that the money spent in the building and the grounds, would do a great deal towards relieving the poor. I believe the poor would rather receive what the country can afford to give them, in their own homes, or wherever they can find shelter, than go to a poor house. We wish to place £200 in the hands of a Committee, who are to endeavor to devise some better method than has hitherto prevailed, of relieving the poor.

Dr. JENKINS.—I think, that, considering the abuses connected with poor-houses, it would be a pity to establish one here, but there is another institution which I would like to see established instead—that is, a house of Industry. If such an

institution were in existence, there are many poor women who would be glad to avail themselves of its advantages, and, by their labor, would make it nearly self-sustaining.

Resolution agreed to.

Hon. Leader of the Government moved the following Resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government, for the following services, viz:—

Summer and Winter Mails, a sum sufficient.	
Contingent expenses of the House of Assembly, a sum sufficient.	
Board of Health and Hospitals,	£200 0 0.
Inland Mails, a sum sufficient,	
Public Postage,	100 0 0.
Commissioners for issuing Treasury Notes,	20 0 0.
Two Auditors of Public Accounts,	100 0 0.

Resolution agreed to.

Hon. Leader of the Government moved the following:—

Resolved, That the following sums be granted and placed at the disposal of the Government, for the following services:—

Messenger of Executive Council,	£20 0 0.
Gas Company for gas,	100 0 0.
Fuel for Public Offices,	150 0 0.
Harbor Master, Charlottetown,	17 10 0.
Guard at Government House,	50 0 0.
Gas light and Fuel for Gov't House,	30 0 0.
Signal Station and disbursements,	25 0 0.
Government House Committee,	400 0 0.

HON. LEADER OF THE GOVERNMENT.—I may state, in reference to the last item, namely, £400 for Government House, that the same sum was granted last year, but the whole of it was not expended, but it was thought that the balance of last year and the grant this year, would be all required, for considerable repairs are required. In regard to the cost of the Crier of the Court, I believe we shall have an application for a Crier for another Court—the Unfortunate Debtors' Court,—and if ever there was a place where a Crier was required, I think it is in that Court, to weep over those unfortunate creditors, who get only a few shillings on the pound of their debts.

HON. LEADER OF THE OPPOSITION.—I heard there was an item of this kind, but it never entered into my head that there was to be an official character to weep over the misfortunes of creditors. But I think it would be more appropriate to condole with the Unfortunate Debtor, who loses all he is worth. I am not going to object to such an item; but there is the Chancery Court, that has no Crier, and I do not see why the Unfortunate Debtors' Court should have a Crier any more than it.

Resolution agreed to.

Hon. Leader of the Government moved the following resolution.

Resolved. That the following sums be granted and placed at the disposal of the Government, for the following purposes:—

Pauper Indians	£100 0 0.
Small grants for poor and infirm people	300 0 0.
At the disposal of the Government, to be placed in the hands of a Committee to be appointed by Administrator of the Government in Council, for the purpose of organizing a Poor House, in aid of subscriptions or otherwise	200 0 0.
At the disposal of the Government for casual paupers,	150 0 0.

And said: The sum for Pauper Indians will be placed in the hands of the Indian Commissioner, and I think no person who is acquainted with him believes that there could be any person better fitted to look after this matter and disburse the money granted. I should have been glad if the sum had been larger.

HON. LEADER OF THE OPPOSITION.—I fully endorse the remarks of the hon. Leader of the Government in regard to the way in which the Indian Commissioner discharges his duty. I do not believe there is another gentleman in the community who would take the same interest and undergo the same fatigue in assisting the Mic-mac population of our Island. He travels from one end of the Island to another, wherever he hears of a poor indian or sqaw in distress.

Hon. Mr. Henderson.—In reference to that gentleman, who might be honorably styled the Representative of the Indians, I may say that if the Representatives of the people—myself included—were as true to their respective charges as that gentleman is, it would be well for the people we represent.

Resolution agreed to.

Hon. Leader of the Government moved the following resolution:

Resolved. That the following sums be granted and placed at the disposal of the Government for the following purposes:

Volunteer Militia under Statutes of this Island, a sum not to exceed	£1500 0 0.
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Resolution agreed to.

The Speaker took the Chair and the Chairman reported that certain resolutions were agreed to, and asked leave to sit again, and also asked when the House would be pleased to receive the resolutions.

Ordered, that the question of concurrence, on these resolutions be put to-morrow.

House adjourned.

TUESDAY, March 23rd.

Afternoon Session.

Hon. Mr. Laird presented a petition from certain inhabitants of P. E. Island, praying for an amendment of the election law.

Mr. Ramsay presented a petition from Lots 9, 10, 11 and 12, for a Siall Debt Court in that section of the country. Received, read and laid on the table.

Hon. Leader of the Government submitted a Bill to amend the Act for preventing frauds by secret Bills of Sale of personal chattles. Received and read a first time.

The question of concurrence was then put on certain resolutions of supply.

Said resolutions were agreed to.

Mr. Brecken, Chairman of the Committee appointed to report on the petition for the Incorporation of the projected Wesleyan School, Charlottetown, submitted a Bill in accordance with said petition.

The Bill was received, read a first time and referred to the private Bill Committee, to report thereon.

Mr. McMillan, from the Committee to whom was referred the petition from Stephen Baker and others, of Summerside, presented a Bill to Incorporate the Trustees of the Baptist Church of Summerside, and the same was received and read a first time.

Ordered, That the said Bill be referred to the Private Bill Committee to report thereon.

Mr. McMillan, from the Committee to whom was referred the petition of Chas. O. Winkler, of Summerside, presented a Bill to naturalize the said Chas. O. Winkler.

Read a first time.

Ordered, That the said Bill be referred to the Private Bill Committee, to report thereon.

House in Committee of the whole, to consider further of a Supply to Her Majesty.

Mr. Bell in the Chair.

Two resolutions were agreed to, when

Hon. Leader of the Government moved the following:—

Resolved, That the following sums be granted and placed at the disposal of the Government, for the following services, viz:—

Harbor Master, Charlottetown,	£17	10	0.
St. Paul's and Scatarie Lights,	45	0	0.

Harbor Lights, St. Andrew's Point,	15	0	0.
do Rustico,	15	0	0.
do Tracadie,	15	0	0.
do St. Peter's,	15	0	0.
do Murray Harbor,	15	0	0.
do New London,	15	0	0.
do Crapaud,	15	0	0.

And said: Mr. Chairman, this resolution, I am sure, will arouse the patriotism of every hon. member of this House, as it relates to our Light-houses. Nearly every harbor of any importance in our Island, is now supplied with a Light-house. If we begin at St. Andrew's Point, we will find one of these useful buildings there; another is found at Rustico; another at Tracadie; another at the place where the Sea-serpent landed—St. Peter's; another at Murray Harbor; another at New London; another at Crapaud. Souris, I think, should have a light, as well as any of the other harbors, for a large number of vessels often seek shelter there. I regret that the hon. member for Fort Augustus is not in his place to advocate the necessity for a light at Battery Point, East River, for we have heard of the preservation of a hundred lives, through a light in a window at that place.

Mr. SPEAKER.—Strangers who visit this Island pay us high compliments for the manner in which we have lighted our coasts. But I think a Light-house is much required at Cape Bear, to guide vessels in coming up the gulf. I heard several American Captains say that if a light was erected there, they would be willing to contribute their share of the expenses for its support. They speak highly of the lights on Panmore and Boughton Islands; and I think every mariner should thank the Government for erecting so many excellent lights for his guidance. The light at Murray Harbor is of very great advantage.

Mr. KICKHAM.—As the hon. Leader of the Government spoke of Souris, I may state that a Light-house is needed there, as much as in any part of the Island. Great numbers of vessels often run in there for shelter, and therefore they require a light to enable them to get in at all hours of the night. A large quantity of goods is now landed there, and the duty collected now amounts to over £600. For these reasons, I think we are entitled to a Light-house as much as any other part of the Island.

HON. LEADER OF THE OPPOSITION.—I am glad to hear such a good account of Souris, for some hon. members were under the impression that there was a very small revenue collected there. Surely, no one will now suppose that there is any smuggling carried on up there.

Mr. KICKHAM.—We, now have an officer who will not allow smuggling; this is not as it was under the late Government.

Mr. McMILLAN.—A light house is very much required at the West Cape, for there is a very

dangerous reef off that shore. I do not think there is another place on the Island where one is more required.

Mr. DUNCAN.—As for a channel light for the navigation of the Straits, I do not think any place requires one more than Wood Islands. A light erected there would guard vessels from striking on the Indian Rocks. No doubt, a light at West Point would do good, but perhaps our funds will not, at present, allow of it. I believe there is a great necessity for one at Wood Islands. Some of our lights, such as those at East Point and North Cape are of more benefit to strangers than to ourselves.

Mr. PROWSE.—I do not wonder that the hon. member for Belfast thinks that a light is required at Wood Islands to warn vessels off the Indian Rocks; but I think there is a far greater necessity for one at Cape Bear. During the past season, two vessels went ashore, one at Cape Bear and the other at Poverty Beach. An American fishing vessel went ashore on the Sabbath Day, while engaged in the business of catching mackerel. If a light were established on Cape Bear, it would be of very great service to the fishermen, as well as to trading vessels.

Hon. Mr. HENDERSON—I quite agree with the remarks of my hon. colleague, as to the necessity for a light-house at Cape Bear. If any man who knows anything about it is consulted, he will say the same. I question if we could get assistance from any other Government to assist us in placing a light there, for it would prove as much benefit to ourselves as to strangers. Our Government did receive some assistance from the Government of New Brunswick, in erecting a light-house at North Cape, and this was so far satisfactory; but it is not probable that we shall receive any help towards a light at Cape Bear. The question of erecting a light at the latter place will be for the Government to consider. I do not feel disposed to oppose my hon. friend, (Mr. Duncan) but I think the light on Point Prim will answer all the purposes of a light at Wood Islands. There is no substitute for a light at Cape Bear, and therefore I hope the Government will attend to the matter.

Hon. Mr. DUNCAN.—I am not opposed to the establishment of a light at Cape Bear, but I think it would be more serviceable to vessels coming up the Gulf, if erected at Wood Islands. The Indian Rocks are very dangerous to vessels going up and down the Gulf.

Mr. SPEAKER.—I believe that a subscription list has been started for the establishment of a light at Cape Bear.

Hon. Mr. DUNCAN.—Vessels have to change their course in order to steer clear of the Indian rocks; and this, I think, shows the necessity for a light at Wood Islands. A light at Cape Bear would benefit American fishing vessels as well as

our own; and would be of service to those making for Georgetown.

Mr. McNEILL.—I agree with the hon. member for Belfast (Mr. Duncan) that a Light-house at Wood Islands would be of more benefit to vessels going up and down the gulf, than a light at Cape Bear. I did something at coasting in my younger days, and I know that a Light-house is required to warn vessels off the Indian rocks. The strait is very narrow in one part, and you have to take a course which will avoid Tryon shoals on the one side, and Cape Tormentine on the other. As vessels have to go considerably out of their course to avoid the Indian rocks, I think a light is very much required there; but this is a matter which hon. members for the eastern section should look after, and therefore I will leave it with them.

Hon. Mr. CALBROCK—The debate arose on harbor lights, but it has turned to channel lights. There is a great difference between the two. In coming up the gulf, the most dangerous points on the other side are Pictou Islands and Cape Tormentine. Our own coast is pretty well lighted—the light at Point Prim, enabling vessels to steer clear of the most dangerous points, in coming up to Charlottetown. The Crapaud Harbor light is an advantage to one well acquainted with the coast, for by it he can judge his distance from land very nearly. By that light, Captains of vessels know when to change their course, for the danger in giving Tryon shoals too wide a berth, is, striking on the other shore. All lights placed upon the coast must be laid down on the chart, so as to prevent mistakes; and each light should have something by which it can be distinguished.

Hon. Mr. LAIRD.—I have always looked upon light-houses to the mariner as highways to the landsman, and if there is anything upon which a Government should show its liberality, it should be this one, because to our coasting trade we are indebted for the prosperity of the Colony. I, for one, would be willing to extend the grant so as to allow the harbor of Souris a light. Considering that a large amount of money has been expended in that place, I think a Light-house is required to render the harbor as serviceable as possible. As the hon. member for that part of the country (Mr. Kickham) seems to think that there is no smuggling now carried on there, the people should be encouraged to persevere in such a course. The hon. member for Summerside has remarked that a light is much required at West Point. I believe that he is correct; but that is a question which should be taken up deliberately, as it would necessarily be an important work. I have always considered it very foolish policy to withhold the means of safety to human life, whether at land or sea; and therefore I should be glad to support the establishment of a light-house wherever necessary. Having sailed down the American coast some time ago, I was struck with the numerous light-houses with which it is provided. The Americans spare no pains to provide

for the welfare of their seamen. As we are a shipping as well as a farming community, I trust that lights will be set up wherever necessary. I shall support any measure calculated to increase our commerce, whether on land or sea.

Mr. P. SINCLAIR.—I fully agree with the hon. member for Bedeque (Mr. Laird), that light-houses should be provided wherever necessary. The District which I represent, suffered long for the want of lights for its harbors, but the people are now well satisfied; in this respect. I know how to sympathize with the hon. member for Souris, when he asks for a light-house to enable vessels to enter that harbor at night. I believe that a good deal of fishing is carried on near that place, and therefore the people should be placed in the same position as other parts of the Colony, as regards light-houses.

Hon. Mr. DAVIES.—Souris Harbor is merely an indenture on the coast—it is, properly speaking, no harbor at all, and therefore I cannot see that a harbor light will be of any benefit, there. A light at Wood Islands would be of great service to vessels going up and down the coast, for the Indian Rocks are very dangerous. Anything calculated to benefit the whole trade of the country should be granted, and as a light-house at Wood Islands would have that effect, it should be provided for. I believe that Souris is only a boat harbor and therefore I cannot see that it requires a light house.

Mr. KICKHAM.—I can tell the hon. member for Belfast (Mr. Davies), that I have often counted from ten to twenty Schooners, of sixty to ninety tons burthen, in Souris harbor. The amount of trade carried on will be seen from the Revenue collected there, which is very considerable.

HON. LEADER OF THE GOVERNMENT.—I do not pretend to know much about local knowledge; but I was astonished at the statements made by the hon. member for Belfast (Mr. Davies), regarding Souris Harbor. It does not appear that he ever visited Souris since the time he was up there electioneering. I venture to say that there is not a finer harbor on this Island; it is an excellent anchorage ground, especially during a west or northwest wind. If it was only a harbor for refuge in a storm, it deserves fifteen pounds a year for a light-house. I have seen a hundred vessels lying at anchor in that harbor at one time, so that it is not the place represented by the hon. member for Belfast. I think if that hon. gentleman takes a trip up there after the navigation opens, and takes a look at the Breakwater, he will change his mind as to the importance of that Harbor.

Hon. Mr. DAVIES.—My observations were based upon the construction I put upon the term "harbor." What I call a harbor is a safe anchorage ground for ships, where they can remain safe from the action of the sea. If the Souris Breakwater were carried out as far

as was originally intended, it would be of more service, but to do that would take more money than this House would be willing to grant. That Harbor would certainly be safe when the wind is off the shore, but when the wind is on shore, it would be almost useless. It may be of use to fishing boats and to small schooners but not to square-rigged vessels, for the water is very shallow. Comparing it with Charlottetown Harbor, it may be said to be of no service at all.

Mr. KICKHAM.—I think the hon. member must speak of the roadstead, for there is not a better harbor than that of Souris in Prince Edward Island, for small vessels.

Mr. PROWSE.—The hon. member for Belfast estimates the life of fishermen as of little value, when he opposes providing a light-house for their safety and convenience. There is an excellent fishing ground from Murray Harbor to the East Point, and therefore, lights should be provided to enable sailors to run into any harbor for safety, at night. I think the Government should look upon a fisherman's life of as much value as that of any hon. member in this House, and for this reason, they should at least not oppose spending £15 a year for their safety. Fishermen should be provided with light-houses just as much as a farmer is provided with good roads. What is spent for the benefit of fishermen is for the general good, and therefore should be cheerfully granted.

Hon. Mr. HOWLAN.—We have had a definition of the term "harbor," and some explanations as to the smuggling alleged to have been carried on at Souris. A good deal has been said, also, on the necessity of harbor lights. Now, I think, for a small Island like ours, we have some very good lights, but there should be one on West Cape; for a very dangerous bar runs out a long way from that shore. I am not satisfied that these small lights are of any great service, because, in many cases, they may lead ships astray. I am very doubtful whether the Admiralty would allow the erection of such lights, for the reason I have given. I know of a case where a man put up a light on two poles, which a passing vessel mistook, and the consequence was, that she went ashore. No hon. member of this House would be more glad to see the fishermen benefitted than myself, but we must be cautious in regard to setting up these small lights. Till more capital is laid out on the fisheries, we cannot expect much, but the time will come when the greatest results will arise from that branch of business. Agriculture and the fisheries are the principal pursuits of the people and therefore should, above all others, be fostered and encouraged by this House. Fishing is a business that requires experience and a great deal of care and perseverance, in order to become a profitable one. If we do not wish to endanger the safety of our fishing vessels, we

should not put up too many small lights in our harbors.

The resolution was then agreed to.

Another resolution placing certain sums at the disposal of the Government Crown Law Officers' fees, &c., was also agreed to.

The Speaker took the Chair, the Chairman reported the resolutions agreed to and obtained leave to sit again.

On motion of the hon. Leader of the Government, it was ordered that the question of concurrence be put on the above resolutions tomorrow.

On motion of the hon. Mr. Laird, the House resolved itself into a Committee of the whole on the first Order of the Day, viz., to consider the Petition from Summerside for an amendment of the Election Laws.

Mr. Cameron in the Chair.

HON. MR. LAIRD.—The object of the Petition from Summerside is merely to obtain a simple act of justice; the people ask for an additional polling place so as to allow them to vote in their own town. When the district was first established, one polling place was considered sufficient—one near St. Eleanor's—but it is now found to be inconvenient for the people to be obliged to leave Summerside and go two miles off to vote. The consequence of this state of things is, that the poll is sometimes closed before all the people can get to the ground.

HON. LEADER OF THE GOVERNMENT.—I propose shortly to move a resolution on the amendment of the election Law, which will be in favor of abrogating the Statute Labor certificate now required at elections. That certificate does not raise the franchise in the least, on the contrary, it hinders the free exercise of it; therefore every hon. member must be convinced that the law requiring such certificates only cause an inconvenience. As the law provides that voters shall obtain that certificate within two months after the performance of Statute Labor, many who have neglected to attend to the matter have been disfranchised. I should go in for having a general universal suffrage, for our present law amounts to that, after all. I think there is no good reason why the Road Overseer's certificate should not be done away with. When these amendments are made, it is better to make them all at the same time.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

Mr. Reilly presented a petition from several Coopers praying for a protective duty on imported Barrels.

HON. LEADER OF THE OPPOSITION.—This petition should have been sent in to the Executive Council while they were framing their tariff. One of

its statements, is peculiar, namely that its object is to have a duty upon imported pork and fish barrels. If imported barrels are inferior, it seems strange that they should be purchased in preference to those made at home. I think the petition is against the free-trade principle.

HON. MR. HOWLAN.—A few years ago there were no coopers here, with the exception of a few who belonged to the old school, who made but two barrels a day. Their barrels did very well for herring but were unsuitable for an expensive fish like mackerel. But we now have some barrel factories established on this Island which turn out some thirty or forty thousand barrels a year, which are second to none in the Provinces, and as we have the best material to make these barrels from, they are all that can be wished for. Our coopers now go to work and buy in 100,000 hoop poles and an immense quantity of staves; this gives employment to a large number of persons and thus contributes to the wealth of the Colony. But in the midst of all this, in comes a man with a cargo of barrels of an inferior kind and sells them cheap; what he cannot sell by private sale he puts up at auction, thus injuring the trade in this Island, and forcing an inferior article into our market. Now, as the policy of this House is to encourage Home manufacture, I do not see why we should not foster that branch as well as others. I do not think we should allow outsiders to flood our market with inferior barrels, to the disadvantage of our trade and to those who purchase them. When a large quantity of barrels are forced into our market in the fall, there are so many less required the next year, so that our home manufacturers are placed at a disadvantage. It is true that pork hardwood barrels cannot be made here, for we have not suitable wood for them, but our softwood barrels are far superior to those made abroad. I do not see why this branch of industry should not be protected—if a small duty of three pence per barrel were laid on imported barrels it would have a good effect.

HON. LEADER OF THE GOVERNMENT.—In reply to the hon. Leader of the Opposition, I may say that there is nothing more common than to receive petitions for the repeal of taxes; but this petition is for the putting on of a tax. I think the rule is, that this House can receive petitions for the initiation of taxes.

Mr. BRECKEN.—The hon. member for Tignish has a large practical experience and therefore I would pay a great deal of deference to his opinion on the question now before us. The manufacture of fish and pork barrels is a branch of business which must soon rank very high in our commercial interests, and therefore should be well considered. It strikes me that barrels are very bulky articles to import, and that there must be some advantage in purchasing the imported article, otherwise there would be none imported.

Mr. BELL.—I think our trade in barrels should be protected as well as other branches of business. A good deal of capital is required to carry on that manufacture, and therefore it ought to be protected. As imported barrels are found to be of an inferior description, we should encourage the home manufactured article. Imported barrels have birch hoops, while ours are made of ash; but many purchase the former, because they can be got at less cost. In other parts, they have machinery which enables them to turn out a very large number of barrels, and therefore they can bring them here and undersell our coopers who have not the same facilities for the manufacture. Our home manufactured pork-barrels are as well made as anything of the kind imported, and therefore should be protected by a duty on imported barrels.

Mr. McNEILL.—Mr. Speaker: In this particular instance I think a small duty would not injure any person, while it would encourage our home-manufacturers to make a good article. We can now get as good barrels here as can be got anywhere; anyone who has used Nova Scotia barrels, knows that it is of little use to salt mackerel in them—they may do for bait, but not for mackerel. A few years ago there were no barrels made in which fish could be cured, but we have now as good an article as can be got anywhere in the Colonies. In the western part of this Island there is an excellent article for hoops.

HON. LEADER OF THE OPPOSITION.—I think the better plan would be to let the petition lay on the table and the Executive can take notice and govern themselves accordingly. If the prayer of the petition be granted, the principles of free-trade will be infringed upon; because if our materials for the manufacture of barrels are as good as those imported, our local makers are protected quite sufficiently. Foreign makers have to pay a freight for bringing their barrels here and therefore work at a disadvantage, compared with our local makers. The latter may not have reaped the harvest they expected, still, we must open up these as well as other articles to public competition, so as to enable our traders to purchase in the cheapest market. For these reasons, I do not think we should be justified in putting a duty on imported barrels; but if the Government, owing to certain extra expenditures required this year, are obliged to raise the taxes, the matter will take a wider range, and a duty upon barrels may be a necessity. But throwing the latter view of the case to one side, buyers should not be cramped in the choice of an article, which they wish to purchase. Possibly the imported barrels may be required for a less expensive fish than mackerel. I believe they do not require as good a barrel for herrings. If a duty were placed upon the imported article, fishermen might be compelled to pay a little too dear for their whistle. However, this is a matter for Government to consider, not for the Opposition.

Hon. Mr. DAVIES.—The barrel makers merely wish to be placed upon the same standing as other trades in the community; they do not wish for extraordinary privileges. If a duty corresponding to that upon other imported articles were placed upon barrels, the prayer of the petition would be answered. Barrels are, at present, exempted from duty, and all that the petitioners want is to have a duty placed upon barrels as well as other articles which are imported. I know that a cheap and inferior kind of barrel is manufactured in St. John, N. B., for seven pence half-penny; therefore I think our barrel-makers should be encouraged in manufacturing a good article, and that the inferior foreign article should not be allowed to come in duty free.

Mr. P. SINCLAIR.—I think this matter will require a good deal of caution. As barrels are still imported, it shows, I think, that we have not a proper supply at home. Flour barrels are often very expensive in the fall, and therefore, unless there is some inducement offered to importers, that description of barrels would become dearer and scarcer than ever. It is expensive to import barrels and therefore unless there was sufficient reason, I do not think it would be done. I am not particularly acquainted with the business, but I think the Government had better be cautious in dealing with the matter.

Hon. Mr. HOWLAN.—Barrels generally come here in nests instead of ballast. We do not stand in the same position in this matter, as outsiders who turn out large numbers of barrels by machinery. You may import barrels at a very low price; it is true, but no man who uses those barrels one year will ever do it again. A large number of barrels are made at Pictou and sent over here every year, free of duty, but when our manufacturers send to Pictou they have to pay a duty of fifteen per cent. This is what our barrel-makers complain of—they are not placed in the same position as outsiders who bring barrels over here. The wood part of a patent plow, and washing-machines which are made of wood, are subject to a duty of 12½ per cent. and therefore I do not see why there should not be a duty upon barrels. As we have a party here manufacturing Mowing Machines, would it be right to admit foreign manufactured Machines free of duty? It is the same with a cooper. He asks merely to be protected like all other manufacturers in the community. If the waggon manufacturers had no protection, waggons would pour in, in the same manner as fish-barrels now do. There is only one season in the year in which barrels are used here, and after that they are like a hay-rake after haying is over, not required. If coopers asked for a high duty upon barrels, it would be different; but they merely wish to be placed in the same position as all other tradesmen.

Mr. CAMERON.—It appears to me that if we protect trade in the manner asked for in the petition, we may have a similar application from

other mechanics. I think our home-manufacturers should compete with foreigners and thus allow buyers to purchase in the cheapest market. I attended a Debating Society a short time ago, where the representatives of nearly every trade carried on in this country were present, and I found that they were all of the same opinion as myself on this matter. I do not see why we should impose a duty to protect home-manufacture. One hon. member of this House said that fishermen received no protection from the state. For my own part I think fishermen receive as many benefits as farmers—they must land somewhere and receive supplies as well as to sell their fish. It may be convenient to impose a duty for the purpose of raising a revenue, but I cannot see that the country would be benefitted by protecting home manufacture.

Hon. Mr. CALLBECK.—It appears to me that a duty should be imposed upon barrels as well as all other articles which now pay a duty, but not for the purpose of protecting any particular branch of business. I agree with the hon. Leader of the Opposition that we should be very cautious in dealing with this matter. If our wood is not suitable for making certain kinds of barrels, it appears to me that there would be great danger in putting a duty on imported barrels; but it is well to discuss this question that the Government may know what steps to take in regard to it. It is well to think before we act in regard to this matter.

Mr Owen. In fishing, the number of half-barrels used, as far as I observed, is exceedingly small. I never saw a quarter-barrel used for fish, yet; but I have seen a few half-barrels.

Hon. Mr. HOWLAN.—Barrels are generally brought here in the shape of ballast. As regards quarter barrels, I can tell the hon. member (Mr. Owen), that I had a number of them manufactured last year. Barrels are usually shipped in nests, but some vessels are adapted for the stowage of half-barrels.

Mr. McMILLAN.—I think there are half-barrels made here but they are very high priced. The poorer class of fishermen think all our home-manufactured barrels dear, but if there were a duty imposed upon the imported article, they would be obliged to go to the few home manufacturers and purchase at whatever price they might choose to ask. As regards herring, we can purchase them better cured abroad than any on this Island.

Mr. BELL.—I do not think it is protection after all, that the petitioners want. They merely wish to be placed on the same footing as all other mechanics in other countries usually are; and I for my part, do not see anything unreasonable in their request.

On motion of Mr. Reilly, the petition was laid on the table, to be brought up again in the Committee on Ways and means.

WEDNESDAY, March 24th.

Afternoon Session.

Hon. Leader of the Government, from the committee appointed to report upon private Bills, presented a report recommending that the Bill to incorporate the Wesleyan Methodist School, be passed without charging any fees, as the School in question would be a public benefit.

Report adopted.

Hon. Leader of the Government presented a report of the Committee appointed to report on private Bills, recommending that the Bill to naturalize Charles Otto Winkler be passed without charging any fees.

Report adopted.

On motion of the hon. Leader of the Government, the Bill was then read a second time, and the House resolved itself into a committee of the whole to take it into consideration.

Mr. Arseneaux in the Chair.

The several clauses of the Bill were read and agreed to.

The Speaker took the Chair, and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

Hon. Leader of the Government presented the Pauper Petitions, which were received and referred to the members of the various districts.

Hon. Leader of the Government presented the petitions with respect to Roads, Bridges, &c., which were referred to the members for the various districts.

Hon. Leader of the Government presented the petitions for new lines of Road.

On motion of Mr. P. Sinclair, the petitions were referred to a special committee to report thereon.

Ordered that Messrs. P. Sinclair, Duncan, Prowse, G. Sinclair and Kelly do compose said committee.

Hon. Leader of the Government presented the report of the committee on private Bills recommending that the Bill to incorporate the Trustees of the Baptist Church at Summerside be passed without charging any fees.

Report adopted.

The House then went into committee on the Bill.

Mr. Cameron in the Chair.

The several clauses of the Bill were read and agreed to.

The Speaker took the Chair and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

WESLEYAN SCHOOL BILL.

On motion of Mr. Brecken, the Bill to incor-

porate the Trustees of the Wesleyan School of Charlottetown, was read a second time and the House resolved itself into a committee of the whole to take it into consideration.

Mr. Bell in the Chair.

First clause read and agreed to.

The second clause, in which it was provided, in case of a vacancy occurring during the first fifteen years on account of the death or resignation of any of the Trustees, that the remaining Trustees should call a meeting of the subscribers, who should choose three persons for each vacancy, and the Trustees should select one of the three to fill the vacancy, and that after the first fifteen years the power of electing Trustees should be vested in the Wesleyan Methodist Quarterly Board of Charlottetown Circuit.

Hon. Mr. DUNCAN.—I think it would be better to leave the power of electing Trustees to fill any vacancies that might, occur entirely in the hands of the subscribers. If the Petition on the subject had been signed by all the subscribers to the building fund, it would be right enough, but I know one at least of the subscribers who is not satisfied with that method. Let it be provided that the Trustee so appointed shall be a member of the Wesleyan Society which would be a sufficient protection to prevent any person not connected with that society, from having an undue influence.

Mr. BRECKEN.—I think this a very proper clause. It provides that for the first fifteen years, the subscribers shall nominate three persons to fill any vacancy in the Board of Trustees, and the Trustees shall choose one of the three, so that the power is really in the hands of the subscribers. I believe the Petition was not signed by the whole of the subscribers, but I think it was approved of by them.

Hon. LEADER OF THE OPPOSITION.—The general method adopted in passing Bills relating to church matters is to have the details in accordance with the wishes of those interested, and as this is a school to be under the control of a religious body, I think we should let them choose their Trustees in this manner, if they think proper to do so. I believe the whole matter was brought before special meetings, and the principles of this Bill agreed to. The Bill was not drawn up by our Law Clerk, but was sent here by the Wesleyan body themselves, leaving it open to this House, to make verbal alterations, but not to change the principles of the Bill. If the person to whom the hon. member (Mr. Duncan) referred was a Wesleyan, he should have sent in a petition to this House objecting to this principle with which he is not satisfied.

Mr. PROWSE.—Mr. Chairman: If I am correctly informed, this Bill has met the unanimous sanction of a meeting of the subscribers to the building fund of the school in question, and in the absence of any petition against it, I think it is unnecessary for any member of this House to

raise any objections to it, or to find any fault with the way in which they choose their officers. If this Bill is not found to work well, it is probable this House will have an opportunity of repealing it at some future time.

Hon. Mr. CALBECK.—I feel in a position to be able to confirm the statements of the member who has just sat down. I attended several meetings of the subscribers, and the principles upon which the school was to be conducted, were approved of, and a committee appointed to carry out the suggestions of the meeting. That committee were authorized to apply to this House to pass a Bill of Incorporation. It was clearly understood that the property was to be under the control of the Wesleyan body.

Mr. BRECKEN.—I believe the principle which pervades this clause has been before the subscribers, and met their approval, and I think it is a sound principle.

Hon. Mr. DAVIES.—If the Bill now before the committee has been submitted to the subscribers, we have a perfect right to pass it as it is, but if, on the contrary, it has not, then we may with a very good grace, question the propriety of passing this clause. It appears to me that it is a kind of sliding clause, which in course of time will take this school out of the hands of the laity, and place it in the hands of the clergy, and I always look with suspicion on anything of that kind.

Hon. Mr. CALBECK.—This principle was submitted to the meeting of subscribers and approved of.

Mr. BRECKEN.—The principles which characterize the whole Bill were before the subscribers and received their sanction.

Clause agreed to.

The remaining clauses of the Bill were also agreed to.

The Speaker took the Chair, and the Chairman reported the Bill agreed to with certain amendments.

Ordered to be engrossed.

SUPPLY.

On motion of hon. Leader of the Government, the House resolved itself into a committee of the whole on the further consideration of supply.

Hon. Leader of the Government moved the following resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services:—

Superintendent of Public Works	£390	0	0
Members of the Board of Works	100	0	0
Secretary of Board of Works	25	0	0
Assayer of Weights and Measures	10	0	0

Resolution agreed to.

Hon. Leader of the Government moved the following resolution:—

Resolved, That the following sums be granted and placed at the disposal of the government for the following services:

Buoys and Beacons	£350	0	0
Expenses of light houses	1000	0	0
Rent of bonded warehouses, Charlottetown and Summerside	90	0	0
Wharfage for Mail Steamers, Charlottetown	60	0	0
Collectors of Customs and Impost for out ports, for commissions, to be paid by warrants	150	0	0
Additional Clerk in Excise Office	125	0	0

Resolution agreed to.

MR. SPEAKER.—I do not know whether it is the intention of the Government to leave the Buoys and Beacons in the same state in which they have hitherto been. The rise and fall of the tides cause them to be removed out of their place, and there have been great complaints that the Buoys, as they are at present, are no service whatever. The Captain of one of Her Majesty's Ships complained to me of the uselessness of the Buoys. I think the Government should devise some better method of fixing Buoys and prevent any complaints being made in the future.

HON. LEADER OF THE GOVERNMENT.—This grant is merely to provide for the cost of the Buoys and Beacons; the details must be left with the Government and the Harbor Masters. The matter will be taken into consideration, for the complaints of a captain of a man-of-war vessel, backed up by his Honor the Speaker, is a broadside which the Government must pay attention to.

HON. MR. LAIRD.—As a member of the Executive, I always like to hear from members of the House, if there are any clauses of complaint at any of the out ports of the Island, and if any other member of this Committee has any complaints to make, he should bring them forward.

MR. PROWSE.—I have to state that the Buoys in Murray Harbor are very insufficient. Every storm drives the outer Buoy on the flats, which causes greater danger to vessels than if it was carried out to sea. Last fall, there was a large vessel led out of the channel, on account of the Buoy being out of its place. This matter was brought to the notice of the Government, but it was never remedied.

MR. OWEN.—The difficulty arises as much on account of the mooring of the Buoys as on the kind of Buoys used.

MR. McNEILL.—I think it is probable the Buoys will have to remain as they are the present season, notwithstanding the appointment of

a Board of Works, for I think that Board will not be organized soon enough to look after this matter. I believe the Buoys are in a very inefficient state, but it is a difficult matter to have them always in proper order. Different kinds of Buoys are required in different places. On the north side of the Island it is very difficult to fasten the Buoys—chains will not hold them. Vessels sometimes run foul of Buoys and displace them, and I think there should be some penalty to prevent them from doing so.

Clause agreed to.

Hon. Leader of the Government moved the following resolution:

Resolved. That the following sums be granted and placed at the disposal of the Government for the following services:—

Public postage	£100	0	0
Landwaiters and Preventive Officers	320	0	0
Medical Attendants, Queen's, King's, and Prince County Jails	22	0	0
Matron of Queen's County Jail	15	0	0
Matrons of Prince and King's County Jails	10	0	0
Keepers of the County Jails	120	0	0

Resolution agreed to.

Hon. Leader of the Government moved the following:—

Resolved. That the following sums be granted and placed at the disposal of the Government for the following services:—

Keeper of Bonded Warehouse Charlottetown	£50	0	0
Deaf and Dumb Institution, Hx.	50	0	0
Public Surveys and Commissioner's disbursements, in connection with Public Land Office	600	0	0
Interest on Public Debt	9200	0	0

Resolution agreed to.

Hon. Leader of the Government moved the following:—

Resolved. That the sum of six thousand three hundred and sixty-seven pounds be granted and placed at the disposal of the Government to pay the Salaries and allowances provided for by Statute.

Resolution agreed to.

The Speaker took the Chair and the Chairman reported several resolutions agreed to, and obtained leave to sit again.

On motion of the hon. Leader of the Government the Bill, to prevent frauds by secret Bills of sale of personal property, was read a second time.

The House then went into committee on the Bill.

Mr. Reilly in the Chair.

The several clauses of the Bill were read and agreed to.

The Speaker took the Chair and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

House adjourned.

SALMON CULTURE.

House in Committee on the Salmon Fisheries of this Island.

Mr. Cameron in the Chair.

HON. MR. HOWLAN.—Mr. Chairman: As quite a movement is being made at the present time for the protection and cultivation of Salmon, I think it is proper that this hon. Committee should give to the matter a little consideration, for we know, that although, at one time, Salmon were to be found in many of the rivers of this Island, yet, for want of protection they are now chiefly confined to one, and as satisfactory practical results have been obtained in other places by paying attention to this branch of fishing, I, in common with others, have come to the conclusion that we should attend to it here. In New Brunswick, Nova Scotia, Canada and some of the New England States, experiments have been made, which were attended with encouraging and satisfactory results. In New Hampshire, and other of the New England States, they are now turning their attention to the protection and cultivation of Trout, Pogies and Perch; and lately to Shad, also, as I notice in a Report on the subject which has been published in Massachusetts, and in every instance they have been quite successful. On our streams there are no manufactories in operation from which dyes emanate to poison the water; the Saw Mills were injurious, but these are less so now than formerly, and, therefore, I think if we appoint a Committee to collect information on this subject, it may be found that some river may be selected where it would be worth our while to spend some money to prevent the Salmon from being destroyed. Some years ago thousands of barrels of Alewives were taken on this Island and annually shipped to the West Indies, but this branch of our fisheries is now almost destroyed for want of protection. I do not think any hon. member will object to such a Committee. I therefore, beg leave to move the following Resolution:

Resolved, That it be recommended to the House that a Committee of three be appointed to report on the state of the Salmon fisheries in this Island, with power to send for persons, papers and records.

HON. LEADER OF THE GOVERNMENT.—In seconding the motion, I would merely say, we have had the matter brought to our notice lately, by the interest that is taken and practical attention which is now being given to the subject in various parts of the world, and as those fish frequent

our rivers, I think it will be well to enquire if it would not be worth while protecting some of them for a few years. We know that in other countries protection has been given to this branch of fishing, and that very beneficial results have been realized. I do not profess to be posted up in these matters, but the proposal I, think, is reasonable, and I hope, there will objection to it.

HON. LEADER OF THE OPPOSITION.—This, Sir, is a question of very great importance, and I hope hon. members will not look upon the Resolution as one that is introduced to occupy our attention, because we may have nothing else to do. The fact is, this is a matter of great consequence. I believe if our Salmon fisheries were properly looked after, they would in a few years be found to be a source of great wealth to this Island. In Nova Scotia and New Brunswick, they carry on the business to a great extent; especially in hermetically sealed preserved Salmon, which they ship in large quantities to Europe, with remunerative advantage to those engaged in the business, and benefit to the Provinces where operations of this kind are carried on, and as an article of excellent and wholesome food for ourselves in summer. How important is the protection of this important branch of our fisheries! We know there is one river within a few miles of Charlottetown, (Winter River) where over two hundred Salmon were at one time destroyed when they were spawning; and when we recollect that that one Salmon produces 200,000, we may have an idea of the loss incurred by this wanton destruction, and that, too, at a time when they were not fit for human food. Now, if a sufficient sum was voted to enable the Government to appoint persons to protect the Salmon for a few years, as the hon. member for Alberton proposes, I think it would be a judicious appropriation. It has been proved that Salmon, after being to sea, will always find their way back to the rivers in which they were originally hatched. This has been proved in Scotland, and also in Canada. The general rule is, that the ova, after it is hatched, remains in the stream for one year. When it has reached the length of about five inches, goes to sea for a few months, and when it returns, it is found that it has increased to the length of fifteen inches and weighs five or six pounds. Now, it is important to know that salmon will always, if left undisturbed, return to the waters in which they were originally hatched. Great interest is now taken, not only in the Dominion of Canada, but also, in Australia and the United States, in this question. We know that quite recently a company in the United States succeeded in making arrangements for obtaining the ova of the Salmon from the Miramichi River, for the purpose of having it hatched in one of their own rivers, and we know also, that some years ago a gentleman in Australia who took an interest in this matter, had the ova imported from England, and as a result Salmon can be had in that country now as easily as in other places. In this Island, the Salmon come up

our rivers towards the end of September, but do not spawn until about the first of November. It is a question for the Government to consider, and if the hon. member takes the matter up properly, I shall give it my support. I think any hon. member who can give us any information on this subject should do so. The hon. member for Cavendish (Mr. McNeill) probably knows something about those fish. For some time past, you can hardly take a newspaper without seeing something relating to the subject in it. We have a gentleman in this Island who has written on the subject, and in Canada, a Mr. Wilmot has succeeded in hatching some thousands of fish, which have been out to sea, and have come back weighing five or six pounds each, and this year he hopes to have half a million; and no doubt a large proportion of them will return to the waters where they were hatched. The river where Mr. Wilmot is experimenting, is somewhere above the Ontario Lake. In other Countries it has been proved that the Salmon can be cultivated to a greater extent than any other branch of the fisheries; there is no doubt but the same can be done here. I do not see any necessity for such a Committee as is proposed in this Resolution. One of the rivers where those fish come is within twenty miles of Charlottetown, and Dunk River in Prince County is another; either of which would do to experiment in.

Hon. Mr. HOWLAN.—I intend to bring in a Bill for the protection of the Salmon Fisheries on the Winter, or some other River, for a few years, and what I had in my mind for asking in this Committee, was that more correct information might be obtained as to what the probable cost might be to do this. My own impression of the matter is, that if we obtained a grant of £100, for the first year, to remove obstructions and grant protection to the fish, that probably £25 a year would be sufficient afterwards. We would have to place the river under the protection of some one who would faithfully attend to the matter, but before proceeding any further with the matter, I think it is necessary to have fuller information on the subject.

Dr. JENKINS.—I agree with the remarks of the hon. member for Alberton, that it would be advisable to have a Committee appointed, in order that we may ascertain, if possible, to what cause the decrease of those fish may be attributed, and with regard to any law which may be passed for the protection of the Salmon which may visit our rivers, it should be made penal to catch, sell, or buy any Salmon within a certain season, for unless this is done there will be found some who will break through any other restrictions; but if purchasing a Salmon at certain times, is made penal, it will, I think, afford pretty effectual protection.

Hon. Mr. DAVIES.—I am glad the hon. member has made a move in this matter, for I think it is a subject well worthy of having some attention

paid to it. I know there is one gentleman in the other end of the building who feels a great interest in the matter and who, perhaps, is doing now, what we are here, I presume, willing to do also, in this important matter.

Mr. McNEILL.—The hon. Leader of the Opposition referred to me, but really I know very little about this business. Two or three years ago, I saw some letters in the newspapers on this subject, and was surprised to notice to what an extraordinary extent those fisheries can be cultivated. A Mr. Fraser, from Rochester, in the State of New York, was at my place a year or two ago, and he told me that Salmon or Trout could be cultivated, and mentioned an instance where a gentleman had been quite successful in the cultivation of Trout, and had them so domesticated that they would, when he called them, come to him to be fed; and he assured me that he could tell their ages quite easily from their size, a fact which I found it difficult to believe. I do not know if there is among us any who can do this. I know that in New Brunswick some men have made a great deal of money out of the Salmon Fishery. In the Restigouche, I knew a Mr. Ferguson, who did so, and am inclined to think if proper protection was afforded to this branch of our Fishery, that it would in the end be found to have been a judicious expenditure of public money.

Mr. PROWSE.—I do not rise to oppose the motion, but Sir, I would offer the suggestion, that in my opinion, this Colony is not in a position to engage in such an enterprise. If £100 were given to persons to prevent the fish being taken for a certain time, in one particular stream, it perhaps might have a good effect, but I doubt if it would be money well spent, for I believe those persons who would receive the money would not be faithful in attending to this duty.

Hon. Mr. HOWLAN.—They would be sworn.

Mr. PROWSE.—In some places they could say, oh! it is only a Custom House oath. They would receive their salaries, and when asleep in their beds, the fish would be taken. I cannot see that it would benefit the country at large. I would rather recommend that the Stream be let to a private individual or company for a few years, and let him or them receive all the profits which would arrive from the enterprise before their lease expired. In this way, the Salmon Fishery could be protected much better than by the Government taking hold of it.

Hon. Mr. HOWLAN.—This is not a new or untried question, but one that has been practically tested in other places, and I think the hon. member for Murray Harbor, has not been very complimentary to our people when he stated that their oath could not be relied upon. In this Colony, there are very few persons who have means at their command which they would be willing to invest in any such experiments; but I have no doubt but that such men as the hon. George Beer, could be found in our midst, who would, for a

few pounds, if duly empowered, very faithfully and stringently enforce such regulations as an Act on the subject might lay down. There are Rivers in the United States, where thousands of barrels of Salmon are now caught and sold, where there probably would not be one were it not for the strict regulations which have been passed and are enforced for their protection. In the *Toronto Globe* of the 12th instant, I notice an interesting article giving an account of Mr. Wilmot's establishment in Ontario, from which I will read the following extract:—"Nothing but the dread of legal penalties will deter the mass of the people from the wholesale slaughter of fish, and even this fear is insufficient to restrain them, unless supported by the action of the people residing in the neighborhood of those places frequented by the fish. It is owing to these facts that the Salmon have been almost extirpated in our waters. * * * on the 16th Nov., we published an account of the experiments in Pisciculture, which Mr. Samuel Wilmot, of New Castle, was then conducting to an apparently successful issue, and we described the means that he was employing to repopulate the streams and waters of Lake Ontario with the Salmon spawn. * * * It was only in the fall of last year that he had completed those arrangements, which enabled him to deal with the matter in a large and more complete manner. During the fall of '66 and '67, Mr. Wilmot had hatched in his cellar, some few Salmon eggs obtained from a distance, and turned the young fish into a creek that runs through his farm. These—called smolts—left the stream—in the ordinary course of nature, when one year old, and about five inches in length, but returned after a stay of a few months in the salt water, weighing four or five pounds and measuring about fifteen inches, attaining that period of a Salmon's existence, when he is called a Grilse." Mr. Wilmot, and others, resort to various methods to know their fish when they return, but the usual way is, to mark them on the fins or by punching a hole in the tail. I believe that by a wise expenditure of £150 for a few years, we would add £50,000 to the value of the export trade of this Colony and if the matter is taken up, I hope it will be as other matters of importance are, and with a hearty desire to give the matter a fair and proper trial. Should the experiment prove a failure, the loss incurred in this way would not be very great, but we have no just reason to believe it will be a failure, and, therefore, I hope a Committee will be appointed to obtain more information on the subject.

Mr. PROWSE.—I have carefully read certain articles respecting Mr. Wilmot's experiments, and have come to the conclusion that to render the matter a success it will require to be undertaken by private enterprise. There is a law for the protection of those fish now but it is not enforced. If one of our rivers was leased to any person willing to engage in the enterprise, and his right secured for a time to the exclusive privilege of

catching those fish, his own interest would lead him to give proper attention to their protection, and some such arrangement is, I think, all that is required.

Mr. P. SINCLAIR.—The Resolution is an important one, and one would think the least that could have been done would be to enforce the law we already have; but it is true in this as in many other cases, that what is left to every person is virtually left to none, and as a matter of course is neglected. In our case we are not under the necessity of importing the ova, as they have had to do in Australia and the United States: all we require is to see that the fish is not disturbed, or taken during certain seasons of the year. Winter River and Dunk River are both places which the salmon frequent, and I am inclined to believe that if men were appointed to prevent people from destroying the salmon, we would find that it would be money well spent. If this branch of our fishing was properly protected, we would find, with our increasing facilities for sending our exports abroad, that these fish would soon yield a profitable return to the Colony. I, therefore, think, the Resolution of the hon. member should be supported by every honorable member on this Committee. At present, we are supplied by Providence with these fish in many of our rivers, and all that is required of us is that we duly empower the Government to protect them from being wantonly destroyed, and I am glad hon. members seem to agree as to the general features of a Bill for their protection; but I agree as to the necessity of obtaining more information on the subject, for the purpose of laying it before this hon. committee.

Mr. REILLY.—I fully agree with all that has been said respecting the necessity of protecting the Salmon fisheries of this Island. I believe it is necessary to appoint a committee to make further enquiries on the subject. In so far as I am acquainted with this subject, I know of no place in this Colony where there are so many Salmon taken as in the Morell River. I am aware, also, that a great many salmon have been destroyed there,—more than would have been, had the law been enforced which we have already on our statute book. I do not think that any complicated or expensive law is required on the subject. The present Act, if faithfully enforced, would suffice for our purposes.

HON. LEADER OF THE GOVERNMENT.—I think it is as well that the Resolution should pass, for judging from what I have heard and read, I think it would be well for the Government to take action in the matter. I agree with the hon. member for Murray Harbor, (Mr. Prowse) that, as a general rule, it is better to leave all matters to private enterprise, where it can be done, than for a government to be engaging in them, if it can be avoided. But it has yet to be proved that this matter will prove remunerative, and therefore an experiment must be made first, to know if it will be worth any

man's while to engage the in business. Some times, persons will urge matters upon a Government which they ought not, but I do not regard this one as such. Some time ago, I recollect reading of a gentleman, in England, writing to Mr. Bright, urging him to recommend to the House of Commons to have one of Her Majesty's ships of war sent out to destroy bottle-nosed whales and porpoises, and argued that it would pay well, in as much as oil could be collected from their carcasses; but Mr. Bright asked him, why, if the matter was likely to prove such a paying affair, private persons were not willing to engage in the enterprise? And so in this matter, private persons have to be assured that it will pay before they will enter into it. I believe though if the matter is taken up properly and well carried out, it will be a benefit to the country; at all events, I think it is our duty to give the matter a trial.

Mr. GREENE.—I have no doubt but the salmon fisheries of this Island could be made to pay, and that it would soon prove a valuable source of wealth to the Colony; but one of the rivers spoken of is private property, and I question if the Government could interfere with it.

HON. LEADER OF THE OPPOSITION.—The Government could enforce a law to prevent people from using or taking to market fish when unfit for human food. The precautions proposed to be asked for are only such as are adopted in other countries. All we require to do here is to protect a certain number of rivers for a few years, in order to prevent the fish from being destroyed, and I think a hundred pounds or so for a few years, to promote so desirable an object would be money well expended. If the experiment succeeds or otherwise, we shall know how to proceed afterwards with more certainty in the regulation of this matter. All that is required now is to see that the fish are left alone. As I before said, when we consider the great increase from one female salmon, we can easily estimate what the probable loss is when such wholesale destructions are made as is now the case in our rivers. We do not require hatching houses to be built at great expense, as is the case in Ontario. I agree with the hon. member (Mr. Prowse) that a government should not be dabbling in speculations, but this is not the aim or intention of the present proposal.

Mr. BRECKEN.—I, on the whole, mainly agree with what has been said; and it is important to consider that we are not laboring under such difficulties as they do in other countries, where they have to introduce those fish. Providence has, as was well observed by the hon. member for New London, so ordered it that the salmon frequent our waters, and I have no doubt but that, under proper management, a valuable trade might be fostered from this resource of our country. I believe, with the hon. member for St. Peter's (Mr. Reilly) that, if our present law had been

properly enforced, there would not have been as many salmon destroyed as there have been. I have read an exceedingly interesting article in the *Toronto Globe* on this subject, and fully agree in the opinion that money spent as now indicated for the protection of this important resource of the Colony, will be an expenditure which this hon. committee will be fully warranted in making.

Hon. Speaker took the Chair, when the Chairman reported Resolution agreed to; when, on motion, Messrs. Peter Sinclair, H. Bell and Hon. Mr. Davies were appointed a committee in accordance with the Resolution.

THURSDAY, March 25th.

Afternoon Session.

On motion of hon. Leader of the Government, the Bill to prevent frauds by secret Bills of Sale was read a third time and passed.

On motion of hon. Leader of the Government, the Bill to incorporate the Trustees of the Baptist Church at Summerside, was read a third time and passed.

Hon. Leader of the Government presented a message from His Honor the Administrator, requesting that the House at its rising to-day, do adjourn until Saturday the 27th day of March instant.

Hon. Leader of the Government presented a petition from various inhabitants of Summerside and other parts of the country, stockholders in the Summerside Bank, praying for a Bill to amend the Act relating to the said Bank.

Received and read.

Hon. Leader of the Government, hon. Leader of the Opposition and Mr. McMillan were appointed a Committee to report by Bill or otherwise.

A message was received from the Legislative Council stating that they had passed the Bill relating to the publishing of notices in the Royal Gazette, and also the Bill relating to the appointment of Sheriffs.

The Legislative Council also desired a Conference on the Bill relating to the appointment of a Board of Works.

Hons. Leader of the Government, Laird, Howlan, Messrs. Bell, P. Sinclair and G. Sinclair were appointed managers of said Conference.

SUPPLY.

House in Committee on the further consideration of Supply.

Hon. Leader of the Government moved the following Resolution:

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services :—

Protection of revenue, if required	£200	0	0
Insurance and contingent expenses, Victoria Barracks	60	0	0
Ferries	60	0	0
Contractor Charlottetown Ferry extra trips and services	400	0	0

HON. LEADER OF THE GOVERNMENT.—In regard to the grant for Victoria Barracks, I may say the amount is less than that granted last year. The Government have not been obliged to pay a keeper, as the Barracks have been placed under the control of one or two of the Drill Sergeants, which has effected a saving of seventy or eighty pounds.

Resolution agreed to.

Hon. Leader of the Government moved the following Resolution :—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services :—

Board of Health and Hospitals	£200	0	0
Legislative Library	50	0	0
Hospital Charlottetown	100	0	0
Indian Teacher, Lennox Island	75	0	0

HON. LEADER OF THE GOVERNMENT.—In reference to the item for the Hospital in Charlottetown, I may say that hitherto, the method has been if an unfortunate case occurs of a stranger being left in our streets, sick or disabled, the Government have to find a room wherever they can, to accommodate him, but it is proposed to keep a room permanently for treating such cases in.

Dr. JENKINS.—I am glad the Government have taken a step in this matter, but I am sorry it is such a short one. However, if this sum is expended judiciously, we may get a larger grant next year. It seems very strange that a town of the size and importance of Charlottetown should be without a Hospital. It is a disgrace to the community that there is not some place where strangers who may be overtaken by disease or happen with an accident, could be treated.

Resolution agreed to.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council, desiring a further conference on the Bill to appoint a Board of Works, which was granted.

House again in Committee on Supply.

Hon. Leader of the Government moved the following :—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services :—

Contingent expenses of Legislative Council, a sum sufficient.

Education, a sum sufficient.

Assessors under Education Act £25 0 0

Resolution agreed to.

Hon. Leader of the Government moved the following :—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services :—

High Sheriffs for three Counties £60 0 0

Messenger of Executive Council 20 0 0

Resolution agreed to.

On motion of hon. Leader of the Government, it was ordered that no new matter on which a Bill could be founded, be received after Thursday, April 1st.

House adjourned.

SATURDAY, March 27th.

Forenoon Session.

The question of concurrence was put on certain resolutions, one of which contained a grant to the Indian School on Lennox Island.

Said resolutions were agreed to, when Mr. P. Sinclair rose and said: I wish to make a few remarks on the Lennox Island School. The school is kept at present in the Teacher's house for want of a proper school house. The Indian Commissioner is strongly of the opinion that a suitable building should be erected as soon as possible for the accommodation of that school, and says that the young Indians are even more clever than the children of our common schools. As a new school house is absolutely necessary for an efficiently conducted school, I hope that the Government will, next year, take the matter into consideration and assist the poor Indians in the construction of a suitable building. Although the school has been only a year in operation, the children have made rapid progress. If this resolution had not been moved, I should have moved for a grant to aid the Indians in building a school house during the present year.

Hon. Leader of the Government presented the Accounts of the Commissioner of Public Lands, which were referred to the Committee on Public Accounts; also the Reports of the School Visitors for the three Counties, for the past year. Received and laid on the table.

Hon. Leader of the Government from the Committee on the Petition of the President, &c., of the Summerside Bank, submitted the Report of said Committee, and presented a Bill to amend the Summerside Bank Act.

Read a first time, and ordered to be read a second time on Monday next.

Hon. Mr. DAVIES.—Mr. Speaker:—I gave notice some time ago, on the Order Book, that I would introduce a measure to remove certain grievances in connection with the Leasehold system of this Island; but since that, I have consulted some of my friends who think it better that I should defer the movement till next Session; because matters in connection with the Land Tenures in Ireland will be taken up and considered by the British Parliament at its present Session, by which means we shall get their opinions on this important subject before we again bring our grievances before them. I now therefore give notice of my intention to withdraw my notice of such a measure. I think the principle that the proprietors of Estates in this Island should contribute to the general Revenue according to the amount they have at stake in this Colony, is sound. They should bear their share of the public burdens and contribute towards the defence and public improvements of the Colony. But no party can show that those men have contributed anything towards the Revenue of the Colony although they have large interests in its prosperity.

Hon. Mr. KELLY.—Mr. Speaker: I am sorry that the hon. member for Belfast does not intend to bring in the measure of which he gave notice, this session. There is one thing which I think is neither just nor fair, and this is that proprietors claim the right to collect their back rents any number of years back, while ordinary debts can only be collected for six years back. I think proprietors should be subject to the same laws and rules in this respect as other people. I hope that when the hon. member for Belfast (Mr. Davies) brings in his Bill next session, this subject will be taken up and dealt with in a proper manner.

Hon. Mr. DAVIES.—I made these remarks that those who are in favor of such a measure may be prepared to support it and that those who do not, may be prepared to oppose it.

Hon. LEADER OF THE OPPOSITION.—You may put a hundred notices upon the Order Book, but you are not bound to proceed further; you can let the notice remain there as long as you please without being obliged to take action upon the matter of which you have given notice. Whenever I saw the notice I thought it was a piece of buncom. The hon. member for Belfast (Mr. Davies) left the Government because they were not prepared to go to the length he wished them in matters connected with the Land Question. He wished them to deprive the proprietors of their lands without their consent, but he was disappointed in his pet scheme. The other day I said he was a sort of semi-official gentleman, having a member of the Government on each side of him, but I see he has since deserted his seat. I thought he was the last gentleman who would care for

precedents, for a short time since, he told us he did not care for anything that took place in the reign of King George the Third. If he considers that he is pursuing a proper course he should go on with it and not mind what the Home Government are going to do with reference to the land tenures of Ireland. I am surprised at the conduct of the hon. member for Fort Augustus (Mr. Kelly.) He seems to regret that the Land Question is to be held in abeyance during the present session, and that he cannot deprive the landlords of the privilege which all other creditors possess. Now, I always supposed that he was a better lawyer than that; he must know that there is no distinction between landlords and other creditors. If a landlord has given his tenant no lease, he can only recover his rent as far back as six years, but if the tenant has taken a lease, the landlord can recover twenty years of back rent. If I lend money and take a bond for it, I can recover it supposing it has been due twenty years. This is a principle which applies to all classes of men both in these Provinces Great Britain and the United States. Where a debt is under security by a sealed instrument, it can be demanded twenty or more years after it is due.

Hon. Mr. DAVIES.—Mr. Chairman: the hon. Leader of the Opposition might have saved himself the trouble of making those remarks. The reason I left the Government was this: I found that it was quite impossible to get justice from the Home Government, and that they would not agree on just and reasonable grounds in the settlement of the Land Question. I found that His Excellency Governor Dundas, held certain views upon the state of our tenantry; he thought they ought to comply with the demands of the proprietors whatever these demands might be. I found that he was averse to the settlement of the most grievous trouble we have in this Colony; and I concluded that with both the British Government and our Lieutenant Governor against us, we could do nothing. For these reasons I believed it would be inconsistent for me, considering the stand I have always taken in this matter, to remain any longer in the Government. I believe the Government are doing all they can to settle the Land Question, but when I found that I could not carry out my opinions I felt that I would be deceiving the people if I remained any longer in the Executive. We pride ourselves upon the position we occupy as a British Colony and each of us think we have the same power as a member of the Imperial Parliament, but it is a miserable farce, Sir, to think that the proprietors of lands in this Island can set at defiance the opinions of this House, and the people of this Colony is extremely humiliating. The proprietors can turn the Home Government against us till our name is a mere nothing—a shadow. From your own experience, Sir, you will find that this is the case. The Tory Government never introduced anything towards reform that did not in

the end multiply the bonds with which the people were bound. They may laugh at Cooper, Mac-Intosh and other gentlemen, who laid down the plan for the settlement of the Land Question; but the country are now almost unanimously of the opinion that the men who were despised and laughed at, had the only constitutional way of settling the grievance. But the proprietors had so much influence with the British Government as to make the labor of these gentlemen a nullity. We have never, till now, had a Government that would take up this question constitutionally—every resolution tending to the benefit of the tenantry fell to the ground and was jeered and laughed at. All members of this House who had the matter at heart were persecuted by the proprietary party, and all their efforts were rendered fruitless. I remember when three members for Queen's County were imprisoned for three weeks because they would not coincide with the views of the proprietors. I take the present opportunity to say I resigned because I found it was impossible for me to attain the object for which I was elected, and in justice to my constituents I thought proper to resign my seat in a government under which we could not attain to the settlement of our grievances. We are now called upon to pay the Salary of our Lieutenant Governor in the very midst of our present difficulties and troubles. The lands of these North American Provinces were granted to the several governments, on condition that they should pay their Civil List Bill, but this arrangement was never complied with in regard to this Island. We were made an exception to the general rule. Is it not hard, therefore, that the proprietors should not be compelled to contribute something towards the Lieutenant Governor's Salary? Again, we can see how the Lieutenant Governor set himself up against the action of this House in regard to the said Salary. When this House sent home an address on the subject, Governor Dundas sent a contra address showing the British Government that we ought to pay it. The most we can do is, that we can have our resolutions on this subject passed in the upper House; but the Lieutenant Governor by a scratch of his pen, can set aside all we can do in twelve months. We are just about as far advanced as the Colonists of America were before the revolution in that country, but we shall never be so fortunate as to obtain our independence. We may just as well be silent upon the wrongs we have received as to endeavor to obtain redress. We can clearly show that we have no right to pay the Lieutenant Governor's Salary, but it is of no use to address the Home Government on the matter as they will never do us justice. This House is but a paltry body—it has certain powers granted to it, but we cannot go very far towards settling our grievances. We can only submit to dictation and make the best we can of our situation. Bad as the terms we now get from the Mother Country, are, they are better than any we are likely to get from

any other power. With all our disadvantages, we have still a great many comforts and privileges.

HON. LEADER OF THE GOVERNMENT.—This debate has certainly been a most irregular one. A notice may remain any length of time on the Order Book without being acted upon, and therefore, there was no occasion for any explanation from the hon. member for Belfast. The hon. member has attempted to give his reason for leaving the Government. As far as any public documents are concerned, I was not aware that he left the Government on those views—there was nothing official to show that that was the reason of his resignation. I may just say that I think it very injudicious to open such a question in such an irregular manner. We are quite agreed all round, that the Legislature have endeavored to obtain many things that have not been granted to us; the Tenants' Compensation Bill was brought in in 1853 or 1854, and I supported it, believing it to be a just and equitable measure, but it was refused by the Home Government, and cannot be brought up again constitutionally. I think it a crying evil that a Rent Roll tax cannot be put on proprietors' lands, because they have all advantages of the law and of public improvements without paying one penny into the Revenue. There is an example of this; the proprietor of a portion of Lot 34, draws his rents from the Colony but does not contribute a single farthing to the general Revenue. As we are now called upon to pay the salary of our Lieutenant Governor, I cannot conceive of any juster tax than one laid upon the proprietors for the deficiency which will thereby be made in the Treasury; but I believe that if we passed such a measure, it would not be sanctioned by the Imperial Government, therefore it would be of no use to bring it up again. But, although we cannot get all we want, I can see no reason why we should quit the ship of state and put our hands into our pockets despondingly. I cannot take that view of the case. If we are crippled on one point, we can turn our attention to many others, whereby to conduce to the general prosperity of the Colony. By careful and steady efforts the Land Question is being stamped out and if we follow up the plan we have adopted, we can free the country from landlordism without outside assistance. The quantity of land now in the hands of the proprietors only amounts to about 400,000 acres or one-third of the Island. Under the operations of the Land Purchase Bill, I believe that even the long-vexed Land Question will disappear from the Colony. I think that the proper principle on which to act, is to do the best we can; if this is done I believe the people will be satisfied. When I think that the Revenue was only about £30,000 when I came here, which was only about twenty-five years ago, and that we have now splendid steamers, an excellent market for our farmers, and other great improvements, I cannot but come to the conclusion that there is a great increase in the wealth of the country. We

have every reason to think that our Legislature cramped as it has been, has produced many great public benefits. With respect to the desire of the hon. member for Fort Augustus (Mr. Kelly) to prevent landlords from recovering their rents more than six years back, I may inform him that a bill to that effect was introduced and refused. A bill of a like nature was introduced by Mr. Mooney, and during its consideration a Despatch was received from the Lieutenant Governor, stating that the measure could not be brought up again without special licence to do so. The law as laid down by the hon. Leader of the Opposition on this matter is perfectly correct. The only difference there can be in cases, is between written and sealed contracts. Any debt not under seal, cannot be collected farther back than six years. Rents cannot be recovered where there is no lease, unless there has been an acknowledgment to the debt, farther back than six years. But there is no difference between rent and other debts, any more than there is in the old country. The instrument will secure a debt of twenty years' standing while the absence of an instrument prevents a debt being collected farther back than six years. If an Act like the one referred to by the hon. member (Mr. Kelly) were passed, the Home Government would never assent to it. If such an Act became law every one would immediately sue his debtor in order to prevent its being made use of. With respect to the Salary of the Lieutenant Governor, we shall speak of that on Monday when the subject will be brought up. I signed an address last Session, showing that we have not been placed in the position of any other of the British North American Colonies in regard to the granting away of our lands, and I have the strongest opinion as to the great injustice and want of consideration for our position by Her Majesty's Ministers. Whether it is prudent to resist the demand made upon the Colony is for us to consider, but I cannot but think that it is a very unjust one. I must say that this has been a very extraordinary discussion, and if it is continued, I hope hon. members will speak no more than once.

Mr. BRECKEN.—Mr. Speaker: It is a pity that the matter is not regularly before this House because a good deal may be said upon it. I am not disposed to give the hon. member for Belfast (Mr. Davies) credit for sincerity in acting as he has done. He says it will be well to wait and see how the Imperial Government handle the Irish Question, before proceeding any further with the measure he was about to introduce; but I can tell him that if the Irish tenantry enjoyed the same advantages and privileges as our tenantry have, you would not hear one word about Irish grievances. What are the grievances of the Irish tenantry? Their tenants have not got lands. A man may there be a well-to-do farmer and pay his rent regularly and make large outlays in the tillage of the soil and in erecting comfortable buildings, but at the end of the year,

he may be sent to the right about—he has no certainty of his tenure. John Bright contended that a man thus turned out should have some compensation for his outlay. It is easy to be seen, therefore, that the settlement of that Question will not contribute in the slightest degree to the settlement of the Land Question in this Island. I say this in the hearing of gentlemen who came from that country and who know well that what I state is correct. The hon. member also tells us why he left the Government. He found fault with the system of Government in this Colony, saying that it was powerless and fell far short of what he expected. I should have thought that as he has given the Land Question such earnest attention, he should have known well what the state of things was. He was afraid of compromising himself. If so, he should have left the Government altogether and come over to our side of the House. I do not think his explanation at all satisfactory. No sooner did he give expression to his views than the hon. member for Fort Augustus gets up and puts down the hon. member for Belfast altogether. I did expect better than that from the hon. member for Fort Augustus. I believe that I am correct in saying that no more than one-third of the whole Island is now held by the proprietors, but in purchasing such a large quantity of land we have contracted a debt of a hundred and fifty thousand pounds in debentures. The payment of these debentures is drawing near, and when they become due we must be provided with means to pay them. This debt will go on increasing for hon. members on both sides of this House have decided that whenever they can purchase lands reasonably, they will do so. When the day for payment comes round, how are we to pay these debentures? We cannot say to those persons who hold them, "you must renew them," and we are not prepared to have our taxes doubled to meet these payments. We shall have to go to the foreign capitalists sooner or later—we shall have to go and get loans to meet our obligations. I appeal to any hon. member of this House if there are any canny men than foreign capitalists when you are negotiating a loan from them. They will look to the character of the Legislature and ascertain whether you respect the sacred rights of property or not. They will find out whether you seek to deprive any proprietor of his property and whether you have class legislation, or not. If he finds that the rights of property are not respected he answers "That is not the country; I shall loan to." If we do not respect the rights of property, you may depend we shall suffer for it, perhaps twenty years hence. You may pass a Tenants' Compensation Bill merely to please the people, but they will tell you that you are not sent here to tickle their fancy, but to enact measures that will be really useful. If we admit that a proprietor has a legal right one day, and the next day adopt class legislation, the shrewd money lenders will tell you they will not risk

their money in such hands. I do not say that this Colony would repudiate her debts, but I say that the public Revenue of this Island would suffer from such legislation as that proposed by the hon. member for Belfast. I believe that hon. member is honest in his intentions, but his views would prove prejudicial to this country, if adopted. As the Land Question is fast disappearing from the Colony, let us show to the world that we respect the rights of property, and that capitalists need not be afraid to lend us money. This is no fearful overdrawn picture. The time when the whole of the people of this Colony shall become freeholders is not far distant—we are gradually getting rid of the troublesome Land Question. We should, therefore, so shape our legislation that we may look money-lenders in the face, with a good character.

MR. McNEILL.—Mr. Speaker: I know this debate is quite irregular, but with your permission I shall make a few remarks. To tell the truth, I can hardly understand the drift of the speech of the hon. member for Charlottetown, I cannot understand whether it is to show that the proprietors should not contribute to the liquidation of the Governor's salary or not. He says that every effort we make to settle the Land Question only damages our credit in the British market, and that we know the proprietors have a legal claim to their lands. Of the latter we are not so sure. The Secretary of State who refused to entertain the Rent Roll Bill probably entertained different views from the present Secretary of State, on such matters. If the first Loan Bill had been carried into effect we should, no doubt, have obtained a Loan at three and a half per cent, which would have went a long way towards freeing the Colony from landlordism. Lord Stanley stated in the Imperial Parliament that he wished to show that Prince Edward Island should be made an exception, for the evils inflicted upon that Colony were the direct work of the Imperial Parliament, and, therefore, they were bound to remove them. It was thus admitted in the British Parliament for the first time, that we had been wronged. A Royal Commission was appointed, and we all know the result of that Commission. When we now endeavor to free ourselves by our own hands, the Imperial Parliament make a demand upon us for the payment of the Salary of the Lieutenant Governor. This Colony, when Responsible Government was introduced in 1851, was allowed to go free from the payment of that salary, but now, at the instigation of Canada and our own Governor, they demand its payment. All our Lieutenant Governor cared about was to make our Colony a stepping stone to some higher station. As for Colonial experience, he had none. Through the bad treatment of the Imperial Government and the indifference of our Lieutenant Governors, the state of the Colony is getting worse and worse. Only a few years ago a delegation waited upon the Lieutenant Governor to ask him to use his influence to prevent proprietors from being harsh with their tenants. After the deputation of ten-

ants had laid their grievances before him, he said "You ought to be thankful you have no more to pay—a good fat pig will pay up one year's rent." When they told him it was very hard to fatten pigs in winter, he told them to feed their pigs in the summer time. What do you think of such a Governor as that? I happened to be one of that delegation and the spokesman for it. Although I do not like to quote from the poets, there was a certain stanza came into my mind when I saw the titled ignorance of the man, on Colonial affairs:

Of a idiot race to honor lost
Who know them least, despise them most.

If this Colony were situated in the neighborhood of a despotic nation such as Prussia or Austria, I would give up hopes, but we are near free, independent, enlightened America, and these days, dark as they are will have an end. We shall yet have Reciprocity with the United States and the same privileges we have always had; but not under the dominion of an arbitrary power. All that our Governors care about our Island is to make their office a stepping stone to something else. The hon. member for Belfast has been faulted with leaving the Government, but I, for my part cannot blame him. I admired the manner in which the hon. Leader of the Government conciliated both parties who have spoken on this Land Question. But I believe the hon. member for Belfast was justified in leaving the Government. He found that the very principles of Responsible Government were about to be destroyed, that the Lieutenant Governor was undertaking more than Her Majesty would undertake to do in Great Britain, and that the Representative of Her Majesty had proscribed thousands of men who were the bone and sinew of the country, and who were dictated to, in a manner to which no men of spirit would submit. I think the hon. member was quite right in resigning, for no spirited man would remain in a Government so much snubbed by a Lieutenant Governor. If the latter had any Colonial experience, he knew as little when he went as when he came. I cannot altogether agree with the hon. Leader of the Government that we should not pass an Act similar to the one proposed by the hon. member for Belfast, for I think we should persevere in matters of this kind. There has been no reform which has been obtained all at once, and this one will be no exception. Perhaps this Rent Roll Bill is an extreme measure; but, desperate diseases require desperate remedies. These proprietors should contribute a share to the carrying on of the Government of this Colony. The Home Government agreed to pay our Governor's salary as a slight recompence for the injury we have received at their hands, but now they wish to put the burdon altogether upon our own shoulders. Although we are compelled to pay that salary, we may show the Imperial Government that it is "might against right," for it cannot be called anything else. If an American or even an European war broke out, they would not make such a demand as this; but it appears

as if they wish to link us upon a country with which we cannot exchange a single production and through which our sovereign legislature would be taken out of our hands altogether. I consider that although this debate is irregular, it is very well to ventilate these things, and whatever others may think, these are my opinions. Whatever Government I support, I shall always be ready to give my opinion on any subject which comes before this House. In stating what I have, I believe I have given the opinions of my constituents, for I know their opinions on the manner in which the Lieutenant Governor has proscribed the half of the men of Queen's County. If the Lieutenant Governor can thwart the wishes of his Council, and say "you shall put this and that man into office and keep out others," he is acting contrary to the principles of Responsible Government. Although we cannot help ourselves at present, this state of things cannot last long—there is always an end to the tyrannical measures of men of this kind. The only hopes I have are on account of our position in the neighborhood of a free and enlightened nation, the influence of which is always wielded against tyranny and in favor of freedom. We shall have free trade with the United States, which will enable us, in a great measure, to overcome all our difficulties, however great they may be. On account of the bad treatment of the Mother Country by granting away her best fisheries, Newfoundland is on the point of being driven into Confederation. And there is no doubt that the treatment this Colony has lately received at the hands of the Imperial Government is owing to the fact that they wish to drive us also to unite with the New Dominion; but in this they will not succeed.

Mr. P. SINCLAIR.—Mr. Speaker: There is no doubt that this Colony is at present in a very bad state on account of the troubles arising out of the Land Question. The Lieutenant Governor is interfering with the placing of certain men in office and in the matter of Reciprocity between this Island and the United States, and there is no doubt that his conduct is more against our interests than favorable to them; but I cannot speak from personal knowledge in regard to this matter. The great subject now before us is the Land Question, upon the settlement of which there is great diversity of opinion—some think it should be settled one way and some another,—but all agree that the sooner it is settled, the better for the Colony. For my own part, I do not believe that the Home Government will sanction such a measure as the Rent Roll Bill, however beneficial it might prove to be to the Colony; but I believe we can come down upon the proprietors by imposing a direct tax. It would be but fair that these men who draw such a large income from the Colony should contribute something to the general Revenue. If a tax were imposed on proprietors it would have to be a general thing over the whole Colony, for the Home Government will never permit class legislation.

House adjourned.

MONDAY, March 29.

Forenoon Session.

Hon. Speaker in the Chair. Hon. Mr. Davies presented a petition from John McLean and others, setting forth that as it is generally believed that the Selkirk Estate has been fully paid for, to Government, and as many of the petitioners are among the most industrious on the Estate, yet that owing to untoward circumstances, they have been unable to pay for their holdings, they pray that in consideration of the foregoing reasons they be discharged from any further payment.

Hon. Leader of the Government said, the whole question of the Selkirk Estate would be brought to the notice of the House by the Government; when the prayer of the Petition would also be probably embraced in the whole question. Last year, a committee had been appointed to enquire into, and to report upon the matter, but as such a wide margin existed between their Report and the views of the Land Commissioner, it was deemed advisable to obtain further information before the Government would move further in dealing with the question.

The Petition was ordered to lie upon the table.

On motion of the Hon. the Leader of the Government the Bill for the naturalization of Charles Otto Winkler was read a third time.

Mr. Arsneaux presented a petition of Thomas Mowbray and others, praying for the establishment of a Small Debt Court in Egmont Bay, which was referred to Committee, consisting of Hon. Mr. Howlan, and Mr. P. Sinclair, to report thereon by Bill or otherwise.

SUMMERSIDE BANK.

Hon. Leader of the Government moved that the House resolve itself into a committee of the whole House, to take into further consideration a Bill entitled "An Act to incorporate the Summerside Bank," and said that last year a Bill had been passed for extending the time of the payment due by stockholders, until the first of last January, and the present Bill contemplated still further extending the time. Some parties wished this Bill to embrace matters which would deal with past matters, but he in common with the hon. Leader of the Opposition, to whom he had spoken on the subject, considered it improper to deal with all the matters prayed for, as it would be wrong to pass an *ex post facto* act.

The House then resolved itself into a committee of the whole on the subject.

Mr. Bell in the Chair, when the Bill was read and agreed to, with an amendment.

On motion, Mr. Speaker took the Chair.

The Bill was reported agreed to with an amendment and ordered to be engrossed.

On motion of the Hon. Leader of the Government, the Bill intituled "An Act to incorporate the Wheatly River Lime Company," was read a first time and referred to private Bill Committee.

House adjourned until 3 P. M.

Afternoon Session.

GOVERNOR'S SALARY.

On motion of the Hon. Leader of the Government, the House went into Committee to consider the Despatch of the Right Honorable Earl Granville, Secretary of State for the Colonies on payment of the Lieutenant Governor's Salary.

Mr. Kelly in the chair.

HON. LEADER OF THE GOVERNMENT.—I believe Mr. Chairman: that it will be a matter of regret to members on both sides of the House to hear the announcement contained in that Despatch, and I base this statement on the occurrences that have taken place during the last four years, for the payment of our Lieutenant Governor's Salary, which is the subject of that Despatch has been remonstrated against by both sides of the House. In 1865, when the first Despatch was received, calling upon us to make provision for the payment of the Lieutenant Governor's Salary, a very strong remonstrance was sent to the Imperial Government; and the reasons were stated in that remonstrance why we should not be called upon to pay this salary. Another Despatch was received in 1868, stating that after the removal of the Governor, who then presided over the Colony, that we should be called upon to pay his successors. A very strong remonstrance was again sent last year, and in that Address it was not urged that because we were a Colony under the British Government, we should be exempt from paying the Governor's Salary, unless there were some peculiar circumstances which should be a reason for such exemption (for we know that the other British Provinces have paid their Governor's Salary). It was set forth that there were peculiar circumstances in connection with the land tenures of this Island which should exempt us from the payment of the Governor's Salary. It is an oft-told tale respecting this land question, and is apt to become stale, yet we know the grievance still exists, and whether this Colony has to pay the Governor's Salary or not, the conviction will remain on the minds of the people that we have not been fairly treated. I know of no other country situated as this Island was, which had to be brought into cultivation by the labor of the people, where what should constitute the wealth of that country, has been taken from it in a day. I believe it is a law of nature that the land should belong to the people who have cleared it, and reclaimed it from the forest; but that decree of nature and I might say of Providence also has been set aside in reference to this Island. This

matter has been referred to the British Government at various times, without any satisfactory result, and the people of this Colony have been obliged to buy back their inheritance, for when I reflect upon the way in which the lands of this Colony were granted away, I look upon it as a great injustice that the people who have cleared the land should have to purchase it now. These matters were set forth in the memorials of 1865 and 1868. In 1848 it was stated in Despatch from Lord Grey, that the payment of the Lieut. Governor's Salary was a proper subject to be provided for by the British Government, and in 1851 when the Colony was called upon to pay the Colonial Secretary, the Attorney General and other officers, as we were not called upon to pay the Governor, the Legislature looked upon it as a tacit acknowledgment that there should be an exception in favor of this Colony. These views were set forth in the memorials of 1865 and 1868, and urged as strongly as they possibly could be as a reason why the British Government should still continue to defray the expenses of the Governor's Salary. I may say I am not surprised that this Despatch has been received, for my experience of Colonial life is this, that there is so much to occupy the attention of the Imperial Authorities, that their Despatches are very short, and although we may elaborate arguments and take a great deal of trouble to prove any point, it would appear as if it was beneath their dignity to notice it. It may be, as it was said to be in the days of Lord Mansfield, that they give a judgement without giving any reasons for it, that the judgement is good, although the reasons for it may be bad. When we receive such a curt answer to an address from both branches of the Legislature, we know that it is the judgement of the Imperial Government, but whatever their reasons may be, they are not set forth. We are to presume however that they are good. We may pronounce that this Island has been very unfairly treated in reference to this question, and whatever may be the views of Her Majesty's Ministers, I think they have not given the subject that proper attention which it deserves. But we are now called upon to pay the Governor's Salary, and the question before the Committee is, shall we accede to the demand of the British Government, or refuse to pay this Salary, and run the risk of the consequences which may result from this refusal. There is nothing in the Despatch in reference to what steps the Imperial Government will take if we refuse to pay it, but there is an ominous silence, and I think under all the circumstances of the case, it is our duty to make provision for the payment of the Governor's Salary. We know that although other Colonies have entered into a confederation, there is a strong feeling in this Island in favor of retaining our independent footing, and if we refused to pay the Governor's Salary, the British Government might form an excuse for forcing us into Confederation, so that we would be obliged to do so, but if we agree to

this, I am satisfied that no other force will be brought to bear upon us. I know some persons entertain the idea that it would be better to refuse to pay this Salary, and stand a battle with the British Government, and it is the opinion of some that those who advocate this course, do so to get us into Confederation. I would be very sorry to ascribe any such motive to the hon. Leader of the Opposition, for whatever may be his views in regard to the desirability of this Island joining the Confederation, there is no opinion entertained in this House that he would desire to see that object accomplished except by the declared wishes of the people through their representatives. If we agree to pay this Salary, the next question which will come up will be in reference to the amount. The Salary paid at present is £2250 Island Currency and, I suppose it is expected that we will make provision for the same amount, but in looking at the Dominion I find that the Lieutenant Governors Salaries are fixed at £1,400 Sterling, and considering the position of Halifax and Fredericton, I think we should be doing all that the Home Government could expect of us if we agreed to pay that amount. But if the House desire to fix the sum at £1500 Sterling, the Government are not disposed to cavil about it. I would move the following resolution:—

Whereas, A despatch dated the 15th day of February last, from the Right Honorable Earl Granville, Her Majesty's Principal Secretary of State for the Colonies, addressed to the Administrator of the Government of this Island has been received, by which the Imperial Government calls upon the Legislature of this Island to make provision for the payment of the salary of the Lieutenant Governor, so soon as the present Lieutenant Governor, Mr. Dundas, shall relinquish his office.

Resolved, That this Committee deeply regret that Her Majesty has not seen fit to accede to the views respecting the payment of the Lieutenant Governor's salary, set forth in the Addresses from both branches of this Legislature, adopted in 1865 and 1868, and still adhere to the opinions therein expressed that this Legislature should not have been required to provide for the payment of the said salary, but after due consideration of the present position of the matter under the terms of the said Despatch, are of the opinion that provision should now be made for the payment of the salary of the Lieutenant Governor or other Administrator of the Government of this Island, after the present Lieutenant Governor, Mr. Dundas, shall relinquish his office."

HON. MR. McAULAY.—Is the Despatch of 5th May last, which is referred to in this Despatch of Earl Granville's, before you, Mr. Chairman?

HON. LEADER OF THE GOVERNMENT.—I think it is on File and can be obtained.

HON. LEADER OF THE OPPOSITION.—I think it is very little consequence, Mr. Chairman, whether that Despatch asked for by my hon. colleague, is

before you or not, for I presume there is nothing in it adverse to the joint Address of both branches of the Legislature, urging the continuance of the payment of the Lieutenant Governor's salary from Imperial resources. There is a very grave issue before us now, and possibly what may fall from my lips on this question will be looked upon with doubt as to my sincerity by members on both sides of the House, because they do not agree with me on the subject of Confederation. I sincerely believe that Confederation properly worked, would be for our benefit, but it would be madness to force this Colony into Confederation unless the people were in favor of it, and I must candidly admit that nine-tenths of them are at present opposed to it. I am opposed to paying the Governor's salary, not that I wish to see a screw put on the people of this Colony to force them into Confederation, for leaving that question out altogether, I cannot see the analogy between this Island and the other British Provinces. The great difference is this—in the other Colonies they have vast tracts of wilderness land and mines and other resources to make the people wealthy and enable them to pay their Civil List Bill, and also their Governor's salary; but the whole of the lands of this Island, in an unfortunate day, were granted away to soldiers and sailors—to persons who had claims upon the Imperial Government for services rendered, and I take it that the British Government are morally and (if there is such a thing as a legal binding on a Government) legally bound to continue paying the Lieutenant Governor's salary. It seems rather strange to me that if we were bound to pay the Governor's salary, an exception should be made in our favor by a Reform Government in 1851, and the matter allowed to rest until we received the Despatch from Mr. Cardwell in 1865 calling upon us to pay it. I may say that this was a Confederate screw unfairly put upon us, for 1865 was the year in which the Delegates were in England preparing the Act which was subsequently passed by the Imperial Government to unite the several Provinces, and this demand upon us looked very much like a threat to force us to join the Dominion. A very able memorial was sent to England in 1865 showing the reasons why we should not be called upon to pay this salary, and a very unsatisfactory answer was received stating that the Imperial Government would only pay the salary during the incumbency of Governor Dundas. Last year again, with different men in the Government and the Legislative Council, from those who occupied the same positions in 1865, both branches of the Legislature came to the same conclusions and reiterated the arguments adduced in 1865, and also advanced some new ones, but the only result of the Address sent to England last year is that curt Despatch now before you. I do not believe the Imperial Government would force us into Confederation without the consent of our Legislature, and, therefore, I cannot agree with the hon. Leader of the Government when he says we would be in danger of be-

ing annexed to Canada, if we refused to accede to this demand of the British Government. We have a just right to resist this demand, and if this matter was brought properly before the present Parliament of Great Britain, and if they understood the past history of this question, I do not believe we should be compelled to put a burden of £1400 or £1500 sterling on the Colony, and therefore, I cannot vote that the Government should agree to pay this. I do not wish to forward the cause of Confederation by this means (I am above that), for I do not believe the Imperial Government will ever put us into Confederation because we refuse to accede to an unjust demand; but knowing how the Imperial Government gave away the lands of this Colony, thereby depriving us of those ordinary and natural sources of revenue, I cannot give my assent to the proposition to pay this amount, without appealing once more to the Imperial Authorities. You are aware that that Despatch has come out very soon after the present Government of Great Britain has been formed, and it is very probable that they have paid very little attention to the subject, especially as they have a great question now before them, namely, the disestablishment of the Established Church in Ireland. We must not forget the widow and the unjust judge. Constant appealing, sometimes has a great effect. I may say that, although my vote on this question may be misconstrued, yet, I thank God, I have my own conscience clear in reference to the matter.

Hon. Mr. McAULAY.—I find in Earl Granville's Despatch the following words: "I cannot find in the Address of the Council and Assembly any sufficient reason for exempting Prince Edward Island from the reasonable rule, that every Colony should pay the Salary of its Governor." On reading this, no hon. member who wishes to deal with this question dispassionately, will be satisfied without seeing the Address, to which this laconic answer is given. Either the Imperial Government did wrong in 1851, or, we have not done justice to the subject in our arguments against the payment of the Governor's Salary. If the Imperial Government once promised to pay this amount, are they going to break that promise now, or is there no reason why they should keep their promise. These facts and this statement induce me to wish to see the Despatch to the Colonial Office before I give my opinion on this subject.

As the Despatch referred to by hon. Mr. McAulay was not on the table, on motion of that hon. member, the Speaker took the chair and the chairman reported progress and obtained leave to sit again.

BILL TO AMEND CRIMINAL LAW.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, pursuant to notice on the Order Book, I ask leave to present a Bill to amend the Criminal Law of this Island in relation to persons convicted of attempts to murder whether by stabbing, shooting, poisoning or any way in which

the intention to murder is clearly proved. We had a very glaring case in the Supreme Court this year of an attempt to murder by firing a pistol, and the extreme penalty which the law permitted in this case was imprisonment for two years. In England, the penalty in extreme cases of this kind is death. As the law now stands, in this Island, an assassin might so injure a person as to leave him utterly helpless the remainder of his life, and the heaviest penalty that could be imposed on him would be two years imprisonment, while the man who knocks another down and robs him of four or five shillings can be imprisoned for twenty-one years. This is a great inconsistency, and I think it was an oversight when the present criminal Act was passed. This Bill is to allow the Court to fix the time of imprisonment according to the merits of case, but not to exceed twenty-one years. I move that the Bill be now read a first time.

Hon. LEADER OF THE GOVERNMENT.—I quite agree with the remarks of the hon. Leader of the Opposition. The case to which he referred was as bad and perhaps worse than the one where actual death occurred. It was a case of a man who intended to kill another, and deliberately fired a revolver three times. The only reason why he escaped the penalty of death was because he was a bad shot. I think the law should be amended in reference to such cases. In reference to the attempt on the life of Prince Alfred, in Australia, the offender was punished with death—there is a peculiar protection, however, afforded to the Royal Family. When the House goes into Committee on this Bill, I intend to move another amendment, to give the Court power to detain witnesses in the Island, in case they are required to give evidence.

Hon. Mr. DUNCAN.—I think it would be well to give the Court power to confine a man convicted of an attempt to murder, for life, for it might be unsafe to permit such characters to go at large.

Mr. P. SINCLAIR.—I agree with the remarks of the last Speaker, that it would be well in some cases to confine persons for life. I think this amendment is necessary, for since this case happened last winter, parties will know what the law is in such cases, and there are persons who would run the risk of two years' imprisonment for the sake of having revenge on an enemy.

The Bill was received and read, and ordered to be read a second time to-morrow.

House resumed consideration of the Despatch relative to the Lieut. Governor's Salary.

Hon. LEADER OF THE GOVERNMENT.—The Despatch enquired for by the hon. member for Georgetown (Mr. McAulay), is now before the House, and I think hon. members will find on perusing it, that it is more favorable than the Despatches sent home in 1865 and 1866; for the Legislature in 1865, set forth the grounds why they were dissatisfied to provide for the Salary of

the Private Secretary, and to incur increased expense for Government House, so that the Despatch of that date may be considered unfavorable as a whole; but this one explains why we think we should not be called upon to pay the Salary of the Lieut. Governor, but it shows that we did not hesitate to provide the Salary of the Private Secretary, and all that was necessary to repair Government House; yet notwithstanding all this, Lord Granville says the Home Government cannot see any reason that should induce the Home Government to change their views, but had come to the conclusion that we should at once make provision for the payment of the Salary of the Lieutenant Governor.

Hon. Mr. DUNCAN.—I feel, sir, that the Imperial Government, is not using us well in this matter, yet I do not see that it would be to our advantage to offer any resistance to the demand now made upon us, and although I regard the request as unjust, and unreasonable, yet under the circumstances there is but one way before us, and that is to pay it, for it is better to do so than afford the Home Government any pretext for forcing us into Confederation.

Hon. Mr. HENDERSON.—As the Colonial Minister has not even deigned to point out the reasons which induced the Home Government to make this demand, I see no alternative but to pay it; but he has remarked, or rather hinted, that the Colony would not dare to refuse to do whatever the experienced men composing the British Government may make known through their official organ. But I do not believe the Home Government would so degrade its own character, if properly in possession of all the facts, as to enforce this unjust demand upon us, which certainly would be the case, if, because we are a small Colony, they would force this Act of injustice upon us. I therefore think that if another address was sent to the Home Government, and the matter more fully and plainly set before them it would have the effect of averting from us the payment, annually, of such a large sum. Such, Sir, are my views, and I think the matter sufficiently important to induce us to make another trial before taking such a burden upon our shoulders. I repeat what I already said, that I think the Imperial Government will not do to us such an act of injustice as to withdraw from us an amount which is but a small part of the obligation due to us, as interest justly owing to us on the land which they sold for the payment of what was due to some of their civil and military officers, for their services in days of yore. I am sure if the British people knew all these circumstances thoroughly, there is such a love of fair play among them that the Imperial Government would not have the consent of the nation if it enforced upon us the terms contained in the Despatch received upon this subject; yet I am not prepared to say what alternative I may arrive at in voting upon this question; but I believe even if we were to refuse to pay it, the British Government would in view of what

has taken place in Nova Scotia, consider it impolitic, as well as unjust to force us into Confederation; and therefore I do not see that we should fear sending home another remonstrance on the subject; or that we have cause to apprehend, if we do so, that they would rule us into the Dominion. The compact entered into, with us, by Great Britain, may be compared to that entered into by a father with his son; and in so far as means are concerned, we may be compared to a penniless son; but no father would break an engagement with a son, without showing the son that his grounds of action were right. This the Home Government has not shown to us, and therefore I think they would hardly for so small an act or reason as this, drive us into Confederation against our will. I feel strongly inclined to ask to know the reason why one Imperial Minister entered into a compact in 1851, and which successive Ministers endorsed up to the present time, should now be broken off without deigning to let us know why the stipulations of that year have been changed. In the year 1856, almost a revolution had arisen in this Colony, not out of any disloyalty on the part of the people, but it grew as a natural result out of the unfortunate act of the Home Government in granting the lands of this Island away, and at that time more money had to be spent in building barracks, and paying for troops, to suppress that unfortunate rising, than would yield an interest sufficient to more than pay the amount now demanded of us, besides all the discredit which that act has been the means of bringing upon the country. My feeling is strongly in favor of sending another respectful remonstrance against the demand, with an equally respectful enquiry, praying that we may be informed why the compact of 1851 has been broken off.

Hon. Mr. DUNCAN.—I do not know what the intention on the part of the Home Government may mean, but with the example of Nova Scotia before them, I hardly think the Imperial Government would rudely force us into Confederation against our will. Yet when I see how Nova Scotia has been treated, and the manner in which our memorial of last year has been answered, I confess I have not much faith in the good intentions of the Home Government toward us, and consider it would not be wise in us to give them a pretext for forcing us into Confederation, as they perhaps would, if we refuse to provide for the payment of the Lieutenant Governor's salary. They might say "Oh! they have refused our request, and the Dominion will have to take hold of them." We know that those who have joined the Dominion already had many promises made to them; they were told that economy would be the order of the day after the union, but these promises are fulfilled in a very different way from what was expected.

Hon. Mr. HENDERSON.—It was never implied by me that the Legislature of this Colony should or would sell the rights of the people, as they did in Nova Scotia; and unless the hon. member

thinks that this or some other House, will sell this Colony as the Nova Scotian Legislature sold their Province, I do not think we have any reason to suppose that Great Britain will Legislate us into Confederation.

Mr. PROWSE.—I am disposed to support the resolution before us, and, although we may be agreed on both sides in our view of this matter, yet although the hon. the Leader of the Opposition has expressed a fear that his intentions in the course he feels it his duty to pursue, in this matter, may be misrepresented, and his sincerity doubted, for my part, I can but say that I have every confidence in his sincerity, and believe the hon. member would not for any consideration advocate any movement or procedure which he felt would not be for the benefit of this Colony; but, Sir, when we consider how they have been treated in the Sister province of Nova Scotia, it becomes us to give no pretext for permitting the Mother Country to deprive us of our liberties. There were no people in any part of the British Dominions more celebrated for their loyalty than were the Nova Scotians, but such has been the effect produced upon their minds by their recent treatment, that on the fourth of last July, where one flag was raised in honor of their union with Canada, ten were raised in opposition to it; a fact which clearly shows that the feelings of the great majority of their people are not in harmony with Canada. It rather points to the fact that the treaty they have received from England has sapped their loyalty, and caused them to harmonise with those of the United States. Our duty is to convince the Imperial authorities that we are not slaves, that we are not going to afford any pretext which may give them an opportunity of treating us as such, and therefore, in passing this Resolution, I believe we should do so under protest, and they should be given to understand that the demand, with which we comply, will have a demoralizing influence upon the loyalty of the people of this Island; and simply because we look upon the demand under the settled conviction that it is unjust, unfair and unreasonable.

HON. MR. DAVIES.—The Despatch under consideration from the Colonial Minister peremptorily calls upon us to provide payment for the Salary of the Lieutenant Governor, which I consider a breach of the stipulations entered into with Her Majesty's Government at the advent of Responsible Government as set forward in the Civil List Act. It is there stipulated on the faith of the Legislature of this Island, that for the consideration of the transfer of Her Majesty's rights to the arrears of rent due the Crown from the proprietors, as well as for the transfer of all lands liable to forfeiture, together with other considerations, we in return, agreed to provide stipulated Salaries for all the Officers of the Crown, as well as to provide pensions for the retiring officers of the Government. This we have faithfully fulfilled; but I regret to say, that when this Act was ratified, Her Majesty's Minister took occa-

sion to throw insurmountable difficulties in the way, and thereby obstructing the Government from obtaining those debts, dues and forfeitures, which were solemnly ceded to us for the consideration I have named. Now, I leave it to you, Mr. Chairman, and this hon. Committee to say, if it was honorable on the part of the Colonial Minister, representing Her Majesty, to act thus towards us, a poor, helpless Colony, struggling for our existence, after having been deprived of its land for the benefit of the officers of the Army and Navy, as well as for services performed by others for the Crown? Waiving this transaction, I will now proceed to the question more directly under consideration. I therefore would refer this Committee to the Despatch which accompanied the offer of Responsible Government, which made known to us that Her Majesty did not require any provision for the Salary of the Lieutenant Governor. The Colonial Minister said: provision for such payment would continue to be defrayed from Her Majesty's Treasury. But we are now called upon to defray it, and although the present as well as the past Government have remonstrated against this demand, and put forward sound reasons to prove that it was an aggression upon us, yet we find the Colonial Minister does not even attempt to justify the equity of his request, but rather intimates a threat, if the salary is not provided, that we will be annexed to a hateful Confederation. Under these circumstances, and that of our helpless position, I see no other course to pursue, than to at once comply with the demand, lest the greater evil fall upon us; but as we are not asked to stipulate the amount, perhaps it would be well to pass a Bill providing for the payment of the Salary, and leave the sum in blank to be filled up by the Crown. The salary paid previous to the Administration of Lieutenant Governor Ready, was £1,000 sterling, a year, but after the proprietary party ousted Lieutenant Governor Smith, (at whose instance he was recalled) they felt so jubilant at the victory they obtained over the Lieutenant Governor, who escheated two Townships, and who was preparing to test the Titles to other Townships, and re-enter upon them in the name of the Crown; they considered it their best policy to bribe the Lieutenant Governor to their interest, and therefore voted him £500 a year, (in addition to the sum paid by the Crown) which sum they took out of the pockets of the unfortunate victims whom they decoyed from the Mother Country to settle upon their estates. I mention this circumstance to show how tenacious the Home Government was upon this point. They would not allow the Lieutenant Governor to receive any allowance from the Colony, but in order to maintain his independence, and the honor and integrity of the Crown, they ordered that his salary for the future should be £1,500 a year, and that amount to be made payable at the Imperial Treasury; and now, without attempting to offer any reason for this extraordinary change, we are called upon to provide this amount. Since the other Provinces have become attached to the Confeder-

ation, the salaries of the Lieutenant Governors have been considerably abated, and this is another reason to judge of the prudence of voting the salary—leaving the Home Government to fix the amount. But although the Salaries of the Lieut. Governors have been reduced, the Confederation itself, had not the power to reduce the amount fixed by the Home Government for the Governor-in-Chief. Weighing all these considerations, I would rather support the resolution for the sum named, than run the risk of being legislated into the Dominion. The hon. Leader of the Opposition said, that it was unfair for the Imperial Government to make this demand, as the lands of the Colony had been disposed to officers of the Crown for services performed; because we must remember that this is no reason, but when the Crown granted the Lands away, it was on the condition that they should pay a rent to the Crown, which rent it is especially stated, was to defray payment of the Civil List; and when we took upon ourselves this payment, these rents, and arrears of rent were endorsed to us as an indemnification for the burthen we took upon ourselves; and although the Colonial Minister has from time to time raised objections unfavorable to its recovery, yet notwithstanding, it appears to me, we could have enforced payment under the Act provided for the purpose, or Escheated the Lands to the Colony. We must also remember, it has been in our power to do so, but unfortunately the Constituencies of the Island never have elected representatives, who, entertaining this opinion were able to form a majority to carry it out, since these cessions were handed over to us; but on the contrary the majority abandoned the hope of attaining this object, therefore it would be indiscreet now to urge them. The ruling power may say to us, that it was not their fault that we did not recover those claims. They may say that all the Courts of the Realm were open to us under our Constitution, and that it was to these we should have appealed, and not to the Colonial Minister. I find now that it is too late to take action on account of the time we have allowed to elapse. Gentlemen of the first standing in the community are now taking quite a different view of the sound opinion held by the Escheat Fathers. One gentleman said not long since that although there are difficulties in the way of Escheat which are now deemed impracticable to overcome, still there is nothing to prevent compelling the Proprietors to contribute a fair share towards maintaining the public requirements, and added "now is the time to be at them." I believe if I would oppose this resolution, and that if after doing so, Confederation should follow, as a consequence, my constituents would never forgive me. I shall therefore in common with my hon. colleague, who holds the same view of this subject as I do myself, vote for the Resolution.

Hon. LEADER OF THE OPPOSITION.—The arguments of the hon. member for Belfast come too

late in the day to be of any service, for it is like locking the stable when the horse is stolen. We had at first only about 1,300,000 acres of Townships lands that were in the hands of the proprietors, while at the present moment there is less than eight hundred thousand acres held by them. The time for the hon. member to have carried out his ideas was between the years 1851 and 1858. It is all very well for the hon. member to be reminding us of those matters now, but when he was in the Legislature, when the old Liberal party was in power, he should have put his shoulder to the wheel and aided, or insisted on having his ideas then carried out; but we all know when the Land Purchase Bill was agreed to, that measure admitted in the most solemn manner possible, the right of the Proprietors to the lands they claimed, and in their first purchase under that Act, they admitted the soundness of some of the worst and most worthless Titles in the Island. I refer to parts of the Worrel Estate; and now, when there are only about 400,000 acres which are not held by leaseholders in the Colony, it is too late for any such legislation as that referred to by the hon. member. We know that in 1818 the Quit Rents were reduced from six shillings to two shillings on each hundred acres, which was all that could then be demanded, and when in 1851 the Imperial Revenues in this Colony were made over to our local Government it was not possible that we could be placed in a better position by the Mother Country with respect to these Revenues than the Imperial Government occupied herself. I believe the hon. member for Belfast (Hon. Mr. Davies) entertained the same opinion then, which he does now, and I have no doubt had he succeeded in convincing those with whom he acted at that time that he was right, but he would have moved to have had this cruel wrong redressed, but he did not do so, and hence I conclude that his colleagues in the Legislature at that time, did not view the question in the same light as the hon. member did. I do not agree with the hon. member (Mr. Duncan) that if we were to decline to make provision for the payment now demanded of us, until we asked for further information, that we would be placed in the same position as Nova Scotia. That Province was placed in the Dominion by the joint Act of their Legislature, and while I consider that their Legislature acted wrongly in passing such an important measure, without first submitting it to the people at the polls, which, I think, was their proper course; yet their Act was perfectly constitutional, for the Legislature with the Imperial sanction can as Lord Coke once said, do almost any act but that of turning a man into a woman. When Ireland was deprived of her Parliament, and united to England, it was by an Act of her own Legislature, to obtain which bribery was very freely resorted to and in 1717 Scotland was placed in by the Act of the Legislature of the two countries without any appeal being made to the people; but I do not say that it was right, or that such is now the

proper course for any Legislature to pursue. It would have been more christian-like and proper to have submitted all such important questions to the people; but I am only showing what the British practice has been, and the arguments which were used to show the legality and constitutionality of the Act of the Nova Scotia Legislature, but I do not think that there is now, or ever will be a party in this House which will consent to place this Island into Confederation by a vote of the Legislature without having first submitted the matter to the people. I do not, like some hon. members, think that there is any concealed threat behind that despatch. We have now in England the most liberal Government that was ever in power in that country. Lord Granville himself is such, and there is Mr. Bright, of whom, twenty ago, had any one in Great Britain said he would rise to his present position, he would very likely have been set down as a fit subject for a Lunatic Asylum. Then, again, there is Gladstone, a churchman too, bringing in a Bill for the disestablishment of the National Church in Ireland; yet were I myself there, and had a vote, I would support him in that movement. I think when we consider who the men are that compose the present Administration in Great Britain, just now, we have no reason to anticipate that we will be thrust into the Dominion without our own consent; but to guard against being misrepresented in this matter, and as the hon. member from the westward said, to clear my own skirts, I beg leave to submit the following amendment:—

Resolved, That a joint address of the Legislative Council and House of Assembly, be forwarded to the Imperial Government, setting forth the injustice of this Colony being compelled to pay the Lieutenant Governor's Salary out of its local resources after the injurious Act of King George the Third, in granting away the Township Lands of the Colony to 123 individuals who had pecuniary claims on the Mother Country—and praying the British Government to reconsider their determination as set forth in Lord Granville's Despatch.

Mr. BAZOOKY.—I rise, Sir, to second the amendment of the Learned Leader of the Opposition, although I do not know that I shall vote for it, and in doing so must say, I never thought to see the day when the Hon. member for Belfast (Hon. Mr. Davies) would stand up here and advocate the views to which he has this evening given utterance by yielding the point at issue, as he now has; but I will do the hon. member the credit to say that he has advocated the measure of Escheat with a degree of consistency that does him credit. I think there can be no doubt but that the Home Government is inclined to do an act of injustice to this little colony; but it is well, nevertheless, to bear in mind that they have in England, on a large scale, what we have here on a small one, and that is a purely party Government, and having such important matters now under their consideration, it is not to be supposed

that our case would give them much consideration, yet considering the character of the present party, I think were we to make known our objections in a few words to the point, and ask the reason why this demand is made, we would not render our position any worse by so doing. I do not think we should act a cowardly part in the matter, or that we would be going too far were we to say that in our opinion an act of gross injustice had been perpetrated upon us, when, by this demand, they, without assigning any reason, reverse the agreement entered into in 1851. As was observed by the hon. Leader of the Opposition, this Despatch might have been written by Lord Granville's predecessor in office, and signed by him, without his giving the matter any matured consideration, and, therefore, as we have good and sufficient reasons to show why we should not be called upon to pay this amount, I think we should forward them. I admit that in the few short sentences which make up this Despatch that there is no reason assigned for the demand made; but Lord Granville merely says, the Imperial Government wish to know our determination before Parliament meets, which does look as if something was premeditated, which would seem to point to Confederation; and as I am not in favor of any movement in that direction, I would not support the amendment if I thought that acting upon it would be to our detriment. In Nova Scotia, they stood in quite a different position to what we do. A large body in each branch of the Legislature concurred in passing a resolution and a Bill in favor of Confederation before the Act was consummated in England; and when their delegates and remonstrances went home, much misrepresentation accompanied them. I recollect reading a speech of Sir John Pakington, wherein it was stated that it was not a new matter in Nova Scotia, as it had been discussed and decided upon previous to the last election which had taken place in that Province, and that what had been decided upon in their Parliament was only what had been previously discussed and decided at the polls. So that when all these things are considered, I do not see why we should be deterred from making a third and last application and ask whether our claims for exemption for the payment of this amount is founded upon justice or injustice. Did not the Imperial Government take our soil and dispose of it for her own benefit? Have we not had to re-purchase it to a great extent, from those to whom she sold it? And have we not by our own labor, energy and earnings, transformed it from a wilderness into a smiling garden? And, Sir, I think with the experience of Nova Scotia before them, the Imperial Government will hesitate before they will place us, without our own consent, in the Dominion. If we have the voice of this whole Colony against such a measure, it will not be without its effect, for whatever injustice Great Britain may be chargeable with, it is not the sparseness of the number or the weakness of the voice, that ever deterred her from doing right or avenging

wrong, but it is when in that voice she recognizes the principle of right or the tyranny contained in the principle of wrong. (hear.) When convinced of this, her strong arm is as ready to hear and avert the blow of the oppressor, when dealt upon the few, as readily as when dealt upon the many. How promptly did she arise to relieve the few, who, by a savage warrior of a savage country, were held in bondage. (hear.) When that which is detrimental to right has to be removed, Great Britain, in going forward in duty, knows no caste. If this question was properly brought to the notice of the House of Commons and through them to the great mass of the British people, I do believe there is such a love of justice and fair play with the great body of the people of that country, that they would applaud us for our exertions and tell their representatives in Parliament that we are only asking for our rights, and would insist that we should have them. I do think that in that Despatch a little information might have been given to us, and if I really thought the intention was to take advantage of any objection to thrust us into Confederation, I would prefer paying it rather than selling our birth-right for a mess of pottage. I do not offer these remarks for the purpose of compromising the Government, for I do not for a moment think, if the application was again made, that it would result to our disadvantage, for by the terms of the Act for the Union of the Provinces, we have nothing to dread. (hear.) by hon. Leader of the Opposition. The terms of that Act are such as to render anything of the kind, as we now stand, utterly impossible, because before such could occur the application must come from ourselves. (Hear.) When Responsible Government was ceded to us, and also to the other Provinces, all of them, except this Island had to pay the Salaries of their Lieut. Governors, and the reason of this was because of the lasting injury that was done us in the disposal of our lands, and when the Imperial Government offered to pay the Salary of the Lieutenant Governor the offer came from themselves, as a slight compensation for the wrong done us under the Reign of George the Third. Whether we are doing right or wrong in refusing to go into Confederation, I think it will be admitted that the people of this Colony are themselves the best Judges, and therefore it is better to let them be at all times the parties who shall decide. When we recollect what the Hon. Mr. Howe said when leaving England the last time, that a Bill to prevent people from killing the game that might be destroying their fields would have awakened more interest, and commanded a fuller House, than would a petition of half a million of the people of Nova Scotia, it is not very likely that in the present Session of the Imperial Parliament, an application from us would receive much attention, yet I do not see that a third application would in the least imperil our position; nor do I see how the most radical Parliament and Government that was ever in England could misconstrue our motive or

impeach our sincerity. Thirty or forty years ago, the man who would have dared to advocate the measure now brought in by Gladstone for the levelling down of the Irish Church, would have been treated as though he had uttered treason, and had the Sovereign at that time countenanced such a proceeding, it would have been regarded as a gross violation of the coronation oath. Fidelity is not to be measured by the views of bygone years, nor is he who honestly and fearlessly expresses his sincere opinion upon a public matter, however much he may differ in his opinion from that usually entertained, now regarded as a disloyal man; therefore I have no hesitation in saying that I think that as loyal Colonists we ought not to have been treated so curly in that Despatch.

Hon. LEADER OF THE GOVERNMENT.—The hon. Leader of the Opposition said that probably the present Colonial Minister merely signed this Despatch, and that, perhaps, it had been prepared by his predecessor, but it ought to be remembered that it was the present Colonial Minister, who, when he was before in office, held a seat in the Cabinet, which first made this demand, so that probably he is only now carrying out his own policy.

On motion, Hon. Speaker took the Chair, progress reported, and obtained leave to sit again, when the House adjourned.

TUESDAY, March 30.

Forenoon Session.

Hon. Mr. Henderson, according to a notice previously placed on the Order Book, asked what action, if any, the Government had taken in reference to the opening of a new road from Montague Bridge to Murray River.

The hon. Leader of the Government replied that the Government had considered the matter, and would take the proper steps to secure the opening of the road referred to by hon. Mr. Henderson.

The Bill for the further amendment of the Summerside Bank Act, was read a third time and passed.

On motion of the hon. Leader of the Government, the House resolved itself into a Committee of the whole to consider a further supply to Her Majesty.

Mr. Bell in the Chair.

Hon. Leader of the Government moved a Resolution appropriating the sum of £400 for new roads and rights of way, including road from Montague Bridge to Murray River.

Mr. Prowse.—Mr. Chairman: I have to express my regret that the amount named in the Resolution for new roads is so very small, especially as the new road to be opened between

Montague Bridge and Murray River is included. The latter will cost between five hundred and a thousand pounds, and, therefore, it is a pity that a larger sum were not allowed for it. That road would prove a very great convenience to the people in that section of the country, if it were completed in a satisfactory manner. Last session, there was a report sent in by the surveyor General, which I felt it my duty to oppose, because I did not think the road recommended by him the most suitable one. But if the present application were acceded to, the result would be most satisfactory to that portion of the Island. To purchase the land and to construct a good road would require at least £500.

Hon. Mr. HENDERSON.—I quite agree with the remarks of my hon. colleague in reference to the proposed road between Montague Bridge and Murray River, and also, in reference to the road recommended by the Surveyor General last session. It was estimated that the latter would cost nearly a thousand pounds, and would prove to be but an inferior road after all. The line now before our attention would be more than a mile shorter and would pass through better ground. I regret that a larger sum has not been appropriated towards that road, for without a considerable grant the original design cannot be properly carried into effect. The length of the line of road required, is ten miles, and, therefore a handsome sum is required to open it up properly.

Mr. SPEAKER.—There seems to be a diversity of opinion on the road alluded to by the hon. members for Murray Harbor, but I am glad to hear that a road will be opened which will meet the general approbation of the people. The sum appropriated may not prove sufficient, but it is as much as the Government can at present allow for such a purpose. We must wait with patience for a further grant next session, if the sum granted is found to be too small; but I am pleased to know that the Government are about to open the road.

Hon. LEADER OF THE GOVERNMENT.—It was thought that the sum appropriated would be sufficient to meet all the expenses of that road; but I believe that if the Government knew that it would cost £500 they would not have voted anything towards it this Session, for they are not in a position to move for as large a sum as that at present. I believe the road will be opened up with the sum appropriated and I think the hon. members for Murray Harbor must be misinformed as to the probable cost.

Another resolution containing grants to several Breakwaters was also agreed to.

The Speaker took the Chair, and the Chairman reported that the committee had come to certain resolutions.

Ordered, that the Report of the Committee be received to-morrow.

House adjourned for one hour.

Afternoon Session.

Mr. Reilly presented a petition praying for an Act to amend the law relating to the Alcwives fisheries.

Hon. Mr. HOWLAN.—Mr. Speaker: I may remark that some years ago there was an Inspector appointed to look after this matter and see that the regulations relating to this fishery were observed by all parties; but the law was repealed, and now it is provided that any person who feels aggrieved may apply to a justice of the Peace for redress, but this system is not found to work well, as neighbors do not like to be going to law with each other, and if one man sets his net across a stream he gets all the fish. This is a matter of importance, for the trade has been nearly destroyed, and instead of exporting ten or twelve thousand barrels of this fish annually, our present annual export is scarcely a thousand barrels.

Hon. LEADER OF THE GOVERNMENT.—I see that this Petition asks for a grant of money, and how ever willing this House might be to grant a sum for the purpose specified, there is a recognized rule that such petitions should be sent to the Government, so that it cannot be received now, but if the hon. member wishes to have this subject ventilated, he should give notice that he will some day move the House into Committee to take the subject into consideration.

Mr. McNeill presented a Petition from certain inhabitants of Lots 23 & 24 praying for an Act to amend the Act regulating lawyers' fees.

Hon. LEADER OF THE GOVERNMENT.—Pursuant to notice in the Order Book, I now move that the House go into committee to take into consideration the propriety of placing a certain sum of money at the disposal of the Government to purchase land at a price which they may think advisable, though higher than that provided for under the Land Purchase Bill. Last year, an Act was passed to place £10,000 in the hands of the Government for the same purpose, and they have expended £7000 of it. I believe the estates so purchased will give as much or even greater satisfaction than some of those purchased under the Land Purchase Bill. The Government now have offers from the proprietors of two townships, and they now come down and ask the House to give them twenty-five or thirty thousand pounds, so that they may be enabled to purchase these or any other townships that may be offered at a reasonable rate.

House in Committee.

Mr. Kelly in the Chair.

Hon. LEADER OF THE GOVERNMENT.—The resolution I would now move is to grant £30,000, to be placed at the disposal of the Government, to purchase land. I think it is the opinion of all hon. members of this House that, as we have begun to buy up land, it is necessary that we should go on

dealing so, if we expend the money judiciously, and I believe the result of last year's purchases will prove that there has been no injudicious expenditure. Although there has been some difference of opinion in regard to the purchase of Mr. Hodgson's Estate on Lot 22, I believe it will be self-sustaining. The Government, before they purchase any Estate, will take good care to ascertain that the tenants on the Estate will be willing to pay a sufficient sum to make the Estate self-sustaining, so that it will be no expense to the country.

Mr. F. Sinclair.—Mr. Chairman, I have much pleasure in endorsing the resolution proposed by the Hon. Leader of the Government. I consider that the money spent last year in purchasing land has been very judiciously expended. I believe the Estate purchased from the Hon. J. C. Pope on Lot 22 will be self-sustaining as the General Estate although purchased at a higher price for the General Estate, and a great deal of wilderness land left. If the Government will act as judiciously as they have done, I shall not regret paying them this amount.

Mr. Howland.—Mr. Chairman, I feel much obliged to the Resolution of the Hon. Leader of the Government, which should be limited to the purchase of buying land. There may be tenants who would be advisable to purchase, but will not be sold at the price fixed in the Land Purchase Bill. I hope the Government will place the Government in such a position that if the last Estate is offered to them they may enter into an agreement to purchase it.

Mr. D. D. D.—Mr. Chairman, I wish to offer a few remarks in relation to the policy which is now being adopted. I certainly thought that before so much power was given to the hands of the Government, some Bill should be brought in to act as a check on proprietors, to prevent them from demanding such a high price for their land. The price of land is rising continually, and proprietors think they can get any price they ask for their estates. Although I voted for the Bill last year to place money in the hands of the Government, I did so to show that we were sincere in making offers to the absentee proprietors; but some of the proprietors asked an exorbitant price for their land, and others would not sell at all. Now, when all our attempts to settle this question led to the ground in consequence of the absence of the proprietors having no disposition to sell, I think it would be well to bring in a Bill to pay a certain amount of credit on them. If the British Government would agree to it, or a Bill to place a guard over the tenants so that they may not be so much at the mercy of the proprietors as at present. We know that tenants who have short leases are very much at the mercy of the proprietors, and there are many such leases in this County. In the district which I represent, there are tenants with short leases, and when the

leases expire, what will be the consequences? Probably the proprietor will ask twice or three times as much rent as he formerly received. In your district, Mr. Chairman, at Fort Augustus, many of the tenantry took land when it was in a wilderness state, and they have enhanced the value of that land five hundred per cent., not by any assistance from the proprietor, but entirely by their own labor. Now their leases are nearly expired, and I think there should be some Bill like that brought in by the Liberal Government some years ago, to give those men some compensation for their improvements, if they have to leave their farms. I have been informed by a person who is reliable authority, that the terms on which the proprietor will give those men new leases are that they shall pay £100 cash and £20 a year rent for one hundred acres. Now, Sir, proprietors have never substantiated in any Court, that they were the owners of the land. They never complied with the conditions of their grants, and therefore have no right to the land, but only a claim on it. I believe the principles of the Bill which was passed in this House to give compensation to the tenants, but which was rejected by the British Government, were sound, and I believe we should bring in a Bill of that nature now if we thought the British Government would sanction it. But it would be useless for us to pass such a Bill, as the aristocratic feeling predominates, so much in the Imperial Parliament, that the laboring classes have no chance to get any remuneration for their improvements. In the old country, the system is better than it is here, for there the landlord puts the farm in a good state of cultivation, and if the tenant leaves anything of value on the farm which was not there when he took it, he gets compensation for it. Something of the kind is desired called for here, but when we see that every attempt of our Government to do anything of the kind is thwarted, we can not blame them for doing the next best thing, and I do not see that they can do anything better than buy up the lands. I have every confidence in the Government that they will not give any more for an estate than the tenantry are able to pay, and if there is any estate where the tenants desire the Government to buy the land, they should send in a petition to that effect. Buying the land is the only method the Government can adopt, and if I voted against a Bill giving them money to do so, it would be obstructing a measure that is for the benefit of the tenantry. The Escheat Party could not carry their principles, and gave way to the Land Purchase Bill, and now when the trade of the country has advanced, the value of land has increased, and I am willing that the Government should pay a higher price for land than that allowed under the Land Purchase Bill. Some estates might be prepared at twelve or thirteen shillings an acre that it would be advisable to purchase. But there is a good deal of radicalism in the Imperial Government at present—not radicalism in the sense in which it is usually understood here, but the

principle that a Government is bound to mete out justice to all parties. One hon. member, Mr. Trevelyan, who is a descendant of one of the noblest families in England, after his return, made the following statement: "We want men who are soaked through and through with public spirit, men who are born radicals in the best sense of the word, men who have the same ingrained desire to have the public business done well and cheaply, that a manufacturer has to get the best laborer at the lowest rate." These are the views of one of the most aristocratic members of the British Parliament, and I hope that such gentlemen will do something that will warrant us in bringing in a Bill which will pass this House and receive the sanction of the British Government, to give a tenant compensation for his labor when he leaves his farm. Can any person say it is right that a tenant who owes £100 rent, should be obliged to leave his farm to the proprietor, when his improvements are worth £200, without getting any compensation?

Hon. COLONIAL SECRETARY.—Mr. Chairman, when I introduced the Land Purchase Bill, I fixed the price at seven shillings and sixpence an acre, and I am still of opinion that the price must be kept down. Although we have paid higher prices for land, yet I think the Government will lose by it in the end. But if the hon. member (Mr. Davies) is willing to give thirteen shillings an acre, I do not think he will have any need of a Tenants' Compensation Act; for we will soon get all the Estates of the proprietors. It was said that the Government lost by purchasing the first Estate that was obtained under the Land Purchase Bill, but it was breaking the ground, and on that account the Government were justified in getting it.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council stating that they had passed the Bill to incorporate the Trustees of the Baptist Church at Summerside, and also the Bill to incorporate the Trustees of the Wesleyan School in Charlotte-town with certain amendments to which they desired the concurrence of the House.

On motion of the hon. Leader of the Opposition, the amendments to the Bill to incorporate the Trustees of the Wesleyan School were read and agreed to. The House again in Committee.

Hon. Mr. DAVIES.—I wish to give an explanation of the statement to which the hon. Colonial Secretary referred. I did not mean that the Government should give thirteen shillings an acre for wilderness land, but for Estates that might be occupied by tenants who would be willing to pay a high price for their farms.

Hon. COLONIAL SECRETARY.—The explanation will correct the evil which I considered the hon.

member's statement was likely to create, namely, leading the proprietors to think that the Government would be willing to give thirteen shillings an acre for their land. I know there is a great deal of land in this Island which is not worth more than seven shillings and sixpence per acre, and I know how advantage is often taken of a word spoken in the House of Assembly, so I wished the hon. member to correct himself. There would be no use in passing a Tenants' Compensation Act, as we know the British Government would not sanction it, for they would not agree to let us pass a Bill to compel the proprietors to sell. I have always been in favor of the best measures that could be obtained, and I have never been afraid to resort to extreme measures, when practicable. We took an extreme measure, namely, stopping the supplies, to get Responsible Government, and I think all will acknowledge that with it the country has prospered to a very great extent under both political parties. Under the old system, members were not so free to act according to the wishes of the people; they were more under the control of the Home Government. It is no use to carry out any measure for the benefit of the people unless the British Government will sanction them. We had the Escheat Question agitated for a great many years, but it was refused, and the next best measure was the Land Purchase Bill, under which a great deal of land has been purchased. The number of proprietors is growing small and beautifully less, and there are some now offering their Estates to the Government, who, a few years ago, I thought, would never sell. The Hon. Mr. Pope has sold his Estate and the Hon. Leader of the Opposition, and the Messrs. Palmer have offered their Estates. There are some of your constituents, Mr. Chairman, and mine, who are not likely to get much benefit from this money granted to the Government, and there is nothing gives me greater anxiety than to endeavour to devise some method of relieving those tenants (to whom the hon. member from Belfast has also alluded). If we can buy cultivated land at eight or ten shillings an acre, and get the rest under the provisions of the Land Purchase Bill, we will buy all the Proprietors land, and say good bye to them. I hope the question will be speedily settled, so that future Governments may not be troubled with it.

Hon. Mr. DAVIES.—The action of the present Government will show a sincerity in settling this question which cannot be traced out in their predecessors, for when they asked the Absentee Proprietors to agree to have it settled by arbitration, members of the Government who were proprietors refused to subscribe to the same agreement. But now, when offers have been made to absentees Proprietors as high as what resident Proprietors are agreeing to take, it will show them that it was the full value of their land, and I have no doubt that sooner or later they will accept these terms.

Hon. LEADER OF THE GOVERNMENT.—I was very much pleased, Mr. Chairman, to hear the speech of the hon. Colonial Secretary, and I must say that I believe a better one has not been delivered in this House this session. With respect to granting the sum of £30,000 to the Government, and giving them liberty to pay a higher price than seven shillings and six pence an acre, it is not on that account to be supposed that a high price will be given for every estate they may purchase, for last year an estate was offered to them at four shillings and three pence per acre. Several measures have been brought forward to settle this question, but they have failed, and we must only do the best we can. The measure adopted by the hon. Mr. Collet to get Responsible Government, viz., to stop the supplies, was a very vigorous one, but such a procedure would have no effect in the present day, it would be only stopping our own supplies. But I am glad to see that we are meeting upon the same ground, and all parties are joining together to settle this Land Question. Reference has been made to the Land Commission, but although it failed, I always gave the originators of that measure credit for sincerity.

Hon. LEADER OF THE OPPOSITION.—I may say, as it seems to be the order of the day to make complimentary speeches, that I have had much pleasure in listening to the speech of a gentleman to whom I have been politically opposed for many years—the hon. Colonial Secretary. His speech contained a great deal of good advice to members on both sides of the House, who are inclined to take extreme views, and as that hon. member has had so much experience in political affairs, his opinions must have great weight. I was also much pleased with the speech of the hon. member from Belfast (Mr. Davies). He seems (to use a common expression) to have come down a good many pegs, since last Saturday, for then nothing would do him but a coercive Bill, and he merely postponed it until next session to see what action the Imperial Parliament would take in reference to the Irish Land Question. But now he is like the little boy who has quarreled with his bread and butter—he quarreled with his political bread and butter, but now he has got his tears wiped away, and he is quite a pleasant-looking little boy, and I should not be surprised, if, before long, the seat in the Executive Council, which has been kept vacant since his resignation, would be offered to him and accepted by him. I do not wonder at the Colonial Secretary being surprised at him offering to give thirteen shillings an acre for land which he has so often said the proprietors had no right to. I am fully convinced that it would be folly to attempt to pass a Tenants' Compensation Bill, no matter how advantageous it might be to the people of this Colony, when we know it would not receive the Royal assent, and if we go on in the way we have been, there will soon be no tenants to compensate. I read a letter from England, this morning, and from what is contained in it, I believe there is now on its way across the Atlantic, a Despatch to inform us that

a Government, with even John Bright in it, has put its veto on coercive measures. This has long enough been made a political stalking horse for both parties, but it is better for them to bury the hatchet, and endeavor to bring the matter to a conclusion.

Hon. Mr. DAVIES.—I am not prepared to lay down the political hatchet yet. The Land Purchase Bill will only do for reasonable proprietors, but there are unreasonable ones. The man who asks \$100 cash and £20 a year, will require more than this House will be willing to give him. A Tenants' Compensation Bill is not a coercive measure, it is only a just measure.

Hon. Mr. LAIRD.—I am glad that the resolution before the House has brought out the views of some of our most experienced politicians on this question, and I believe that, had both political parties been some years ago as unanimous in their opinions on the subject, the question would have been settled long before our day. But I hope it will be settled ere long, and I think there should now be a rivalry among the proprietors to see who would be the first to sell to the Government. In regard to compulsory measures, I think the Government have no reason to reflect upon themselves, because they asked leave to pass one—for older countries took that method—the Land Question in Canada was settled in that way. I believe that if the proprietors would sell to the Government, it would be a more satisfactory method of settling the question than by a compulsory measure, and would not cause any ill feelings. The hon. Colonial Secretary has alluded to some who have no prospect of becoming freeholders, and I think it would be well if some measure could be devised to coerce those proprietors who still hold out in opposition to the moral sentiments of the community. I should be sorry to give up the idea totally of bringing in some measure which would relieve every tenant from landlord oppression.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council stating that they had passed a Bill, to be entitled, "An Act to revise and amend the Act relating to the Charlottetown Mutual Fire Insurance Company," to which, they desired the concurrence of the House.

The Bill was read a first time, and ordered to be read a second time to-morrow.

House again in Committee.

Resolution to grant £30,000 to the Government agreed to.

The Speaker took the Chair, and the Chairman reported the resolution agreed to.

Hons. Leader of the Government, Laird, and Calbeck were appointed a Committee to bring in a Bill in accordance with the foregoing resolution.

Hon. ATTORNEY GENERAL.—Mr. Chairman, with respect to this matter, I can only state that I would be one of the last who would succeed, if I thought we could succeed in pressing the matter further, as indicated by the hon. Leader of the Opposition. But I believe that the people and Legislature of this Island have some wisdom, and that all see that it is far better to submit, and meet the difficulty by manfully shouldering the burden of the Despatch, which respects to the subject matter of the Despatch, I may say that this is now the third time when it was brought to the notice of this Colony. There was one from Lord Granville in 1857, in which a demand was made that the Salary should be provided by us; that despatch said that the Imperial Government could not agree to pay the Salary of the Lieutenant-Governor after the terms of the present Lieutenant-Governor would end. That demand was met by a remonstrance from the Government in which all the strongest reasons which could be used were set forth in language as strong and forcible as it was possible they could be put, and in justice to whoever drew up that document, I must remark that every objection which could be brought to bear upon the subject was well and ably brought forward again in 1857, the matter was sent out by the Minister of the day, the Duke of Buckingham and Chandos, who formed one of a ministry in which sat Gladstone, and others of the most liberal men in England, and this same Minister who sent it out to us in 1857, is now in office again, but my experience of public men is, that men who are great radicals when out of office, and who indulge in strong opinions when they get into office, these radical ideas seem to leave them, and even now I think John Bright has already shown a good many signs that he is cooling down. Even Mr. Travelezen, after going down to his constituents, and to some extent at least, abusing the Duke of Cambridge, who is at the head of the horse guards, was called to account for such improprieties, and he had to apologize to the Commander of the Force. This shows that when they get into office, a great deal is put upon them; for office brings not only duties, but also grave responsibilities, which have to be attended to and properly recognized. We have the Despatch sent out by the Duke of Buckingham and Chandos, to which the Government replied, pressing, in strong terms, and reiterating statements formerly made, showing that although it was not a legal contract, yet it was held out as an inducement in 1857, and insisting in various ways that the Home Government did not then hint that we would ever be called upon to pay the Governor's Salary. The Conservative Government sent home a protest to the first Despatch; last year the Government did the same, and now we have the same demand from the men who sat in the Cabinet from which its first issue, and in terms too, which show that they have made up their mind that we shall pay it. I admire the ingenuity of the hon. member, the Learned Leader of the Opposition, that probably this Despatch

was prepared by Lord Granville's predecessor, and that he merely put his name to it; well, if the hon. member will get Lord Granville to acknowledge that such is the case, then I will give him credit for a good deal of discernment. But I think it was only the pride of that man which prevented him from readily admitting that our demand was founded in justice. Will the hon. Leader of the Opposition admit that if a change of Government took place and he came to occupy the position I do now and that as Atty. General, if he was called upon to give an opinion upon a matter here which mine had been previously asked and assuming that I left my opinion in writing, would he take it up and adopt it as his own? I am sure the hon. member would not. Such an argument is too open. It will hardly hold water. In my heart and mind I feel certain it would but be a waste of time to send home again to ask for any further information on the subject, as I am convinced that this is the irrevocable decision of the Home Government, and I for one am not prepared to go on my knees to ask to have that decision reversed; I am persuaded there is too much independence in the breasts of the people of this Island to demean themselves by going again through us to the Colonial Office, to beg them to rescind this decision. It is all very well to say they would not put us into Confederation, but the case of Nova Scotia is not a very consoling one for us to contemplate. I was present in Nova Scotia when the House, which proposed the measure, was elected and there was nothing said about Confederation when that election took place, and I do think that Legislature was greatly to blame for the manner in which they legislated that Province into the Union; yet what did we see in England? Mr. Watkins rising and sitting in the House of Commons, that the question had been submitted to the polls, and although Petitions were sent home, numerous signed, stating to the contrary, and merely asking that the question might be brought before the people, yet their request was disregarded, and treated as if it was false. The statement of Mr. Watkins was relied on, whilst that of the petitioners was set aside. But when the question was brought to the polls in that Province, how strong and marked was the feeling against it, we all know; and although they afterwards sent home delegates who succeeded in interesting some of the leading men of England in their favor, yet they did not succeed in having their position altered. There can be no doubt but that if the British Government found us refractory to Confederation, as to the Irish Church Question, I do not know what we have anything to do with that; but I believe it will be our wisdom to pay this salary, and I would be glad if we were all of one mind on the subject. The people will no doubt, feel that it is a hardship, but I know they are all too high-spirited to refuse paying it.

Mr. McNair.—This is an important document, and being such, I will make a few remarks upon

it. It is a demand that we provide for the payment of the salary of the Lieutenant Governor of this Island, and as it appears to me to be a breach of a solemn compact entered into when we obtained responsible Government, I consider that a strong expression of opinion is called for, when we have this matter under our consideration. When we succeeded in obtaining Responsible Government, we had to pay our Civil List and provide pensions for such men as were here who had received their appointments to office from the Imperial Government; and the Secretary of State said then, that he saw no reason why the Home Government should not pay the salary of the Lieutenant Governor. But, Sir, we find now that we are asked to provide for the payment of Lieut. Governor Dundas' successor, and no reason is assigned why we should do so. The first time this demand was made was in 1865, when a strong remonstrance was sent home, in which the whole question was reviewed, and which showed that in 1782, the proprietors, not the people, sent a petition to George the Third, for a separate Government for this Island, and promised to pay the salary of the Lieutenant Governor, they did so, for fear their Estates might be confiscated, as they saw that a Court of Escheat was established in Nova Scotia, which would have applied to their estates here, as we then belonged to that Province. The Home Government agreed to let them have a Lieutenant Governor for this Island, stipulating that his salary should be paid out of the Quit Rents of this Colony. This the proprietors never did, but from that time up to 1851, the people of England paid the whole of our Civil List, including the Lieut. Governor's salary, which, up to the present time, is still paid by the Home Government. The hon. Leader of the Government has proposed that we meet this demand, and has given strong reasons why we should do so, the principal one of which is, what the probability is if we do not do so: we will be forced into Confederation with Canada. This, at the first view, would seem rather improbable; but when we calmly look upon all that has transpired in the other Colonies, we do not know what might take place. We see how Nova Scotia has been taken in, and it is by no means improbable but that something of the kind may be working against us in this way even now; nor do we know how soon or where it may break out, even among ourselves. The authorities at Home have not even attempted to combat our arguments, but simply enquire if we intend to pay it; and, notwithstanding it may be, and no doubt is, a great hardship, yet, I think it will be better to do so, unjust as the demand is, than to refuse, as our refusal might be made use of as an argument to force us into union with a country from which we can receive no benefit. They would, no doubt, provide in Canada for the payment of the Salary of our Lieut. Governor but the payment would be made with our own money. It does seem very singular that this demand is made so peremptorily, and that in doing so, no attempt is made to justify the request. But when

we recollect that in 1865, the matter was pressed upon us, that it was when negotiations were pending for the Confederation of the Provinces under one Government, we are led to enquire was our Lieut. Governor then using his influence against us in favor of Canada? This we may not be able to ascertain, but it does seem that when this was asked of us, the intention was to allow him to remain here long enough to get us into Confederation; and whether he was or was not using every means in his power to accomplish this or not, I cannot say, but viewing the whole matter as it comes now before us, it does look like it. This demand, Mr. Chairman, comes upon us in a very trying time. We have been endeavoring, and are still endeavoring to rid ourselves from one of the greatest curses which was ever perpetrated upon any people, and in doing so, it has unavoidably embarrassed the Colony, and this will increase until we rid ourselves from this terrible incubus which the Mother Country imposed upon this Colony. Our outlay for the purchase of the Proprietors' lands, thus far, has been £126,000, for which the Colony is now paying £7000 a year interest; besides this, we are paying in the shape of rent about £7,000 more a year, making altogether £14,000, which is annually taken out of this Colony for and on account of the claims public Servants had on the British Government; equal every year to seven times the Governor's Salary. I never had any other wish, but to live and die under the old and honoured Flag of England, but this, Sir, is enough to undermine the last spark of loyalty in this truly loyal Colony. I believe the hon. Leader of the Government is right when he concludes that the Minister who now sends out this despatch is the one who did the same in 1865, and there can be no doubt but that on this point the authorities in Downing Street have made up their mind. Great Britain in her treatment of Ireland inflicted grievous wrongs which she is only now arising to wipe out. She has also treated this Colony unjustly, without showing any disposition to reverse her treatment, but rather in this instance to increase the amount of the unjust burthen she placed upon this Island. That country has done much for the extension of christianity and civilization in the world, but when I reflect upon how she treated Ireland, Nova Scotia and this Island, I feel that it is no use to be presenting so much loyalty in our addresses to the Throne as we have hitherto been, in the habit of doing, for our children, when they think of the heavy debt which we have been forced to entail upon them, may hereafter, in reading those Addresses, think we were but fawning sycophants. I believe our Lieut. Governors have always been in unison with the Proprietors, and that that the Proprietors have always had the appointment of those of them who came to this Island, and hence any remonstrances sent by the people of this Colony, through such channels, have been counteracted by statements forwarded to thwart the intentions of this Colony, just as Lieut. Governor Dundas has done in the matter of our late effort for the

renewal of Reciprocity. He had not as much respect for the wishes of our people as to say it was the well-understood desire of this Colony, that we should obtain Reciprocity on the terms proposed; but he could take care to say how careful he was to warn us not to expect benefits which would not be extended to the Dominion. This looks to me as if the intention was to cramp us up, so that the Canadians might levy a tax upon us so heavy that to save ourselves we would be forced to unite with them. Lieut. Governor Dundas, when sending home the Despatch on Reciprocity, might have stated what the feeling of the Colony was on the subject. He might have taken an extract even from the "Patriot" or some other of our local papers and forwarded it home; he was no way backward in doing so in 1864, when transmitting a despatch on Confederation, for we find he transmitted as an enclosure quite a lengthy extract from the *Islander*, which concludes thus:—"Prince Edward Island may not accept the offer of Confederation with her great and flourishing neighbors; the refusal to do so will injure Prince Edward Island alone, and will not at all affect the grand question. We have done our duty. We have urged Confederation—the people have declared against it; and, by-and-by when, in Prince Edward Island, the desire for Confederation shall be as loudly expressed, as to-day is expressed the desire to avoid it,—and that hour, we predict will come,—we shall have our reward." This shows that he did his best to show that Confederation would be a benefit to this Island; and why could he not have done the same to shew that our people were unanimously in favor of a Treaty of reciprocal Trade with the United States, and the advantage it would be to this Island? I think the mission of George Dundas, Esq., to the Colonial Office this winter has been most disastrous to the people of this Colony. Only fancy what an influence a man would have there who has spent so many years here, when used, as I believe it has been, against us. It is no wonder that our Address on Reciprocity met with so little success. If ever the history of this Island is written, it will be a Novel indeed. We have been for nearly one hundred years contending for our rights and the amelioration of our condition, and in doing so have not had a prominent man in one party of politics in this Island, but who had in some way an interest in the Proprietors who owned estates on this Island; and hence those proprietors succeeded in returning men to this House, who, by their exertions, were calculated to conserve and subserve their interests, however much their doing so might retard the prosperity of this Island; but to no source can we attribute our failures with more certainty than to the channels of communication through which our wishes had to be conveyed to the authorities at home; and from the first to the present time, with one or two exceptions, this has been getting worse and worse. The hon. Leader of the Opposition thinks that we should send Home another remonstrance, but, Sir, were we to do so, it would have no effect. It is

better to provide the salary, but I think we should do so under protest, to let the Home authorities know that we do so, because we cannot help ourselves, and also, that those who may come after us may know the reason why this legacy has been entailed upon them. I believe if we refuse to pay this Salary, an influence will be brought to bear against us which we will have no power to avert. What do we hear some now boasting of? Why, that they have but to touch the wires to obtain means to carry their elections by fraud and bribery! and even now something similar may be cropping out, and that too where we least expect it. Whatever may be the opinion of hon. members on this subject, mine is that a more grievous wrong has been perpetrated upon us than upon the people of any other country in the world. After paying so much money to free ourselves from the grasp of those unto whom Great Britain granted our soil, we are now called upon to pay the Salary of the Lieut. Governor, while at the same time we are not allowed to have Free Trade, where we could dispose of our surplus produce to advantage without the least injury to our neighbors in the other Provinces. I hope, however, that our people will always be able to return men to represent them here, who will be proof against corruption, and independent enough to defend our rights and guard our interests with unflinching integrity.

Mr. BRECKEN.—I do not agree with the hon. member that a protest should accompany our compliance with this demand. If we do so our compliance, or our protest, would not be received. If we agree to pay this Salary, we must do so without attaching any protest or conditions thereto whatever. When in 1851 the Legislature of this Colony agreed to pay the Civil List, the Home Government would not have received that Bill, if we had attached any conditions to it; and it will be precisely the same in this case. It must be done in an irrevocable act, and not in our speeches. We shall have to pay it independently and absolutely. The hon. member for Cavendish was not very lively when delivering his address. I do not know that he felt quite right when doing so. It struck me, however, as rather odd to hear a supporter of the Government speaking so discourteously about the Lieut. Governor, nor can I but think it would have been much better taste in the hon. member to have done so when that gentleman was on the Island, than to do so now when he is off it; for although Mr. Dundas is now in Britain, yet he is still the head of the Executive of which the hon. member is a supporter. I am not disappointed in the answer we received on the Reciprocity question. When the Congressional Committee came here, I was anxious to see everything done that we could possibly do, to pave the way for obtaining Free Trade; but all knew, and so did the Congressional Committee, that we could only give and receive information on the subject, and exchange our views on such terms as we might consider

would be beneficial and mutually acceptable. That Committee did not come here for any other purpose, and they knew that the power of entering into Treaties lies with the Senate, and not in the Congress of the United States. Whether His Honor the Lieut. Governor, might, or might not, have sent home some editorials from our Island papers to shew what the feeling of our people was, is not for me to say. It is, however, at least, certain that the Home Government are now very well aware of the feelings and wishes of all classes in this Island on that question. I have no desire to throw the slightest difficulty in the way of the Government in this matter, but I do not see that a third memorial could injure us. We did so in 1865 and 1867, and I really do not see how it is going to imperil our position, if we do so again. Our position and that of Nova Scotia is not analogous. The most potent argument which was wielded in England against Nova Scotia was, that their own Representatives, by an act of Legislation, placed that Province in the Dominion, and to show that the Act was constitutional, they referred to the Acts which placed Ireland and Scotland in the union which connected them with England as precedents to shew that any Act thus done by the Representatives, or Legislature of any country, must be regarded as done by the people and be constitutionally binding. And, Sir, we have in the passing of the Septennial Act in Great Britain in 1716, a much higher exercise of Legislative authority than any Legislative Act that was ever passed for the uniting of one country with another. Previous to the passing of that Act, the Parliament of England was elected for three years, and three years only, but by this Act the time was extended from three to seven years; and without going back to the people themselves for re-election, they who passed the Act sat out the extra time, and passed laws, although they were for four years but a self-constituted body, and it is owing to this very law that members now in the Imperial Parliament retain their seats for seven years. Such as these, Sir, were the arguments used against Nova Scotia, to show that she had been constitutionally placed into the Union;—just as much so, as if every man in that province had held up his hand for Confederation. But Sir, not one of these arguments can be used against us; but if there is any good ground of which the learned and hon. Leader of the Government is aware for believing that an immediate refusal would in any way imperil our position, and he will inform us of it, I will support the Resolution. I am, however, not of the opinion that we have anything to apprehend in that direction, if we should ask for fuller information before we agree to meet the demand now made. Neither do I think that any remonstrance we could now make would have any effect in altering the decision of the Colonial Office, but if the matter could be fairly brought to the notice of the House of Commons, I do not know but it would be much to our advantage, for even though they might in the end en-

dorse the opinion of the Colonial Minister, an independent member could compel him to give information on the subject which he has not deigned to give us. It could be shown in the House of Commons that the soil of this Island was granted away to pay debts due from the British Exchequer to some of the Aristocracy of Britain, and there is no doubt but that when those men received their grants, they thought this country was teeming with natural wealth, that heaps of gold instead of piles of snow, were to be met with in many parts of their Estates. The hon. Leader of the Government spoke of going cap in hand to the Imperial Government, and protested against our thus further demeaning ourselves in this matter. I do not view the matter in that light, for going and demanding a previously conceded right and resolutely protesting against the perpetration of a wrong upon us, cannot be regarded in any other light than that which becomes a spirited people; but that it is worth our while to do so, is what I am not so satisfied about.

Dr. JENKINS.—The demand now made upon us for the payment of an annual sum, is one that should in all time coming be paid out of the British Exchequer, and to ask us to pay it, implies a breach of honor and good faith on the part of Great Britain with us, which it is our duty to protest against. Great Britain is in honor bound to pay the salary of our Lieut. Governor, and I for one shall resist the demand now made to the last, even though in doing so I shall stand alone. I do not see why this Colony, though a small one, should be dealt with in an unjust and tyrannical manner. If in this case the demand was made for £25 instead of £1,500, it would in principle be equally wrong and unjust. It is said this demand is made with a view to force us into Confederation, and I believe there is a certain amount of truth in this statement; but if the Imperial Government are determined to act thus coercively towards us, you may rely upon it that some other means will be resorted to; and, therefore, honorable members need not lay the flattering unction to their souls, that by meeting this demand it will keep off Confederation. If the Home Government is bound to force it upon us, they will find other means of doing so. Although I am in favor of Confederation, I would never consent that we should be placed in as Nova Scotia was. The manner in which that Province was placed into the union has had such an effect upon the people of one of the most loyal Provinces in the British Dominions, that they are now ready for almost any thing; and in New Brunswick there is a spirit of discontent smouldering, that could be easily fanned into a flame, so that if any act of injustice was attempted to be thrust upon us, we may depend upon it that all those provinces would resist our being improperly imposed upon. If we are going to have Confederation we may rely upon it that this only a feeler and if we quietly acquiesce in this demand, they will say that we are a spiritless set, and therefore, that they can do anything

they like with us. This is the first kick and it will depend upon how we receive this that they will prepare to give the second. Although we are a small Colony, yet, I think, we have a moral force which we can use to our advantage; and therefore, we should protest against this unjust demand, and not quietly submit to a wrong in a manner entirely unworthy of our Anglo-Saxon descent. As to paying it first and protesting afterwards, would be simply a gross absurdity. There is no analogy whatever between the way in which Nova Scotia was placed in the union, and the passing of the Septennial Act. That Act was a greater abuse of power than any Legislative Act that was ever perpetrated. Why, if they had power to pass an act to extend the time for which they were elected, from three to seven years, they might, in the same way, have made it for life or as much longer as they thought proper. I believe the politicians of Nova Scotia made a great mistake when they passed the Bill without first submitting it to the people, and I hope that such will never occur here. In regard to Reciprocity, I believe there is not a person in this Colony who is not in favor of the measure, and in this matter I consider we have been unfairly snubbed. It appears it does not suit the Home Government to look upon the matter in any but one light; but I believe in a very few years Great Britain will get tired of their Colonies and cast them off altogether. Now, I think it is better for us to get sick of the connection first. From year to year I am becoming more and more convinced that the authorities at home are entirely ignorant of our wishes, interests, and resources; and that they care nothing for us; but I would be sorry to advocate Annexation. I do not like the system of Government in the United States as well as our own, and therefore prefer remaining as we are, and believe if we could obtain independence, by merely admitting the authority of the Crown and Reciprocity in Trade with the United States, we would be in a far better position than if we were politically united to that country. The hon. member for Cavendish expressed a hope that we shall always return men who will be bold enough to oppose Confederation. If so, they must be different from those who are here now, if they are to be so easily frightened, and cowed into submission. Yielding on this point will not settle the question. My opinion is, that it is far better to resist tyranny, when it first presents itself than to do so after it has been established.

Hon. Mr. DAVIES—I was unable, Mr. Chairman, clearly to understand the drift of the opinion of the Hon. member for Charlottetown on the question before us. He has taken a wide range, from right to left, or I should rather say, from right to wrong. Yesterday, after viewing the question in its various phases, he concluded in the opinion that the request of the Imperial Government ought to be complied with.

Mr. BASCZEN: No. The hon. member for Belfast misrepresents me in that statement.

Hon. Mr. DAVIES: I certainly understood the hon. member so. The words he used were, "that the demand should be accepted." I took them down, and find them so on my notes; but I have no doubt the hon. member forgets that he said so, and having exhibited so many fluctuations of opinion on this important matter, does not recollect that he concurred in the opinion I have now put forward. There is no doubt but he is of a contrary opinion to-day, although nothing has occurred to justify such an extraordinary change of tactics. Perhaps it is a ruse to make it appear that the question is an open one, in order to draw out opinions in an unguarded manner, and to induce hon. members into expressing opinions which would be favorable to Confederation. The hon. member recommends that a third remonstrance be forwarded, repeating the reasons which have been already urged not only by the present Government, but by their predecessors. Now, I should regret to think that our friends should place themselves in a position to receive another rebuff. The request is decidedly clear; in fact it is a demand, and a disregard to it would be what the Colonial Minister would desire. No doubt it would be deemed an act of rebellion; and coupling it with the statements put forward in the year 1865, which represented the Colony to be regardless of the Law, and having set the civil authorities at defiance. When under this gross misrepresentation of Mr. Dundas' Government, it became necessary to call on the Military authorities at Halifax to maintain the supremacy of the law in the collection of rent. Knowing therefore, as we do, that it is a desideratum upon which the Home Government have fixed their hearts, we may conclude if we do not provide for the payment of the Lieut. Governor's salary, it is probable Parliament will legislate us into the Union. The hon. member and his supporters may remember a story which Mr. Howe told at a public meeting in Nova Scotia a few days ago. He said he had twice headed a delegation to England, memorializing the Home Government for a repeal of the Act of Union. The first time he received a slap on one cheek, the second time a buffet on the other, and thought that was humiliation enough for a representative of any country to undergo; but that if his opponent chose to go again, he would probably receive a kick behind. Now, Sir, I am of the opinion such would be the result of a third application, and one which I do not wish to see our respected Leader submit to; but if the Committee so order it, let a member of the Opposition earn the reward sought for. The fact is, the Home Government have their own view on the subject of Confederation, and the ins and the outs agree in thinking that they know better what is for our interest than we do ourselves, and I assume, from the little experience I have gained, that as Colonists, we are looked upon by the English, as an inferior part of the Creation. They consider they made us, and therefore think we should mould ourselves to their views, and if unfortunately a war should break out between Great Britain and

the United States, the North American Provinces would be a convenient kind of a screen or shield to be used in the fray, and I believe our respected Lieut. Governor is decidedly of the same opinion, and I have no doubt but that his mission to England, in the main, is to endeavor to accomplish this cherished design. Probably it is at his instance that the precious document which we shall be compelled to endorse, has been indited. We know full well when the Conservative Government memorialized the Colonial Office on this subject in 1865, they set forward substantial reasons to prove that the Imperial Government by the most sacred ties bound themselves to pay this demand, and said "that there was no reason to suppose, that as heretofore the Lieutenant Governor's Salary would not be provided for out of the Imperial Treasury," and as you are aware, Mr. Chairman, we were offered what they call Responsible Government, on condition of providing payment of the Civil List, and pensions for retiring officers, &c., but these have not been fulfilled, and we have to submit to an indignity, which if practised upon a foreign nation, would be held up to the scorn of the world, and which would probably be rectified by the force of arms. I must now trespass upon the valuable time of this hon. committee, by alluding to the extraordinary conduct of His Excellency when he sent home the memorial which I just now referred to. One of the promised advantages of Responsible Government was, that it insured perfect harmony in the work of the Legislature. But how has it worked in this matter? We find the first Estate setting at defiance the decisions of the lower branches, which all must admit, Lieut. Governor Dundas has exemplified when he put forward no recommendation to carry out the memorial referred to, but on the contrary rather stigmatized the advice of his Council, and the truthful statements of the Legislature. For less derelictions of what I apprehend was his duty, his predecessors have been removed from this Colony. I will also take the liberty to remark upon the singular proceedings of his Excellency at the time we were honored with a visit from the distinguished gentlemen who formed the Congressional Committee from the United States. The visit was anticipated some time before the Committee arrived, and it appears to me His Excellency ought to have remained here to receive them; particularly as the object of the mission was known to be in relation to the opening of the trade and extending the commercial relations between this Province and the United States, especially after the misunderstanding which arose at the time of the American Rebellion between Great Britain and the United States, and which still bears an unpropitious aspect. I should have imagined Mr. Dundas would have rather sought, than avoided, the opportunity which then presented itself for healing a wound felt by the people of both nations as a dangerous incision; but no such courtesy did the Representative of the Queen in this little dependency stoop to. It would have clashed with the feudal idea of Mr. Dundas'

greatness, to entertain one of the distinguished Captains of the Great American Republic, and the illustrious civilians of that power who accompanied him. I regret that the Lieutenant Governor left the Colony on that particular occasion. Although he was in Halifax, he could have returned in twelve hours; and I regret also, that he should have thrown the responsibility, and censure of that act upon his colleagues in the Government. But, Sir, it is satisfactory to know that the public reception and entertainment given is cordially endorsed by the general approval of the Legislature, as well as that of the country. I will now, Mr. Chairman, with your leave, offer a few words in explanation of the quotation I made from Mr. Trevelyan's address to his constituents after his return to the Imperial House of Commons, because it may be construed from the remarks of the learned Attorney General, that the apology which Mr. Trevelyan offered was for having made use of these notable words to his constituents, viz: "We want men who are soaked through and through with public spirit; men who are born radicals in the best sense of the word; men who have the same ingrained desire to have the public business done well and cheaply that a manufacturer has to get the best labor at the cheapest rate." It was not for making use of the sentiment of this expression that Mr. Trevelyan had to apologize, but for having cast reflections on the abuses of power exercised at the Horse Guards and War Office Department; these reflections were construed to apply to His Royal Highness the Duke of Cambridge who is at the head of that office. Mr. Trevelyan complained of the extraordinary system of doing business there, rather than attributing the inefficiencies of the Department to His Royal Highness, and the explanation was deemed quite satisfactory. I feel sure that the Attorney General is too well informed not to know that such is the case, but as a different construction may have been formed from what has fallen from him on this matter, I have thought it better to put the question beyond dispute. With reference to the matter more directly under consideration, I will merely say, if I thought any further reasons which we can urge against the payment of what I consider an unjust demand would have the slightest weight, it might be prudent to refer to the anomalous position we have been placed in by the Mother Country, when she granted away our lands to her servants, for services performed, therefore, we have had no inheritance from her. We have been treated as aliens and made to purchase the soil, which ought to have been paid out of the Treasury and applied towards our public improvements. We are the recipients of no favor from Britain, as Britons. There are other reasons which could be enumerated, but I feel convinced of the uselessness of attempting any further remonstrance, after considering the curt and uncourteous Despatch before us. The hon. member for Charlottetown (M. Brecken) never loses an opportunity of letting slip the most disreputable remarks on the

members and actions of the Tenant League; but he ought to recollect that the organization has not been convicted of an unconstitutional act. The late Government tried to do so, but in the attempt utterly failed. With respect to the reply the Colonial Minister waits for, I would advise the Government to say, that we are prepared to pay the Lieut. Governor's Salary and will be pleased to hear of Mr. Dundas' successor.

Mr. BRECKEN.—The hon. member for Belfast (hon. Mr. Davies) has given us a reason why he will support the resolution in the statement of Hon. Mr. Howe, respecting the recent missions to England, and is not disposed to make another application lest we meet with a similar reception. Possibly if we do go home with this matter again, we may get another slap, but I do not know that this should deter us once more from asserting our rights. When I spoke last evening it was in reply to the summary arguments of hon. members on this subject; but if now, a further enquiry should be sent to the Colonial Office and an answer similar to the former ones should be received, I do not see that it would have the least effect in placing us in a worse position than we are in at present; but if the matter could possibly be brought before the House of Commons I think it is quite likely we would stand a better chance. I am not going to stand up here as the apologist of the head of the Executive, but I question the propriety of a supporter of the Government speaking of him as the hon. member has. In speaking of the Despatch of 1865, I have heard it stated that the reason why it was sent out was because of the parsimonious manner in which the conservatives treated his Excellency, in not providing a salary for his private Secretary, and other expenses at Government House. But I cannot understand why the Government should be called upon to pay bills for Coal, Gas, &c. If the Home Government undertakes to pay the Lieut. Governor a salary, and it is not sufficient to enable him to meet all these demands, the odium should not rest with us. Nor do I think it is in keeping with the Imperial policy not to provide a sufficient salary for their public servants and such as will enable them to meet all such demands; and, therefore, I do not think it was on account of the parsimoniousness of the Legislature that the demand was then made. I think, though, that it would have been much better taste in the hon. member for Belfast, had he made the statements last session to which he has just given utterance, when Mr. Dundas was on the Island, than to have done so now. The hon. member, when he took his seat at the Executive Board, was aware of what took place in 1865, and when in the face of that Despatch he did so, he should not now impute motives to Mr. Dundas, when he was silent then; but as the hon. member has never given us the reason why he has left the Board, perhaps after what he has said to-night we may see it. Perhaps it was on account of the Despatch of 1865. I think the hon. member said he had no fault to find with the Government,

but he had a reason, and I have no doubt but we shall yet get it out of the hon. member; but it is not very becoming in him after having been sworn in as one of His Excellency's advisers, and binding himself to support him as such to be now condemning the Lieut. Governor for acts performed before that time. I cannot understand the reason of the opposition of the hon. member, but I look upon it as a very fortunate circumstance for this Colony that the hon. member and his party are now in power, and not the Conservatives, who are called the advocates of the rights of private property. The people will now see that although this party is so strong, that their promises before they got into power, are not in keeping with their actions since. This is the third session they have been in and their friends will have to be satisfied with something else than sympathetic speeches. I ask the hon. member to point out if he can, what difference there is between him and me on the Land Question? On all practical points are not our views the same? I ask him to show me, as a practical man, and outside of this House a practical man he is, in what respect he and I now differ in our views with respect to the settlement of this question? Where then is the hon. member and the hon. Tenant League members with the promises which they made to their constituents on the hustings before they came here? Can they go back and tell them they have done anything for them which the Conservatives did not do also? He and his party have admitted there is but one way of settling up this long agitated question, and that is by purchasing out the Lands from the proprietors. In so far as the Land Question is concerned, Belfast might as well have been represented by any other man as my hon. friend, Mr. Davies. We do not deem it necessary to rake up the Escheat Question, and that is the only distinction that now exists between the hon. member and this side of the house on the Land Question of this Island. I positively think that is a blessing for this Island that the hon. member has had such a large party of men of his own stamp to work with, and that although they have been here for three years, yet they by their policy have not shown that in legislating upon this matter they were able to do more than their predecessors did before them.

Hon. COLONIAL SECRETARY.—It should be borne in mind that the Conservatives have actually established and set a legal value upon the land when they passed the Fifteen Years' Purchase Bill, so that by that Act the Liberal Party had no power to pursue any other course than the one they are adopting, which is to go on and purchase under the Land Purchase Bill, for that measure (the Fifteen Years' Purchase Act) has put a final stop to any other arrangement; and that is one reason why I spoke as I did, for I consider it useless to be any longer speaking about coercive measures, and when we agreed to the granting of a further sum to be placed in the hands of the Government for that object, I was

in hopes, as both parties agreed in passing that Resolution, that the hatchet was got rid of. My hon. friend on my left, when he gets up, is always ready to bring up these old matters, and the learned and hon. member for Charlottetown is always anxious and ready to give him a shot in return; but, Sir, I do hope that this cross-firing will now cease, and that the hatchet will not only be buried but that the sod will now be placed over it. I admit that this is an unjust demand on the part of the Home Government, for I know, and know, perhaps, better than any one else, that it is a breach of faith on the part of the Imperial Government. Some think it may lead to Confederation if we now refuse to pay it; and perhaps it may. We know that the Conservatives refused to pay it; the Liberals did the same. Now, however, the Imperial Government demand us to come to the point "at once." No doubt, they do not intend to pay it, and if we now were to so, we are a small Colony and know not what the refusal might lead to. There are many things which we as a Colony require and which we would be more likely to obtain by yielding, than contending a point with Great Britain. I have heard one hon. member say, that by gracefully meeting this demand, it is not unlikely but that the Imperial authorities might the more readily agree to grant us more freedom in the matter of negotiating for Reciprocity; but certainly we cannot anticipate that we can in any way gain anything by opposing this demand of the Imperial authorities for the payment of the Salary of the Lieutenant Governor. I feel, however, that it is my duty to say a word in favor of Lieut. Governor Dundas. The hon. member for Belfast may think that he has reason to speak harshly of him, but I shall not sit here and hear him thus spoken against without saying a few words to exonerate him, though perhaps when he was here, no man opposed some of his views more than I did myself; yet, I believe he was actuated with the best of motives in the course he felt it his duty to pursue. With respect to the Salary, it is not worth our while to say anything more about it. Many a man has to pay an unjust debt, and I believe it is the case with us in this matter; but in providing for his Salary it will become us to do so on a scale that will enable the Lieut. Governor to maintain his position in such a manner as will reflect credit upon the Colony, and to entertain as he should any distinguished strangers who may come to see us. Even now we see how our Island is spoken of by General Butler and his associates, who came here last autumn with some kind of diplomatic authority, and it may be that some may consider that our worthy Leader of the Government went a little too far in the manner in which he received that distinguished Committee, but he had to recognize those gentlemen in some shape. He had to open up a communication with them, and afford them the information they required, and I am sure the hon. member has the thanks of the country for the handsome manner in which he discharged that

duty. The Committee stated what terms Congress wished to obtain, and the Government in reply stated what the proposals were which they were prepared to support, and use any influence they might have, to have it accomplished. It has never been said that the Government said they had power to negotiate a treaty. It is well known that neither the Government nor the Congressional Committee assumed on either side any such authority, but they confined themselves to the basis of such mutual conditions as each party was prepared to recognize, and use their influence to promote, and no other inference can fairly be drawn from the Conference, or correspondence, and if the Dominion of Canada is unable to enter into a correspondence with the United States in this matter, or open up negotiations for a renewal of Reciprocal trade relations, they will reap the advantage which may be derived from our negotiations. It was little Prince Edward Island which initiated the first Reciprocity Treaty, and as Canada received the advantage derived from that Treaty, she may yet receive a benefit from what was done here last year.

HON. LEADER OF THE OPPOSITION.—It was Lord Elgin who first moved in that matter.

HON. COLONIAL SECRETARY.—Lord Elgin moved in the matter, but it was after it had been spoken of here; and if not, why did he refer to the fisheries of this Island, and the manner in which they were left. Sir, it was this Colony which first originated the Reciprocity Treaty, which proved so beneficial to all the other Provinces also, and perhaps from our movement in this matter lately, benefits may yet accrue to the Dominion. There has, I think, been quite enough of cavaling about the salary of the Lieut. Governor, and I would like now to see both sides unite in agreeing to pay it. We are, I think, able to do so, and for my part, I have no disposition to have any more correspondence with the Home Government on the subject, further than to say that we have made provision for its payment. With respect to Lieut. Governor Dundas, although some attach much blame to him, and are loud in expressing their disapprobation of his conduct as a Lieut. Governor, yet, I believe his intentions were to benefit this Island in every way he could; and perhaps he is not now to be blamed as much as some hon. members seem to think. There can be no doubt but that he actually saved Belfast from being held under the coercive sway of a proprietor, and was the means of enabling the tenantry to purchase their holdings on more favorable terms than they would ever have been able to do, but for his interference; and as I wish to give credit where I believe it is due, I believe Lieut. Governor Dundas deserves this much at our hands. There may be a little difference of opinion about the Despatch which he sent home respecting the fact that the Salary of his Private Secretary was not provided for. We know he had a good deal of work to do, and it was, he considered, unfair that his salary was not paid by us, but that was a matter for his

Government at that time to deal with, and I presume they did what they considered proper. He might have sent home despatches which his Council did not see, but I think it is not very likely. I know when I was in the Government, I always made it a point to see any Despatch which I expected was going Home on any important matter, and I never saw any disposition on the part of the Lieut. Governor to withhold their perusal from me. With respect to the purchasing of Proprietary Lands, Mr. Dundas had more influence with the proprietors in inducing them to sell, than had any Lieut. Governor we ever had, and I would sooner see him come back than to run my chance of another. He is now pretty well acquainted with the people of this country and I believe if he was here now, he would use his influence to make matters smooth with both parties. When feelings run high among political parties, it is not easy for a Lieut. Governor to please all parties, and I have myself, on several occasions, had to speak pretty plainly to him about some matters, but I think I always received proper attention from Mr. Dundas, and if others have not put themselves in the way of receiving the same attentions at Government House, the fault must have been their own.

Mr. Speaker resumed the Chair.

Progress was reported, when House adjourned until ten o'clock to-morrow.

WEDNESDAY, March 31.

Forenoon Session.

Hon. Mr. Henderson presented a petition from certain inhabitants of Lot 33, for the Incorporation of St. Andrew's Church. Received, read and referred to the following Committee to report by Bill or otherwise, viz., Hons. Hensley, Henderson and Mr. Brecken.

On motion of the Hon. Leader of the Government, the question of concurrence was put on certain resolutions. Said Resolutions were agreed to.

Mr. Prowse asked what action the Government intended to take with reference to the petition from High Bank, which asks for £100, or what sum the Government think it necessary to enable them to get a road from the highway to the shore, for the purpose of taking up limestone, &c. It was, he said, a very reasonable petition and was accompanied with the promise of a subscription of £50, if a grant were given to assist them. This itself is a guarantee that the work would prove a useful one. The people are some distance from a shipping port and it would be but fair and reasonable to assist them by a grant.

Hon. Leader of the Government replied that he would answer the question as soon as he could get information on the matter.

Mr. McNeill presented a petition from certain inhabitants of New Glasgow, for the incorporation of a Temperance Hall Company.

Received, read and referred to a Committee of three members, to report thereon by bill or otherwise.

House in Committee on Supply—Mr. Bell in the Chair.

Hon. Leader of the Government moved a resolution containing a grant of £100 to commence collection of specimens of Birds and Geological specimens, in connection with Museum connected with Legislative Library, under the direction of a Committee: And said: as there are many specimens of minerals and animals, as well as of Works of Art, of great interest in this Colony, it would prove interesting and profitable to the public to have a collection of them. I have seen a large collection of mineral specimens which were of considerable interest, and I trust the House will grant this £100 towards the formation of a Museum for natural curiosities. As this grant will include animals as well as mineral curiosities, I hope that the great sea-serpent which landed at St. Peter's, will be procured immediately as a contribution towards our curiosities. It is intended that specimens of all our native birds shall be procured for the intended Museum.

The Resolution was agreed to.

Hon. Leader of the Government submitted the following:

Resolved, that the sum of one hundred pounds be granted and placed at the disposal of the Government for the protection of the salmon fisheries and encouragement of Salmon culture. And said: Mr. Chairman: The Committee will not spend any of that sum unless they see a proper way to apply it. As our salmon fishery may yet turn out to be a profitable one to the Colony, I think it well to encourage it, and also to encourage the breeding of Salmon in our streams and rivers.

The resolution was agreed to.

Hon. Leader of the Government moved the following:

Resolved. That the following sums be granted and placed at the disposal of the Government, for the following purposes, that is to say:

At the disposal of the Government, for encouragement of coast, inland and Intercolonial Steam Navigation, in addition to present contracts,	£1500 0 0
Packet Service—Souris to Grand River, Georgetown, Pictou and Charlottetown, or either of them, if required,	£150 0 0

And said:—Mr. Chairman: Last Session, a sum was granted for a steamer to run between Georgetown, Murray Harbor, Souris and Pictou; but I am doubtful whether a steamer can be got to run to Souris this year. However, the resolution does not prevent the Government from putting a steamer on that route if it is found to

be advantageous to the people of that section of the country. The Resolution places a sum at the disposal of the Government for Steam Navigation, not specifying any particular services. We have no tender in at present for the Georgetown, Murray Harbor and Souris route, but intend to have a sum on hand in case a tender should be sent in. With respect to other parts; there is a great desire for more Steam Communication along the coasts, bays and rivers of this Island and if the trade of any particular port will warrant it, the Government will be prepared to extend to it these advantages. It is thought that a steamer might profitably run between Crapaud, Charlottetown, Belfast and other places around the coast. The Government therefore wish to have a sum of money at their disposal for such a purpose. A communication has been received from Mr. Kelly in regard to a steamer on the East River; but I believe that there will be no steamer upon that river, this year at all events, for no tender has been received for the route.

Mr. KICKHAM.—When the steamer called at Souris last year, she generally came late on Saturday night or Sunday morning and threw out her cargo, no matter whether there was anybody to receive it or not. I believe that two small sailing vessels would suit the trade at that port better than the steamer did, for there would not be so much hurry and confusion. One of these vessels could leave Charlottetown and the other could leave Souris at the same hour; by this means, a constant communication could be kept up which would prove of great advantage to the country.

Mr. REILLY.—The steamer which ran last summer on the East River, gave great dissatisfaction on account of the irregularity of her trips. Often, when people came several miles to Mount Stewart Bridge, for a passage to Charlottetown, there was no sign of the Steamboat and they were obliged to return home disappointed. The owners should be bound by contract to be up to time; if this is not done the people will put no dependence on the Boat and much of her trade will be lost. It is most important that a boat should be on the route, to run regularly twice a week.

Mr. McMILLAN.—I believe that the people in general wish to see steam navigation encouraged. If those Boats which call here occasionally during the summer season were encouraged by a grant, they would, no doubt, stop regularly at our principal Ports and thus benefit the trade of the Colony. Many of our merchants might, through their accommodation, obtain supplies of goods; this alone would prove to be a great convenience. I hope that Steam Navigation will be encouraged as far as our means will allow, for it is of the greatest importance that constant communication by steam should be kept up wherever trade requires it.

Mr. McNEILL.—There have been large sums of money spent in encouraging Steam Navigation

between our principal ports, and after all, it appears that some of the boats do not give satisfaction. This must be owing to the way in which the contracts are let. If those men did not fulfil their contract the grant should not be allowed to them. If they do their work as represented by the hon. member for Souris, they might be prevented from repeating it. If they do not fulfil their contract properly, they should not get the amount appropriated for that service.

Mr. KELLY.—The people around Mount Stewart Bridge avail themselves of the benefit of a Steamer more than those of any part of the Island. I have seen no less than a hundred persons coming down in the Steamer at one time, which proves that a Boat is really required on that River.—There are several wharves at which a Boat might stop to take in passengers and freight on her trips up and down the river. People from King's as well as Queen's County take advantage of this means of communication and conveyance, and, therefore, I hope the Government will endeavor to place a Steamboat on that route during the present year.

Hon. COLONIAL SECRETARY.—The Steamer on the East River accommodates the inhabitants of a large portion of King's County, and, therefore, if there is no boat put upon that route this year, it will prove a great inconvenience to the people of that section of the country. The freight brought down that river is very large, and I do not think there could be a greater disappointment to the people than to be deprived of Steam Communication. The increased traffic it will cause on the St. Peter's Road, will be so great that it will be almost impossible to get along that road.

Mr. McCORMACK.—There is a large quantity of freight brought down by the Steamer from Mount Stewart Bridge as well as a large number of passengers. A very large number of passengers also is conveyed from that place to Charlottetown, therefore, I think that if the people are deprived of these advantages, it will be a great inconvenience to them. I believe the boat that plies on that river is the most useful steamer on the Island, and therefore, I hope the Government will take steps to have one placed on the route during the present year, if possible.

Hon. Mr. LAIRD.—The object of the grant is to put the Government in a position to advertize for tenders for boats to run on the routes which have been spoken of. I think the sum asked for is quite sufficient for that purpose. It would be necessary to have a very powerful boat if one was required on the North Shore,—because the route is more dangerous than the others. If that route is at times unsafe for sailing vessels, it would require a very strong steamer; but I believe we are not prepared to undertake to place a steamer upon it yet. The time has scarcely arrived for us to subsidize steamers to run on our North Shore. Such a movement would require a very

considerable grant, which the Government are not in a position at present to give. It is well known that most of the harbors on the North side have very shallow entrances, and therefore, a steamer on that route would require to be of very light draft. It will prove to be of greater advantage to have steamers running between ports on the South side and up our principal rivers.

Hon. Mr. DAVIES.—If we required a boat to run into the harbors on the North Shore, we should have to build one for that special purpose. It would require a considerable outlay to get up a boat of that class, which the Revenue would not at present warrant. But, I believe that a boat might be profitably employed in running up the West River and to Belfast and other ports on the South side. If a steamer were employed to run up Orwell River, it would prove a great convenience to the people of that section of the country. Pinnette is another place at which a boat could call with advantage.

Hon. Mr. DUNCAN.—With respect to Steam Navigation, I may state that a Boat might be built very easily to go up to Brush Wharf, Belfast, which would be of very great service to that locality. Crapaud is another place where a Boat of small draught might run in with benefit to the country. But with respect to Souris, I do not think a steamer can be of much use to that port unless she can get in at all hours. Steamers have to discharge their freight very rapidly, for they are obliged to be up to time as nearly as possible. Until an outside harbor can be provided at Souris, inconveniences cannot be avoided. Till a Boat can get in at low water, Steam communication cannot be of much benefit to Souris.

Mr. P. SINCLAIR.—I agree to a considerable extent with what has fallen from the hon. member for Belfast (Mr. Duncan). We require a steamer to call at all the ports on the South side of the Island which require it most, as well as to run up all the principal rivers. The North side, I must say, is not in a fit state for Steam Navigation on account of the obstructions at the mouths of the Harbors, and the Revenue will not admit of a grant for a Boat specially built for the purpose. Besides this, I do not think there would be a trade there sufficient to encourage Steam Communication. As to Crapaud Harbor, I may state that the people there have done more towards deepening its channel than has been done for a like purpose by the inhabitants of any other part of the country. They have taxed themselves to the amount of £1200 for the improvement of their Harbor, and they now wish to have it dredged to admit a larger class of vessels with ease. This latter would cost about £300. When that work is accomplished, a steamer might run in there at all times as there is a light there already. As there is a large tract of country, a very good trade would soon spring up if a steam-

er made regular trips to that port. I hope that the Government, through the Board of Works, will open up that Harbor as soon as possible for that purpose. There is no doubt that if the Government put a steamer on that route, a part of her time, that it would pay.

Mr. HOWATT.—I am certainly gratified to hear that there is a probability of a steamer running to Crapaud. The hon. member for Belfast (Mr. Duncan) gives it as his opinion that a small steamer could get in there with ease, and I believe that if she made a weekly trip, a considerable trade would spring up, for a large extent of country depends upon that Port as a place for shipping. As to the dredging it may be easily accomplished, although perhaps it may not be done next summer. I am glad to hear the hon. Leader of the Government say that the people are entitled to a grant for that purpose. If a wharf were built at Cape Traverse, a steamer could easily touch there, for it would not be out of her route.

Hon. Mr. DUNCAN.—The Harbor at Crapaud would require to be deepened at least ten feet in order to allow our present steamers to get in, and even then, in heavy weather, they could not pass the outside bar. When a heavy sea is running with only fifteen feet of water on the outside bar at low water, a large boat could not get in. But during high water a Boat might get in easily. A small Boat might run to suit the tide, but our mail Boats, having to run to meet the trains, could not get in regularly, for they could not wait.

Hon. Mr. CALLBECK.—I think the hon. member for Belfast (Mr. Duncan) is in error in regard to Crapaud Harbor. The Channel is not wide, but in the summer season the larger steamers could go over the outside bar, for there are two and a half fathoms on it at low water. But there would be a difficulty on the inside bar. I do not think the mail Boats would have time to touch there, for they have already enough to do. If a smaller Boat were employed to run up to our lesser Island ports, she would have no difficulty in getting up to the wharf at low water. If the harbor were properly dredged out, any of our Boats could get in and out at low water. Respecting the East River, if I am correct, the Boat that has hitherto plied there is not under contract. The Government have no disposition to withdraw the privilege which the people have enjoyed in having steam conveyance to Mount Stewart Bridge; but there has not yet been any tender for the route. As regards Souris, there were some difficulties to contend with, but it seems that the people up there have come to the conclusion that a sailing vessel will answer their purpose just as well as a steamboat, for there would be more time allowed in discharging and taking in freight.

Mr. McNEILL.—It has been truly stated that the North side harbors have very shallow entran-

ces, but they may be benefitted to a large extent by a grant for Breakwaters. They will never be fit for a steamer to enter till they have been dredged. We want a tug steamer to drag a machine like one of those cultivators to level down the bars. If a steamer was employed to drag a machine backwards and forwards, the water would be deepened for the time. The sand might fill up the place again by the action of the sea, but it might not. A steamer might first dredge one harbor and then another in that manner; she might also be useful in towing vessels out of those harbors. Two vessels were obliged to winter at New London last season, the loss of which to the owners would be at least a thousand pounds, for want of a tug steamer. If a steamer were employed to ply round the Island at the time during which mackerel is generally shipped, it would prove a great benefit to those engaged in the fisheries. She could touch at all the harbors where the fishing business is carried on, and take the fish to market. I believe it would be useless to take up the sand from the harbors on the North side, to carry it away; if it were loosened by the machine I have mentioned, the tide would carry it away most effectually. I trust that the time will soon come when something of this kind will be done.

Hon. Mr. DUNCAN.—If the Government could expend £5,000 for a proper Dredging Machine it would be the best thing that could be done for a beginning; we might then do something towards deepening our harbors. I see no other means by which the work could be effected. An engineer might be employed by the Government to keep the machine in order; it might be let to the people who have an interest in the different harbors, who could then accomplish what they so much wish for. It would prove to be of immense benefit to the country, if a Dredging machine were purchased by the Government for such purposes. The benefit done to our wharves by the dredging the docks received, was very great.

Dr. JENKINS—I quite agree with the remarks which have just been made by the hon. member for Belfast. I hope the Government will soon take action on the matter, for every year we remain without a dredging machine, we are losing time. The expense of building additional blocks to our wharves would be saved, and the cost of keeping up so many wharves during ten years would be sufficient to purchase a dredging machine three times over. No one is aware of the benefit which would accrue from the dredging of our harbors and docks. In regard to the necessity for a steamboat running up the East River, all are agreed that it is a great saving to the roads as well as an advantage to the people of a large section of the country. The Government should make arrangements with the owners of that boat to run up to Mount Stewart at least once a week as regularly as possible. Unless regularity as to time is observed the people will not reap the advantages which they otherwise would. I, myself, have

been put to great inconvenience owing to the steamers not being up to time. I have seen people go miles to meet the steamer, but when they got to the Bridge, there was no boat to be seen; the consequence was that they went home and did not go back to meet her when she did get up there. Irregularity in her trips, injures her trade and proves to be a general inconvenience.

Hon. LEADER OF THE GOVERNMENT.—With respect to the remarks of the hon. member for Belfast (Mr. Duncan) as to the desirability of purchasing a Dredging Machine, I may remark, that this is one of the enterprizes to which the Board of Works will turn their attention. In regard to Souris harbor, Mr. Boyd reported that if the bar were dredged out 150 feet, to the depth of two or three feet (which could be very easily done) that harbor would be available in almost any weather. Our harbors are capable of great improvement and if the Government could afford to purchase a Dredging Machine, it would prove very useful. Perhaps this House will be asked for a grant for that purpose next Session.

The resolution was agreed to.

Mr. Brecken presented a petition from William B. Allin and others; received, read and laid on the table.

The Speaker took the Chair, the Chairman reported the resolutions agreed to and obtained leave to sit again.

House adjourned for one hour.

Afternoon Session.

GOVERNOR'S SALARY.

House in Committee to resume the debate on the payment of the Governor's Salary.

Hon. LEADER OF THE GOVERNMENT.—Mr. Chairman, I intend to offer a few remarks in reference to what was said last night on this subject in regard to His Honor George Dundas. Of course, in this House there is perfect freedom to make any remarks we like, but, as a general rule, it is better to make as little allusion as possible to the Representative of Royalty. In the Imperial Parliament the method adopted is, to avoid as much as possible, any allusions to Her Majesty and to confine the remarks made, to the responsible Ministers of the Crown. I know that in 1866, when this question was before the Legislature and it was ascertained that the Joint Address of 1865 was neutralized by a Despatch from His Excellency, some comments were made in reference to the action he took in the matter. Although we know that in 1865, His Excellency did forward a Despatch which was not submitted to the Executive Council, yet I think it would be better to let the matter rest. I find no fault with my friend, Hon. Mr. Davies, for making the remarks he has on the subject, but I feel called upon to make some remarks in reference to His Honor George Dundas. I may say in reference to the Despatch of 1865, which accompanied the

Joint Address of both branches of the Legislature, that I think it was ill-advised: it should have been submitted to the Executive Council, for that would give them an opportunity of combating some of the views in it which were not in accordance with those in the Address. And although we may differ from him in some of the views which he adopted in reference to Reciprocity also, yet I think it is better to keep this subject out of the Legislature. Although I do not scruple to say, that on many points, I differ from him, yet I can say that in many things connected with its interests, this Island has had a faithful advocate in Governor Dundas. In settling the Land Question he has rendered great assistance. It was through the influence of Governor Dundas with Lord Selkirk, that the Estate of that gentleman was got on such advantageous terms, and he also used his influence to induce other proprietors to sell. I received a letter from His Honor the week before last and he said his best services would be at the disposal of the Government to forward their views on the Land Question, and to do anything in his power to induce the proprietors to sell their land.

HON. LEADER OF THE OPPOSITION.—I do not rise, Mr. Chairman, for the purpose of addressing you on the merits of the resolution before the House, relative to the propriety of paying the Salary of the Lieutenant Governor. I merely wish to express my opinions upon the conduct of His Honor George Dundas, whose name occupied a prominent place in this debate. I was not a little surprised at the Speech of the hon. member for Belfast (Mr. Davies) last night wherein he could hardly find words strong enough to express his indignation, and hoped that if this resolution was carried, it should be coupled with a provision that another Governor should be sent out in the place of Mr. Dundas. He seemed to think that His Honor George Dundas, had been one of the greatest enemies the Colony ever had. It is a pity that the hon. member had not been so lavish in his abuse of Governor Dundas before 1867, when he consented to become one of his responsible advisers. I conscientiously believe that Governor Dundas, although he may have differed from the hon. Leader of the Government on some points, has been one of the greatest benefactors the Colony ever had. He took a great interest in the Land Question, which I thought was the all-absorbing question with the hon. member for Belfast, but because he wrote this unfortunate Despatch, he is to be denounced in unmeasured terms. The whole of the credit of the purchase of the Serkirk Estate is due to Governor Dundas, for it is a matter of public notoriety that the then agent for that Estate, the late Mr. Douse, was in negotiations with Lord Selkirk and had it not been that Governor Dundas was intimate with Lord Selkirk, and became acquainted with the facts of the case, the Estate would never have come into the hands of the Government. I think if the Governor never did anything but this, he

deserves the praise of the people of this Colony, and especially of the constituents of the hon. member who has been his accuser. Shortly after, through the influence of Governor Dundas, Lot fifty-four was purchased, and although the Government of that day was reviled for that purchase, yet it has become a self-sustaining township. After the death of Sir Samuel Cunard, Governor Dundas used his influence to induce his sons to sell that large Estate to the Government. I have lately received a letter from Sir Graham Montgomery, who owns a part of Lot thirty-four, including the settlement of Little York, which is a very highly cultivated section of the country, and in February last, Governor Dundas was in correspondence with him endeavoring to persuade him to sell his Estate to the people through the Government. When, through the influence of Mr. Dundas, more than three hundred and ten thousand acres of land have been purchased, it ill becomes any hon. member in this House to throw broadcast the lavish censure which has been thrown out by the hon. member from Belfast, and also from time to time by the hon. member from Cavendish. I am surprised that the Government should have remained quiet and allowed these attacks to be made. Although freedom of speech is one of the blessings of civilization, yet all liberal men are of the opinion that to censure a man behind his back, is a breach of that privilege.

HON. MR. DUNCAN.—As the member for Belfast has been spoken of so often by the hon. Leader of the Opposition, I was afraid some persons might think he alluded to me, unless I made some remarks on the subject. If Governor Dundas had any little faults, I think they were trifling, and I do not think the people of Belfast would say anything against him, for he has done a great deal for that District. If it had not been for Governor Dundas, no power would have kept the Selkirk Estate out of the hands of Mr. Douse. Mr. Dundas has done more for the settlement of the land question than any other Governor we ever had, and all the political agitators in the Island.

MR. BRECKEN.—I do not rise for the purpose of defending the policy of Mr. Dundas, for that was very ably done by the hon. Colonial Secretary yesterday. I am sorry that the hon. member for Belfast (Mr. Davies) should have thought proper to indulge in such remarks as he has, but he has no one to bear him out in them, with the exception of the hon. member from Cavendish. I am sorry that the Despatch which accompanied the Address of 1865 was written, and I may say, with the hon. Leader of the Government, that it was ill-advised. It was that which was the basis of the charge made against the Lieutenant Governor by the hon. member, but of course that charge can have no weight against the political character of Mr. Dundas, for if that hon. member thought at the time that his conduct was so inimical to the people of this Island that he should be removed, there can be no earthly excuse for him becoming one of his advisers. A great deal

has been said about his despatches on the Reciprocity Question. I have always justified the Government in receiving the Congressional Committee, but no doubt the view which Governor Dundas took was, that if the people hoped that by his means Reciprocity should be obtained, they would be disappointed, and, although, it would perhaps, have been better if he had remained on the Island at the time, yet the view he took of the matter that no treaty could be entered into between the Government of this Island and the United States, was a constitutional and correct view. And, Sir, is it liberal to get up and say that because a man does not see eye to eye with you, that he is to be denounced. I will not go into all the efforts Mr. Dundas made to settle the Land Question, but I will say that no man who ever held the reins of Government on this Island conferred more benefits on the people of this Colony, or was actuated with a more sincere desire for their prosperity. But I will come to the question under consideration, namely, the propriety of this House acceding to the request or rather command of Earl Granville, intimated in his late despatch, that we should now pay the Governor's salary. This question has been discussed, and in the address of 1865, every argument that could be thought of was brought to bear, to show the injustice of this demand. That Address was supplemented by a very able one last year, and now the question is, will it be advisable to resort to a third address on the subject. It has been said that we would demean ourselves by going cap in hand to ask the British Government to pay this salary, but we do not ask it as a favor, we claim it as a right, and I do not see how any person can demean himself by asking for simple justice. As the greatest question that has ever agitated the minds of the people of Great Britain is now before the British Parliament, the probabilities are that they have not given ten minutes' consideration to the subject of paying the salary of the Governor of Prince Edward Island. Perhaps Earl Granville never took the trouble to look at the former Address, and probably they merely thought that the other Colonies paid their Governors, and this little Island had been opposed to their wishes on a great question and had no claim upon them. It is not likely they ever took into consideration the fact that we have incurred a debt of £150,000 to buy that which the Cabinet of George III. deprived us of. The payment of the interest of that debt now weighs heavily upon our finances, and if we get this £2,250 to pay the Governor's salary, it is but an instalment of what we should have had. I say why was it that in 1851 the British Government made this exception in our favor, but because they felt that on every ground of justice, and reason it was right. Although I think it would be useless to address the Colonial Office again on the subject, I would ask, is there no other place to go, can we not appeal to the British House of Commons? We have a great many things to provide for—the cost of education

absorbs one-fourth of our revenue, and there is great talk of improving our roads, and extending Steam navigation, and there is a great public work at Tignish Run, on which £1000 was expended last year, and for which another sum is required; there has also been a very strong memorial headed by the hon. Leader of the Government to have a third Judge appointed, and I expect to see the Government bringing down a Bill for that purpose before long. We have all these things to provide for, and we know that the people of this Island are very much averse to taxation, and are we going to make no effort, are we going to sit down with folded hands and incur this heavy expense of paying the Governor's salary without appealing to the sense of justice of the House of Commons? Some hon. members may think that the result will not be as we might wish, but why should we not do it? The trouble is nothing, and if we believe there is any chance of being successful, it is our bounden duty to try. If we set before the House of Commons the fact that we are paying £9000 a year in consequence of the gross act of injustice that has been done to us by the British Government, I ask this House, I ask any man who understands anything of statesmanship, will we run any risk of being put into Confederation? I believe the Act of Confederation provides that before any Colony can be confederated, it must have the consent of the Legislature of that Colony. But, apart from that, I think when once the British Government granted a Colony a constitution, they would not take it away from them. We know that the British Government once withheld the constitution of Newfoundland, but it was only for a short period during a time of anarchy in that Colony. I challenge the hon. Leader of the Government to show me an instance where the constitution of a Colony has been taken from it, for appealing for its rights. The hon. Leader of the Government seems to think that there is a covert threat in this Despatch, that to use a common expression, we had better mind our eye. When I first read it, I thought the Leader of the Government was right, but after sleeping over it last night, and having an interview with some of my friends on the subject, (cries of hear, hear,) I have come to a different conclusion. Hon. members may say that we could not bring the British Government to our opinions in respect to the necessity for a Rent Roll Bill, and a Tenant's Compensation Act, and that, therefore, we cannot bring them to our views in this matter; but we must remember that these measures were class legislation, and reasons were urged why they should not be allowed. The payment of the Governor's salary is a question—the justice of which every person on the Island will acknowledge, and which the British Government acquiesced in, and now they are going to withdraw it without showing a reason why. I challenge the hon. Leader of the Government to bring forward a precedent to show us how we will peril our Constitution by appealing to the House

of Commons; and if he cannot, it is our duty to do so. I do not mean to say that the hon. member and his party are so reckless that they will put their hands in the public purse and pay this amount to save themselves from any further trouble concerning it; but I say they are too easily frightened. I would move an amendment to the amendment proposed by the hon. Leader of the Opposition, namely, that the words "British House of Commons" be inserted in place of "Imperial Government." The hon. member for Belfast will no doubt be satisfied to pay this Salary, for it is likely that if we do so, Governor Dundas will get a better appointment and will not return to this Island.

HON. LEADER OF THE GOVERNMENT.—I am glad, Mr. Chairman, that the hon. member for Charlottetown has made up his mind on this subject, for I listened to him yesterday and the day before, and I could hardly tell what his opinions were, but now, since he has slept over it and had an interview with his friends, he has come to a decision. From the high opinion I entertain of that hon. member, I should have been far better pleased to see him come out manfully and vote for the amendment proposed by the hon. Leader of the Opposition than attempt to throw dust in the eyes of the members of this committee by bringing forward this clap-trap amendment. Does he, as a constitutional lawyer, think that this question can go to the House of Commons without going to the Government? What would be the consequence of such a proceeding? There have been applications from this Island to both parties in the British Parliament. The Duke of Buckingham and Chandos and Earl Granville are pledged to support the view of the matter set forth in this Despatch, and now it would be equivalent to a vote of want of confidence in the Government to allow a Delegate from this Island to be heard at the Bar of the House of Commons. I believe that a great many of the members of the Opposition will not go back from the opinions they have expressed on this subject, for the sake of any popularity they might gain by voting for such a resolution as that proposed by the hon. member for Charlottetown. If such an absurd resolution as this were carried in this House, and a Delegate sent to the Bar of the House of Commons, after the British Government have decided upon this matter, I should be inclined to take up my hat and leave the business of the country to be carried on by others. I would ask, can any person come to the Bar of this House on such a mission? I have not been one of those who have backed down when any measure for the benefit of the people was brought forward, if I thought there was any reasonable chance of carrying it, but I have always taken this course, not to advocate measures that I thought would be impracticable. We have heard about the slaps Mr. Hows got when he went to the British House of Commons, and for my part, I do not wish to place myself in a position to expose myself to such slaps. The argument seems to be that we have been refus-

ed twice at the Colonial Office, and now let us appeal to some other source—to the House of Commons. This is merely a delusion—it is appealing to the same authority under a different name. I may say that I am not so terribly frightened of Confederation as some hon. members. I do not suppose the Island would go to ruin entirely if we were united to Canada, we would weather out the storm; but the members of this House were returned on this pledge, that they would avoid everything that would be likely to force us into this Union, and as it is very probable that our refusal to pay the Governor's Salary might be made a pretext for annexing us to the Dominion, we have no right to run the risk. The hon. member for Charlottetown thinks that we should continue appealing, but in reference to the Land Question he advocates a different policy—he advises us to give up appealing, and adopt the quiet way of settling it, and we have done so, not because we think it is just, but because we find remonstrances on the subject useless. That is the view I entertain in reference to the Governor's Salary. We have fought it out so long that it is useless to appeal again. If the resolution proposed by the hon. member for Charlottetown is carried, and he is appointed a Delegate to address the House of Commons on this subject, if I can get money enough to pay my passage across the Atlantic, I will go to England to hear him dilate upon the wrongs of the tenantry, and expatiate upon the injustice done to this Island in such an eloquent strain, as to rivet the attention of that august Assembly, and I am sure it will be an intellectual treat which I shall never forget to the latest hour of my life.

Mr. BRECKEN.—The hon. member, the Leader of the Government, need not have apologized for his warmth, for when we get into the political harness, we have to learn to give and take. The hon. member said that if his resolution was not carried, he would resign, but this he need not have stated, for there are certain vital constitutional principles which each party are bound to respect, and when a party cannot sustain itself by these, it has to give way, when another has to take its place, and thus it comes, that each party has its day. The hon. member says he is glad I have made up my mind, for that at one time I said that it would be better that the demand should be met at once, and at another, that it would be better to make a third appeal to the Home Government. But, Sir, I maintain that I never expressed an opinion either one way or the other on the subject. I argued that there was no danger of our constitution being taken away if we made another effort to induce the Home Government to not force this demand upon us; and when I seconded the amendment proposed by the hon. Leader of the Opposition, I said that I was not sure that I would go with it. I am not bound to tell the hon. member the secrets of our party, but I will do so if the hon. member will tell us something about the wonderful receipt he uses so effectually for smothering up the differ-

ences of opinion which arise among members on his side of the House. It was owing to a remark which was made on the floor of this House that I was induced to adopt the course I now feel it my duty to pursue. I might, in all I say, adopt the mild and easy method of the hon. member and say that when he applied the epithet of clap-trap to what I said, he meant nothing discourteous; but let me tell the hon. member that when he spoke about the constitutional course which I knew should be pursued, and of the pleasure it would afford him to be listening to me pleading this matter at the Bar of the House of Commons, that I have no doubt, if I could assume the calm, oily mode of address and manner of the hon. member, it would have more weight than anything I could say. But it is not necessary to ask that the matter shall be thus introduced to the notice of the House of Commons, or to suppose that such a small matter as this, would, even if so introduced, be objected to on the ground that it is a Government measure. Does the hon. member suppose that a Government in which sits such men as John Bright, Gladstone, and Clarendon, would raise an objection on such a pretense, or that it is a question that has engaged five minutes of the serious attention of the Imperial Ministry. There can be no doubt, but that if the facts were brought to the notice of the House of Commons, by an independent member, but that this Colony, poor as it is, would receive justice at the hands of the Representatives of Britain in Parliament. Do you think that either Mr. Trevelyan or any other independent member would refuse to bring the matter before them? Will the hon. member tell me that this amendment can not be laid before Parliament unless it came down from the Government?

Hon. Col. SECRETARY.—Why, we would not admit a petition for money here, unless made through the Government.

Mr. BRECKEN.—This is not a question of that nature at all.

Hon. COLONIAL SECRETARY.—We would not allow any hon. member to stand up here and ask for a money vote.

Hon. LEADER OF THE OPPOSITION.—This is another question. It is resisting a demand which we consider ought not be made upon us.

Mr. BRECKEN.—This is a grant that has been made to us, since 1851, and we are only presenting a remonstrance against the injustice of making such a demand upon this Colony. It is not as if we went into the House of Commons to ask a vote for the grant of a sum of money.

Hon. COLONIAL SECRETARY.—It has been an annual grant, and to make such an application in the House of Commons, would be in reality asking for a sum of money to be voted for our Lieut. Governor, or the initiation of a money vote.

Mr. BRECKEN.—What is the meaning of *initiation*? Is it not taking a spring for the first time?

We are not proposing to ask for the initiation of such a vote now. We all know that it has been the policy of the Home Government to grant this money year after year, and in the amendment I have submitted, it is not proposed asking them to do anything but what they have always done of their own accord, and there would be no breach or violation of the constitutional laws of Parliament. If an independent member of the House of Commons, would move to lay our remonstrances before them. Goodness knows we have over and over again applied to the Home Government on important questions, and why should we apprehend so much evil from doing so now, or from asking to have this matter laid before the British House of Commons. The hon. Leader of the Government has threatened to take up his hat, if the Resolution is not agreed to, but I cannot allow such a threat to have any weight with me.

Mr. GEORGE SINCLAIR.—I thought the hon. member argued matters pretty reasonably, yesterday, although I confess I did not quite understand what course he intended to take. I cannot, however, blame the hon. member for Charlottetown for the course he is pursuing, for it is obvious he has got a new idea; but I am afraid it came into his head in his dreamy hours, and, perhaps, after the pleasant slumbers of the night, he arose as much refreshed with his new idea as he had been by his sleep. However we may differ in our opinion as to the course of action we should pursue, we all seem to agree in thinking that it is an unjust demand, and are only at a loss to know why it should be now made upon us. There can be no doubt, sir, but that, to a certain extent, it is a violation of a compact entered into in 1851; but as the determination arrived at by the Imperial authorities is one which we have no prospect of seeing changed, I consider that it would be useless to go to the trouble of sending another remonstrance Home on the subject. When I looked at the Addressés which have already been sent home, in which I think all the arguments which we can bring to bear upon the subject have been so well and forcibly put, I cannot persuade myself that any better reception would be given to a Remonstrance now than has already been given formerly; nor do think that the hon. members for Charlottetown could possibly present our case better than it has already been done. If, however, those two hon. members can convince me that they can, I might be disposed to agree to the conclusion they have arrived at. This, so far, they have failed to do, and, therefore, I deem it altogether unnecessary to do so again. Her Majesty's Minister tells us, that Her Majesty's Government do not see why this Colony should be made an exception to the general rule, and asks to be informed "at once" if we are prepared to pay this Salary. This to me looks ominous, and seems to demand that we say we are prepared either to comply with this demand, or resist its payment. If I viewed some matters as the hon. member, Dr. Jenkin, or the learned

member (Mr. Brecken) do and considered that it would be better for us to go into Confederation, I would resist the payment of the Lieut. Governor's Salary; but as I believe we will serve the interests and independence of this Island best by keeping out of the Dominion, I think it is better to agree to pay this Salary, than to run any risks, as such a refusal might involve, as it would form a pretext for the Imperial authorities to bring a pressure upon us which they might consider would force us into the Dominion. It will only be about six-pence a head for the people of this Island, and therefore rather than that by any act of ours we should sacrifice our Independence, I prefer voting that we at once provide for the payment of the Salary of our Lieut. Governor. Yesterday the hon. and learned member for Charlottetown (Mr. Brecken) argued the matter out pretty freely, and at one time said it was no use to go home again to complain about this matter; but now the hon. member thinks he can overcome every difficulty by going to the House of Commons, but upon this view of the matter he has been well answered by the hon. Col. Secretary, and I think the hon. and learned member understands Constitutional Law too well to imagine that he could succeed in having a matter of this kind brought to the notice of the House of Commons. Indeed, I am of the opinion that there is a far better chance of succeeding with the Imperial Government, than with the Parliament; for I have no doubt that however the former might view the matter, the Representatives of the British taxpayers would take quite a different view of it when their constituents would see that they were being taxed for the payment of the Salary of the Lieut. Governor of a Colony, the people of which are not taxed as heavily as they are themselves. Besides many of the present voters in England cannot in justice be regarded as those who ought to be held responsible for the injustice done to this Colony, as they had no power or voice in the Franchise of the Kingdom, until very recently. I find that as far back as 1848 the matter was brought to the notice of our Government as the following extract will show:—

“DOWNING STREET,

“14th December, 1848.

“Sir,—The circumstances of the country having rendered it incumbent on Her Majesty's Government, to consider of every fit and proper means to reduce the expenditure borne by Great Britain for her Colonial possessions. In the performance of this task, then, attention could not but be drawn to the annual estimate voted for Prince Edward Island.

“As far back as the year 1776, a grant of £3,000 was made towards defraying the expenses of the Civil Government of the Island; and a similar amount appears to have been since annually granted. In the infancy of the settlement, therefore, and through the long course of years which has since elapsed, the steady and sustained assistance of this country has not been wanting to the Colony;

but latterly, its resources have been gradually developed; and on referring to the amounts contained in the Blue Book, I observe with much satisfaction, that so far as can be judged from these statements, the local Revenue has been progressively improving, until last year it became more than equal to the local expenditure.

“Under these circumstances, it will be obvious, that Her Majesty's Government could not, with propriety, continue to apply to Parliament for the rate which has hitherto been granted to the Colony.”

So that if they considered it necessary then to bring this matter to our notice, and very likely found it difficult also to have this vote annually carried through Parliament, there can be doubt but it would be a much more difficult task to carry it now. If we look at the little interest which the House of Commons took in the affairs which Mr. Howe was sent to bring to their notice, and ponder over the fact that the maintenance of the most sacred rights of a whole Province, was so little regarded, that scarcely fifty members could be gathered together to listen to them, or take the least interest in their petition, is it reasonable to suppose they would pay any attention to a remonstrance from us? It was with the greatest difficulty that Mr. Howe succeeded in enlisting a few leading men in his favor, and therefore whatever chance we might have with the Government of Great Britain, it appears to me quite plain that it would be far less in the House of Commons. Let us rather show our independence, by manfully shouldering the burden at once.

Mr. McNEILL.—I agree with the remarks of the hon. member for Princetown, that after what has transpired with respect to Nova Scotia, and when we see that Mr. Howe with all his talent, reputation and influence, was able to do so little, it is folly for us to be thinking of sending Home again about this matter. At one time it was thought that he would be unable to have the matter brought to the notice of the House of Commons at all; and when he did, was the result such as should induce us to go there with our complaint? The hon. Leader of the Opposition considers it wrong to refer as has been done to the Lieutenant Governor, and considers that it was unjust to do so, as has been done in this debate. But, Sir, we know the hon. Leader of the Opposition is himself in favor of Confederation, and no doubt would wish to see it carried; but I feel quite certain that he would not resort to any improper means to obtain it. It is different though with our Lieut. Governor. He, in common with all the Governors who were in these Provinces, is not only in favor of it, but are bound to carry it if they can; and as General Williams did not scruple to use very doubtful means for placing Nova Scotia into the Dominion, I believe others of them are willing to do the same; and as Mr. Dundas is so very anxious to have this Island confederated with Canada, I confess that looking at this despatch, coming out as it does now, and comparing it with

the one received in 1865, it looks to me as if an influence was at work against us at home for the purpose of depriving us of our constitution. We know that two addresses have already been sent home on this subject, and we have every reason to believe, that they were not taken much notice of at the Colonial office. After the Fifteen Years' Purchase Act was passed, we all remember that quite a convulsion took place in public opinion, respecting the object of that Act. Some looked upon it as having been carried merely for the purpose of confirming the titles of the Proprietors. The award of the Land Commission created excitement in the country, and a delegation was sent to the Home Government to try to have it confirmed, which resulted in a complete failure, in so far as the attainment of the mission was concerned. The hon. member alluded also to the motion made by my hon. friend, Mr. Davies, for an investigation into the truth of the statements contained in Mr. Dodd's Letter, when, as he said Hon. Mr. Davies and myself were left to stand alone outside of the Bar. Had a motion been made that the statement was untrue, it would have been supported by all on this side of the House, but at the late period of the Session when the motion was made, hon. members were unwilling to take the matter up, as the investigation would occupy too much time, but it is not correct to say that Mr. Davies and I were slighted by this side of the House. As to Confederation, I believe that if the people are left to themselves, they will never ask to go into it. If it was Lieut. Governor Dundas who was the means of purchasing the lands of the Proprietors, or inducing them to sell, then there is no credit due to the late Government. We know very well that it was his duty to second his Government in every effort they could make to purchase lands; but I do not think that much credit is due to Mr. Dundas for the manner in which the Selkirk Estate was obtained. That Estate was purchased before the Award of the Land Commission was given, and I believe, and have some reason for knowing, that the reason Lord Selkirk sold his Estate for what he did at that time, was because he was afraid if he held on until after the award was given, it would prove a ruinous affair to him, and therefore concluded to sell for what he then did, lest that by holding on he would get less. I therefore do not see that Mr. Dundas deserves much credit; and as to his influence, if he has so much of it, to expend for the benefit of the people of this Colony, and is so willing to use it, I am surprised he did not persuade Miss Sullivan and other Proprietors to dispose of their Lands to the Government. I think the more we look into his influence the smaller it will appear; nor am I so certain but that when the \$800,000 were offered to us, but that he had a hand in the matter, with the intent, if we refused to take it and go into the union, that other influences would then be brought to bear against us. But, Sir, we have, since the passing of the Land Purchase Act, paid half that

amount for our land, and are we now going to sell our birthright for the amount demanded for the Governor's Salary? I am sure our constituents would severely reproach us if we did anything of the kind.

Mr. BRECKEN.—When I spoke, I referred to the fact that the hon. member for Belfast, and the hon. member for Cavendish, on one question, stood alone at the Bar of this House, as the only friends or supporters of the Tenant Union party although it is well known that they are not the only members in this House who obtained their seats by the influence of that Union. We were also trying to find out why the hon. member (Mr. Davies) left the Government, and as the hon. member had referred to political slaps, I told him that he was very forgiving indeed when he and the hon. member for Cavendish could take such a hard slap as they had both received from their friends when they were allowed to walk alone to the Bar of this House and when the hon. member for Cavendish undertook to assign a reason for this, I think he utterly failed. The House was only in Session sixteen days when the hon. member tabled his Resolution, and hence it is no reason to plead want of time. I know there is material enough in the Resolutions as amended to form sufficient to speak to; but I may be allowed to say that in view of all the facts connected with the influences brought to bear for returning so many hon. members to this House, the hon. members must have felt it hard indeed to have been thus left alone;—it is hard to receive a slap from a friend. The hon. member referred to certain statements which Mr. Dodd made in his letter. I was not at the Sheriff's elbow all the time, but I said I was sure he would not have made them unless he knew they were correct. I knew he had difficulties to contend against in the discharge of his duty, for which these two hon. members were to a certain extent responsible; and I must again tell the hon. member that the Session was not so far advanced but that an investigation might have been had, if his friends had supported them, and therefore the lateness of the season was not a reason that should have been urged for voting the resolution down.

Mr. McNEILL.—I said that if a resolution had been moved to say that the statement was untrue, it would have been carried.

Mr. BRECKEN.—Then I say that the course pursued by the hon. member for Belfast, when he moved for an investigation, was the right one, for it would have been highly improper to have contradicted a statement, without showing that you were correct in doing so. I recollect the matter quite well, for I embraced the opportunity to read some extracts from the *Examiner* newspaper, and showed that they could not condemn the action of which they were complaining, without condemning their own action in placing a gentleman in the important office of Queen's Printer, who had in the paper which he conducted, condemned

the Union in terms as strong and severe as had been used by the Government. No doubt the Government side of the House felt they could not support the Resolution of the hon. member for Belfast, and hence voted for the amendment and left the two hon. members to go and stand alone at the Bar of the House. Surely the hon. members must be very thick skinned indeed when they can so persistently support a party that treated them so meanly. The hon. member for Cavendish, who is so well read in the poets, that he can quote from Homer to Tennyson, when he finds it necessary to do so; and upon that occasion, when he looked around upon the cold indifference of those who owed their seats to the cause of which they were the advocates, must have felt the force of Shakespeare's words: "How sharper than a serpent's tooth it is to have a thankless child." If the Government were willing to support the resolution of the Hon. member on that occasion, they could have done so, for the Opposition was powerless to prevent an investigation taking place if the party in power felt it their duty to go into it. But, Sir, their votes are recorded, and the whole Government, with the exception of the hon. Mr. Davies, endorsed the sentiments, on that occasion, of the Opposition, which I, on that occasion, put forward in the amendment; and I maintain that when these two hon. members support the Government, they support a Party that was ashamed to support them. I am the political opponent of the hon. members, and it was proper for me to oppose them in this matter, but I can assure them that I have no ill feeling towards either of them; but let me tell them that it may be all very well to say it is unnecessary now to take up the question of the settlement of the Land Question, as the Land Purchase Act will soon have the effect of settling the matter at rest, and especially as it is the only way in which it can now be dealt with; but I ask the hon. members, when they went to the hustings, had they the candour then to tell the people that they, in common with the Conservatives, had come to the conclusion to get rid of the difficulty in the same way. No! but by their fair promises, and abuse of the Conservatives they gave their voters to understand that they had some grand panacea, which, if but placed in power, they would use for the settlement of this Question, which would be altogether different from anything the horrid Conservatives would ever think of. But I ask, where now is the difference between us? And I bring this to their notice, Sir, to shew the political inconsistency of several of the party now in power, when they left the two hon. members to stand alone at the Bar of this House on a question they were returned to support. It showed a degree of insincerity which was not in harmony with their promises to those who sent them here; and the two hon. members must have felt that they were grievously slighted on that occasion by their political associates, many of whom used this cry as a political stalking horse upon which they rode into power.

Mr. McNEILL.—The hon. member for Charlottetown asks why we made this question so much of a political cry previous to the last general election? We all know, Sir, what occasioned the excitement that was in the country previous to, and at that time; and if the hon. member holds the same opinions now as I do on this question, it is just because public opinion is so strongly opposed to the views of the Conservatives on the Land Question, that as a consequence they have to adopt the views of the Liberals; not that they admire them, but because their party, as was said on another occasion, are getting small by degrees and beautifully less. I know the hon. Leader of the Opposition is getting tired of the Question and will, I hope, soon sell his land to the Government, and the time is I trust not far distant, when there will not be a Proprietor who has not sold out and when their will not be one man of influence who will advocate their claims here as they have been formerly upheld on the floor of this House. But, Mr. Chairman, had the Conservatives carried the day at the last election, I am much mistaken if the troops would not to-day be assisting in serving Writs for the collection of Rent, for those Proprietors who still oppress the people as harshly as formerly and who would go further did they not know that the present House would not vote money for such a shameful purpose as it had been used by the late Government, and if the hon. member's opinion and mine are now the same on this question, I tell the learned and hon. member that there is very little credit due to him for the change of his views in this matter, as they have been brought about not so much because of his own ideas of the matter, as on account of the fact, that public opinion is so strongly set in against him and his views on these questions that we have now, but a small remnant of that proud party which did so much to uphold the tyrannical system that has so long retarded the interests of this country. We tried to have a committee appointed to have the matter contained in Mr. Dodd's letter investigated, but failed; and now what is the fact? Why this; that Mr. Dundas can at the Colonial Office turn up that very letter of Mr. Dodd's, and point to it to show that we are a people unworthy of civil privileges; and if my hon. friend Mr. Davies, and I, did not succeed in obtaining an investigation into the matter, the fault was not ours; we did our duty.

Mr. BRECKEN.—But the hon. member has done no more for the Tenant Union men than I did, and when he and the hon. member for Belfast still adhere to the party who allowed them to stand alone at the Bar on that question, they show very little spirit when they can thus continue to lick the hand that smote them.

Hon. Mr. DAVIES.—If the hon. member for Charlottetown makes an attack upon others, he must put up with the consequences. No man knows better than he does, that when that silly proclamation was issued which stigmatized the Tenant League as being disloyal, and that when

it was considered necessary to have Her Majesty's Troops brought here; the Government which issued that Proclamation, and sent for the Troops, had no just cause for doing so: and it is patent to the whole community that the Tenant League have courted the strictest investigation into their conduct; nor does any hon. member in this House know better either than does the hon. member for Charlottetown the reason why an investigation was not entered into respecting the truth of the statements contained in Mr Dodd's Letter. He knows the question was voted down by the force of entreaty. The hon. member is fond of attributing to the hon. member for Cavendish (Mr. MacNeill) and myself, that we have been guilty of acts which we are afraid to have investigated. This he knows is incorrect; nor is it manly or straightforward thus to deal with a political opponent. The Tenant League men never shrank from an investigation (for fear of lowering in public estimation) a gentleman in high authority, nor have I at any time avoided the most scrutinizing investigation into my conduct for fear of condemning any one near of kin to me. The hon. member knows now, and knew then, that if that committee had been appointed, and parties brought here to give evidence respecting the matter contained in Mr. Dodd's letter, before a Committee of this House, and the action and connection which some of the hon. member's friends had with what took place at that time, it would have revealed some of the most disgraceful scenes that ever took place in this Colony, and to spare those parties who stand high in society, the appointment of the Committee was not sanctioned. That is the reason why my resolution was not agreed to, and he knows it right well; and when the hon. member for Cavendish and myself stood alone at that Bar, we only discharged our duty to the country. We did not come here, Sir, to support any particular men or party, but measures, and I defy the vote I have given, that is against the wishes of my constituents. If I did not succeed in carrying that Resolution as I wished, that was no reason why I should vote against any measure which I considered for the benefit of the country. It was the party of the hon. member that raised the price of the Lands on the estates of the Proprietors, and he knows well, that the high price demanded, by some of the Proprietors, for their lands, the refusal of others to sell, and the arbitrary acts of others of them, it was which created such a widespread dissatisfaction, coming as it did immediately after the people's expectations had been raised so high by the promises held forth that were to result from the Land Commission; and the formation of the Tenant League was only a consequence and natural result of such Legislation. The hon. member for Charlottetown endeavored to show, that what I said about Lieut Governor Dundas was not correct but utterly failed in the attempt, and in order to avoid discussion on the grounds he has taken on the position he has assumed, the hon. member, with all the tact of a special pleader, evaded the point

raised in his amendment by enquiring what the difference was between his view and mine? and arguing that they are now the same. Yet, while he had the assurance to say this, he intended to support the amendment; while a day or two ago he said the payment should be met. I know the old Tory Party too well to allow them to catch me in that way. They care nothing about the good of the country, and hence, thinking to make some political capital out of this, they thought that by introducing this amendment, the Government might be upset. If I felt it to be my duty to support the amendment I would do so, but I do not. The Resolution of the hon. Leader of the Government is the only one proper to introduce now, and judging from what the hon. member said on the subject before he slept over the matter, and had a consultation with his friends, I think he felt then, and feels so yet, that the Resolution is what ought to be supported. As to what the hon. the Leader of the Opposition said, it amounted to nothing at all. If the hon. member can show that the official and public actions of Mr. Dundas were all right, and my statements were not correct, I will admit that I was wrong, but not until then. As to what the hon. member said about Sir Graham Montgomery, I would ask what has that to do with the question before this hon. Committee? or in considering a question of this kind, what have we to do with, or what do we care for Sir Graham Montgomery? Why, Sir, not any more than we do for Black Bill. In discussing and dealing with this matter, we have to look to the best interests of the country and cast our votes accordingly, which I think we shall not do if we vote for the amendment of the hon. member for Charlottetown.

MR. REILLY.—Whether we should pay this demand at once or make another appeal to the Home Government, or to the House of Commons, is the question now before us. As one of the Representatives of the people, I shall give my reasons why I shall support the Resolution of the hon. the Leader of the Government. Upon one point we all agree, and that is, that we regard the demand unjust, and one that ought not to have been made. The question, however, before us now is, shall we make another appeal to the authorities at home, or provide for the payment of the Salary of the Lieut. Governor and be done with it? The hon. Leader of the Government has, to my mind, shown quite conclusively, from what he said about the results of the two former appeals which were sent Home, that any further attempts in the same direction would simply be a waste of time. I have listened attentively to the arguments used by hon. members on both sides, and confess I have not heard one new reason advanced to show why we should make a third appeal. We have already had two slaps on the face, and I really think if we went Home again with this matter, we would simply get a kick behind so well and vigorously applied as to that would land us into the Dominion. I confess, when I think of how

Nova Scotia was treated, that I have not such a very high opinion of British honor, when it is brought to bear upon the dearest interests of the people of these Colonies; for, if we are to believe Mr. Howe, a Bill for levying a dog tax would receive more attention, and awaken more interest among the members of the House of Lords or Commons, than did the urgent appeal, which affected the sacred rights of 300,000 of the loyal people of Nova Scotia. It has been said that the Imperial Government could not legislate us into the Dominion without our own consent, as we have had Responsible Government ceded to us; but from the answers given by Sir Roundell Palmer and Sir Charles Harcourt, to the questions proposed to them, I am led to a different conclusion; for it appears when asked if the Imperial Government, after granting to Nova Scotia Responsible Government, had not deprived itself of the right or power of taking away or altering their constitution, without the consent of the people? the answer was, that the power which gave still remained the right and authority to alter, or take away what it had given; as in all these matters the Imperial power was paramount and unlimited. Lord Granville, in calling upon us to provide for the payment of the Lieut. Governor's Salary, makes the demand in quite an authoritative manner, and concludes by saying, "I should wish to be informed, without delay, whether your Government are prepared at once, to take the necessary steps for relieving Her Majesty's Government of this charge." I think this is so imperative, that if we were to make any further appeals, we should only be met with a rebuff, which I am not willing to place myself in a position to receive. We have already, to some extent, settled the Land Question, and this is the only demand which the Home Government can now make upon us, and, therefore, I hope it will be met with a prompt reply, by immediately providing for its payment.

HON. MR. LAIRD.—I also agree with the hon. member for St. Peter's, that the question is an important one, inasmuch, that if we refuse to comply at once with the demand, we may find that means may be used for placing us into the Dominion. I am but a young member of the Legislature, yet I have read a great many despatches, and believe this is as plain and as imperative a one as was ever sent to any people. Lord Granville says: "I cannot find in the Address of the Council and Assembly, any sufficient reason for exempting Prince Edward Island any longer from the general and reasonable rule, that every Colony should pay the Salary of its Governor." This, I think, is to the point; and when we bear in mind that in 1865 and 1867, every argument we could use was exhausted I do not see what chance there is that another appeal would be attended with a more favorable result. It would be useless to show the grievances of the Colony, for to do so would be but to repeat what has been well and ably done by the past and present Government already. The hon. member who introduced the

amendment, might, in the argument which he used, have referred to the large amount which the late and preceding Governments have expended for upholding the supremacy of the law, and of the amount of time spent in agitating the grievances of this Colony, all of which have originated out of the act of the Imperial Government, when it bartered away our lands by lottery, in one day. Were I to turn my attention to this matter, I could, without any exaggeration, figure up a large amount which this Colony might very justly charge against the British Government, as the result of that grievous wrong which they inflicted upon the people of this Island; and no doubt they felt this when they agreed, in 1851, to pay the Governor's Salary—or at least said they saw no reason for asking us to add that amount to our civil list; and it is worthy of note, that no reason has yet been given. I might add, further, that no Colony has ever been imposed upon as we have—no, not even the thirteen Colonies that raised the standard of resistance in what formed the nucleus of the great American Republic; nor can I assign any reason why we are thus treated, but that of our weakness, for I feel convinced, that if we had power in proportion to the justness contained in the remonstrances we have already sent home on this subject, that the treatment we would have received, would have been quite different; yet, as the demand now made by our imperial masters is imperative, I think our interest lies in complying with it. One reason why I am of the opinion that we should pay this, is, that I think it is now the settled policy of Great Britain to get rid of the Colonies as soon as possible, and as a first step toward that, she has determined to throw them upon their own resources with as little delay as possible. The present Government in England is what is called the Liberal, and is more solemnly pledged to remove the burdens of the tax-payers in every way they can, than were the Conservatives whom they succeed; and we know that one of the settled principles of their policy is to withdraw all aid from the Colonies as soon as they can. The amendment of the hon. Leader of the Opposition is, I consider, in view of all the facts before us, quite uncalled for, and I have failed to perceive that any arguments have been used to justify our agreeing to it. I will now venture upon a very doubtful course for a young politician, and that is, to say, that I differ from the opinion of my hon. colleague in the Government the hon. Attorney General, for I think he went too far when he thought he saw and heard the hon. member for Charlottetown pleading at the Bar of the House of Commons. Why, Sir, he could never think of having that privilege accorded to the hon. member (Mr. Brecken) on such a small matter as this. All he could expect would be to get an influential member in the House of Commons to take it up for him; and I can almost fancy I see the hon. member pulling at the coat-tail of some ex-minister in the House of Commons and entreating him to get up and introduce this matter. I think the hon. member would appear

rather ridiculous, especially if he should be so injudicious as to ask a man to do so, who had in his place when in the late Government, insisted upon this Colony paying this same Salary, and if he, in justification of his previous vote on the question when in the former Government, should say, as the hon. member for Charlottetown has: "Oh I spoke without thinking."

MR. BRECKEN.—I did not say that I spoke without thinking. The hon. member is, no doubt, thinking that he is getting on very coolly, but he must not misrepresent the facts.

HON. MR. LAIRD.—I say that the hon. member did say that when he spoke on the amendment of the hon. Leader of the Opposition, when it was introduced, that he did so without thinking the matter over.

MR. BRECKEN.—Does the hon. member mean to say that I got up here and stated that I spoke without thinking? What I said was that I had spoken without holding a consultation with my friends, and hence had spoken without having had considered the question with them.

HON. MR. LAIRD.—I think the whole pith of the hon. member's arguments show that he spoke without thinking, and I must say that while listening to him, I could not understand the drift of his arguments. Still, I think if the hon. member, in going to the House of Commons, should be so unfortunate as to ask an ex-minister of the late Government to rise up to present this question, I can easily fancy how an eminent minister like Disraeli would retort upon the minister who would get up to move for entertaining any such a matter. I am satisfied the policy of the Imperial Government is decided upon, and that any further remonstrance from us is altogether uncalled for.

MR. P. SINCLAIR.—One would, in listening to this discussion yesterday, have thought that the hon. member, when speaking upon the subject, was in favor of the Resolution, and my belief is, that when the hon. member for Charlottetown brought forward his amendment, that he was himself not very certain that it would be proper to support it, for when the hon. Leader of the Opposition brought in his amendment the hon. member said, he was not certain whether he would vote for it, although he supported it. Now, suppose you could go to the House of Commons with this matter, you could only have it brought to their notice by a member of the Opposition, who would have to give a notice of his intentions on the Order Book, and if he could succeed in carrying such a request as would be contained in our memorial through the House of Commons, it would most certainly amount to a vote of want of confidence in the Government, upon which it would have to stand or fall. If, on the other hand, the Leader of the Opposition can carry his Resolution, and the matter should go to Lord Gran-

ville, I think we are fully justified in concluding from the tenor of his despatch now before us, that the reply to a third application would be similar to the last received, if not much more curt and emphatic, form the present one he expresses a wish to know our decision, which, to say the least, seems to say that they they are not prepared for any further cavilling, or reasoning, if you will, in the matter. To me, it appears quite evident that we have not the slightest chance of improving our position by such a movement, for I have no doubt but that if the Home Government, judging from its dealings with the Provinces, would very likely misconstrue our intentions, and the next thing we would hear would be an order to go into Confederation. I, for one, promised my constituents, that I would not support any measure or movement, that could be used as a pretext for driving us into Confederation; and that in so far as I was concerned, I would cast my vote so that it might tend to respect the Constitution of the Country, which promise I would not feel that I was carrying out, if I supported either of the amendments which have been brought in. To me, it appears unreasonable to expect that the Government of England will reverse its decision in this matter on account of any further remonstrance, or that we can, from the Opposition, expect to meet with success in the House of Commons.

MR. HOWATT.—in the Despatch which has been received, we asked to give a certain amount annually for the payment of the Salary of the Lieut. Governor, and this amount will be about £1,400 sterling a year; instead of agreeing to pay this, an amendment is introduced, asking that we make one appeal more to the authorities at home, either to the Government or House of Commons, praying them not to ask us to pay this amount; but as we have already done this, I see no reason for doing so again. I think we have had quite enough of refusals. The hon. and learned Leader of the Opposition, when he moved his amendment yesterday, said that he did so to clear his own skirts in order that no false construction might be put upon his conduct; and when making this statement, he alluded to myself; but if that was the object for which it was moved, I fear the hon. member will not receive as much benefit from it as he expects. The hon. member for Charlottetown anticipates, on the other hand, that there is a better chance in the House of Commons than in the Government, but, as the latter have so much upon their hands, they in all probability would give very little attention to the matter. I think that neither in the Government nor House of Commons is there less business to engage their attention than there was last year. They have a great and important question now before them—one that will engage more attention, than perhaps any that was ever before them, and I think there is less chance of having any attention paid to our grievances now than formerly. We have been often told that when a Bill is sent home once, and its allowance

refused, it is no use to send the same Bill Home again, and I think that rule will be found to apply to this matter also. The hon. member for Bracetown said, that no new argument can now be used that will have the least effect in inducing them to change their policy, and I think he is right. I am not surprised that this demand has been made in this manner, for I always thought the time would come when the Mother Country would throw us upon our own resources, and perhaps, Sir, we will have to face other matters equally difficult and unfair to meet; but I do not wish to give them any cause which they might use for the purpose of enabling them to put us into Confederation. The hon. and Learned member for Charlottetown, says that there is no danger of anything of the kind resulting from our making a third application, but I ask where is his guarantee? He has failed to produce one reason to satisfy me that there is no risk, if we resist their demands at Home. We are, Sir, entirely at their mercy. There has not been an hon. member who supported the amendment that has in any way proved that we are not liable to be put into the Dominion, if they can find cause for forcing the connection upon us. We have already memorialized them on the subject, and in our appeals, have been quite unsuccessful, and now the obvious tenor of the demand is that we provide to pay this salary "at once." I regard the matter as too serious to make political capital out of it.

Mr. BRECKEN.—The only argument used by the Government in favor of the Resolution is that of fear; and hence they say if the Committee refuse to comply with the demand made upon us, that we will incur the risk of being thrust into Confederation, and the nature of the arguments used to show this, is to assume that Great Britain has a despotic right which she has only to use, in order to take away our constitution; and it is in this view of the matter, that I differ from the hon. member for Bedeque (Mr. Laird). Does he believe that by sending Home a third application, that our Constitution would for that reason be taken from us? The most that would be done, would be to inform us that our application would not be complied with. I consider it childish to get up and urge such reasons as arguments in favor of the Resolution, for I maintain that it is a principle that is advocated and acted upon in England, not to take away the constitution of any people unless they ask for it; nor can they point to an instance where this has been done, unless where asked for by their own Local Legislature. I believe that the policy pursued by the Government on the Militia Bill has done more to imperil our position than anything else could. The policy of the Government on the defences of the Colony has done more toward inducing the Home Government to force us into Confederation, than anything we might urge against the payment of this unjust demand. But, while I believe this, yet we shall never be placed in it unless we agree to it first ourselves. Still I consider that the policy

of the Government on the Defence Question was wrong.

Hon. Mr. DAVIES.—The hon. member for Charlottetown has given it as his opinion that the defence policy of the Government was such as might have a tendency to induce the Home Government to force us into Confederation, and that our Militia Bill was calculated to have that effect. The hon. member professes to be opposed to Confederation. He has been returned to use his influence against anything that would lead us into the Dominion; yet he, while believing the measure would have that effect, did not say so at the time, but voted for the Bill. Is this the way the hon. member shows his political consistency? If he wished to carry out the views of those whom he represents, when in this House, why, when the Bill was before the House, did he not raise his objections then? Certainly if he wished to prevent us from being placed into Confederation, he would have opposed a measure, which he considered would have that effect. I do not look upon the matter though, in the same way as the hon. member does and as I have already very fully expressed my views upon this subject, I will only add that I hope this hon. Committee will support the Resolution submitted by the hon. Leader of the Government.

Hon. LEADER OF THE OPPOSITION.—The hon. member for Belfast (Mr. Davies) is determined the sod shall not get dry over this Land Question while he can dig it up. He states that the Imperial Government transferred all the arrears of quit rents, when we passed the Civil List Bill, to this Colony, but he knows very well that there were no such arrears. He knows that the whole of those quit rents had been given up by the Imperial Government before the Civil List Bill was introduced into the House. He knows that if the whole of the quit rents had been collected, they would only have amounted to about £3000 sterling. His statements on this matter are, what I call humbug. It amuses me, that hon. members on the other side of the House admit that this demand upon the Colony by the Imperial Government is unjust, in consequence of the granting away of our lands in the reign of King George, III., and that they think there is something dark and covert in this despatch. The hon. Leader of the Government is afraid his office will be gone and that he will no longer be the Leader of an independent Government if this salary is not granted.

Hon. LEADER OF THE GOVERNMENT.—I am quite willing to give up my office at any time.

Hon. LEADER OF THE OPPOSITION.—From the remarks of the hon. member, I believe he was never so near Confederation as he is this evening. It is all nonsense, Sir, to say that the last paragraph of Lord Granville's despatch signifies that we are to be put into Confederation unless we pay this Salary. That paragraph reads as follows:

"I should wish to be informed, without delay, whether your Government are prepared, at once, to take the necessary steps for relieving Her Majesty's Government of this charge."

This means that he wishes to be prepared to give the Chancellor of the Exchequer information as to whether it is to be placed in their estimates for this year, or not. That is the ordinary meaning of the despatch. I do not for one moment believe that it was Lord Granville's intention to dictate to us in the matter, for he is one of the most liberal men in the House of Lords. If he intended to adopt such a course, he would have put his sentiments in black and white. No other construction that that which I have given can be put upon the words of this despatch. The hon. Leader of the Government has said that if his resolution is not carried in this House, he will walk off and leave the Government. Well, I should be sorry to see him do that, for I believe he is almost immaculate,—he has had the whole weight of the business of the Liberal Party upon his shoulders, for some time past, and I give him credit for the manner in which he has managed that party. He has kept his temper admirably up to this time, but he was a little irritated by the conduct of the hon. member for Charlottetown. But this must be looked over, for I suppose he was taken aback by that hon. member. My belief is, that we can be placed in no worse a position than we are at present, by again appealing to the Imperial Government to continue to pay the salary of our Lieutenant Governor. It would, perhaps, be better to try a new avenue, viz: the British house of Commons, for redress in this matter. I am not of the opinion that it would interfere with the initiation of money votes in that body. We might simply state that the Colonial Minister is placing an unjust tax upon the people of this country, and that we wish for the redress of this grievance. If this petition were presented by a member of the House of Commons to that body on the same principle that a resolution is submitted by an independent member of this House, we should, at least, get the reason why they refuse to continue the payment of our Governor's salary. If any independent member of the House of Commons submitted a petition, the Minister of the day would, at least, tell him the why and the wherefore, if it was refused. We have never had the satisfaction of an answer to show where we were wrong in asking the Home Government to pay that salary, and therefore by adopting the course I have spoken of, we should, at least, have that satisfaction. They have simply told us that they will make no distinction between this and the other Colonies, without telling why. If they had not sold our birthright, and we had not to redeem our lands, we would have ways and means to pay our Lieut. Governor's salary; and I, for one, would have scorned to go to the Colonial Office to ask to have the Colony released from the payment of this two thousand pounds. It is for the principle that I contend, it is because it is an unjust demand we

wish to be relieved from it. The Government tell us that they are afraid that we should be forced into Confederation if we do not accede to the demand of the Imperial Government. With this opinion, I cannot for one moment agree, for I cannot believe that the British Government, with such great lights as John Bright and others in its midst, or that the reformed House of Commons, returned under the new Franchise, would sanction a Bill to put the people of this Island into Confederation while so much opposed to it. There is no precedent for such an Act. The Queen's Printer has been quoting constitutional law to prove that the British Government might take such a step, but I can tell him that we can never forfeit our present form of Government except by our own act, until we are guilty of unconstitutional acts, or of putting the laws at defiance, as they did a quarter of a century ago in Newfoundland. Even in the latter case, the British Government merely suspended the constitution of that Colony—they did not take it away. I say there is no precedent for such an act as that feared by hon. members opposed to a third appeal to the British Government. Even in the case of Jamaica, although there was open rebellion, their constitution was not cancelled, and, Mr. Speaker, do you think we are going to be treated worse than Jamaica. No, Sir, I cannot believe that the British Government would treat any of Her Colonies in that manner, in this nineteenth century. In the Sister Province of Nova Scotia, they were constitutionally deprived of their constitution by the hands of their own representatives, and therefore, the act was binding, just as it was when the Parliament of Ireland voted for union with England. In all these cases, the people were deprived of their constitution by the action of their Legislature, and, therefore, it was constitutional. We should not be pitchforked into Confederation because the Act of Union specially provides that no Colonies are to be admitted into the Union until its Colonial Legislature have passed an Act stating that the people are prepared for it, and that communications have been sent to Her Majesty and the Governor General of the Dominion on the matter. The British Government would not be guilty of such unheard of tyranny as to do such a thing. Hon. members on the other side of the House, in advancing such opinions, merely want an excuse for their acceding to this demand—they know it is hard to swallow the resolution submitted by the hon. Leader of the Government, but he wants everything to run smoothly, and they do not like to oppose him. He applies the whip and the iron rod, and tells them they are in danger of being thrust into Confederation, and they quietly submit. At the same time there is not the shadow of a chance of our being put into Confederation without our consent. In making a third appeal to the Imperial Government we should be perfectly safe, and we would save at least one year's salary, viz., £1,500 sterling by it. All the eloquence of the hon. member for Charlottetown could not convert the hon. member for Cavendish

to his opinions—he would not be seen voting with this side of the House. As he is well versed in the poets, it may not be amiss to remind him that “Men’s judgment are like their watches, they all vary, but each man believes his own.”

MR. REILLY.—The hon. Leader of the Opposition has told us that his action, in opposing the resolution, might be misrepresented because he is a Confederate; but I do not think any member of this House has attributed his present course to his views on Confederation. The statement, therefore, which was made by him to the effect that the action of the Government in acceding to the demand of the Imperial Government, was owing to their love of office, came with very bad grace from him. In my opinion, it is better to pay the salary of our Lieut. Governor and be done with it, than to appeal a third time to the Imperial Government on the matter. That hon. member thinks that if a third appeal were made, and our request refused, we should thereafter pay the Salary, but I would oppose giving the Home Government a chance to refuse another appeal, for I believe a refusal would be certain. I think the hon. member is wrong in the meaning which he attaches to the Despatch. It plainly states that Her Majesty’s Government expect that we shall make provision for the payment of the Lieut. Governor’s Salary when Mr. Dundas shall relinquish his office. His salary this year will be provided for, by the Imperial Parliament, hence the hon. Leader of the Opposition’s interpretation of the despatch cannot be correct. As regards constitutional law, I do not pretend to understand it, but I may state that the hon. Leader of the Opposition differs very widely from Sir Roundell Palmer on that Question.

HON. LEADER OF THE OPPOSITION.—I fully agree with Sir Roundell Palmer. Power is one thing and the exercise of it is another.

MR. REILLY.—The Imperial Parliament, that gentleman said, had the power to take away our parliament without the consent of the people. If we refused to pay the Salary of the Lieutenant Governor, in the face of this Imperial Despatch, I believe they would make short work of us. It would be an easy matter for the Imperial Parliament so to amend the Act of Union, as to include this Colony in the confederacy without the consent of its people, should it refuse to bear a burden which all the other Colonies have to bear.

MR. BRECKEN.—Will the hon. member for St. Peter’s say that he believes that the consequences of making a short application to the British Government, will drive the Imperial Parliament to alter the Act of Union, so as to force this Colony into Confederation?

MR. REILLY.—I believe it is possible and quite probable; and for that reason I support the policy of the Government in regard to this matter. I may inform the hon. member for Charlottetown,

that I, for one, do not expect to gain popularity by imposing additional taxes upon the people, for the purpose of defraying the expenses of the Governor’s salary.

HON. MR. HOWLAN.—The debate on this resolution has taken such a wide range, that I believe the only thing that has escaped notice, is the grant to the Bishop’s schools. We have had a speech from the hon. member for Charlottetown—a nice dissertation on “how not to do it.” This question, he says, ought to be met and the salary paid.

MR. BRECKEN.—I never said the salary ought to be paid by this Colony.

MON. MR. HOWLAN.—I do not intend to say much, but as I have kept quiet all day, I will make a remark or two. The hon. member says: “I did not say we ought to pay it,” but he says it ought to be met. Here is a specimen of the hair splitting of that hon. member. After expressing himself in that manner, he slept over it, took his glass and felt jolly. He then comes in and says: “the fact is we are not going to pay it. What! Prince Edward Island going to pay the Governor’s salary? No, we are going to petition the House of Commons for redress.” This puts me in mind of the last two issues of a certain Journal in this City. In one paper we find the following:—“We exceedingly regret that truth compels us to state that these despatches afford ample evidence that George Dundas, Esq., Lieut. Governor of the Colony, did not sympathize with the people over whom he ruled. Not a finger did he raise to further an object so dear to their hearts, &c.” I presume the editor of that paper, like the hon. member for Charlottetown, slept over the matter; and two and a half days afterwards, he says:—“Nor can we endorse the statement of the *North Star*, that our late Governor cared nothing for the interests of our people. To the credit of Mr. Dundas, be it spoken, he exerted his influence to gain a settlement of the Land Question, &c.” But, Sir, really and truly, an outsider would, on coming in here for the first time, be at a loss to know what we are at, whether the question of Confederation were before the Committee (and this was to be our last night under a free Government), or if an American thirty gun frigate had visited us and we were about to raise the flag of the United States. A stranger could not decide whether we were in for Confederation or Annexation. In regard to the question before us, I may remark that there are other Colonies belonging to the Crown of Great Britain, in which almost the same questions as those which come before ourselves, are discussed. For instance, the Government of Tasmania, wishing to enter into negotiations for free trade with the neighboring provinces of Australia, look to Prince Edward Island for a precedent. They appealed to the Home Government and back comes a Despatch saying, “we will allow nothing of the kind.” Again the Province of New Zealand wishes to

open a trade with the United States, but in making advances in that direction, got rapped over the knuckles. In looking over the debates of their parliament, I find that the remarks of one of their members—Mr. Stafford—are not very complimentary to the British Government on that account, although he is a member of the Government of that Colony. It seems that the Government of New Zealand wished to obtain possession of an Island called Otaru, and asked the Commander of a British ship to raise the British Flag over it. He would not, and six weeks after the Flag was hoisted over it. There is a damaging repugnance to the interests of the British American Provinces in the Mother Country—there is an extraordinary feeling against their Provinces in the breasts of the British people. They will not allow the Colonies of Australia to exchange productions with one another. Ancient Greece and Rome dated their downfall from the time they lost their Colonies, and it may yet be the case with Great Britain. I wholly disagree with the remarks of the hon. Leader of the Opposition in regard to Lord Granville's Despatch. The latter paragraph of any letter has much to do with the foregoing statements; part of that preceding the last reads thus:—

"I cannot find in the Address of the Council and Assembly any sufficient reason for exempting Prince Edward Island any longer from the general and reasonable rule that every Colony should pay the Salary of its Governor; and Her Majesty's Government expect that provision will be made by the Legislature for the payment of that Salary, so soon as Mr. Dundas shall relinquish his office."

Every Colony, they think, should support its own Governor, and, for that reason, they cannot make this Colony an exception to the rule. We have sometimes been twitted that we were a party that did not care for law or order, and that we had no influence with the Imperial Government. Now, I know, that the late Government sent home a remonstrance and they received the same reply as that sent to us. For my own part, I am not so much afraid of this bugbear Confederation as some hon. members of this House are, although I am not prepared to go to such an extent as some go. As for the Militia Bill, there as much appropriated for military purposes this year as there was last year. The hon. Leader of the Opposition would not contradict the opinion of the Adjutant General, who says that he would rather have 500 well drilled and equipped men, than the whole of our Militia force of last year. If the defence question had such a tendency as represented, I am surprised that the hon. member for Charlottetown voted for it. We have an example in the case of Nova Scotia to show that the British Parliament has legislated against the well-understood wishes of the people. The people of that Colony petitioned the House of Commons, but it was of no avail and they have had to back down. I contend, therefore, that it

would be perfectly useless to address the House of Commons on the subject now before us, and therefore I shall support the resolution introduced by the hon. Leader of the Government.

Dr JENKINS.—The hon. member for Princetown (Mr. G. Sinclair), has called upon me to give some reasons why we should not grant the salary of our Lieutenant Governor. This demand made upon us is an unjust and unreasonable one, and it is a breach of contract on the part of the Imperial Government. It is the duty of our people to resist any act of coercion which is an injustice to the Colony to the very last. I do not say that an appeal to the House of Commons will have any effect, but we should prove recreant to our trusts, if we vote away the people's money to pay the salary of the Lieutenant Governor, before making every possible effort to resist this demand. Little or nothing has been advanced by the British Government to show why this Colony should pay that salary, and we do not know that our remonstrance has been heard by that Government. The Despatch before us does not refer to the arguments adduced by us at all. I think we should display a great amount of pusillanimity if we accede to this demand. Who is Earl Granville? He is only a man, and we are men also. What right has he to put us into the dirt because this Colony is small? We should assert our independence, for if we submit to such treatment, it will be the very means of putting us into Confederation, instead of keeping us out of it. If we knuckle under, they will come to the conclusion that we have lost all public spirit, and that they can therefore easily put us into Confederation. If we allow this demand of the Imperial Government to pass without a protest, I believe that the next thing will be that we shall be ordered into Confederation. The amount of that salary is nothing in the Imperial Government—it is a mere drop of the bucket. I do not see how they can expect us to pay, for they agreed, in the year 1851, when Responsible Government was introduced, to pay that Salary. Our lands were taken from us to pay the obligations of the British Government, but they never redeemed these lands; and therefore they have no right to make such a demand upon us as that now before us. I believe that we shall be better off if we resist to the very last, for they may reconsider the matter and give it more attention. If they refuse another appeal, they can but renew the demand, and we could then tell them that we would rather pay than be forced into Confederation. We could tell them that if they enforce their demand upon us, that it will sap the loyalty of our people towards the Home Government. Because we happen to be small, are we to be trodden upon? A worm will turn under such treatment, and we are better than worms. I, for one, have no fear that we shall be forced into Confederation, and therefore, because the demand is an unjust one, I shall oppose it.

Hon. Mr. CALBECK.—I feel that it is not a

pleasant duty to tax our own constituents, but among all the arguments which have been brought up, I have not heard one more than was embodied in the Address of last Session to the Imperial Government to show why we should not pay the salary of the Lieutenant Governor. It appears to me that the British Government have not passed over our arguments altogether, for Earl Granville says "I cannot find in the Address of the Council and Assembly any sufficient reason for exempting Prince Edward Island any longer from the general and reasonable rule, that every Colony should pay the salary of its Governor." It appears to me that they have looked over the Address of 1865, and I believe that all the arguments that could be used were embodied in that Address. They have had ample time to think over the matter since that Address was sent Home. When we were again called upon to pay that Salary, two or three years had elapsed, so that they had quite sufficient time to think over the matter. Another address was forwarded last Session, in which all the arguments possible were used. In that Address it was stated that the ordinary Revenue which one proprietor received from a single Township, was sufficient to pay the Salary of our Lieutenant Governor. But the British people think we are as able to pay our taxes for the payment of our Governor's Salary as they are; and I believe that it is upon this principle that this demand is now made upon us. There is no doubt that the treatment which we have received at the hands of the British Government will not tend to increase our loyalty; but I do not believe that our people are loyal merely on the matter of pounds, shillings and pence, still money has something to do with it. The only tendency this demand has, is to make us disloyal. On the other hand, if the British people are taxed to pay the Salary of gentlemen in this Colony, it tends to make them disloyal. If we look at the present British Ministry, we shall find that the very principles they maintained among their constituents were that the latter were bearing burdens which they should not have to bear, and it appears to me, that they pledged themselves to relieve the people of those burdens. For these reasons, among others, I think it is useless to send Home another remonstrance against the demand now before us. If any hon. member can show any other argument than those already adduced, I should be willing to make another appeal, but it appears to me that this cannot be done. We are only submitting to the demand of the British Government because we cannot help ourselves. We all acknowledge the injustice of this demand, but there are many things which are unjust, which we have to bear, and this is one. An appeal was made by the Nova Scotians for a repeal of the Union; but it was refused. If the British Government had not been in favor of the Union of Nova Scotia with Canada, would not the people of the latter country have had a hearing? The British Government had the constitutionality of the mea-

sure, of course, in favor of their action; but if they knew it was not in accordance with the principles of Responsible Government and the well-understood wishes of the people, would they have been justified in acting as they did? They were cognizant of this, but it was to their interest to do as they did. And we stand pretty much in the same position as Nova Scotia; for we have asked for what they have no interest in giving us. If the poor among them were not burdened by the tax for the payment of this salary, the Home Government would let us alone; but they are burdened. If we insist, therefore, upon their paying this salary, they will say to us, 'You must go into Confederation and get it paid.' The Leader of the Government, in taking his present course, had his supporters, and I believe they were all convinced that the only safe course to pursue was for us to pay the salary. After we are prepared to do this, we can state our grievances to the Imperial Government.

Hon. Mr. HENDERSON.—If this debate is to be closed this evening, I wish to make a few remarks on the matter before the Committee. I gave my first impressions on the subject, but left the door open for myself to follow any course I saw fit and proper: I took up the common aspect of the question and spoke of the injustice of the demand; that was the sum and substance of my remarks. The debate which has taken place has not changed my opinion on the subject—any change of sentiment has been the result of my own reflection. As to the character of the despatches from the Colonial Office, in reference to Nova Scotia, we know that they were as foreign to the strict honest facts of the case, morally or politically, as any statements could possibly be. Notwithstanding the fact that the hon. Joseph Howe went home and stated the case, backed up by a petition from 13,000 of the loyal inhabitants of Nova Scotia—because the Imperial Government had the fact that the Legislature of Nova Scotia had consented, by the most foul and unjustifiable means, to the union of that country with Canada—they heeded not the petition, nor the representations of that gentleman, although they knew they were acting against the well-understood wishes of the people. Then assuming that the address of this House, or of any portion of it, were presented to the House of Commons, and that the Colonial Minister, backed up by his predecessor, got up and made a statement contrary to the prayer of our appeal, what would be the effect upon the House of Commons? It would scatter to the winds any impression made by the Address upon that body, and the result would be that there would be no chance for little Prince Edward Island to obtain her wishes. There seems now to be no alternative for us, but of two evils to choose the least. When I consider that Newfoundland is about being legislated into Confederation, that a ring is being formed around us, and that the British Government have reduced our defences as far as they have done, I cannot but come to the conclusion that it would be unsafe

to risk the result of refusing to accede to this demand. I am as desirous that the people should be relieved from every burden, as any hon. member of this House, but I think it necessary to submit to this demand, for I believe that the British Government would not be particularly scrupulous in regard to forcing us into the Confederation against our wishes, if they had what they thought a slight pretext for so doing. I would not favor any movement on the part of this House which might call for reflection in future. I shall, therefore, support the Resolution introduced by the hon. Leader of the Government.

The question was then put on the amendment, when the following division took place:—

Yeas.—Messrs. Brecken, Owen, Green, Ramsay—4.

Nays.—Hons. Leader of the Government, Col. Secretary, Laird, Galbeck, Kelly, Howlan, Davies, Duncan, Henderson; Messrs. Bell, Reilly, MacCormack, Kickham, G. Sinclair, Howatt, McMillan, Prowse, Arsenault, McNeill, P. Sinclair—20.

The original motion being then put, was carried by the same division.

The Speaker took the Chair, and the Chairman reported the Resolution agreed to.

House adjourned.

THURSDAY, April 1st.

Forenoon Session.

The question of concurrence was put on certain resolutions, which were then agreed to.

The hon. Leader of the Opposition took exception to the course pursued by the House on the previous evening, touching the receiving of the report of the committee of the whole, on the question of paying the Governor's Salary, and contended that the action taken on the matter was an infringement of the Parliamentary rule prohibiting the House from receiving resolutions, granting public money or imposing taxes, on the same day on which such resolutions were agreed to in Committee. If he had been in his seat when the question was put last night, at a very late hour, he would then have opposed putting the question. He moved a resolution, seconded by Hon. Mr. McAulay, to the effect that the vote or act of the House last night, in receiving the report of the Committee, granting a yearly Salary to the Lieutenant Governor of this Colony, was unconstitutional and contrary to Parliamentary rule; and that therefore, the said report of a Resolution be received by the House to-day. After some remarks from the hon. Leader of the Government and other hon. members on the point, hon. Attorney General moved, as an amendment to the resolution of the hon. Leader of the Opposition, that the question be again put this day, on the resolution reported last evening from the

Committee of the whole House, on the Lieutenant Governor's Salary.

The question was then put on the amendment, and the House divided as follows:—

Yeas.—Hons. Attorney General, Col. Secretary, Laird, Kelly, Davies, Galbeck, Duncan, Henderson; Messrs. Reilly, P. Sinclair, Bell, McNeill, Arsenault, G. Sinclair, Cameron, Kickham, Howatt, McMillan—18.

Nays.—Hons. Haviland, McAulay; Messrs. Brecken, Owen, Ramsay, Green—6.

The resolution reported from the Committee last night, was then again read.

After hon. members had made a few further remarks on the payment of the Salary of the Lieut. Governor, the question was again put on Mr. Brecken's amendment, which was lost on the following division:—

Yeas.—Hon. Mr. Haviland; Messrs. Brecken, Owen, Ramsay, Green—5.

Nays.—Hons. Att'y. General, Col. Sec'y, Laird, Kelly, Howlan, Davies, Galbeck, Duncan, Henderson; Messrs. Reilly, P. Sinclair, Bell, McNeill, Arsenault, G. Sinclair, Cameron, Kickham, Howatt, McMillan, MacGormack—20.

Hon. Leader of the Government presented a Copy of a Despatch from the Government of this Colony to Earl Granville, dated 15th February, 1869, and also the reply of Earl Granville, Secretary of State for the Colonies.

Hon. Leader of the Government presented a Bill to place £30,000 at the disposal of the Government for the purchase of township lands in this Island. Received and read a first time, ordered to be read a second time tomorrow.

House adjourned for one hour.

Afternoon Session.

Hon. Speaker in the Chair.

Hon. Attorney General presented the Copy of a Despatch forwarded by the Government to Earl Granville, dated February 6th, 1869, and the reply thereto which were read at the Clerk's table, when the House went into Committee on the further consideration of the sum to be voted for the payment of the Lieutenant Governor's Salary.

Mr. Cameron in the Chair.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman: As the whole question has been pretty well ventilated, I trust it will not be necessary to go into the matter again, and I assume that the other Resolution being carried, that the principal is now settled, and that the next thing we have to attend to, is the amount to be provided; and on this point I would suggest, that we should provide for the whole amount which is now provided for by the arrangement made for the same service in the Colonial Office. From the facts brought to our notice in this respect, it appears that the

salaries of the Lieut. Governors in the other Provinces is fixed at £14000 sterling, and that, in Nova Scotia, they provide £250 sterling, in addition for the payment of the salary of the Private Secretary. Therefore, taking that as the basis, and assuming that we remain a separate and distinct Colony, it is not likely that any larger sum than £1,400 sterling will be demanded of us. I do not, therefore, purpose asking this hon. Committee to make any further provision than what will meet the Salary, and beg therefore, to submit the following Resolution:—

Resolved, That a Salary, annually to be paid, to the Lieut. Governor or other Administrator of the Government of this Island, after the present Lieut. Governor shall relinquish his office, be provided and fixed at, £1,400 sterling, equal to £2,100 of current money of Prince Edward Island. I may say that my opinion was quite conclusive as to the uselessness of appealing to the Home Government again, and that it was prudent and wise not to go Home again with another memorial on the subject. The despatch to-day read, shows conclusively that the decision of the Home authorities is fixed, and that they have assumed that we will soon be placed into Confederation. I think that no man of influence could be got in the Imperial Parliament to undertake the successful prosecution of our demand. I am not so terribly afraid of Confederation, as to suppose but that we could get along even if we were placed in the union; but this is not the wish of the people of this Colony, and our duty is to prevent it if we can, and give no cause for having it forced upon us contrary to our wishes.

Hon. LEADER OF THE OPPOSITION.—I do not consider that their honors, the members of Her Majesty's Government in this House, have acted during the last two days with that strict and open candour, which I think they should. They received that despatch last Monday night, and, might, therefore, have brought it down earlier. I had reason to know from a letter I received myself that there was a despatch received, and I must confess that I consider they should have treated this side of the House with a little more candour, if not courtesy. It was all very well for them to say to us that if we sent Home again, that the prayer of our memorial could not be answered; but had this despatch been before the House, perhaps it might have changed the views of some hon. members. I cannot, therefore, give the Government my applause for what they have done in this matter. It appears as if they wished to frighten hon. members into voting for the Resolution, by persuading them that if it was not agreed to, we would be immediately pitched into the Dominion. Whereas my learned friend the hon. member for Charlottetown and myself argued, that we could only be placed in by both Branches of the Legislature passing a Bill for that purpose and sending it home for the sanction of the Home Government; and now, we have that Despatch and it fortifies the arguments that we used. In

the reply which the Government received, the Home Government refuses to guarantee a loan to enable them to purchase out the Estates of the remaining proprietors, and the Imperial Minister says: "Having regard to the evident uncertainty, whether the Colony of Prince Edward Island will or will not soon unite itself to the Dominion of Canada," obviously showing that it is not the intention of the Imperial authorities, to do anything in the movement in any other way than that indicated by the hon. member for Charlottetown and myself. The Despatch is plain; go into Confederation, and you will have your reward.

Hon. Mr. LAIRD.—It appears to me, that the learned Leader of the Opposition sees more in the Despatch than any one else; at all events, it appears to me, that if the hon. member would read it over carefully, that he will find that the views which have been expressed on this side of the House, are substantially such as those which have so far been used by those hon. members who supported the resolution. A general election may show that a change, with respect to Confederation, has taken place in the views of the people on that question, but I have no reason to suppose that it has, and I believe that who ever our successors may be, they will be, like ourselves, charged to vote against anything, and everything, which might lead us into a Union with Canada. It is clear though, that in the opinion of the authorities at Home, they look upon Confederation as a settled fact, that it is to take place at no distant day, and if the Salary of the Lieutenant Governor had not been provided, what better argument would they require to place us into the Dominion, than our refusal to comply with the demand; and I have little doubt but they will yet endeavor to find some means for driving us into a union with the New Dominion.

Hon. LEADER OF THE GOVERNMENT.—The hon. Leader of the Opposition said the Despatch should have been laid before the House earlier. I believe, that no member of the Government except myself, knew the contents of that Despatch until this morning; and I rejoice to know, that this hon. Committee came to the conclusion to pay the Governor's Salary, before they saw this document, or knew its contents; and, judging from what the hon. Leader of the Opposition said about the Despatch coming out, I concluded he knew all about it. I saw it on Monday evening, but the other members of the Government did not.

Mr. BRECKEN.—The hon. member was aware of the contents of this Despatch more than twenty-four hours ago. He saw it on Monday afternoon, and that evening, or on Tuesday morning, he might have informed the House of its contents. But he did not do so, but sat there without opening his mouth on the subject. I consider that it was his duty to have laid it before the House before to-day; not that I think it in any way affects

the line of argument pursued by the learned member, the hon. Leader of the Opposition and myself, but as a right of courtesy due from the Government of this House. I cannot agree to see the matter in the same light as the hon. member for Bedeque (Mr. Laird) does, for I think it fully bears out the arguments used by the Opposition; for instead of using any threats towards us, it is quite clear from the whole of the Despatch, that it will be left to the decision of the people of this Island whether they "will or will not" unite with the Dominion of Canada. I must say that I think the hon. Leader of the Government did not act fairly in withholding this Despatch so long. Why allow us to come to a conclusion in the matter when there was information in his possession which should have been laid upon the table of this House? In the Despatch which the Government sent Home, the Imperial guarantee is asked for raising a loan on our Debentures and if this is conceded, the Government say they will make provision for the payment of the Governor's Salary. No Imperial guarantee has been given; and even before they knew it would not, they ask this hon. Committee to provide for it. Although we do stand here as a small minority, I tell them that this despatch does not breathe a single threat or contain any statements to justify the Government in the arguments which they have used here on this question. This Despatch does not fortify the position they have taken. The whole tenor of it is, that they will not interfere with any of our affairs,—in plain English, will do nothing for us, while we remain out of the Union. The last House passed some strongly worded no-terms resolutions; this House have also virtually acted upon them. Now, the Home Government obviously hold out a bait. They do not say if you not do so and so, we will take up this question you have submitted for our consideration; but tell us if we do not, we must settle our Land Question and all others as we can best do so ourselves; and if we now refuse, it is not beyond the range of possibility for them to use means to put us into the Union. The whole tenor of the Despatch fortifies the views of the Leader of the Opposition and myself on this question.

Hon. Mr. LAIRD.—I look upon this Despatch virtually as a fourth refusal to pay the salary of the Lieut. Governor of this Island after the expiration of the term of Mr. Dundas; and I think no one in the Colony will object to our providing the amount named in the Resolution, unjustly hard as it may be, and doubtless is. Yet our people will prefer complying with the demand rather than run any risks about being placed into confederation. Had our natural capital been left with us, the demand would not have been so unreasonable; but when that was taken away, it was, I consider, quite unfair to ask us to pay it, but we have no alternative but to support the resolution.

Mr. REILLY.—I look upon this minute of Council as another very strong remonstrance, on the part of the Government, against the gross injustice of the demand for the payment of the Lieut. Governor's salary by this Colony; and I am decidedly of the opinion that the Government did right in asking some consideration from the Home Government, on account of the great injustice done to us in the disposal of our lands. The answer shows that they look to our connection with Canada as an event which is soon to take place.

Mr. McNEILL.—I think I said, yesterday or the day before, that, if we want to go into confederation, we have but to accept the \$200,000 bribe which had been offered to us; and in this Despatch we are clearly and plainly told that if we want our land question settled, we have to go into confederation. This Island would never have objected to the payment of the salary of the Lieut. Governor, if we had been placed in the same position as the other Colonies were. This Despatch plainly proves that when the demand was made, in 1865, when confederation was the order of the day, that it was with a view to our being placed in the Dominion.

Hon. Mr. DAVIES.—The memorial which was read here to-day, to which this despatch is a reply, shows very plainly the sincere and ardent desire of the Government to do all they can to settle the land question, and that they have left no stone unturned in their endeavor to induce the Home Government to consent to what is but just and reasonable in the matter. But, sir, I really now do not see that there is any way in which to carry out the great wish of the people for the settlement of the land question, as the proprietors will not accept what we can offer them. With reference to the whole tenor of Lord Granville's reply, it at least shows quite plainly that the British Government do not care much for us; that they have cast off all protection; and, in effect, have said, that we can go and find protection where we can. I only wish the Despatch was more explicit and out-spoken on this point: then we would know the extent of our freedom. As to the offer, seemingly, or plainly, implied, to go into confederation, it is similar to the one made to Newfoundland, which was, in effect, that if they went into the Union, Her Majesty's Government believed that Reciprocity would soon follow. Such a statement is in the speech of the Lieut. Governor of that Colony, at the opening of the Legislature; and, sir, you know that there was never a poorer prospect of obtaining Reciprocity than there is at present. We know that the feeling between the United States and Great Britain just now is not such as warrants us to expect that a renewal of reciprocal trade relations with these Colonies is likely to be soon realized. I see it stated in press that the feeling in the United States is, that no pecuniary recompense which Great Britain could offer to the

United States Government, on account of the *Alabama* claims, would compensate them for the evil they received from them during the last war. That, but for Great Britain, the war would have been closed two years earlier than it was; and they say further, that, while this was going on, the Government of England was expressing great sympathy for them, and yet, at the same time, was allowing their ships to go and destroy her commerce; and, therefore, I think that the encouragement held out to Newfoundland had no foundation in fact. We all know where the treaty making power lies, and the prospect of its being soon renewed with Canada is now apparently out of the question, so that the union of Newfoundland with the Dominion will only have the effect of making that country poorer, as their taxes will immediately increase, without affording any means for improving their trade; and such would also be the effect upon this Colony. The obvious policy of the Dominion is to impose a tax upon our products and exact large duties. The duty on oat-meal, last year, was fifteen per cent. As to Confederation, I am not for going into it on any terms which they may or can offer; for it is not in their power to offer terms to us that it would be any advantage for us to accept. I only regret that the Home Government did not tell us more plainly what we might do; but I think they have very nearly told us to go where we please, and had they but said so in plainer terms the answer would be more satisfactory.

Mr. PROWSE.—The Resolution of the Hon. the Leader of the Government places the salary of the Lieut. Governor at £1400 sterling, which the hon. member said he did not consider was too high for that officer. But, sir, I am of the opinion that the Lieut. Governor of this Island does not require as high a salary as they do in the other Provinces, where the expense is much greater than it is here; and if the Home Government comes down to the humiliating position of thrusting an officer upon us, we will not place ourselves in any worse position by offering less; and let those who appoint him give more if they choose. I think the Government might, with every propriety, take the liberty of naming £1,000. Our revenue is small, and this, I consider, is as much as is required in a Colony like Prince Edward Island, where the Lieut. Governor is not required to live in the style called for in larger Colonies.

Hon. Mr. HENDERSON.—It does appear from the whole tenor of this Despatch as if there is an inclination to put the screws on this Colony, unless we conform to the present policy of the British Government. I said a few days ago, that I believed the British nation, at heart, was right, and that the great bulk of her people meant that justice, and that only, should be extended to the Colonies; but, between red-tape-ism, on the one hand, and the leviathanian crust, on the other, in the present Government, with the so-called wholesale reform now pressing upon the Govern-

ment, upon which the party in power will, in their dealing with it, have to stand or fall, so that the view I took of it a few days ago agrees with what we have since learned. If any claims in way of saving the Imperial finances is made upon us, it must be responded to by us in the manner in which we are directed to do so; but if we present our grievances and ask to be allowed to pass such measures as we know would assist us in redressing them, we are told to go into Confederation. We have always called Great Britain the Mother Country, but I think we may now call her the step-mother, and a very harsh one at that. I am a British subject, and I believe a loyal one, and think British justice should consist in extending equal justice to all her subjects; and justice to myself and those who sent me here demand that I say this much. There is also an additional matter to be considered; and one which ought not to be overlooked. This Colony asked for Reciprocity; this is an Imperial measure, and one that can only be entered into by independent powers; but the idea that we should use a privilege which belongs to every British subject as his inalienable right—the right of petition for what we knew would be to our advantage—gave offence, and for so doing we were snubbed at once. We have, sir, held our shoulder against pressure for the last five years from those who wished us to go into Confederation, and now I consider it no more than justice to our own people, since the Imperial authorities are bearing so harshly upon us, that we should see to our own interests; and if the Imperial Government send a gentleman here to represent Her Majesty, I consider that the allowance should be according to our circumstances, and, therefore, consider that £1,000 is as much as we can afford to give, and if his Imperial masters think the amount too small, they can add to it as much as they please.

Hon. Mr. CALLBECK.—It appears to me that when £500 was voted by this Colony five years ago; in addition to what was paid at home, to our Lieut. Governor, and when it was offered it was refused; and that the Home Government made the amount £250 higher than that which our Government offered to raise it to; that if that was their view of the matter then, it is no use for us to offer less now. Although the sum may appear large, yet when we consider our position, I think it is as small as we can offer, and as we have agreed to comply with the demand, it is far better to do so in a manner that there will be no fault found with. As to the Despatch, I think it is quite clear from it that the Home Government has decided upon the course they intend to adopt, and therefore think that the reasons advanced by the learned member for Charlottetown, to induce us to appeal again to the home authorities on the subject, are such as it would be unwise to place much dependence in. I am of the opinion that the hon. member thinks it would make us a little unpopular; but to appeal from the decision of the

Government of England to the House of Commons would be like appealing from Cæsar to Cæsar's wife. I consider, therefore, that the best thing we can do now is to unanimously agree to the Resolution.

Mr. P. SINCLAIR.—In voting upon this Resolution and speaking in its favor, those who oppose it, and who spoke of lowering the salary, may expect to gain some popularity by so doing; but it is no use disguising the fact, that, in providing for the payment of the salary of the Lieutenant Governor, we will have to give that amount which the Home Government may deem sufficient, and, therefore, it is no use for us to meet the matter half way. We will have to give the whole figure. The Home Government will not condescend to argue the matter with us, and, therefore, I consider it dangerous to attempt to cut down the salary, for, depend upon it, if we do, we will get another rap over the knuckles. This, I think, the tenor of the Despatch clearly indicates, and it is far better for us to hold our position by gracefully yielding this point, than to attempt to save £1,000, and perhaps lose our constitution by so doing.

Mr. G. SINCLAIR.—The Despatch only the more firmly fortifies the views expressed, that if we wish to keep out of the Dominion of Canada, we have promptly to comply with this demand; for we are clearly given to understand that it is owing to the uncertainty of our remaining out of the Union, that the authorities in Great Britain decline to discuss our grievances, or enter into their consideration, yet there is no doubt but that the British Government would be loath to force us into the Union, unless we give them some reason; and my opinion is that if we do not comply with this request, they may compel us by the force of circumstances to do so. I do not think we should offer a lower salary than that proposed in the Resolution. This Island is differently situated from the other Provinces, as they have their Lieut. Governors appointed by the Dominion Government, whereas ours will receive his appointment, like that of the Governor of the Dominion, directly from the Imperial Government. We are aware that the Dominion Government endeavored to have the salary of their Governor lowered, but they could not, and in the attempt were met with a stern refusal. The Lieutenant Governor's salary is not a subject that has but recently been introduced to the notice of the Legislature of this Colony, for I observe that, in 1844, Sir Henry Vere Huntly sent a Despatch to Lord Stanley, on the inadequacy of the salary then provided, wherein he states that, in 1840, Lord John Russell had recommended an increase of the salary, to the extent of £1,000. In this Despatch, Sir Henry says that he spent £600 stg., "beyond the amount" of his salary, and that the expenditure of predecessor, Sir Charles Fitzroy, exceeded that sum; and proposes that Lord Stanley should "give up the Quit-rents at once, in perpetuity, to the Colony," and that out of this,

£700 sterling should be added to Lieut. Governor, to which Lord Stanley replied, that he not think "it would be prudent to relinquish the right of the Crown to the Quit-rents." In 1849, the Legislature offered an annual grant in addition to that received from the Imperial Exchequer, of £500 cy.; but this was declined because of the way in which it was proposed to be granted. The British Government, however, then raised the salary to £1500 sterling, and it is not likely they will allow us to place it at a lower figure now, when our revenue is so much larger than it was in 1844. To propose a lower sum may be popular in the country, but I see no chance that such a proposition is likely to meet with approval at home.

Hon. Speaker took the Chair, when Resolution was reported agreed to.

FIRE INSURANCE BILL.

House in Committee to take into consideration the Bill from the Council to revise and amend the Charlottetown Mutual Fire Insurance Company Act.

Mr. Reilly in the Chair.

The first clause was read.

Hon. Mr. CALLBECK.—Mr. Chairman, I may just remark that, as the Act relating to the Insurance Company was about to expire, it was necessary to renew it. In the Bill before us, however, there are several amendments on the old Act. One of the amendments is to reduce the number of Directors from thirteen to seven. This was thought necessary on account of the difficulty of getting a quorum at the regular meetings when there were so many Directors. Power is also given to the shareholders to give remuneration to the Directors for their services, whereas under the old Act they could receive no pay. This was proposed on account of the great difficulty of getting the Directors to attend the monthly meetings; several months would sometimes elapse without a sufficient number of Directors meeting to form a quorum. I might observe in reference to this Insurance Company, that it has been in existence for twenty years and has paid all demands against it. Parties insuring have to give a bond to pay five per cent. on the amount they insure, if it shall be required by the Company, to pay losses. We had funds enough to pay all the losses occasioned by the great fire in the summer of 1866; but very soon after that several losses occurred, and the Company were obliged to make a call of one per cent. on the shareholders. This is the only call that has been made, and a few years ago a bonus was given to the shareholders. About one and a quarter per cent. is all that is charged, so that this is as good a Company to insure in as any other. Foreign companies have withdrawn their offices when there were many losses. I may say that many influential gentlemen have stood aloof from the Mutual Fire Insurance Company: they have said it would do well enough if

there were no losses, but if a great fire should happen, this Company would not be able to pay the demands made upon it. But such a state of things has never occurred, and this Company has been the means of inducing other Companies to insure at lower rates than formerly. We are mutually interested in saving property in this town, and in the case of the property of the hon. Daniel Brennan, which took fire, it is certain the building would have been destroyed had it not been for the Mutual Fire Insurance Company. I do not refer to the exertions they made at the time of the fire, but they had previously caused a tank to be built from which water was obtained on that occasion, which greatly assisted in subduing the flames. They recommended the City to build several tanks, and I believe paid for one. When the Steam Fire Engine was imported also, I believe they paid £100 toward it, so we see that this Company has done a great deal towards saving property and reducing the rate at which it may be insured.

HON. LEADER OF THE OPPOSITION.—One amendment in this Bill is to allow the Company to take risks in any part of the Island, while, under the old Act, they were confined to Charlottetown and Royalty. I believe there is only one Foreign Insurance Company doing business in the Island at present, thirteen Companies having retired from the field; but this little Company has kept its own and paid all losses, and, therefore, has been the means of doing a great deal of good.

HON. LEADER OF THE GOVERNMENT.—As this Company are now permitted to take risks in any part of the Island, I hope they will do a great deal of good in both town and country. In Georgetown it has been very difficult to get property insured; but now I hope this Company will take risks both there and in Souris.

HON. MR. CALLBECK.—I may say that, although limited, we have taken risks in different parts of the country. We have had several losses in the eastern end of the Island, and perhaps that fact has had an influence with the directors in inducing them to decline insuring in that part of the country. I think if well-to-do farmers would patronize the Insurance Company, we would be in a better position to take risks throughout the Island; but we generally find that in the country it is persons who are in debt who insure in compliance with the wishes of their creditors.

HON. MR. LAIRD.—I am sure the last speaker must have felt very happy in his expectations of getting the farmers in the country to insure their property in the Charlottetown Insurance Office. It is patent to every person that the risks by fire in the country are to those in the city as one to twenty. I think if farmers wish to have their property insured they will form an Insurance Company of their own. It is not likely they will connect themselves with the Charlottetown Company, when if the town happened to be burnt down they would have to pay for it.

HON. MR. CALLBECK.—Experience has taught us that there is more risk in the country than in the town. In the country, if a man's house takes fire, he has to depend on the exertions of himself and his family to put it out, whereas in town a great many persons are near at hand, and means are provided for putting out fire. I believe that nine-tenths of the fires in town are quenched before they do any considerable damage.

Clause agreed to.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

House adjourned.

FRIDAY, April 2nd.

Forenoon Session.

FIRE INSURANCE COMPANY.

House in Committee on the Bill to amend the Act relating to the Mutual Fire Insurance Company of Charlottetown; second reading.

Mr. Reilly in the Chair.

After a short time spent in Committee, the Speaker took the Chair and the Chairman reported the Bill agreed to, with certain amendments.

Hon. Mr. Laird presented a Bill to add to the Act for the regulation of weights and measures. Received and read a first time and ordered to be read a second time to-morrow.

INCORPORATION OF ST. ANDREW'S CHURCH.

On motion of the Hon. Mr. Henderson, the House resolved itself into a Committee of the whole on the second reading of the Bill to amend the Act to incorporate the Minister and Trustees of St. Andrew's Church, Brackley Point Road.

Mr. Howatt in the Chair.

After a short time spent in Committee, the Speaker took the Chair and the Chairman reported the Bill agreed to, without any amendment.

£30,000 BILL.

On motion of Hon. Mr. Laird, the House resolved itself into Committee of the whole on the fourth Order of the day, viz., the Bill to empower the Government to expend thirty thousand pounds on the purchase of lands in this Island; second reading.

Mr. Reilly in the Chair.

After a short time spent in Committee, the Speaker took the Chair and the Chairman reported the Bill agreed to, without amendment.

The question of concurrence was then put on the resolution granting £1,400 sterling for the salary of future Lieutenant Governors of this Colony.

The Resolution was agreed to.

Hons. Hensley and Laird and Mr. Reilly were appointed a Committee to bring in a Bill in accordance with said Resolution.

Afternoon Session.

PUBLIC BUILDINGS.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker, I would move that the House go into Committee to consider the propriety of placing a certain sum of money at the disposal of the Government for the erection of Public Buildings, and, also, a sum to be expended under the supervision of the Board of Works. The matter to which I first alluded was brought up in the debate on the Address in answer to the Speech at the opening of the Session, and it is a subject which has occupied the minds of public men for some time, and all have come to the conclusion that it is time some addition should be made to our Public buildings. In the year 1842, an Act was passed to provide for the erection of public buildings, and under that Act, this Colonial Building was erected. In that Act, it is stated that it is necessary to provide a safe place to keep the Records of the Colony, but it is well known to every one who has taken the trouble to examine, that the so-called safes in this building would be of no use in case of fire. In the Prothonotary's office, all the records are deposited in a wooden cupboard, and in the Registry Office, in case of an accident by fire occurring, the means provided for the safety of the records would rather hasten their destruction. This building is a credit to the Colony, and the accommodations for the House of Assembly are very ample, but there are other departments to be provided for. The room in which the Supreme Court is held is very inefficient, and it is necessary that some other should be provided. The Custom House department is not provided for—during the recess of this Legislature, the Customs Department is kept in a part of the building used by the members of the House during the Session. But the building in which the Post Office is kept, is most disreputable, not only in appearance, but it is in such a state as to be positively injurious to the health of the Postmaster and his assistants. If a better building is not provided, no person who values his health will attend to this department.

House in Committee.

Mr. Bell in the Chair.

HON. LEADER OF THE GOVERNMENT.—I would move the following Resolution:—

Resolved, That the sum of Five thousand pounds, or as much thereof as may be required, for the erection of a new Post Office and Public Buildings in Charlottetown; and also, a further sum of Five thousand pounds for permanent improvement in roads, &c., under direction of Board of Works.

This Resolution involves a considerable sum of

money, and it would be satisfactory to have a discussion upon it. I have already alluded to the Post Office, and although it is a venerable building, and the one in which the Legislative Council formerly sat, yet it is now very inefficient for the purpose to which it is devoted, and I very much fear that the insufficiency of ventilation has been the cause of injury to the health of some of the officers in that building. I am glad to see the hon. member for Charlottetown (Dr. Jenkins) in his place, and I hope he will give his opinion on this matter, for, as he holds the position of Health Officer, his opinion will reassure the Committee that it is necessary for the public safety to accede to this Resolution. The unsafe state of the public Records demands that some means should be taken to render them secure. We should not, because we have hitherto enjoyed immunity from such accidents, neglect to provide against them in the future. If a fire should take place in this building, the loss to the Colony would be irreparable. In regard to the sum to be placed at the disposal of the Board of Works, I may say that improvements are required, and every person knows they cannot be made without money. A great deal has been said, lately, about building Railroads, but notwithstanding the formidable petition praying the House to take steps to have a survey made, it is not probable that the matter will be taken up at present; but money must be expended in improving our roads. Some have thought that £5000 was too small a sum to give the Board of Works, but this is an experiment, and I do not think it would be well to let them experiment on a greater sum before the next session of the Legislature.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, I have waited patiently for the hon. member from Charlottetown to give his opinion on this matter, as he was called upon by the hon. Leader of the Government. I also expected to see the hon. member from Tryon (Mr. Howatt) drop his newspaper like a hot potato when he heard the hon. Leader of the Government propose that such a large sum of money should be expended, as £5000, for Public Buildings, and another £5000 for this new branch of the public service. I am afraid the mantle of economy which enveloped the shoulders of that hon. member has dropped off, and I cannot see that any person has picked it up. I am prepared to support the Resolution in regard to the first item, for it is a self-evident proposition that more accommodation is required for the public service. The Post Office is a disgrace to the Colony. Although it occupies the room which was once devoted to the Legislative Council, wherein, in days gone by, the Escheat battles were fought, almost to the death, yet it is now utterly inadequate to supply accommodation for a Post office. It shows how the Colony has progressed, for, when that building was first erected, it was thought to be even larger than was required for the public service of the Colony.

We might go back to an earlier period, when rooms were hired for the Assembly to meet in, and when members from the country could not find boarding-houses to accommodate them, as at present, and were obliged to bring their provisions with them. Once, when some of them went to their camp, they found, to their dismay, that, during their absence, two bears had entered and devoured their dinner. It is necessary to have safes to keep the Records of the Colony in, that are both fire and burglar proof. Having considerable confidence in the hon. Leader of the Government, I am willing to trust him with £5000 for this service. All I hope is that, for the sake of saving a few pounds, he will not so contract the dimensions of the building as to prevent it giving the accommodation required, for fear the House will find fault hereafter. If the original plan for this building had been carried out in its integrity, we should not now be under the necessity of expending this £5000. A plan should be procured from a proper architect, and I hope the Government will not, for the sake of saving a few pounds in this direction, run the risk of having an unsightly structure erected. As regards the other £5000, I suppose when we have a Board of Works, we must give them something to do, and we cannot condemn them until we see what they do.

Dr. JENKINS.—I have been called upon to pronounce sentence upon the Post Office, but I thought every one who has passed through the passages of that building must have been struck with a very offensive odor which emanates from a portion of it, and the unhealthiness of such an odor. There is no doubt it has contributed to the death of some of the officers employed in it, and I believe everybody admits the necessity of having a new office. A great deal has been said about a Railroad, and I firmly believe we shall have one before long; and if the matter is kept before the public, and the advantages shown, it will come into general favor. We cannot expect it to pay for a few years directly; but if it helps to develop the trade of the Colony, as it assuredly will, it will pay indirectly.

Resolution agreed to.

HON. LEADER OF THE GOVERNMENT.—I would now move a resolution that the site of the buildings to be erected, be Queen's Square. I do not see why any other place should be sought, when we have such a magnificent site as this. We should have to pay a large sum for any other site, and the buildings would not be so advantageously situated.

HON. LEADER OF THE OPPOSITION.—I fully agree with the hon. Leader of the Government, that we should not go to private individuals for a site, when we have this square. I believe it would take one-fifth of that vote to get a site anywhere else, for whenever the Government wish to buy a site for a public building, every property holder raises the price of his land, and expects to make

more out of the Government than out of a private individual.

Mr. SPEAKER.—We are granting a great deal of money this session. We have £80,000 to buy up Lands, £5,000 for Public Buildings, £5,000 for the Board of Works, £2,100 for the Governor's Salary, and we are £150,000 in debt. Although all these things are necessary, yet we had better be careful and not go beyond our means. The money expended on our roads has not been very judiciously laid out, and a Board of Works, or something of the kind, is required; but in providing for such services, we had better not dip too deep into the public chest.

Messrs. McAulay, Laird, Reilly, Callbeck, McNeill and Brecken, severally addressed the Committee. All concurred in the necessity for granting the amounts specified in the first resolution, and also the advisability of having the public buildings on Queen's Square. It was explained that, although £5000 was to be expended under the supervision of the Board of Works, there was not any more given than last year, as the usual grants were curtailed. It was also stated that a tax on people for the purpose of improving roads was really relieving them of a burden, as the difficulty of hauling produce to market on bad roads would more than counterbalance the payment of a tax; and dredging harbors so as to facilitate the shipping of produce would also be a great benefit to farmers.

The Resolution regarding the site was also agreed to.

The Speaker took the Chair and the Chairman reported the Resolution agreed to.

Several Bills were advanced a stage, when the House resolved itself into a Committee of the whole House to take into consideration the Pauper Scale.

Mr. Howatt in the Chair.

And after some time spent therein, Mr. Speaker resumed the Chair. Progress was reported, when the House adjourned.

SATURDAY, April 3rd.

Afternoon Session.

Hon. Leader of the Government presented a Bill for the payment of the Lieutenant Governor's salary, which was read a first time.

On motion of the Hon. Mr. Henderson, the Bill to alter and amend the Act to incorporate the Trustees of St. Andrew's Church, Brackley Point Road, was read a third time and passed.

Mr. PROWSE.—In accordance with a notice in the Order Book, I wish to ask the Government what action has been taken on a Petition from the inhabitants of Murray Harbor, North, praying for a Post-office in that locality. A few years ago, the Post-office was removed two or three miles

from the place in which it was formerly held, on account of which an office in this place is much required. I would also ask if a petition has been received from the inhabitants of Murray Harbor Road for a Post-office.

Hon. Leader of the Government said he was not prepared to answer the question at present but would do so on Monday next.

UNFORTUNATE DEBTORS' ACT.

On motion of hon. Leader of the Opposition, the first Order of the day was read, namely, that the House go into Committee on the Petition of William Dodd and others praying for a repeal of the Unfortunate Debtors' Act.

HON. LEADER OF THE OPPOSITION, in moving that the House go into the Order of the day, remarked—This is a Petition presented by me in the early part of the Session, signed by two-thirds of the leading merchants of Charlottetown, praying the House to repeal the whole or part of the Act passed last Session for unfortunate debtors. The law relating to debtor and creditor is one of vast consequence to any country, but it is one which is very difficult to adjust properly. The unsatisfactory state of the Bankrupt Law was alluded to in Her Majesty's speech to the Imperial Parliament this year, and it is intended to revise the whole law. When the British Government find it such a difficult question to deal with, we have no reason to feel annoyed because the Bill passed by us last session requires to be re-considered. Where a man has been unfortunate, in cases where no fraud has been committed, there is nothing wrong in the Legislature stepping in and relieving him of his debts and enabling him to commence the world again. It is a melancholy picture where a man in his prime, on account of his debts, is not allowed to do any business to provide for his family, but is forced to become a drone in society. When we take this into consideration, and also the rights of creditors, the proper way is to have a law so framed as to give relief to the unfortunate debtor, but, at the same time, to prevent any fraud. Unfortunately the law of last Session was, in my opinion, carried through in too much haste, and not sufficiently considered. It appears that the Bill was passed to give relief to certain persons who were involved, and that the subject did not receive due consideration. The law is one-sided; the debtor can go into Court and get his discharge, but there is no machinery to enable a creditor, if he sees any of his debtors becoming reckless in his business or taking to habits of drinking, to take any means to stop him and save any portion of his property. There is another fault found with the law, that the amount is too small; that every man who owes a hundred pounds could go into Court and get released from all his liabilities. I thought this law was more particularly for the benefit of persons who had been in some branch of business to a certain extent, but now you may have a servant in your employ, who by some means has got into debt to

the extent of £100, and before you know what he is about you may see him figuring in the Bankrupt Court. There was a case happened a few days ago of a servant of a private individual who got a summons from a Small Debt Court, and he applied to His Honor Judge Young to get the benefit of the Bankrupt Law, and now sets his creditors at defiance. Such cases as this make the law a farce, so that I think some amendment is called for. If the House will not grant all the prayer of the petition, they should at least take the matter into consideration, and remedy the evils complained of to some extent.

HON. MR. DAVIES.—I have read this Petition through very carefully and I think the Petitioners are premature in asking us to repeal this Act now, for I believe that not a single person has yet gone through this Court. There are very careful provisions in the Act to guard against fraud. In the first place, the Clerk of the Court gives notice for a meeting of the creditors of any person who has applied to the Court for relief, and the books of the debtor are opened to their inspection, and if it appears that there is any property made away with of which he cannot give a satisfactory account, he cannot get through the Court, and will be liable to be punished as a criminal. Any assignments of goods are also investigated, and if he cannot prove these to be legal, they are null and void. All through the Act there is protection afforded to the creditor, and if he believes that a debtor has fraudulently made away with his goods, he can, even after he has gone through the Court and received his certificate, summon him to the Supreme Court to be tried. The Petition states that a dishonest man can get clear of his debts, and that there are no means of punishing him; but I have shown that both these assertions are incorrect. It is also said that it will injure the credit of the honest trader abroad, but I think the reverse is the case, for now, when a creditor knows he will get a fair share of a man's property in case he goes through the Bankrupt Court, he will be more ready to give credit than formerly, when one creditor could take all. I think, sir, there has not been sufficient reason shown why we should go into Committee on the subject, and I, therefore, move that we go into the order of the day this day three months.

HON. MR. HOWLAN.—This matter is one which has engaged the attention of the world. Last year, it was before the Dominion Government, and they appointed a Committee to look over different Acts that had been framed in order to ascertain which would be most suited to the requirements of the country, and after looking at several Bankrupt Acts, they were obliged to fall back upon the old Act of Great Britain. The United States have also adopted the same Act, so if we except Prince Edward Island, all North America has the old Act of England. I do not know that the same law which suits England would be suitable to this Island, for in England there is more money than enterprise, while in this

Island there is more enterprise than money.—There is not the same incentive to go into trade in England, for every avenue is filled up. I cannot agree with the hon. Leader of the Opposition that this Act was framed in a very great hurry, for a committee was appointed year before last, and they considered the subject, and employed some of the ablest men of the legal profession to help them, and last year they brought in a Bill. It has been said that you cannot force a man into the Bankrupt Court, and I say it would not do to give men such a power, for a creditor might, on account of some difference in politics, force a man into the Bankrupt Court, and thus injure his character. The fact that a certain gentleman's servant applied to the Bankrupt Court for relief from his liabilities, is no argument against the law, for this man had formerly been in business, and it was from debts contracted during that time that he wished to be relieved. Before this Act came into operation, one creditor could take all a man's property, and the next one could take his body and put him in prison, and although he could get his freedom with certain restrictions, he had been robbed of his self-respect, and I believe nineteen out of every twenty of such persons become drunkards. A creditor has every facility for collecting his debts. Although he cannot force a man to go through the Bankrupt Court; he can writ him in case he thinks he is squandering his property. In regard to the amount being too small, perhaps it would be no injury to raise it to £500. A man cannot get thirty or forty pounds worth of goods for the express purpose of going through the Court. The thirty-second section of the Act provides: "If any debtor shall wilfully make any false statements of his affairs in his petition filed as aforesaid, or secrete or conceal any property belonging to his estate, or part with, cancel, alter, imitate or falsify, or cause to be cancelled, altered, imitated or falsified, any bond, deed, document, or writing relating thereto, or remove or cause to be removed, the same or any part thereof, or so dispose thereof with intent to prevent it from coming into the possession of the assignee, or to hinder or impede or delay him from recovering or receiving the same, or shall make any payment, gift, sale, assignment, transfer, or conveyance of his estate, with the like intent, or shall with intent to defraud, wilfully and fraudulently, conceal from his assignee, or omit from his schedule, any property or effects whatsoever, or if in case of any person having, to his knowledge or belief, proven a false or fictitious debt against his estate, he shall fail to disclose the same to his assignee within one month after its coming to his knowledge or belief thereof, or shall attempt to account for any of his property, by any fictitious losses or expenses, or shall within three months before the commencement of proceedings under this Act make false the color or pretence of carrying on business and dealing in the ordinary course of trade, obtain on credit from any person any goods or chattels with intent to defraud, or shall within three months next before

filing his petition as aforesaid, pawn, pledge or dispose of, otherwise than by *bona fide* transaction in the ordinary way of his trade, any of his goods or chattels which have been obtained on credit, and remain unpaid for, he shall be guilty of a misdemeanor, and upon conviction thereof, before the Supreme Court, shall be imprisoned for a period not exceeding two years." This gives protection to the creditor in case there is any attempt to defraud, but if he does not take the trouble to look after the matter and allow the debtor to go through the Court, it is his own fault. It is said that a debtor after he applies to the Court, is protected from arrest, and may leave the Island. I think the law should provide that he should find two good and sufficient securities for his appearance at Court. A case occurred a short time ago in which a man in the country was written by a merchant in Charlottetown, and although, two of his neighbors, substantial farmers, who were worth five times the amount of the debt, offered to go security for him, their security would not be taken, and the man was put in jail. The consequence was that the man was advised to take advantage of the Bankrupt Act, and did so. This shows that debtors need protection as well as creditors.

HON. LEADER OF THE GOVERNMENT.—I would not be inclined to repeal this Act at the present time, for it has only been a few months in operation, and there has not been sufficient time to test its principles. It is not very pleasing to see so many applying to this Court for relief; it does not speak very well for our prosperity. As yet, the abuses which have happened under the Act, have not been very great. There was certainly one case in which a man ran away after applying to the Court, and left his creditors, and even cheated the lawyers out of their fees. If the House goes into Committee, I think some provision might be made to prevent such a case as this occurring again. I am very doubtful as to the advisability of raising the amount to five hundred pounds. I do not see why the man who owes one hundred pounds and has nothing to pay it with, is not in just as bad a position as the man who owes five millions, and has no property to meet it. I cannot see any reasonable distinction between them, and therefore, I cannot see why the law should be amended in this respect. The most astute minds of Great Britain have been occupied in framing a Bankrupt law, but they have failed to make a perfect one, and it is not to be expected that we should be able to do so. I think, however, it would be well to have the matter discussed, and I would be in favor of going into Committee on the subject.

HON. LEADER OF THE OPPOSITION.—I am rather surprised at the hon. member for Belfast, wishing to deal so summarily with this petition. This petition is signed by many respectable men in Charlottetown, and I do not think it would be treating them with proper respect to throw out their petition in that manner. I cannot agree with the hon. member from Tignish, that so much

time was taken in preparing this Act; for although the Committee was appointed the year previous, yet so little did they think of the matter during the recess, that last session we had to turn to the journals to ascertain who were appointed on that Committee. Perhaps it would not be well to repeal the law just now, but it should be amended. As it now is, persons whom it was never intended to relieve have taken advantage of it. It was intended to relieve mercantile men who had failed in their calculations, but now every person who is one hundred pounds in debt, can take advantage of it. The hon. member, Mr. Davies, says that if a man can be proved guilty of fraud, he can be imprisoned in the common Jail. This looks very well on paper, but it is not such an easy matter to convict a man of intending to defraud, which would have to be done before any action could be taken against him as a criminal.

Mr. G. SINCLAIR.—It seems extraordinary that no country has been able to make a perfect Bankrupt Law. What is the reason? It appears to me that the reason is, because it is founded upon a wrong principle; for it is the principle that the law relieves a man from his obligations to his fellow man. Although a bankrupt may afterwards become very rich, and his creditor very poor, yet the latter has no power to demand his rights. There was a very good remark made by the President of the United States in stating that he was determined firmly to execute the laws of the country; he said there was no better way to test a principle of law than to put it into practice, and if the principle is right, it can be worked out satisfactorily. The principle of the Unfortunate Debtors' Act can be worked out when the sum is £100 if it can be when the sum is £500. I should like to see the Act remain as it is until the principle is tested, and then we can see whether it is correct or not.

Hon. Mr. HENDERSON.—I would hardly occupy the time at present, Mr. Speaker, were it not that I perceive there is a disposition to deal with this petition in a very summary manner. There is one thing that cannot escape the notice of every well-wisher of the Colony, and that is, the extraordinary number of persons whom the Act was never intended to relieve, who are applying to the Court. I believe there are parties going through that Court, who, were there no such way of escape from their just debts, would and could pay them. I believe, sir, the present operation of the Act has a demoralizing effect upon the community, for persons who would have been ashamed to go through a Bankrupt Court, will, when they see so many doing so, gradually become familiar with the idea and finally take the benefit of the Act themselves.

Mr. BRECKEN.—A proper Bankrupt Law has never yet been framed in any commercial community. I believe there are some valuable provisions in the Act passed by this House last

session, but there seems to be a general dissatisfaction in regard to the amount which enables a man to take advantage of that Act. A Bankrupt Law is not intended to ease all debtors. The origin of it was to meet the exigencies which accompany trade. We know that mercantile men run great risks from the fluctuations of the market and the perils of the sea—things over which they have no control. The idea prevails in the community that any man, no matter what his occupation may be, as soon as he incurs a debt of £100, can go into the Bankrupt Court, whereas such men should fight against their difficulties and pay their debts. I should like to see the amount of indebtedness raised to £500, and let the Government appoint a Committee to consult with men who understand this subject, and let a thorough measure be introduced next session.

Mr. P. SINCLAIR.—There may be amendments required in the Unfortunate Debtors' Act, but if the only amendment required is to raise the amount to £500, I would be inclined to support the motion of the hon. member for Belfast. If the principle is right in relation to £500, it is right in relation to £100, and if the Law is a correct one, it should protect every man in the country who is unfortunate. I believe it is a disgrace to the country to see so many obliged to resort to a Bankrupt Court; but we have been so long without a law of this kind that now when the Act has come into operation many who have been bankrupt for some years are taking advantage of it. I think an honest man who fails and is indebted £200 has as good a right to be relieved of his liabilities as a man who owes £500. In regard to persons leaving the Island, I think where it is proved that such is the intention, the Court should have power to imprison the party.

Mr. McMILLAN.—Mr. Speaker, I cannot agree with the last speaker, in regard to the desirability of letting persons who are indebted for such a small sum as £100 take the benefit of the Unfortunate Debtors' Act. Were I in any foreign country, and see the *Royal Gazette* of this Island as it now is, I should be ashamed to acknowledge that I belonged to this Colony. Any man who is at all acquainted with the merchants of this City could get credit to the amount of £100 in a single day, by going to the different shops, and a short time after go through the Bankrupt Court, and cheat his creditors; or, he might borrow that amount of money, and do the same thing. It was never intended that men should not pay their honest debts. A man who goes through the Bankrupt Court might afterwards become as rich as Rothschild, and his former creditor could not get anything from him. I have known men on this Island look down on those from whom they had taken a large amount. If it is right to bring the amount down to £100, why not have it for those who owe £20.

Hon. Mr. DUNCAN.—I think there is a very great necessity to have this law amended, for as it is now it has a tendency to prevent persons from getting credit. I would not be in favor of doing away with the Act altogether, for an honest but unfortunate man has a right to take advantage of it.

Mr. McNEILL.—I supported the Unfortunate Debtors' Act last year, and I did so because I thought it would be a benefit to persons who had become involved and could not possibly pay their debts. Although it must be allowed that there are many very respectable names to this Petition, yet I have conversed with other merchants just as respectable, and they think the reason why there are so many cases in this Court now is on account of there being no Act of this kind previous to last year. When I supported this Act, I considered it would be a means of doing away with the indiscriminate credit system now so common in the country. I consider that, if it is necessary to have this Act at all, it would not be right to raise the amount to £500. A man in the country might be unfortunate and get his house burnt, and in consequence not be able to pay his debts, and he would have just as good a right to take advantage of this Act as a man who was indebted a larger amount. Before this Act came into operation, one creditor could take all the property of a debtor and leave none for the others. I consider the Act has not had a fair trial; perhaps a great proportion of those who have applied to the Court will not be able to get through.

Hon. LEADER OF THE OPPOSITION.—In regard to the observation of the last speaker that a man might get his house burnt, I may say that a Bankrupt Law was never intended to apply to such cases. It has also been said that one creditor shall not have a preference, but there is no guarantee to that effect, it all depends on the debtor himself. I do not agree with the remarks, that if the principle is sound to discharge a man who owes £500, it is right to release one who owes £100. If we carry out the argument, it would be right to relieve a man from his liabilities who owes five pounds; and if we carry out the argument a little further, no man should pay his debts. The object of a Bankrupt Law is to give special privileges to mercantile men, because they are liable to greater risks than farmers or mechanics. If farmers and mechanics attend to their business, and leave the bottle alone, they have no reason to be in debt, but a mercantile man may be made poor by the loss of a ship, which is caused by the winds and waves, over which he has no control. I would raise the amount and extend the time to six months, for there are instances where parties joined notes for the express purpose of getting those notes discounted, and then went into the Bankrupt Court, and their names are now in the Royal Gazette. There are schoolmasters who have endorsed paper for their friends, and having got frightened

that they would have to pay the amount, have gone to the Bankrupt Court to get whitewashed. The hon. member from New London says that it is on account of the peculiar state of the laws for a number of years, that so many are now going into the Bankrupt Court, but if he will take the trouble to run over the list, he will find that three-fourths of those in the Court have become involved within the last five years, and a large number of those are young men who have been trained up as schoolmasters. In this country, where there are so many chances to make money, if a man were in debt two or three hundred pounds, he might pay it.

Mr. CAMERON.—The intention of the Act was to afford protection to honest but unfortunate debtors. It is just as likely that the man who owes £100 should be honest, as the man who owes £500, and I cannot see the justice of debarring the unfortunate debtor from taking advantage of the Act whose liabilities are £100. A man who owes £500 may have property in proportion. I do not think the argument of the hon. Leader of the Opposition is sound, when he says there is the same reason for making the sum £20 as £100, for it will cost nearly £20 to get through the Court, and if a person owes only that amount he might as well pay it as go through the Court. Perhaps it would be well to have an Act passed to let a man free from his liabilities for ten or twelve years, and if he is able to accumulate property within that time, that he should then pay his debts.

Hon. Mr. LAIRD.—I have been much amused at the remarks of several who have given their opinions on this subject. One argument was, that it would be wrong to relieve a man who owes £100, while it would be perfectly right to relieve one who owes £500. I think, after this, we shall see men who have been accustomed to ride in a one-horse carriage driving in a coach-and-four, so that they may become indebted a sufficient amount to enable them to get the benefit of the Act. The argument seems to be that the man who owes a large amount should get freedom from his liabilities, while the man who owes a small sum should be obliged to pay it. In regard to ships being exposed to the dangers of the sea, there is not so much risk to the owners as hon. members would make it appear, for they generally have ships insured. A mechanic may lose his health or have his house burnt, and a farmer may have his crops blighted or his cattle die—there are risks in every calling of life. It appears that fraud has been committed under the provisions of this Bill, and if so the law should be amended to prevent this. I am rather opposed to the principle of this Bill, and when the great legal men and statesmen of Great Britain have failed to make a proper law, it is hardly to be expected that we can do so, and I think it is unnecessary to waste time about it.

Hon. Mr. DAVIES.—I rise to explain that, in moving the amendment to the motion of the hon.

Leader of the Opposition, I did not do so out of any want of respect for the gentlemen who have signed this Petition. I respect some of these gentlemen very highly, but I must say, I have not a very great regard for the statements put forward in that Petition. There are a certain number of objections to the Unfortunate Debtors' Act put forward in this Petition, by fifty or sixty persons who formerly had a great influence in this Legislature, and who imagine that their interests are the interests of the whole Colony.

Mr. PROWSE.—I shall certainly support the motion to go into committee on this Petition, for I believe that there are some alterations required in the Unfortunate Debtors' Act. The fact that our *Royal Gazette* is so filled with the names of persons who have applied to the Court, would be sufficient reason for going into Committee on the subject, for when this paper goes abroad it is enough to damage the trade of any person in this Colony. I would be disposed as readily as any one to grant relief to unfortunate debtors, but in the *Gazette* they are denominated insolvent debtors. There is a great difference between unfortunate debtors and insolvent debtors—a man may become insolvent through idleness or debauchery, and if such is the case the law should afford him no protection.

Hon. Mr. Kelly seconded the amendment of the hon. Mr. Davies, that the House go into the order of the day this day three months.

For the amendment—Messrs. Davies, Kelly, McNeill—3.

Against it—Messrs. Hensley, Coles, Howlan, Reilly, Cameron, Kickham, Howatt, Prowse, Duncan, Henderson, Ramsay, Brecken, Haviland, McMillan, McCormack, Laird, Callbeck, P. Sinclair, G. Sinclair, Owen, Green, Arseneault—22.

House in Committee.

Mr. Cameron in the Chair.

The Speaker took the Chair and the Chairman reported progress and obtained leave to sit again.

House adjourned.

MONDAY, April 5,

Forenoon Session.

Hon. Mr. Howlan moved that the House resolve itself into a Committee of the whole on the fifth Order of the day, viz. : the second reading of the Bill to provide for the payment of the salary of the Lieutenant Governor of this Island.

Hon. Leader of the Opposition moved, in amendment, that the House go into Committee on said Bill this day three months.

The question was then put on the amendment and the House divided as follows:—

Yeas—Hons. Messrs. Haviland and McAulay, and Messrs. Owen and Green—4.

Nays—Hons. Howlan, Col. Secretary, Henderson, Laird, Davies, Callbeck, and Messrs. McMillan, Prowse, McNeill, Cameron, McCormack, Kickham, Bell, Arseneault—14.

The question on the original motion was then put, and it was carried by the same division.

The House then resolved itself into a Committee of the whole on the said Bill—Mr. Bell in the Chair.

After a short time spent in Committee, the Speaker took the Chair, the Chairman reported progress and obtained leave to sit again.

On motion of Hon. Mr. Howlan, the House resolved itself into a Committee on the second reading of the Bill to add to the Act for the regulation of weights and measures.

Mr. Cameron in the Chair.

After some time spent in Committee, the Speaker took the Chair; the Chairman reported progress and obtained leave to sit again.

Afternoon Session.

House Resolved itself into a Committee of the whole House on the Bill relating to weights and measures.

Mr. Cameron in the Chair.

Hon. Mr. Laird said, that, as several hon. members had expressed a wish that the weighing of potatoes and turnips should be optional, he was prepared to move an amendment to that effect.

Hon. Mr. McAULAY said, to do so would render the measure of no effect.

Mr. G. Sinclair saw no necessity for such an amendment.

Hon. Mr. Howlan pointed out the difficulties which would arise to shippers, if it was compulsory to have those products weighed, especially when loading a vessel on an outside shore.

Hon. Leader of the Opposition did not see any good reason for placing Laws on the Statute Book, unless they were made compulsory.

Hon. Mr. Callbeck thought it better to establish the weight by law, but to leave it optional with parties whether those products should be weighed or not.

Mr. McMillan endorsed the opinion of the hon. member who had spoken last, as parties, in that way, if a dispute arose, could decide it by the standard as laid down in the Act.

Hon. Mr. Duncan objected to weighing potatoes, as they were an article of export, which required to be handled as little as possible, as they were easily damaged, and the oftener they were turned over the more they were depreciated in value.

Several other hon. members having spoken on the merits of the Bill, hon. Mr. Howlan moved an amendment to the effect that, it shall and may be lawful to buy and sell, after the passing of this Act, by weight or measure, and that the lawful weight of a bushel of turnips or potatoes shall be 60 lbs., avoirdupois, when Hon. Speaker took the Chair.

When the Bill was reported agreed to, with an amendment, and ordered to be engrossed.

House resolved itself into a Committee of the whole House, on the Unfortunate Debtors' Bill. Mr. Cameron in the Chair.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, I think it would be utterly useless to repeal the Act until we give it a farther trial. I shall move an amendment for raising the amount for which the Court shall have Jurisdiction from £100 and upwards, as the Law now stands, to £300 and upwards. The time given in the 25th Section, is three months, which I consider too short, and therefore think it should be doubled. In England, no individual can obtain the benefit of the Bankrupt Law, if he has given any preferential claims, within twelve months, before making the application; and I think it is but right to extend the time to double what it is at present. I beg therefore to submit the following resolution:—

“Resolved, That the Act for the relief of Unfortunate Debtors, be amended by raising the Jurisdiction of the Court from one hundred pounds and upwards, to three hundred pounds and upwards; and that the said Act be further amended by striking out the word ‘three’ from the 25th section thereof, and inserting the word six, in lieu thereof.”

MR. PETER SINCLAIR.—I consider that creditors should have the benefits of a measure of this nature, just as much as debtors, and I am of opinion that any person who could not satisfactorily show that he had not made away with any of his property within twelve months, should not be allowed to come into this Court. It is said that parties are even now preparing to give away their property in order to prepare for entering the Insolvent Debtors' Court. I for one would prefer extending the time to twelve months.

HON. MR. HOWLAN.—I am of the opinion that twelve months is too long, and am glad that the hon. member has moved that the time shall be extended to six. I am pleased also, that the hon. member has also placed the amount for which the Court can have jurisdiction at £300 and upwards; for £500 is probably too high, while £100 is certainly too low. Indeed, as the sum is now so low, I am not surprised that so many are rushing into the Court to take advantage of it. In supporting the resolution of the hon. member, this hon. Committee will at least show some deference to those who sent in their petition here on this subject, and therefore I have much pleasure in seconding the resolution of the hon. Leader of the Opposition.

MR. McNEILL.—I believe there are many persons engaged in fishing, who by raising it to the amount now proposed, would receive no benefit from the Act, and who would be as much entitled to any benefits which might arise from it, as those will be who are in debt for £300 and upwards. Some of those men may have their all invested in a small fishing vessel, which a gale of wind might deprive them of, and for the payment of the debt still due upon that craft, they may be incarcerated in jail, and simply because they may have no means of paying it. There has been but one public petition on the subject; nor has there been any public meeting to show that any evil results have arisen from the Act as it is at present, and I do think that three hundred pounds is too high a figure. I therefore move that the word “three” be struck out of the resolution, and that the blank be filled up with the word two.

HON. MR. HENDERSON.—The object for which every hon. member has been sent here, is that he may have a voice in framing any law which might be passed, and doubtless his duty is to see that no law is passed, but such as may be for the benefit of the whole people; and if any Act after having been in operation for a time, is found to work injuriously, it should be amended to meet the objections raised against it, or be at once repealed. Now, I have been informed, and I think truly, that this Act has had a demoralizing effect; and in proof, I have been told since the Legislature met, that a small dealer in the country who was considered an honest man, had actually got goods to a considerable amount, (£1200 or £1300) and that with a view to enable him to avail himself of the privilege this Act affords. My object would be to keep any law in operation that would benefit the poor man as well as the rich; but when men will take advantage of the commercial community by using this Act to enable them to effect their object more successfully, I think we should pause before we give men facilities to abuse the confidence of the commercial community.

MR. PROWSE.—I think if we take up the matter as it has been brought to our notice in the petition, the proper course to pursue would be to appoint a committee with power to send for persons, papers and records, and see if those statements are true. Without such a law, in many cases, one individual has pounced down and taken the whole a man had, while other creditors have come off with the slim end of the horn. It is true a great many have gone into the Court, but how they will come out of it, we do not know. My belief is, that many of them will find it more expensive to get through than they imagine, and probably their experience will be such as will not encourage so many to go there again. The question with me is, is it going to do justice or injustice to those for whom the measure has been provided? And also to the country, I consider that it is our duty to legislate for those who sent us here; and equally for those also who do a small business,

as well as for those who do a large. I think, under the circumstances, it would be well to see that the law is not such as any advantage can be taken of, to the detriment of any creditor. With respect to time, I think three months sufficient for men to put in their claims; or I would, in some cases, place a discretionary power in the hands of the Commissioner, similar to that which is given to the Commissioners in the Small Debt Courts.

Hon. Mr. KELLY.—If, Mr. Chairman, the tendency of the Bill is to demoralize a certain class in the community, certainly it should be repealed. I do not see, though, that it would be unfair to support the views expressed by the hon. member for Cavendish, who, I think, took a fair view of the question.

Mr. GEORGE SINCLAIR.—I believe that such Acts have a demoralizing tendency, for it offers facilities to dishonest men to evade the payment of honest debts by getting through these Courts, and coming out free men to commence the same operations upon others again. Such measures have a tendency to encourage a kind of mercantile gambling, which induces men so inclined, to go into rash speculations; and I do not know that it is proper to provide a law to enable men to be relieved from their responsibilities who would act thus. One argument which has been put forward in support of the law, is, that without some such a measure to relieve some men, several of fine business abilities are kept so bound down, that these fine commercial talents are lost to the community, and that it would be a benefit to the country to have such men relieved from the incubus which rests upon them; but I believe when a Government undertakes to make a man free, and thus relieve him from discharging his pecuniary obligations, that they should step in and pay his debts. The principle is unsound that supposes that a Government can by law step in and relieve a man from paying an honest debt, unless that debt is paid by the party granting the discharge. If any hon. member will bring in an amendment to repeal the law, I will support it; if not, I will vote for leaving the law as it is. If, in the space of three months, there is a better chance for a dishonest man to get through the Court, than if the time was extended to a longer period, I would be willing to extend the time to six or twelve months, rather than to afford facilities for any man to defraud his creditors. I will, however, agree that the jurisdiction of the Court shall be confined to a higher sum, if it is considered absolutely necessary; but as no man has got through the Court yet, I think it would be better to leave the law as it is for the present.

Mr. PROWSE.—If it is right to reduce the Jurisdiction of the Court to a lower figure than what is now proposed, it is right also to reduce it to five pounds; but that principle was tried before, and the parties whom it was intended to benefit, petitioned to have it repealed.

Hon. Mr. LAIRD.—The object of the amendment is to raise the amount from £100 and upwards, to £300 and upwards, and to extend the time for preferential claims from three months to six. Now, if it is not possible to throw such guards around the Act as will protect creditors from impositions such as are said to take place, it would be better to repeal the Act altogether. I believe, however, that very few men in business, would be inclined to go to this Court unless under a pressing necessity; but if by an amendment, there would be fewer applications, I would not object to raising the amount from £100 to £200; but I have not heard any good reason for raising the amount as high as £300. To meet the objections of the hon. member for St. Peter's, and to obviate the necessity of establishing a paper mill and newspaper, I think that instead of having a notice continued in the *Gazette* for three months, that two or three insertions would be sufficient; and these could extend over the period of three months. A measure of this nature should be for the benefit of all classes—for mechanics and farmers as well as speculators; and unless it can be improved by an amendment that will meet the requirements of all classes, it is better to repeal it altogether.

Mr. BRECKEN.—Ninety-nine out of a hundred who will make application to this Court will be found to be traders. Farmers, as a class, have less need of such a measure than any other, for there is no class more independent, and who care less for any such measures. I have had very little to do with such cases; but I believe that of all who have made application to the Court, there have not been over half a dozen who have been in business for any length of time. I believe many of those who have applied, are young men who have been in business for a short time, and who, instead of bracing up as they should have done, under the first reverse they met with, have rushed into the Insolvent Debtors' Court. We hear of men getting credit to some extent in some mercantile establishment, and in a few days afterwards their names will be seen in the *Royal Gazette*. It is true, none have passed through yet; but when we see men going into that Court who have just started in business, it is calculated to call for raising the amount higher than £100, for which a man can enter. I believe many of my constituents would be willing to have the Act repealed. A man who has business qualifications should not rush into Court, only under the most pressing necessity. We speak about Unfortunate Debtors' Act, but I think it should be called the Unfortunate Creditors' Act. £300 is quite low enough to place the amount for which the Court should have Jurisdiction.

Mr. P. SINCLAIR.—The Act before us will never work well or satisfactorily, until it is based upon justice. I agree with the hon. member for Princetown, that it is not honest in any Government to undertake to forgive a debt unless it engages to

pay it. But as we have the Law on the Statute Book, and have not yet given it a fair trial, it is better to leave it for the present as it is. To raise the amount to £300 will make the measure too partial in its operation, and stamp it with the impress of class Legislation.

Mr. BAECKEN.—The argument that the amendment savours of class legislation is unfair.—Twenty per cent. of the people engaged in mercantile pursuits in England have been in difficulties, and yet not fifty per cent. of these have gone into a Bankrupt Court. I consider the limited amount for which a man enters into the Court now, is damaging to the credit of our men abroad. I believe it would be for the benefit of many of my constituents to allow the law to stand as it is, for it will have a tendency to close up the credit of small dealers in the country, and bring more trade into the city.

Hon. Mr. KELLY.—If a poor man gets into debt and is surrounded with difficulties, although he may not be in debt to the extent that some are, yet I say it is cruel not to give him the same protection for obtaining relief that you extend to the man who goes into speculations and debt, on a larger scale.

Hon. Mr. DAVIES.—We are sent here to aid in passing such laws as are required to meet the wants of the colony. Every man who is in business is not doing business to the same extent; nor are all men engaged at the same occupation, and therefore society will not advance, unless some special protection is given to some classes, the exigencies of whose pursuits being such as to demand that the laws shall be passed to meet them. I see nothing unsound in the law which allows those men who, in their mercantile pursuits, have by some misfortune lost the whole they had, and being therefore unable to meet their demands, to allow them to go into Court and receive a discharge from liabilities which they are unable to meet. But it is a very unsound law that will allow a man to make over his goods to another, and by means of the facilities which any law may afford, defraud the creditor. And on the other hand, if A. B. purchase goods from C. D. and E. F., and in the use of them is not able to meet the demand of C. D., and he becoming aware of this, is it right that he should have the power of pouncing down upon A. B., and taking all he could get, while E. F. would get nothing? Such has been the case, before this Act was passed, and therefore I contend that the Act of Insolvency is based upon a sound principle. There is no greater slave in the world than a man who is tied down by his creditors.

Mr. GEORGE SINCLAIR.—I beg to move the following amendment to the resolution submitted by the hon. Leader of the Opposition, namely, to strike out all after the word "Resolved," and insert the following in its stead:—"That the Act for the relief of Unfortunate Debtors be amended

by striking out the word "three" from the 25th section thereof, and substituting the word six in lieu thereof."

Hon. Mr. HOWLAN.—I think the necessity for such an amendment to the Act as is contained in the resolution of the hon. the Leader of the Government, is obvious, for in a general way it is men who follow mercantile pursuits, who are more likely to require the use of an Insolvent Law than farmers, or any other class in the community; and therefore I think the amendment of the hon. member for Princetown, will not meet the wants of the case, or meet the views of those gentlemen who sent in a petition here on the subject.

Mr. G. SINCLAIR.—The hon. member should recollect that what the petitioners asked for, was to have the law repealed.

Mr. P. SINCLAIR.—I will second the amendment, as I do not wish to deprive classes who now use the Act, from any benefits which it may confer.

The amendment of Mr. G. Sinclair was then put, when the following division took place:—For the amendment, Hons. Kelly, Davies, Calbeck, Laird, Messrs. G. Sinclair, Cameron, Kickham, P. Sinclair, McNeill.

Against it, Hons. Haviland, Howlan, Henderson, McAulay, Duncan, Messrs. Howatt, Green, Bell, Arsenaux, Reilly, McCormack, Prowse, Brecken, Ramsay, McMillan. The motion being then put, hon. Mr. Howlan said; next year, we will have a Report from this Court, and therefore it is far better to let the Act be in operation for another year, when if any further amendments shall be required, we shall be able to give attention to them. In the meantime, I do not think it would be prudent now to make any further alterations in the Act.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, I think it will be well at present to confine our amendments to those contained in the resolution. It is rumored that it costs about £12 to get through the Court, but we are not in a position now to go into the matter. The Summary Reporter will let the Court know that the country has its eyes upon it, the head of which occupies a high position in society, and I have no doubt is guided by integrity.

Hon. Mr. DUNCAN.—But I am told that two guineas are charged for each adjournment of a case, and if there are two adjournments, there is four guineas.

HON. LEADER OF THE OPPOSITION.—The hon. member must not form an opinion of the labors of the Commissioners by the amount of time spent in the Court—that may be trifling when compared to the time spent over the mid-night lamp, in looking up cases bearing upon points which may be at issue.

Hon. Mr. LAIRD.—I would like to see an amendment introduced to render it only necessary to

insert a notice for two or three times in the *Royal Gazette*, as I consider it but a waste of time and money to have the notice inserted so frequently.

Hon. Mr. HOWLAN.—Suppose parties are in London or New York, how are you to have notice served upon them properly, unless you advertise for at least three months?

Hon. Mr. LAIRD.—But I mean three notices, and for these to extend over this time.

Hon. Mr. HOWLAN.—That might do, if we were certain those *Gazettes* containing these notices, would reach those who would be interested in getting them.

Hon. Speaker then resumed the chair, when the Chairman reported the resolution agreed to, and the motion being put that the resolution be agreed to, Mr. Cameron said: Mr. Speaker, I quite agree with the amendment of the hon. member for Princetown, for I am inclined to believe that if the amount over which the Court has jurisdiction be raised to £300, as embodied in the resolution just carried in Committee, and which is now before this House, it will prove a serious injustice to a large number of this community, as it will exclude the poorer classes from a privilege extended to those who are more wealthy. The arguments used to prove that greater facilities for swindling are afforded, by leaving the amount at £100 instead of £300, are in my opinion without any foundation, as may be perceived from the fact that under the latter sum only those who embark exclusively in mercantile transactions, can reap any benefit from the Act; and it is quite as easy for such to contract debts to the amount of £300, as for the common run of farmers, mechanics, and others, to the amount of £100. Large traders, therefore, if so inclined, have greater facilities for swindling and practising impositions on the public than others have, inasmuch as it accords with the nature of their business to require large credit, whereas a person in ordinary circumstances would, in the attempt, at once arouse the suspicion of his creditors, as to his ability to pay. Some hon. members assert that the Act was only intended for "men in business," meaning those in trade; but I presume that every industrious man in the Colony is a man of business, and equally entitled to the protection of the Law. If the resolution was calculated to do away with fraudulency and dishonesty, it should have my hearty support; but its object being to draw a distinction between rich and poor, it therefore cannot be regarded but as class legislation, and on that account I must oppose it. I have no objection, however, to extending the time from three to six months, in the 25th section of the Act, but I consider that if the sum of £100 is an inducement to extravagance or imposition, the same principle will extend to the increased amount on a large scale. If the Act is wrong in that respect, it is as well to repeal it altogether. With respect to young men seeking credit abroad, I consider

the Act as it stood is no obstacle, providing they give good and sufficient security, which would be necessary under any circumstance. It has been urged, that while the jurisdiction of the Court is left as low as £100, there is a possibility of a greater number taking an undue advantage of it; but against this stands the fact that in the majority of such cases, their assets, if any, would, in proportion, nearly cover their debt, thus obviating the necessity for seeking any protection. Under the change contemplated by the resolution, an honest but unfortunate dealer whose liabilities may amount to £250, is excluded from any privilege, while the man who, in his recklessness, may add fifty pounds more to that amount, is relieved from discharging his debts, and that possibly at the expense of the former.

The resolution was then agreed to, and a Committee appointed to bring in a Bill in accordance therewith, when House adjourned until 10 o'clock to-morrow.

TUESDAY, April 6.

Forenoon Session.

Mr. Owen presented a Petition from the inhabitants of Dundas, praying for the establishment of a Small Debt Court, which was received and read.

House in Committee to take into further consideration all matters relating to roads, bridges and wharves.

Mr. G. Sinclair in the Chair.

After some time, the Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

House in Committee to take into further consideration the grants for paupers.

Several resolutions were agreed to.

The Speaker took the Chair, and the Chairman reported progress and obtained leave to sit again.

On motion of Hon. Mr. Laird, the Bill to be intitled An Act to add to the Act relating to Weights and Measures was read a third time and passed.

Hon. Leader of the Government presented a Report of the Committee appointed to report on private Bills, recommending that the Bill to incorporate the Wheatly River Lime Company be exempted from fees.

Report adopted.

On motion of Mr. McNeill, the Bill to incorporate the Wheatly River Lime Company was read a second time, and the House went into Committee on it.

The different clauses were read and agreed to.

The Speaker took the Chair, and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

House adjourned.

Afternoon Session.

PUBLIC BUILDINGS.

The rule of the House was suspended to allow the hon. Leader of the Government to introduce a Bill to enable the Government to erect suitable public buildings for the accommodation of the Public Offices. The hon. Leader of the Government then submitted the said Bill which was received and read a first time, and ordered to be read a second time to-morrow.

CAPITAL PUNISHMENT.

On motion of the hon. Leader of the Government, the Bill relating to Capital Punishment within the limits of Jails, was read a third time and passed.

Mr. Bell, from the Committee on Public Accounts, presented the Report of said Committee. Received and read and ordered to be committed to a Committee of the whole House on Friday next.

SUPPLY.

On motion of the hon. Leader of the Government, the House then resolved itself into a Committee of the whole on the further consideration of a supply to Her Majesty.

Hon. Leader of the Government submitted a resolution granting relief to destitute persons.

After a short time spent in Committee, the Speaker took the Chair, the Chairman reported progress and obtained leave to sit again.

A message was then received from the Legislative Council stating that they had passed a Bill for the Incorporation of the Queen's County Agricultural Society, to which they desired the concurrence of the House of Assembly.

The Bill received from the Council was then received and read a first time and passed, and ordered to be read a second time to-morrow.

On motion of the hon. Leader of the Government, the House again resolved itself into a Committee of the whole on a supply to Her Majesty.

The paper scales were further considered, and the resolutions were carried.

Hon. Attorney General submitted two resolutions granting the usual allowance to members of the Legislative Council and House of Assembly for their attendance during the present Session. The resolutions were agreed to and ordered to be received to-morrow.

SALARY OF LIEUTENANT GOVERNOR.

On motion of the hon. Leader of the Government, the House resolved itself into a Committee of the whole on the second reading of the Bill for the payment of the salary of the Lieutenant Governor.

Mr. Cameron in the Chair.

The first clause was read.

HON. LEADER OF THE GOVERNMENT.—When the House was in Committee on this Bill, yesterday, there was an objection made to the allowing both the Lieutenant Governor and the Administrator of the Government the same amount of salary, and again, that the sum mentioned was put both in sterling and currency. I do not think that the latter objection was of any consequence, for sterling money never changes, and the words, "present currency," will meet the demands of the case. With respect to the first point, under the present system, when the Lieutenant Governor is absent, he only draws half his salary and the Administrator of the Government the other half; but it will be for this House to consider whether it would not be better to pay the officer who performs the duties of the office the full salary, and thus have the money spent within the country. I am not aware that there is any objection on the part of the Imperial Government to pass such a Bill, and I can see no valid objection to it, on our part. If the Lieutenant Governor chooses to retire for months together, and leave the duties of the office to be performed by other parties, the latter should receive the full pay. I cannot agree with the objections made to this arrangement, but, although this measure has been brought in by the Government, they will not be captious in regard to it. I think the persons who does the duties of the office should receive the full salary.

HON. LEADER OF THE OPPOSITION.—Without the word "present," there would be no guide at all in determining the value of the currency of this Island in regard to paying the salary of the Lieutenant Governor. In this Bill, £1400 sterling is declared to be equal to £2100 currency, although the latter continually changes in value. I cannot see, therefore, any object to be gained by mentioning currency at all. British sterling is the same all the world over, but our currency continually varies. The principle that the Lieutenant Governor should not receive any part of his salary when on leave of absence, is not sound. If we are to pay that salary, let us do it on the same principle adopted in the other Colonies and all over the British Dominions. If a gentleman holding a public office is obliged, through ill-health or death in his family, to obtain leave of absence, the general rule is that he shall receive half his salary and the acting officer the other half. I think there is reason in that method, for no gentleman is bound to accept an acting office, and if he does take it he knows that he will only

receive half the salary. Take the Col. Treasurer and Collector of Excise for example, and suppose that they were unfortunate enough to be stricken with an illness, requiring a change of air, and having large families, it would be unfair that the latter should be left without any support, and that the acting officer should receive the whole. It is the common rule in the British service, that the acting officer should only receive one-half the salary, and, therefore, I cannot agree with the principle laid down in the Bill. Both in Nova Scotia and New Brunswick the Lieutenant Governors received half pay while on leave of absence, and, therefore, I can see no reason why the principle should not be continued in this Colony. If a Lieutenant Governor leaves his office for a longer time than is necessary, all that the Executive would have to do would be to memorialize the Colonial Office, and state that the Governor did not attend to his duties; his salary would then be disallowed till he did attend to his office; but to lay it down as a rule that that officer's salary shall be cut off while on leave of absence, no matter from what cause, is unjust, and, therefore, I shall vote against it if I have to go outside of the Bar alone for that purpose.

Mr. KICKHAM.—The hon. member for Georgetown (Mr. H.) has spoken well, indeed; but his fine speech contained no argument. If the Lieutenant Governor chooses to go Home and spend his time on a visit, I do not consider that, while absent, he should receive any salary. The gentleman who performs the duties of the office should receive the whole allowance.

Hon. LEADER OF THE OPPOSITION.—The hon. member for Souris is more apt to apply his arguments to persons than to principles. Our Lieutenant Governor is no favourite with him, but the Administrator is. I may remind him that a change may take place, and that a Governor may yet be appointed who will be the favourite, and an Administrator may be a regular tartar. We must legislate for principles, not for individuals.

Mr. DAVIES.—When this question came up yesterday, I said that I thought the Administrator was as much entitled to the emoluments of the office as the Lieutenant Governor, while the latter was absent. I would go for paying the gentleman who performs the duties of the office; I should not go for paying the Lieutenant Governor half, while absent, merely because he happened to be a Briton. The Administrator should receive the same pay as the Governor, while performing the duties of the office.

Mr. BRECKEN.—I think the better course and the most reasonable would be to follow the example set by the Home Government in respect to the Lieutenant Governor's salary. When that officer is appointed by the British Government, he is placed in a high position and must keep it up. He may be called away from the duties of his office by some pressing obligation, and it is quite

right that he should receive half the salary. He may be called away for a variety of reasons. If an officer of the Army or Navy receives leave of absence for a short time, he receives half his pay till he returns. I wish to see the Administrator of the Government amply remunerated, but we must give the Governor justice at the same time. No public officer in this Colony would object to doing the duties pertaining to that office for half the salary; and to throw aside the old principle would be contrary to the practical working of every other department of the public service. But this was not the chief matter which brought me to my feet. I had in mind a subject intimately connected with this Bill, and that is—the future disposition of Government Farm. I hope the Government will excuse me in bringing in this subject. Since they have agreed to pay the salary of the Lieutenant Governor, I hope the money will be taken from the general Revenue, unassisted by any sum obtained by the sale of that farm. We know that the grounds in connection with the Government House are of greater extent than any for a similar purpose in the Lower Provinces. It has been currently reported that the Government intend to cut up this farm and sell it for the purpose of defraying the salary of the Lieutenant Governor, but I hope the rumor is incorrect. I shall not go back to the old question in regard to Charlottetown Common, but it is a fact that Charlottetown has no Common, nor anything like a Park or Pleasure Ground. The site for the Government Farm was granted expressly for a Governor's residence and park, but as the Government of this Island have, considering our circumstances and means, made a very liberal provision for our Lieutenant Governor—that gentleman getting the same allowance as the Local Governors of the Dominion—I think they would be quite justified in appropriating a part of that farm for a place of recreation for the citizens of Charlottetown. When I consider that this farm would have been part of the Common if it had not been granted away, it would be but justice, after the present incumbent has left it, and a new Governor appointed, to set aside a part of it for the use of the citizens. I further state that upon every principle of fair-play and common justice, we are strictly entitled to a part of it. It would be but just, looking at the position of Charlottetown, and the fact that its people will pay more towards the salary than any other part of the Island of the same extent and population, to give the City the whole of that farm. I urge this matter upon the attention of the Government, for if they intend to interfere with that farm, it should be appropriated as a place of recreation for the citizens of Charlottetown, during the summer months, when the dust and heat are oppressive. At present, there is no place where the citizens can go and enjoy a summer's afternoon. If a part of that farm is taken and sold, and the proceeds placed in the revenue, the act would be a gross injustice to the people of Charlottetown.

Four or five acres around the Government House would be quite sufficient for all the purposes of the Lieutenant Governor; for it cannot prove remunerative to him to invest largely in agricultural pursuits; he hardly begins to reap the reward of his outlay before he is removed from the Island. For the purposes of a mere luxury, it is not necessary that that gentleman should have eighty or ninety acres of land. If the farm were sold, it would prove a mere drop of the bucket towards the payment of his salary—it might realize three or four thousand pounds; but, by selling it, the people of Charlottetown would never forget that a gross injustice had been done them—a sense of wrong would be produced which would last longer than the sense of the injury inflicted upon the Colony by the demand made for the payment of that salary. If that farm is sold, the people of Charlottetown will be wronged, and grossly wronged; but I hope the Government have no intention to deprive the citizens of their rights.

Mr. KIRKHAM.—I quite agree with the hon. member for Charlottetown (Mr. Brecken,) in what he has said, for I do not consider that the Governor should be allowed any property belonging to the Colony, except Government House and the lawn and garden attached to it. If we are forced to pay the salary, we are not bound to give that Officer a farm as well. He is entitled to a house, but he should supply himself with vegetables—while we have to pay his salary. I would not vote for allowing him a farm.

HON. LEADER OF THE GOVERNMENT.—I have a map of that farm, by which it appears that there were originally one hundred acres of land; but by a recent survey it now only contains seventy acres. I cannot say on behalf of the Government, what course will be taken in regard to it, for they have not determined what that course shall be. As the hon. member for Charlottetown has roused the matter up for a second time this Session, I should not object to give him an opportunity to move that the House go into Committee of the whole upon it, before the Session closes, to ventilate the matter thoroughly. So far as my own individual opinion goes, I do think that the extent of land at the disposal of the Lieutenant Governor, is far greater than there is any necessity for. In Halifax, the grounds surrounding the Government House are of very limited extent. I would agree to the proposal of my hon. colleague, to give that Officer a garden and a lawn; but I know from my own experience, that a farm, instead of being a benefit to a public Officer, is an incumbrance. The object in granting such a fine extent of land was the grandeur of the Governor's premises, and there is no doubt it is a very fine place. When our American visitors came over here, we were very proud to show what a nice establishment we had in connection with Charlottetown. We had, also, a battery to show them, which General Butler said he could shell down in a very short time, if he had brought his mortars to bear upon it. But I am not prepared to state what the Govern-

ment will recommend in regard to this matter. In my own private opinion, if a line were drawn through it and one-half given to the City and the other half to the Governor, the former would not be misappropriated. I could not look upon it as an act of spoliation. The farm is not vested in the Crown, and, therefore, the proper way to carry out this plan would be for this House to pass an Act to change the tenure. Even if thirty-five acres of the farm were sold, the sum derived thereby would be small, and the question would arise whether a part of it should not be given to the people of Charlottetown. I think they should have a portion of it at all events. They had a Common; whether taken from them fairly or unfairly, is now no matter; but they have not at present an acre of land upon which to take recreation or indulge in public games. Every city should have a public park or place for recreation for its families and children, and, therefore, if any part of that farm is alienated from its present purpose, the people of Charlottetown should have it. I am inclined to bring this matter before the House before the Session is closed.

HON. Mr. DAVIES.—I contend Sir, that Government Farm is the property and right of the citizens of Charlottetown, for it was granted for the use of the inhabitants of this city, by His Majesty King George the Third, as a common; or rather it was included in the grant of the common, as a free gift, untrammelled by any condition; and therefore no power could take it away; not even the Crown itself could alienate this right of the citizens. The claim under Governor Fanning's grant of the farm to the Lieutenant Governor for the time being is a bogus, and therefore is one that cannot be maintained, if the citizens dispute it. Neither the citizens nor the representatives of the people who acted for the citizens of Charlottetown, (before it was incorporated,) ever assented to Fanning's spoliation. In my opinion this property is that of the Corporation, and it ought therefore to be taken possession of by the Corporation; at least they ought to exercise the right of landlordship over it; and further, if I am correct in my opinion, the Colony is indebted to the Town for the rent of this farm from the time the Government fenced it in. I mention these facts, to put the hon. member for Charlottetown on his guard—for although I consider it right and proper that the representatives of the people acting as they did,—as guardians of the common, prior to the Town being corporated, that it is now evident, the city being incorporated, the citizens must, through their council, act for themselves; and it appears to me if this House were to legislate on this matter with the pretence of restoring to this Town that which already belongs to it, and to act upon the suggestion of the hon. member for this city, would be to prejudice the case. It should not be forgotten that Lieutenant Governor Fanning, without any right, leave, or authority, took that land and fenced it in.

HON. MR. HENDERSON.—For the reason mentioned by the Learned Leader of the Government, I think it is not worth our while to go into the consideration of the matter to-night, as we shall likely have another opportunity to do so. In reference to a division of the salary of the Lieutenant Governor, in the event of his being absent from the Colony, I would merely say I do not see that there is anything very inviting for a Lieutenant Governor to go to England, unless he is ordered Home by Her Majesty, as travelling so far, and keeping up his style is so very expensive. My opinion, therefore, is, that it would not be well to legislate in this matter, on a principle which our successors might hereafter regret. At present we are smarting under a wrong which has been inflicted upon us by the Home Government; but if we are thus treated on account of our weakness, we should rather act in a nobler manner, in dealing with the salary of our Lieutenant Governor. Officers in the British Army seldom receive leave of absence when on foreign stations, except on account of ill health or urgent private affairs, and then they receive all their ordinary pay. With respect to our future Governor, I think we should not inflict upon him that punishment which we cannot impose upon the British Government itself; and, therefore I think that if any future Governor should be absent on leave, we should apply the same rule to him which we would apply to ourselves, under similar circumstances.

HON. LEADER OF THE GOVERNMENT.—I was anxious to test the views of this hon. Committee on the subject, and to ascertain whether, in the opinion of hon. members, the salary during the absence of the Lieutenant Governor, should be given wholly to him, or part to him and part to whom would administer the Government in his absence; and as the opinion of hon. members have now been pretty generally expressed, I shall move the following amendment:—

(The amendment was to the effect, that in the event of the Lieutenant Governor being absent, the Administrator for the time being should receive half his salary.—Reporter.)

The amendment was then agreed to, when on motion Mr. Speaker took the Chair, the Bill was reported agreed to with an amendment, and ordered to be engrossed.

House in Committee on the Bill relating to Felony.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker, when I moved for leave to introduce this Bill, I explained the object and intention of the measure; and now need but briefly add that its intention is to extend the time for the punishment of persons who may commit a felony, obviously with malice aforethought and with intent to take life. When the Act for Felony was passed, no special punishment was provided to meet such aggravated cases as we have lately had to deal with. The Law, at present, simply states that for such offences

the criminal shall be liable to be imprisoned for a term not exceeding two years; although in the act he may hack a man dreadfully, and actually cut him almost to pieces, yet, if he should recover, no greater punishment can be inflicted, as the law now stands, than two years imprisonment. In England, and also in Australia, the punishment for such offences varies according to the degrees of the offence; and in certain cases, where malice aforethought can be proved, although the deed may not result fatally to the person assaulted, yet the punishment is death. I think, therefore, that more power should be given to the Court in such cases, and have increased the time in the Bill from two to twenty-one years, which I think is a limited enough space of time for some aggravated cases. One of the most pernicious customs we have to meet,—and from which has resulted that horrid scene which this day took place in this city—is the too free use of the knife. The use of it is becoming so common, that even in this town when two little boys quarrel in the street, the one who considers himself the most offended will threaten to knife the other. It must be made known that where men will use the knife, they will be punished severely. If men quarrel, and will have a fight, let them use their fists; but the use of the knife is so unbritish, that we cannot too strongly denounce such practices. With these remarks, I move that the order of the day be gone into.

HON. LEADER OF THE GOVERNMENT.—I have much pleasure in seconding the motion of my learned friend, and in doing so, will merely say that the remark he made about the utterances of little boys in the streets has originated out of what took place in connection with that melancholy case which took place in this town. There can be no doubt but that it is our duty to punish severely any attempts at murder; and the ingredients of this is discovered when malice aforethought is proved; and in some cases, it is very difficult to define where the line should be drawn, between murder and manslaughter; and murder, in many cases, is prevented by other means than the intention of him who commits the assault.

HON. MR. DAVIES.—I have no doubt but that this Bill will meet the approval of the country generally, and I do hope the hon. gentleman who has introduced it will insert a clause which will impose some restriction upon people who carry sheath knives about them. I think there is no man of a right disposition who would wish to carry such a weapon; and those who are not so disposed should be prevented from having an opportunity to inflict a blow with so dangerous a weapon.

HON. MR. DUNCAN.—The hon. member who is introducing the Bill, purposes increasing the term of imprisonment for aggravated cases, from two to twenty-one years; but I think it should be for life, for there are so many cases where one man attempts to murder another, in which there is so

much that looks like madness, that one is disposed to believe the man insane, although perhaps it would be impossible to prove it. In the case of the man, for instance, who fired at Mr. Bourke, he said he had no ill feelings toward the individual whom he assaulted. I think, in such cases, a discretionary power should be left in the hands of the Court, with power to imprison for life if it saw fit.

MR. P. SINCLAIR.—A measure of this nature should have been on the Statute Book before. I agree with much of what was said by the hon. member for Belfast, (Mr. Duncan) but do not know but that when you add whipping and hard labour, I think twenty-one years is long enough to immure a man in prison. I consider though that there is good reason for including in the Bill the crime of manslaughter, especially as that is a crime which can only be ascertained by ascertaining the intention previous to committing the deed. If the hon. Leader of the Opposition can insert a clause to include this, I think the Act would be much more complete. We are changing some of the features in the Unfortunate Debtors' Act, and I think it would be well if we could change this one also, so as to meet all cases to which it would be well that it should apply.

HON. LEADER OF THE OPPOSITION.—The reason I did not go further with the Bill was, because I understood from the learned Attorney General that a Committee was to be appointed to revise our Criminal Laws, and thought it not worth while going further than I have in the Bill. I do not know that we can insert a clause to meet the views of the hon. member for Belfast, (Mr. Davies) to prevent people from carrying knives, although I admit that it is desirable; for it is sad to think that notwithstanding the awful spectacle which took place to-day, and which was caused by the use of the knife, we know that another man was lately stabbed also, and it was by mere chance that the man's life was not taken. The blow fell upon the bone; had it been struck a little higher up, he would have been killed on the spot. This shows the necessity that exists for meeting such cases as far as they can be met; for we know that a great many of the cases in this Colony, where persons have been convicted of manslaughter, has been from a too free use of the knife, but for the reason I have given I did not include the crime of manslaughter in this Bill. I agree though that the punishment for manslaughter is not, by our Statutes, as severe as it should be.

HON. LEADER OF THE GOVERNMENT.—To take up and revise the whole of our criminal code is what no one would think of doing hastily. I believe that on our statutes there is no law relating to Forgery, and hence it has to be treated as a common misdemeanor, yet it involves as deliberate a fraud as can be attempted. I think it is the duty of the Government to take the matter up, and appoint a commission to examine and report upon

our criminal codes. With respect to manslaughter, perhaps if more discretion was given to the Court it would be better, and probably, in some cases, did juries know they could find for the lesser crime, or ~~they~~ that the punishment would be severer than any the law now provides, and that the Judge could make the punishment more severe than two years' imprisonment, they might be induced to bring in a verdict for manslaughter, where they would not feel justified in doing so, when they know that the punishment is only three years' imprisonment. I think our criminal code can only be revised by a commission as it will require a careful comparison with the Laws of other countries, and before next Session I hope that such may be appointed, and be able to report to the Government the result of their labours, which can then be laid before this House.

MR. McNEILL.—As there is no occasion for any man to carry a knife for his protection in this country, I hope provision will be made to prevent it. Whatever reason some may have for doing so in other countries, there is none for doing so here, and I think we should enact a measure against the practice, especially as it is now becoming so common, and will likely be more so if it is not checked.

The House then went into a Committee of the whole House, on the second reading of the Bill to amend the Law relating to Felony.

Mr. Cameron in the Chair.

Several clauses being read and agreed to, the hon. Leader of the Opposition said that he found he could insert a clause to meet the case of manslaughter, and moved a clause accordingly.

HON. MR. DUNCAN thought that power should be given to the Court to imprison a person guilty of any heinous act, with intent to take life, if it considered the party insane. There would be no danger in this, as the party could afterwards be relieved if necessary.

HON. LEADER OF THE GOVERNMENT said, the hon. member must recollect that the insanity would have to be proved, and if that fact was established, the criminal could be sent to the Lunatic Asylum. He (hon. Leader of the Government) considered that it would be too dangerous a point to place in the hands of any court. The question of insanity should be kept clear of this Bill, as it had to be determined and decided upon differently, it must be kept distinct from the cases this Bill provides to meet, and must be decided upon by the Jury, not the Court.

HON. LEADER OF THE OPPOSITION instanced the case of Oxford who was tried for shooting a man in England, and also of him who killed Sir Robert Peel's Secretary; but on their trial the Jury considered them Lunatics. If it can be shown that a man had not his reason when he commits a felony he is dealt with accordingly.

Mr. Prowse considered that some of the arguments used would not meet the case. A man may commit the crime of manslaughter or any other offence, and on examination, may appear insane one day, but if examined the day after he may not show any such symptoms, and therefore thought that a good deal of discretionary power should be left in the hands of the Court.

Mr. Arseneaux did not believe that laws, when too stringent or severe, had a tendency to check crime; on the contrary, his opinion was, that the more bloodshed and whipping men witnessed, the more hardened they would become, and in proof would instance the fact, that for this reason a Bill had been brought in to provide that executions in future should take place within the prison walls. He was disposed to regard an increase of severity in the punishment of crime as a retrograde, rather than an advanced movement in the path of civilization. In old times very severe laws were enacted against those who committed crimes; but they have no influence to check or prevent its commission, and as a result, those severe laws were repealed while milder ones were enacted. It is an acknowledged fact now, that in society, the school or the family, rigorous or severe laws and regulations are not so well calculated to benefit those for whom they are made, or do their work as well as moral suasion, lenity, and a firm appeal administered in kindness to those who are the subjects of such rules and regulations. He approved of the Bill, in so far as it gave a wider scope to the Judge or Jury, thereby enabling them to guide themselves more in accordance with circumstances as they may occur, but could not go so far as to support the views of the hon. member for Belfast (hon. Mr. Duncan.)

Mr. Bell thought the difference between imprisonment for twenty-one years, and imprisonment for life, was not worth speaking about, and in the Bill he thought a good deal of discretion should be left in the hands of the Court; and as to the extent of the punishment, thought that if a man was imprisoned for twenty-one years, he would be pretty well punished; and even in the case of manslaughter, he thought that twenty-one years was long enough to extend the term even for that crime; but in cases where the knife had been used, he would like to see the offence punished with the whip also, and would like very much if some restrictions could be adopted to prevent people from using the knife, on the principle that it is far better to prevent than punish crime.

Hon. Leader of the Opposition said that as Englishmen consider it to be one of their privileges to be allowed to carry their arms, to pass a Bill in opposition to this recognized principle would be difficult. Under the British constitution a man is allowed to carry his weapons, but is held responsible for the manner in which he uses them.

Mr. P. Sinclair concurred in the observations of the Learned Leader of the Opposition, but would suggest that the hon. member would insert in the clause that attempting to stab, should be treated as a felony also.

Hon. Leader of the Opposition inserted a clause to meet some of the views of hon. members, and said he thought the Bill was pretty well guarded, when the Bill was agreed to.

Hon. Attorney General said that he now rose to move that a clause be added to enable the Court, when necessary, to detain witnesses when the ends of justice required it, and pointed out the difficulties that might arise as the law now stands. The resolution of the hon. member was seconded by the hon. the Leader of the Opposition, and supported by the hon. member for Charlottetown, (Mr. Brecken,) and agreed to.

Mr. Speaker resumed the Chair; the Bill reported agreed to with an amendment, and ordered to be engrossed.

House adjourned.

WEDNESDAY, April 7th.

Forenoon Session.

The House spent some time in Committee on the further consideration of the grants to paupers, after which the speaker took the Chair, and the Chairman reported the Pauper Scales agreed to.

Hon. Leader of the Opposition presented a Bill to amend the Act relating to Unfortunate Debtors, which was received and read, and ordered to be read a second time to-morrow.

BILL TO RAISE £10,000 FOR PUBLIC WORKS.

On motion of hon. Leader of the Government, the Bill to authorize the Government to raise £10,000 was read a second time.

House in Committee on the Bill in question.

Mr. Cameron in the Chair.

The different clauses were read and agreed to.

The Speaker took the Chair and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

WAYS AND MEANS.

House in Committee on Ways and Means.

HON. LEADER OF THE GOVERNMENT.—I would propose a resolution to increase the duties one per cent. on articles of which the *ad valorem* duty at present is ten per cent. I might remark that the accounts of the Land Office have been kept in such a way that the receipts have gone into the Public Accounts as revenue, and the disburse-

ments have been reckoned as expenditure. This leads to great confusion, for when an estate has been purchased it would appear as if the Colony had gone into debt to the amount which was paid for that estate. This would injure our credit in other countries, in case we wished to contract a loan. It is proposed that for the future the accounts of the Land Office shall be kept entirely separate, and that the revenue derived from that office, after the expenses shall be paid, shall be used in redeeming debentures that have been issued for the purchase of lands. It is estimated that the total expenditure for the next year will be £80,580, irrespective of some items that may yet turn up, and if a third Judge is appointed it will raise the amount to £81,000. The probable revenue will be £77,904, leaving a deficit of £3,696, and the Government hope to make up this amount by increasing the amount of land tax as was formerly stated and putting on this one per cent. on articles which now pay ten per cent., which will yield about £4,000. It is not to be supposed that all will be spent which has been granted. The Board of Works will perhaps spend very little of the amount placed at their disposal, and the amount granted for the Governor's salary will not be all paid, for part of the financial year will have passed away before the Royal Assent will be given to the Bill we have passed. When we consider the necessity of Public Buildings, and the large amount required for the encouragement of Steam Navigation to different parts of the Island, and also the large amount for Education, I think the people will not complain of the duty or the taxes they will be required to pay. There are some things that I have not embodied in that resolution, which might be required in the Revenue Bill. There are some things such as materials for fishing, which might be added to the list of articles exempt from duty, if the House shall think it necessary.

Hon. Mr. HOWLAN.—There is one thing to which I should like to call the attention of the House in reference to the Paraffine or Kerosene Oil imported into this Island. In the other Provinces they have a Fire Test, and any Oils that will ignite at a heat less than 115°, is condemned as unfit to be sold. In consequence of this, the poor oil is sent to this Island, where no such test is applied. Within the last few years, the city of Montreal barely escaped being burnt, on account of a large quantity of this oil taking fire. Although they had taken the precaution to have it stored outside the city, a warehouse containing a large quantity was on an elevated situation, and when the oil took fire it flowed into the city. As this oil has now come into general use, there is often a large quantity at once in the different stores and warehouses in this city; and proper precautions should be taken to provide against accidents. Some of this oil has been found that exploded at a heat 25° below the proper test.

Hon. LEADER OF THE OPPOSITION.—I hope the

Government will make provision for appointing an Inspector to test all the Kerosene Oil that may be imported into the Island, and thus prevent accidents which might occur by using inferior oil.

Mr. McMILLAN.—I think such a provision should be made; but I think it would be necessary to allow some months to elapse before this test is applied, for merchants might have a quantity on hand or ordered, and they should be allowed time to sell it.

Hon. COLONIAL SECRETARY.—The Inspector from New Brunswick was here last year, and called my attention to this matter, and I ordered a testing apparatus, which is now in my office. This matter should be attended to, as persons run great risks by using inferior oil.

Hon. Mr. HOWLAN.—I may say with respect to persons having oil on hand, I think there never was a time when there was less on the Island than at present.

Hon. LEADER OF THE OPPOSITION.—In reference to any oil that persons may have on hand, I think it will be all sold before any law can come into operation; and in regard to parties who have ordered it, they must only run the risk. It would be better for a few speculators to lose a little, than for persons to have their houses burnt, and perhaps lose their lives.

The Speaker took the Chair, and the Chairman reported the resolution agreed to.

Hon. Mr. Kelly asked the hon. Leader of the Government for a return of the number of students attending the Prince of Wales College, and the number of pupils attending the Georgetown and Summerside Grammar Schools.

Hon. Leader of the Government replied, that as soon as the returns could be obtained, he would lay them before the House.

Hon. LEADER OF THE OPPOSITION.—I wish to ask the hon. Leader of the Government to make enquiries relative to the inhuman and barbarous proceeding which took place yesterday in the execution of the unfortunate man Dowic. It is necessary to maintain the fair fame of this Colony, that an enquiry should be made to ascertain why such severity took place.

Hon. LEADER OF THE GOVERNMENT.—I can assure the hon. Leader of the Opposition that I coincide with what he has said on this subject. Every right thinking person must be shocked at the sad and unfortunate affair which occurred yesterday. I was about to address a letter to the Sheriff on the subject, because I consider it but justice to that officer, as well as to the people, to have the matter explained. Sad and revolting as the affair is, however, it is not without a precedent even in England, where, on account of the frequency of executions, they have persons who are skilled in this matter.

Mr. McNEILL.—There should be some investigation of the circumstances in connection with this affair. The Sheriff may be able to show that it was through unforeseen circumstances that it happened, and that no blame could be attached to him.

House adjourned.

Afternoon Session.

On motion, the Bill making provision for the payment of the Salary of the Lieutenant Governor of this Island was read a third time and passed.

The Bill providing for the punishment of offences against person and property was also read a third time and passed.

QUEEN'S COUNTY AGRICULTURAL SOCIETY.

On motion of the hon. Leader of the Government, the House resolved itself into a Committee of the whole, on the second reading of the Bill to Incorporate the Queen's County Agricultural Society.

Mr. Howatt in the Chair.

After a short time spent in Committee, the speaker took the Chair and the Chairman reported the Bill agreed to.

Ordered, That the said Bill be read a third time to-morrow.

A message was received from the Legislative Council, stating that they had passed the Bill for the carrying out of Capital Punishment within prisons, with several amendments, to which they desired the concurrence of the House of Assembly.

The said amendments were then read a first time and passed. The question of concurrence was put upon certain resolutions, which were agreed to.

SMALL DEBT COURTS FOR PRINCE COUNTY.

The House then resolved itself into a Committee of the whole, on the Bill to establish additional Small Debt Courts in Prince County.

Mr. Cameron in the Chair.

Hon. Mr. HOWLAN.—It is contemplated to establish two additional Courts, one at Egmont Bay and the other at Lot Eleven. Both of these places are at some distance from a Small Debt Court, which causes a good deal of inconvenience and additional expense to their inhabitants, for there is a good deal of business carried on in each place.

HON. LEADER OF THE GOVERNMENT.—I am altogether opposed to our present system of Small Debt Courts, on account of the increased litigation caused by them, and I believe that before long a complete change in the system will have to take place. The number of suits which now come before these Courts is very great, and the time and

money wasted are a serious loss to the country. Still, as Small Debt Courts are established in most parts of the Colony, I do not think the establishment of one or two additional ones will operate with any greater injury, for as long as the system is kept up, the people all expect to be placed upon the same footing. If the Courts are distant from each other, the expenses are thereby increased, and therefore I am inclined to support the Bill. I believe the hon. member (Mr. Owen,) wishes to have an additional Court established in his district, and if he can show that there is any great distance between Dundas and the other Courts, I should be inclined to favor it.

Mr. OWEN.—I move that the paragraph just read be amended and the words "and also an additional Small Debt Court at Dundas," inserted. (The hon. member also moved for the insertion of other words in accordance with that amendment.)

Mr. P. SINCLAIR.—It seems to me that there is as much need of a Court at Dundas as at the other places named in the Bill. I am one of the Committee who prepared this Bill, and although I am against the principle of multiplying these Courts, I think all parts of the country should enjoy equal rights. As the hon. Leader of the Government has told us that there will soon be a complete alteration of the present system, I shall not oppose the amendment introduced by the hon. member, Mr. Owen.

Mr. SPEAKER.—There was a petition sent in by the inhabitants of Dundas, asking for the establishment of an additional Small Debt Court. I believe it is quite necessary, for when they have any matters to bring before a Small Debt Court, they are obliged to go to a very considerable distance, although they are as much entitled to a Court as any other portion of the country.

The clause, as amended, was then agreed to.

The Speaker then took the Chair, and the Chairman reported the Bill as amended, agreed to.

Mr. McNeill submitted a Bill to Incorporate New Glasgow Temperance Hall Company. Read a first time and ordered to be read a second time to-morrow.

House adjourned till ten o'clock to-morrow.

THURSDAY, April 8.

Forenoon Session.

Hon. Speaker in the Chair.

Hon. Leader of the Government presented a petition of Martin Lambert, and others, praying for the opening of a new line of Road, which had been laid before the Government, and which he would now submit to the House. Petition was ordered to be referred to Committee, on the opening of New Roads.

Hon. Mr. Howlan presented to the House a copy of the Warrant Book for the past year, which was ordered to be referred to Committee on public Accounts.

Mr. George Sinclair reported from a Committee of the whole House, the resolution relating to the additional duty of one per cent. on all goods now subject to an ad valorem duty of ten per cent.

The Bill to Incorporate the New Glasgow Temperance Hall Company was reported agreed to.

Mr. P. Sinclair, from the Committee to bring in a Bill, in conformity with the report of Committee, on the subject of Salmon fishing, introduced a Bill which was received and read a first time.

On motion of the hon. the Leader of the Government, the House resolved itself into a Committee of the whole House, to consider on the question of increasing the Land Assessment Tax on this Island.

Mr. Cameron in the Chair.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman, in speaking on the subject of Expenditure yesterday, and of the additional burden we would have to bear in providing for the salary of the Lieut. Governor, I intimated that I intended submitting a resolution for the purpose of raising an additional amount by increasing the Land Assessment Tax, and now beg leave to submit the following resolution:—

Resolved, That it is advisable to add to the Land Assessment rates and impositions upon Lands, Houses, Buildings, and Real Estate throughout Prince Edward Island, to the extent or amount of one half more in each case, with respect to each description of lands, houses, and real estate, in addition to the Land Assessment rates and impositions imposed by the Statutes, 27 Vic., Cap. 37; 30 Vic., Cap. 11, and other rates in amendment thereof, and additional Assessment rates and impositions to extend to all Township lands, cultivated and uncultivated, and to all lands upon the Island, and real estate in Charlottetown and Common, old Barrack ground and Royalty, and in Princetown and Royalty, and in Georgetown, Common, Royalty, and reserved lands, without exception or distinction."

Hon. members will observe that this does not propose that a measure shall be brought in that will make a distinction between localities; but intends making it the same in all parts of the country. We know that this session we have had to put our shoulder to the wheel; and to enable us to meet all our undertakings, to carry out the completion of our public works with increased expenditure in aid of our Steam Communication, an increased Revenue will be required; and this increase is, I think, not beyond the means or ability of the people of this Island to meet. I therefore move that the resolution be agreed to.

Hon. Speaker resumed the Chair; the resolution was reported agreed to, when the House expressed its willingness to receive the same tomorrow.

House adjourned for one hour.

Afternoon Session.

SALMON FISHERY.

Mr. P. Sinclair, Chairman of a Committee appointed to report on the best means of protecting the Salmon Fishery, presented a Bill which was read a first time.

UNFORTUNATE DEBTOR ACT.

House in Committee on the Bill to amend the Unfortunate Debtor Act. The first clause was read, fixing £300 as the smallest amount of indebtedness which would entitle a person to take advantage of the Act.

Mr. P. Sinclair moved that £200 be inserted in place of £300.

Hon. Mr. LAIRD.—I have lately ascertained that the amount of indebtedness which will entitle a person to take advantage of the Bankrupt Law in Canada, is a good deal smaller than what is proposed by this Bill; and I do not think we are a wealthier people than the Canadians, and therefore I cannot see why the people of this Colony should not be entitled to the same privileges under the provisions of this law.

HON. LEADER OF THE OPPOSITION.—I thought that when this matter was so fully discussed before, that no more motions should be made.—There is a sort of understanding that when a question has been fairly tested and resolutions passed, that when a Bill is brought in in accordance with these resolutions, it should be allowed to go through.

MR. P. SINCLAIR.—In the United States the sum is down to \$300, which is about £70 of our currency, and in Canada it is as low as £30. If you wish this Bill to be generally useful, the amount should be as low as £100.

HON. Mr. DUNCAN.—I do not know what business a man who fails for £100 could be engaged in, except it is catching lobsters. It is to prevent men who are not in business from taking advantage of this Act, that the amount has been raised.

HON. LEADER OF THE OPPOSITION.—The Bankrupt Law of Canada is for the protection of the creditor as well as the debtor. The creditor has the privilege of putting the debtor in the Bankrupt Court, and if such a provision is made in our law, I will willingly have the amount lowered to £100.

Several other hon. members expressed their opinions on this subject, after which the amendment was negatived on the following division:—

For the amendment—Messrs. Kickham, Kolly,

Laird, Calbeck, G. Sinclair, Davies, P. Sinclair, McNeill—8.

Against it—Messrs. Bell, Arseneaux, Howlan, Reilly, Duncan, Howatt, M'Aulay, Owen, Prowse, Henderson, Haviland, Brecken, Ramsay, McCormack, McMillan—15.

The clause was therefore agreed to without amendment.

The remaining clauses were read and agreed to.

The Speaker took the Chair, and the Chairman reported the Bill agreed to.

Ordered to be engrossed.

House Adjourned.

FRIDAY, April 9th.

Forenoon Session.

Hon. Mr. Laird presented a return of fees from the Commissioners of Small Debts at Bedeque, for the year ending Dec. 31, 1868.

On motion of Mr. McNeill, the Act to Incorporate the New Glasgow Temperance Hall Company was read a third time and passed.

SALMON CULTURE AND PROTECTION.

The House then, on motion of Hon. Mr. Howlan, resolved itself into a Committee of the whole on the second reading of the third Order of the day, namely, "the Bill for the better protection of the Salmon Fisheries, and to repeal a former Act for that purpose."

Mr. Howatt in the Chair.

The first two clauses were read and agreed to, and the third was then read.

Mr. P. SINCLAIR.—Mr. Chairman: The state of our Salmon Fisheries is at a very low ebb, for the protection of that fish, while spawning, is left with the public. There is no person appointed to see that the law relating to that fishery is not violated, and what is everybody's business is nobody's business. By this Bill persons will be appointed to take charge of two or three of the principal rivers into which these fish generally come, who shall receive some consideration for their services. If they are paid for travelling from one river to another, their expenses will be considerable, and therefore it is left with this house to decide how many water bailiffs shall be appointed. This fishery requires protection very much, and there is no doubt these bailiffs will protect the fish better than has been done in the past. I would move that Winter River be included in the list of rivers to be protected, because salmon always come into that river.

The amendment was agreed to.

Mr. BELL.—There is an important river in Prince County, called Mill River, into which the salmon generally come, and therefore, I should like to see that river also protected. A great many of those fish have been destroyed in that river of late years; for this reason I should like to have it included in the Bill.

Hon. Mr. HOWLAN.—The proposed plan is only an experiment, and therefore, only the chief rivers into which salmon enter, should be comprised in the list of protected rivers.

Mr. McCORMACK.—There are several saw mills on the Morell River, whereas there are none on the Midgell River; the latter, therefore, I think, should be included in the list.

Hon. COLONIAL SECRETARY.—If each of these water-bailiffs is to have a salary, the expenses will amount to a very considerable sum. A great complaint was made some years ago, because officers were appointed to protect the alewives' fishery, and therefore, if we give each of these bailiffs five pounds to protect the salmon fishery, perhaps a similar cry will be made. I think the best way would be to leave the Government to appoint as many as are required, for a limited number of rivers. If the Act is made a general one, every hon. member of this House will wish to have some particular river in his District included in the list, and the expense incurred would be very considerable. There are a few large rivers where large quantities of salmon are caught, which should be protected; but I do not think we should extend the principles of the Bill so as to include all our rivers into which salmon enter.

Hon. LEADER OF THE GOVERNMENT.—Mr. Chairman: As the Bill will still protect all our rivers on the same principle as that contained in the present Act, I think it better to limit the protection of those bailiffs to two or three of our principal streams into which salmon enter. If all our salmon rivers were included, a considerable sum of money would be required to carry out the system of protection embodied in the Bill. I think three of the principal rivers will be quite sufficient to begin with.

Mr. P. SINCLAIR.—I quite agree with the remarks just made by the hon. Leader of the Government. Three of our principal salmon rivers will be quite sufficient to try the experiment upon.

Hon. COLONIAL SECRETARY.—Where a river runs up into the country five or six miles, it would be a difficult matter for the water-bailiff to protect the salmon, for they run to the very source of rivers.

Mr. PROWSE.—Mr. Chairman: It has been remarked that the sum of five pounds shall be given to each officer engaged in the protection of the salmon fisheries. Now, the fish often run up five

or six miles to the source of a river, and are often caught by night as by day. The labor of keeping watch and travelling up and down a long river would be considerable; therefore, if you think five pounds will be sufficient remuneration for those officers; for all those services, you expect a great deal of work for very little money. Under the Act which is to be repealed, the informer got the fine, which was a larger salary than that to be allowed under the present Bill. It is my firm belief that £500 would not be a sufficient sum to protect the Salmon in any one river of this Island. By this Bill officers will be allowed to go on private property for the purpose of looking after their business; but it appears to me if such a law is passed, it will not be legal. If a man owns land on both sides of a small stream, no law can interfere and give an officer power to trespass on his private property, and to watch him on his own land. I am of the opinion that private companies should be formed to purchase the right to certain streams, from individuals whose lands front on those streams. By this Bill great power is given to these officers, and no restrictions as to the amount of money to be expended by them. If we give them power to erect buildings for the purpose of trying an experiment in the breeding of salmon, they can turn round and say, "we must have sufficient funds to pay all expenses." I am as anxious and willing to encourage the salmon fisheries as any hon. member of this House; but I do maintain that the Bill will fail in the object contemplated. If a Bill were introduced to incorporate a Joint Stock Company, for the purpose of stocking these rivers with salmon, and to give them power to value the damages caused to parties holding property on the banks of these streams, so that the latter should not charge an exorbitant price for said damages, I should support it. As the sum granted is only £100, it is entirely too small for the purpose intended, and will be of no benefit to the salmon fisheries.

Mr. BELL.—If all the salmon rivers were included and public protectors appointed for each river, nature would work its own way. I think salmon would make their way up our rivers and streams if not molested and interfered with. If such a system were carried out, I believe we should soon have plenty of these fish in our rivers. In the neighborhood where I reside, there is a little rivulet where upwards of a hundred salmon were caught in one season. Now, if a person was appointed to protect the salmon in that stream, and to prosecute all who caught the fish during the spawning season, they would multiply to an enormous extent.

Mr. McNEILL.—For my part, I am not very sanguine as to the future prosperity of this fishery. I merely consent to this Bill for the purpose of trying an experiment. I believe that salmon were never very plentiful in the rivers of this Island, and that they never will be; but it will do no harm to try an experiment. To multiply

these officers for the protection of these fish, I consider would be very injudicious, for our rivers do not contain a large number of salmon like Restigouche, and other rivers in New Brunswick. If it will be found that nature will favor the increase of these fish, through the protection which this Bill will afford, we may go farther at some future session, in carrying out this system. It may yet prove to be a self-sustaining protection, and therefore we should try the experiment.

Hon. Mr. LAIRD.—A remark fell from the hon. member for Murray Harbor, (Mr. Prowse) in reference to the formation of a private company for the protection of salmon, and for the carrying on of that fishery. I think that that plan would not prove to be of any real benefit, but I believe the result of this Act will be—that these fish will be more plentiful at the mouths of our harbors and rivers. I think it would be unfair to limit the salmon fishery to any company, for it should be for the benefit of the people generally. If we protect this fish during the spawning season, we may yet have an abundant supply for our markets and tables, and a valuable fishery may thereby be established. But I see a difficulty in regard to the power to be given to these water bailiffs to go upon private property at the heads of the streams; it appears to me that they will be liable to prosecution. I think the plan proposed by the hon. member for Alberton (Mr. Bell) would be the best—that is, that we should protect the fish and let nature have her own way. We should protect the fishing for the general welfare, and not for the benefit of any particular parties. The Government should have power to appoint certain parties for the protection of certain rivers into which salmon enter; but I should not wish to go farther than that, by erecting buildings for the breeding of these fish. By way of experiment, I shall support the Bill, and allow the Government to appoint water bailiffs for the protection of this fish.

Mr. PROWSE.—If the Government can grant power to those Bailiffs to protect the sources of the streams, they have power to grant a monopoly to a Company for the purpose of protecting this fishery and for carrying it on at the proper season.

Hon. Mr. HOWLAN.—I am decidedly opposed to granting monopolies for carrying on any fishery on our rivers; or, indeed, in any branch of trade. Look at the monopoly of the Charlotte-town Ferry. We have now to give £400 for extra trips performed on that Ferry, while the contracting party is making two or three fortunes out of the business. In granting such a monopoly as that proposed by the hon. member for Murray Harbor, we should have to give the Company the right of way of those Rivers, which would be very unjust and unreasonable. These fisheries belong to the public, and therefore it is not for us to grant them away to any party; all we have to do is to protect the fish during the

spawning season that they may multiply and become valuable. Very few persons understand the habits of these fish, and, therefore, every one is not capable of judging in the matter. There is a gentleman in the other end of the building who has studied the subject and who takes a very great interest in it; and he seems to say that if a hundred pounds were expended properly in making an experiment on one or two rivers, it would be productive of good. If his opinion turns out to be correct, a larger amount will be asked for at some future session. I would very much like that the Government should have control of a river for the purpose of making experiments, but I do not think we should be justified in taking away the public rights for that purpose. All we have to do in the matter is to protect the fish during the spawning season, and when we find how this can be done, we can carry out the system.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, I am sorry that I was not in my place when this Bill was read, for I have, till now, been under the impression that the old Statute would still remain on the Statute Book, and that all that was intended by the present Bill was to empower the Government to appoint officers for the protection of the Salmon Fishery, and to watch two or three rivers where these fish are accustomed to spawn. I intended to support this Bill, because I believe this fish will be of value to the Colony as an article of export and of consumption, during the hot months when good fish are more palatable than the miserable veal which has been so much used in the summer season. To use the latter as an article of food is merely going through the form of eating. I quite agree with all the remarks which fell from the hon. member for Alberton (Mr. Bell). I do not think we should go to the expense of constructing a breeding house, and carrying out other such experiments in connexion with the salmon fishery, because these fish naturally come into several of our rivers, and only need protection during the spawning season. These rivers have sandy bottoms, and are favorable to the natural increase of those fish, provided the latter are not disturbed during a certain season. If the greatest enemy of these fish—the human species—were prevented from taking them during the spawning season, no other experiment would, at present, be required. I believe that if the principles of this Bill are properly carried out, we shall have value for the grant given for that purpose. Some hon. members think that officers going upon private grounds would be liable to a fine for trespass; but I can tell them that this House may give them a right to go upon private grounds for the protection of those fish. In the case of smuggling, the officer of the law has a right to enter upon private property and search for smuggled goods, and surely if that principle is admitted in the one case it may be in the other. Instead of farmers being opposed to those Water Bailiffs crossing their farm for the protection of the fish in streams running

through their lands, I think they should be glad to see the salmon protected that they might reap the advantages accruing from it.

HON. LEADER OF THE GOVERNMENT.—This Act after giving the Government power to appoint water-bailiffs for the protection of salmon, allows them also to appoint Commissioners to dam up the water in some stream, for the purpose of trying an experiment in the breeding of this fish. I think it would be better to limit the power of these Commissioners than to leave the clause as it is at present.

The clause as amended, was then agreed to.

Several other clauses were also read and agreed to.

The Speaker took the Chair, the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council, desiring a Conference on the Governor's Salary Bill. Agreed to.

House adjourned for one hour.

Afternoon Session.

TELEGRAPHIC COMMUNICATION.

The House in Committee on all matters relating to Telegraphic Communication.

Hon. Leader of the Government, in moving a resolution to the effect that it is advisable for the Government to take up the subject of Telegraphic Communication, stated that the Government had made arrangements with the Telegraph Company, to have a Cable laid across the Straits last autumn, but owing to the frost setting in, it was delayed until spring.

The hon. Leader of the Government also handed in the written correspondence on the subject.

Hons. Hensley, Howlan, and Mr. P. Sinclair, were appointed a Committee to bring in a Bill in accordance with the resolution.

On motion of Mr. McNeill, the Bill to incorporate the Wheatly River Lime Company, was read a third time and passed.

SALMON FISHERY.

House in Committee on the further consideration of the Bill for the better protection of the Salmon Fishery.

Clause read relating to fining any person guilty of a breach of the provisions of this Bill, before one or more Justices of the Peace.

HON. MR. HENDERSON.—I am of opinion that some amendment is required in this clause. Although it may be very necessary to have the Salmon Fishery protected, yet it is just as necessary that every one of Her Majesty's subjects should have a fair and impartial trial. Our Jus-

tice might have a bias on this subject, and I think it would be advisable to provide that there shall be two or more Justices.

On motion of Mr. P. Sinclair, the word "two" was inserted in place of "one," and the clause as amended agreed to.

Clause read relating to the fine to be imposed on protectors for wilfully neglecting their duty.

HON. LEADER OF THE GOVERNMENT.—Is it intended that if a Protector does not succeed in apprehending a man who breaks the law, that he is to be fined? If so, I think that there should be no fine, but let the officer be removed if he neglects his duty.

Mr. P. SINCLAIR.—The fine is only in case of wilful neglect of duty.

Hon. Mr. HENDERSON.—When it is known that the officer himself is subject to a fine, he will have a plea to be more stringent. It will make his duty far more invidious.

Dr. JENKINS.—I think it is necessary in these matters, to have an officer stimulated to do his duty.

Mr. McMILLAN.—I do not think an officer should be fined on the testimony of one witness, for a man who had been fined by the officer a week before, might come and swear against him.

Mr. P. SINCLAIR.—If a witness takes a false oath, he can be tried for perjury; and as two magistrates will have to try the case, they will be able to sift the matter and ascertain whether the witness is truthful or not.

HON. LEADER OF THE GOVERNMENT.—The general expression is one or more witnesses, and I think if the magistrates have any doubts of the veracity of one witness, they will not give a verdict unless more proof is obtained.

Clause as amended agreed to. Several clauses were struck out of the Bill, after which the Speaker took the Chair, and the Chairman reported the Bill as amended, agreed to.

Ordered to be engrossed.

House adjourned.

SATURDAY, April 10th.

Forenoon Session.

On motion of the hon. Leader of the Opposition, the Bill to amend the Unfortunate Debtors' Act, was read a third time, and on the motion being put that the Bill do pass, Mr. Cameron moved in an amendment that the Bill do pass this day three months.

HON. LEADER OF THE OPPOSITION.—Mr. Speaker: The rights of creditors have to be protected by

the Legislature, as well as those of debtors, and I cannot but regard the motion of the hon. member no other, than as rather extraordinary, especially as he supported the clause which extended the time for making preferential claims, from three months to six. The fact is, this Bill does not extend the same protection to the creditor, that it does to the debtor, and it is no use to deny the fact, that to some extent it is a one-sided measure. There is no law in the world which gives the preference wholly to the debtor, and I have no doubt but that one day such measures will not have so many advocates. I demand, Sir, that absent members be sent for.

Mr. CAMERON.—I would withdraw the amendment if I thought it my duty to do so, but the clause which provides that no creditor can come into this Court of Insolvency unless his liabilities amounted to £300, is, in my opinion, so manifestly unjust that the hon. member is fully justified in calling it a Bill that is one-sided, and had this alteration not been made in the Bill, it would not be so objectionable, but carrying the amendment will leave the law as it is.

Mr. BRECKEN.—I think after this Bill has been so fully discussed, and considering that it has been read a third time, this motion ought not to have been made, nor do I consider that it comes with a very good grace from the hon. member to move an amendment now. A petition came in here from a respectable and influential portion of the business men of the city, who understood the nature and working of the present Act as well as the hon. member does, and this Bill being brought in to meet to some extent the objections which have been raised. It is not very creditable for the hon. member to rise now, and try to take advantage of empty benches, to effect an object he could not attain if hon. members were all in their places. If the Opposition did the same, and were disposed to attempt such movements as this, they could, no doubt, sometimes place the Government in rather difficult positions; but, Sir, the Opposition is above stooping to such meanness. This Bill, in the provisions which it makes, is not so wrong as the hon. member endeavours to make it appear to be, nor can he, by any ingenuity, make any of its provisions appear so reprehensible as his conduct is, when he endeavours to make the furniture of this House to do for him, what absent members would not, if they were present. I feel my tongue tied in attempting to speak of the course the hon. member is pursuing. I take it, sir, that if the minority in this house was increased to-morrow, we might, by taking advantage of empty seats, and laying out to do so, pursue a course that it would not be easy for the Government, with all its strength, to prevent us from defeating some of their measures. But, sir, that trick was played in Canada once, and went by the name of the double-shuffle, but the men who did so, have ever since held down their heads with shame. In making this motion, the hon. member

is doubtless taking an undue advantage of the absence of hon. members.

Mr. P. SINCLAIR.—The hon. member for Charlottetown charges the hon. member for Strathalbyn with attempting to steal a march upon hon. members who are absent. This charge I regard as unfair. The motion that the Bill do now pass, was moved by the hon. the Leader of the Opposition; and the hon. member had no other course open to him to record his vote against the Bill, than the one he has taken, and therefore, as it is quite constitutional, I do not see that the remarks of the hon. member for Charlottetown were called for.

Mr. BRECKEN.—I do say when a measure has been debated in this House, and passed through the various stages, that it is not fair at this stage of the proceedings, to try to defeat the passage of a Bill when hon. members are absent. There are measures that are debated here which are Government measures, and which the Opposition might defeat if disposed to act upon the principle contained in the movement of the hon. member who made the motion of amendment, but no hon. member has a right to act in any such a manner. I do not agree with the hon. member for New London, in saying that it was proper to make the motion now. These are considerations which ought not to be overlooked by those who supported the measure, and also by those who opposed it, especially those who are supporters of the Government. We will suppose that the Government had a majority of three, instead of ten or a dozen. Would it be fair play for the Opposition to embrace the opportunity, when three or four members would be absent, to make a motion to throw out a Government measure? Would not the hon. member (Mr. Sinclair) think that in thus acting, it would be taking an undue advantage of what might be termed an accident? Is it fair, after the Bill has passed through the third reading, that reflects the principles and views of the majority of this House, to endeavor to defeat it when the seats of hon. members happen to be vacant?

Mr. P. SINCLAIR.—The hon. member for Strathalbyn adopted a constitutional course, acted from proper motives, and has done his duty faithfully to his constituents. If the hon. member (Mr. Brecken) is dissatisfied with the amendment being put now, he should remember that the main motion was moved by the hon. the Leader of the Opposition, and therefore the honorable member (Mr. Cameron) as he desires to place his opposition to the Bill upon the Journals, was forced to make the motion when he did. I do not see why fault should be found with any hon. member, for doing what he regards as his duty; when in doing so, he acts constitutionally.

HON. LEADER OF THE OPPOSITION.—A petition was received from the leading merchants of Charlottetown, and in accordance with the prayer of

that petition, this Bill, making some amendments to the Act, has been brought in. I have no personal interest in the Bill, one way or the other. In pursuing the course I have, I am only endeavoring to carry out the views of the petitioners among whom are some of the leading merchants of this Island; and their opinions on a question of this kind, is entitled to some weight. When I received a petition from such an influential and respectable body of men for presentation here, I considered myself complimented, and surely this hon. House would not think of treating such a petition disrespectfully. In this matter, I have only done what I considered my duty as a public man, and in preparing and bringing in this Bill, have been solely guided by a desire to promote the public weal; and as the Bill was so manfully debated throughout all its stages, I certainly did not anticipate such an amendment, after it had passed through its third reading, and therefore never imagined that an objection would have been taken at this stage of the proceedings. The hon. member never rose from his seat until you, Sir, were rising to put the final question. I admit the resolution is constitutional, but there are many motions which it would be quite constitutional to make, but which at the same time, it would on many occasions be highly improper to make. A motion, for instance, might be made to stop the supplies; but such a resolution is only justifiable under exceptional circumstances; but if this is to be the rule, all I can say is, that the Opposition will take another course. The ordinary time for debating a Bill is at its second reading, and as this one was so fully discussed then, I was not prepared to meet the opposition now, because I thought the matter settled. On the question of the payment of the Governor's Salary, and other matters which came up during the Session, if the Opposition were so disposed, much delay and hindrance could have been given; but we have not done so, but if this course is to be adopted toward any measure which we may feel an interest in, perhaps we may find means to prevent hon. members getting away as early as they anticipate. We know that last night when the hon. Leader of the Government submitted a resolution, asking for an increase of the Land tax, the hon. member did so, in that calm Gladstone style, which the hon. member uses with so much effect, that I confess it had some effect upon myself; but when I come to consider how we are met to-day, we may, perhaps, take this as a precedent to guide us in the future, and may adopt a different course to the one which we have pursued this winter, and make the Opposition more effective.

Mr. CAMERON.—I consider, according to the rule laid down by the hon. member the Leader of the Opposition, that hon. members should remain silent, even when a measure is about passing to which they may be opposed. For the charge which the hon. member makes against me, there is no foundation on earth, for the hon. member knows that unless I made the motion now I would

have no opportunity for recording my vote at all against the measure; and because the petition came from the merchants in Charlottetown, which led to introducing this Bill, that is no reason why I should not object to it, when I believe it is opposed to the Interests of my constituents. Nor is the Bill what the petitioners asked for, they petitioned for the repeal of the law altogether. What I am objecting to is the raising of the amount for which the Court shall have jurisdiction, from £100 to £300. There are a great many men in Charlottetown who did not sign the petition, nor do I believe the majority of them are in favor of the bill. The hon. member for Charlottetown endeavoured to ridicule me for trying to take advantage of the absence of honorable members. I did nothing of the kind. Does he think that honorable members who are opposed to the Bill are going to allow it to pass without opposing it? If the supporters of the Bill are not present, that was the look out of the hon. member, not mine.

MR. BRECKEN.—This is no party measure, neither is it any fancy Bill of mine, and all I have got to say is that when this Bill was fairly brought before this House for discussion, it was proper to oppose it then; but the course adopted now has not been pursued this Session before.

MR. McNEILL.—I for one am opposed to the Bill and am not going to be intimidated by any threats about keeping us here longer than is expected. Before the Act has had a fair trial, this Bill to amend it is brought in, which I consider is quite uncalled for; nor will I admit the right of any hon. member to snub up country members, as if he thought they were rogues or pickpockets.

MR. BRECKEN.—Does the hon. member say that I used language which implied that I expressed such views of the hon. members of this House. If he does, I move that the hon. member's words be taken down.

MR. McNEILL.—I said I would not allow any hon. member to prevent me from expressing my views on the subject, nor did I consider it right for any hon. member to attempt to snub up hon. members, as had been attempted.

HON. MR. McAULAY.—There is one fact that has been overlooked in the discussion of this matter to-day, and that is, that this Bill has been more fully discussed than any other which was introduced this session, and hence the question is: is the hon. member justified in making this motion without showing any reason why he did so?

HON. MR. HOWLAN.—I do not think it right to bring up this matter for discussion now. The Bill is introduced to meet a difficulty which has been felt by those who have an interest in the proper working of the Insolvent Debtors Act, and in deference to the opinions of men in business, whose opinions ought to be treated with respect.

HON. LEADER OF THE GOVERNMENT.—I am not in favor of the amendment of which the hon. member complains, but as I was not in my place when the Bill passed through the second reading, I will not oppose it now.

(A long discussion ensued, but as the principles of the Bill were so fully discussed previously, the Reporter thinks he will be excused for shortening and omitting much that was said.)

The motion of amendment was then put, and was lost on the following division:—

Yeas:—Messrs. Cameron, McNeill, Kelly, Calbeck, Davies, Laird, Jenkins, P. Sinclair, G. Sinclair, 9.

Nays:—Hons. Haviland, McAulay, Coles, Henderson; Messrs. McCormack, Reilly, Kichham, Arsneault, Ramsay, Green, Prowse, Mac-Millan, Howatt, Owen, Brecken, Bell, 16.

MR. P. SINCLAIR presented the report of the Committee on new roads. Referred to Committee of whole House on Monday next.

HON. LEADER OF THE GOVERNMENT presented a Bill from Committee, unto whom had been referred resolutions of supply, when the House went into Committee of the whole House, on Bill for raising a Revenue, which was read a first time, and the tenth rule being suspended, it was ordered to be read a second time.

MR. G. SINCLAIR in the Chair.

Several sections having been agreed to, hon. **MR. HOWLAN** enquired if there was any hon. members opposed to placing a duty upon barrels.

MR. HOWATT considered that as free trade was now the order of the day, and as we had found fault with the Dominion Government for imposing a duty upon some of our articles, we should not follow their example. He was opposed to placing any duty upon any barrels coming here from the other provinces.

MR. BRECKEN had spoken to a gentleman in business who had done more to build up the pork trade in this Island than any other man, and he assured him he could not get suitable barrels here for doing up pork in; as this Island does not produce the proper material for making them, and as it is our duty to foster Reciprocity in every way we can, he considered it as unwise to place a duty on barrels, on the basis of protection, and unless it was necessary to do so for the purpose of raising a Revenue it should not be done.

HON. MR. SPEAKER said that the wood of this country was too porous for making pork barrels out of, but as in the Dominion they charge three pence on our fish barrels, he thought we had a right to impose the same duty on fish barrels coming in here.

MR. BELL considered the barrel trade should be

protected. Carriage builders, Shoemakers, and other persons engaged in mechanical pursuits are protected, and he could see no good reason why the barrel makers were not entitled to the same privileges.

Hon. Mr. Duncan said that if it was true that barrels suitable for exporting pork in, were not manufactured in this Island, he thought that such barrels should be exempted from duty.

Hon. Mr. Howlan said that if those gentlemen who are engaged in the pork business, would give orders in time to the barrel makers of this Island, they would find that they could get as good an article manufactured here as they import. Some of the best pork barrels which come here, are made in Pictou, but the material out of which they are made is brought from Canada.

Mr. P. Sinclair thought if the coopers in Nova Scotia could send barrels here, and undersell those on this Island, the fault must lie in the absence of the same amount of enterprise on the part of those in the business in this Island.

Mr. Owen, Brecken, McNeill, and others spoke upon the subject, generally arguing against any duty being imposed. Hon. Mr. Howlan read correspondence showing that he had in New Brunswick to pay duty on barrels which were not even landed. No resolution was, however, come to, and the matter was dropped.

The propriety of reducing the duty on tin and sheet iron, as prayed for in a petition of certain merchants, was briefly discussed, but was not agreed to on the ground that but little competition by importers was given to those engaged in tin-ware manufacture.

A memorial to the Government respecting the appointment of a third judge from the members of the Bar; also a petition from certain inhabitants of Prince County on the same subject, were presented by the hon. Leader of the Government, and were ordered to lie upon the table.

On motion of the hon. Leader of the Government, the Bill relating to the terms of and proceedings in the Supreme Court, was read a first time and ordered to be read a second time on Monday.

House adjourned.

Afternoon Session.

SUPREME COURT BILL.

The rule of the House was suspended to allow the Hon. Leader of the Government to introduce a "Bill to extend the length of the sittings of the Supreme Court."

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker: I rise to introduce a Bill which I consider to be very necessary. Last summer the presiding Judge became so ill during the session of the Supreme Court, that he could not attend to business

for a day or two, and when he was able to attend there was no law to allow the Court to proceed with the case before them, for the fixed number of days had expired. In that celebrated case of Miss Saurin against one of the Convents in England, the trial lasted twenty-two days. The Chief Justice informed the Counsel on both sides, that he could not proceed with the case unless the term was lengthened, and fortunately both parties agreed to go on with the case which was one of great importance. But under our present law this cannot be done; therefore this Bill is introduced to supply this defect. Our Courts should be placed in the same position as the English Courts on this point, for I think where a case has been commenced there should be no law to hinder the completion of the trial. A case, I believe, will shortly be tried at St. Eleanor's which will take twelve or fourteen days, and therefore, under the present law would leave little or no time for the trial of other cases. I have not been able, through illness, to bring this Bill before the attention of the House any earlier, but I hope these remarks will receive due consideration, and that the Bill will be received.

The Bill was received and read a first time, and ordered to be read a second time on Monday next.

On motion of Mr. P. Sinclair, "the Bill for the better protection of the Salmon Fisheries" was read a third time and passed.

REVENUE BILL.

On motion of Hon. Mr. Howlan, the House resolved itself into a committee of the whole on the further consideration of the "Act for raising a Revenue."

Mr. G. Sinclair in the Chair,

HON. MR. DAVIES.—In looking over the proposed tariff, I see that the duty on refined sugar is three pence per lb., this I consider, is too high, and therefore I would move that it be reduced to two pence per pound.

MR. BRECKEN.—I am disposed to support the motion of the hon. member for Belfast (Mr. Davies) for the confectionary manufactured from refined sugar in this Island, is a wholesome article, and therefore the trade should be encouraged. Nineteenths of the confectionary imported is a very inferior article; for this reason the home manufactured article should be protected. This is an article generally consumed by children, and therefore should be pure and wholesome. We should raise the duty on imported confectionary, while we take it off refined sugar, from which it is made.

HON. LEADER OF THE OPPOSITION.—Confectionary is a more important article than many imagine, and there is no country where children are fonder of it than in this Island. I do not think hon. members are correct in stating that the article is made better at home than abroad, although I believe Plaster of Paris is largely used in some

parts, in the manufacture of some kinds of it; still I have no doubt that the home-manufactured article is as good as the foreign.

Mr. PROWSE.—I believe that the duties are as high as it is safe to put them, on all kinds of dry goods, but I understand that it is the policy of the Government to raise these duties from ten to eleven per cent. Now, there is a certain point to which the duty can be raised with safety, but once having reached that, it is unsafe to go further, for with all the facilities this Island offers for smuggling, that business is apt to be carried on, under a high tariff. I believe that the time has come when the Revenue should be increased from some other source than by a high duty on goods, and I cannot discover any more reasonable one than a direct taxation upon property. By the latter mode, the man who is wealthy would be taxed in the same proportion as the poorest, which is not the case at present, and there would be no danger of men avoiding the payment of duties which should be placed in the Treasury for the support of the Government of the Colony. I believe there has been a considerable amount of smuggling carried on during the past year, and if the duties are increased, this will also increase. Reference has been made to the quantity of loaf sugar smuggled into one part of the Island, showing conclusively, that there is a traffic going on beyond the reach of the Revenue Officers. If this kind of Legislation is carried on, every honest merchant will be driven out of the business, and vagabonds will have the trade of the Colony in their own hands.

Hon. Mr. CALBECK.—There may be some slight reasoning in the statements of the hon. member for Murray Harbor, (Mr. Prowse,) but I may remind him that our scale of duties is much lower than in any of the other Provinces. It is quite possible that a little smuggling may have been carried on from some near port, but parties importing directly from England cannot easily smuggle. For my own part, I cannot see that there is any inducement whatever to smuggle, when a trifling duty is laid upon articles coming under the ad valorem. The man that wears the most broadcloth will have to pay the most duty, while the farmer, who, to a great extent, manufactures his own clothing, will have a small amount of duty to pay. The duties have been increased on wine, because it is principally consumed by the wealthier classes and cannot be easily smuggled.

Mr. PROWSE.—I quite agree with the hon. member, Mr. Calbeck, in many of his remarks, but I do not consider that there is a just distribution of taxes under the present system of indirect taxation. For instance, there is no proportion between the duty on buffalo robes and that upon cotton warp; although every one knows that the latter article is more generally used by the poor man than the former. My remarks were more particularly made in reference to articles which come under the ten per cent. duty. After a man

has been accustomed to purchase an article at a certain figure, he is not disposed to submit to bear an additional tax by paying a higher price, and therefore I believe that if our tariff is raised there will be a vast amount of smuggling.

Hon. LEADER OF THE GOVERNMENT.—If only one per cent is added to the duty on cotton warp, I do not think it will be the means of increasing or encouraging smuggling. If there had been an additional duty imposed upon spirits, there might be some reason to suppose that smuggling might be attempted, but not in this trifling class of goods, coming under the ten per cent. duty. If this will give rise to smuggling, it is a wonder that the neighboring Provinces, with their tariffs much higher than ours, collect any Revenue at all. With respect to jewelry, I understand that there has been a good deal of smuggling of that article going on through the Post Office—a good deal coming in letters and packages. It will be a question whether some power should not be given the Postmaster to open packages, and if jewelry be found, to demand the duty upon it. With respect to a direct tax upon property, I disagree with the hon. member for Murray Harbor, (Mr. Prowse) altogether; for I believe there is no more equal tax than a well regulated tariff and Customs tax. The inquisitorial system of examining parties upon oath to ascertain the value of their property, is so objectionable, that unless the country is going to despair altogether, we should not resort to it. I do not think the hon. member himself would like such a mode of taxation; he would rather go for the one per cent. additional than submit to direct taxation.

Hon. LEADER OF THE OPPOSITION.—Mr. Chairman: There is no doubt that the views of the hon. member for Murray Harbor are the soundest, for an indirect tax upon goods falls heaviest upon a man in ordinary circumstances, and comparatively light upon a man in independent circumstances; but it is hard to convince people that the income or property tax is the best. The easiest way to collect a Revenue tax is by Impost duties, although it may fall more heavily upon certain classes than upon others. But in a new country where special taxes are obnoxious, you would find the wealthy farmer very irate if a direct tax were imposed upon and collected from him; whereas if he came into the city and purchased finery for his girls, and broad-cloth for himself, upon which there was a heavy tax, he would think nothing of it. In the latter case, he has contributed a great deal more to the Revenue than by paying a direct land tax. Only during the last few years the people of Great Britain have contented themselves to pay an income tax, but the amount so collected is very small in proportion to their Revenue—only seven or eight millions out of a Revenue of seventy millions. In looking over our table of dutiable articles, I find several inconsistent taxes; true, they have been on the Statute Book for several years, and the Government will tell us that "the Tories fixed the duty on several articles

and why should we alter it?" But from a party which professes to be so progressive, I expected better things, and that they would strike out for themselves. The article of clocks, for instance, has to submit to a duty of twenty-five per cent. while the machinery for manufacturing them is taxed to the amount of twenty per cent. Watches on the other hand, which are, generally speaking, in the hands of those in good circumstances, have only to pay ten per cent. I think the tax on clocks and watches should be reversed, that the duty of the latter should be placed on the former, and *vice versa*. There are many other articles in the same way. I thought when we had a new Government we should have new brains, and everything constructed upon sound principles, but the present situation just illustrates the trouble occasioned by following precedents. I see after all that it is simply the ins against the outs, and the outs against the ins; but as regards there being any grand policy upon the Land Question, Finance or Commerce, there is no such thing; partyism is all a bogus—a humbug. The party at present in power are always talking to the electors and advocating this and that reform, but they never strike out a new track for themselves, and that is the reason these inconsistencies, which I have spoken of, are not remedied. Then, again, there is another item: on the ordinary raisins which cost only three or four pence sterling, there is the same duty as upon the best French prunes which cost from eighteen-pence to two shillings sterling per lb. The former article is consumed by the poor man while the latter is used only by the wealthy, and therefore the duty upon it should be upon a higher scale. This one per cent. *ad valorem* will be a burden upon the merchants alone, for it will be so small upon a single article, that the consumer will not pay any of it—it will not be worth dividing. If you have a shilling article, how are you going to add a duty of one per cent. to it? I am sitting at the feet of Gamaliel, the Finance minister of the Government, in this matter, and want information; for a lawyer is not supposed to understand questions of finance. It appears to me that if we are opposed to class legislation, we should not let all this burden fall upon the merchant; the consumer should pay his share of it. This additional tax is imposed for the purpose of paying for the handsome public buildings which we are to have on the square, for the accommodation of the public offices. The hon. leader of the Government has complained that the jewelers have imported watches and jewels through the Post Office, thus avoiding the payment of the duty upon these articles. I think this matter may easily be remedied. If the watches come from England or the United States, enveloped in letters, the senders must pay letter postage. If the packages come through the parcel post, there could be no difficulty at all, for they can be opened by the postmaster; but I would not go for allowing that officer to open letters. In opening parcels of jewelry, there

would be no difficulty, because any individual who imports such an article through the Post Office, is guilty of fraud upon the Revenue. If smuggling is going on through the Post Office, it must be checked just as much as if it took place through any other channel.

HON. LEADER OF THE GOVERNMENT.—Hon. members may laugh at the idea of smuggling going on through the Post Office; but I really believe it has been going on for some time past. I have also heard that pounds of tea have been sent through the Post Office; this will no doubt appear strange, yet such is the fact.

MR. BRECKEN.—With respect to the duties upon bar iron, I may state that I presented a petition to this House, from some manufacturers in this City, praying for a reduction of the duty upon Bar Iron, Steel and Sheet Iron. It alleges that bar iron and steel bears a duty of ten per cent. I believe the petitioners are astray, in regard to the duty, but bar iron bears a duty of ten per cent. I think these petitioners, in asking for a reduction in the duty on those articles, are only making a reasonable request. As I was not present when the house went into committee on the consideration of the petition, I may now state that tin and sheet iron ought not to be subject to a duty of more than five per cent. We have now at the head of the Government of Great Britain, one of the ablest and boldest financiers that ever controlled the Exchequer of that Empire; and, his theory is, that a direct tax should be imposed for the purpose of compelling every man to pay according to the property he possesses. If we were to resort to direct taxation and compel men to pay out of their pockets as large a tax as they pay indirectly, there would be a revolution in the country. Every time a man goes into a store and purchases an article he pays a tax—every time he rigs himself and children out in new clothing he pays a tax—every time he shoes his horse he pays a tax—every time he drinks a cup of tea he pays a tax—in short, he can scarcely do anything without paying a tax; and if we were asked to fork out in cash what we pay indirectly, we would be inclined to rebel against the government of the country. What is the effect of direct taxation in the mother country? Why, that the members of the present Reformed House of Commons have promised their constituents to have the income tax reduced to two pence or three pence in the pound. I believe the most obnoxious tax imposed in Great Britain, was the window tax, against which the people were almost up in arms, and in 1849 or 1850 the tax had to be repealed. The tax was imposed in another shape—the pill was sugared, the medicine was disguised, and the people swallowed it. No people ever had the moral courage to attempt to raise their whole revenue by direct taxation; and if we are called upon to pay our assessment, or clergymen, or education tax, we are apt to think

it a burden which is hard to bear, and to make a great fuss about it. The best financier, therefore, is the man who can put the most seductive coat of sugar over the tax, that the people may swallow it the more easily. I would move that the clause which states that bar and sheet iron, steel and tin, shall pay ten per cent., be amended, and that the duty be reduced to five per cent.

MR. PROWSE.—I may remark that I do not wish to see the whole revenue raised by direct taxation; I wished to see any future additional tax laid on in that manner. It is rather singular that when I speak in this House, in reference to the disproportion of the taxes, it is presumed I am talking not to this House, but to the electors, and that I wish the people to resist it. I believe that the property tax is higher in Charlottetown than in any other part of the country, yet the people do not rebel; on the contrary, they continually send in petitions to this House, to ask that power may be given to the City Council to tax them still higher. If it is the desire of this House to see no smuggling, let there be a direct tax imposed, instead of an increase of duty upon goods. I know that there is a little Island not far away, called St. Pierre, which does not belong to Great Britain, but with which our dealers drive a considerable trade. A good deal of white sugar and liquors are brought from that island and landed in this island in a clandestine way; and, unless such business is checked, a Revenue will have to be collected in some other way. I am one of those who believe that a low tariff will secure a larger Revenue than a high one.

HON. MR. HOWLAN.—I have been waiting for the hon. leader of the opposition to apply his free trade principles to the remarks made on direct taxation. If we wish to encourage home manufacture, we must do it by lowering the duties upon the articles used by our mechanics, in their manufactures. I do not see, therefore, why iron and tin should not be allowed to come in duty free.

DR. JENKINS.—By adopting the amendment, proposed by my hon. colleague, we should encourage home manufactures. I believe, that in the Dominion, the duty on raw material is only two and a half per cent.; and we cannot do better than follow their example in this case. Our manufacturers need encouragement, for they have a great many obstacles to contend with.

The Speaker then took the chair, the chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council, stating that they had passed the bill for the establishment of additional Small Debt Courts in Prince County, without any amendment.

House again in committee of the whole on the Act for raising a Revenue.

HON. LEADER OF THE OPPOSITION.—I would like to ask the Government whether, from the returns,

they can give this Committee any information as to the quantity of manufactured tin and iron-ware imported into this Colony, during each year; because we ought to have some statistics to guide us in this matter. I believe there is not one hundred pounds worth of manufactured tin-ware imported in any one year. If so, we should only be putting a tax upon the people, for the purpose of putting money into the pockets of manufacturers of articles from that material, if we lower the duty upon it.

HON. COLONIAL SECRETARY.—The duty upon imported tin-ware does not amount to fifty pounds.

HON. LEADER OF THE OPPOSITION.—That amount is a mere bagatelle, and, therefore, to lower the duty upon imported tin-ware would be taking the money out of the people, for the purpose of putting it into the pockets of the tin manufacturers.

MR. BRECKEN.—The article of tin-ware is in general use, both by rich and poor, and therefore I do not think we should go astray by allowing the raw material to come in duty free. I presume that the manufacturers of tin-ware had a grievance, or they would not have taken the trouble to get up a petition praying for an amendment in the tariff, in this respect.

MR. McNEILL.—I cannot see why the article of tin should be admitted into this colony duty free; although, I believe that a direct tax upon property would be the best, if the people were prepared to see the advantages of it. If there are any imported materials which can bear an increase of duty, they are the ten-per-cents. I do not think it would be fair to take the duty off one article and put it on another.

HON. COLONIAL SECRETARY.—I do not see why we should lower the duty on tin, while such a small quantity of the manufactured article is imported. Our manufacturers have little to compete with, and therefore it would not be fair that the Revenue should suffer on their account.

MR. BELL.—Everyone knows that in retailing such a material as tin, the loss from waste is considerable. As regards the amount of duty collected from that article, I am under the impression that a larger sum than fifty pounds is derived from it. I do not think Pig Iron should be allowed to come in duty free, while there is a duty upon tin.

HON. MR. LAIRD.—I am one of those who are opposed to removing the duty on tin, for I take it for granted that the Government have made their calculation for the coming year. I fancy that the Revenue will be quite low enough, and that we shall want all that is proposed to be raised. In regard to the means of raising a Tariff, it appears to me that the man who coated the pill so as to be most enticing, was the best financier. I think there is an objection to the

placing of a direct additional tax upon property, and that the person who consumed the imported goods, is the person who should pay a tax.

Hon. Mr. HOWLAN.—In the absence of statistics, showing the quantity of manufactured tin-ware imported, it would be hard to draw conclusions on the matter. If the duty were lowered, I do not see that we should lower the price of the home manufactured article. If more were manufactured here than is sufficient for the wants of the people, the matter would be quite different; but that is not the case. The reverse is the fact; there is scarcely enough manufactured here for home consumption. While we know that scarcely fifty pounds in duty has been collected from the imported manufactured article, we must know that outsiders cannot compete with our mechanics in that branch; for these reasons, I cannot support the amendment.

Hon. LEADER OF THE OPPOSITION.—If the people want free land, light-houses and public buildings, they must pay for them; and in order to do this, taxes must be imposed. Looking at the trifling quantity of manufactured tin-ware imported, we may say that our home manufacturers have the whole of the trade in their own hands. As the Government have not calculated on this article being placed on the list of exemptions and for the reasons I have given, I shall not support the amendment moved by the hon. member for Charlottetown.

The amendment was then put, and lost on the following divisions, viz.:

Yeas:—Messrs. Jenkins, Brecken, McMillan, 3.

Nays:—Hons. Laird, Callbeck, Davies, Howlan, Haviland, Hensley, Coles; Messrs. Arseneault, McNeill, Reilly, P. Sinclair, Cameron, Howatt, Prowse, Owen, Ramsay, McCormack, 17.

The clause was then agreed to.

Hon. Mr. Howlan moved that the sum of three pence per pound duty be charged on refined sugar.

Hon. Mr. DAVIES.—The duty on refined sugar is out of all proportion, and the imposition of such a high tariff defeats the end for which it is intended. It will be found, by referring to the statistics, that there has been a great decrease in the duty paid on this article within the last few years. It has been said that this article is used only by persons in high society, but this is not the case—it is used to some extent by almost every person on the Island. I would move that the duty on loaf sugar be two pence per pound.

Mr. BRECKEN.—The hon. member from Belfast, in speaking on this subject some days ago, I think, stated that refined sugar could be procured much cheaper via Souris, than Charlottetown.

Hon. Mr. DAVIES.—I said you could buy the loaf sugar as low as the crushed sugar, when it came by the way of Souris.

Hon. LEADER OF THE GOVERNMENT.—I believe the duty on refined sugar is high, and the price we pay for it exorbitant, but I do not see how the tariff can be lowered. In regard to the amount of loaf sugar in Souris, which has been referred to several times by the hon. member from Belfast, I am very sceptical. I have been to Souris pretty often and I never saw any loads of loaf sugar on the road or coming out of the woods. I hope the hon. member will explain this matter and clear up the mystery.

Hon. Mr. DAVIES.—I believe sugar is brought in by vessels trading between that place and St. Pierre.

Mr. BRECKEN.—I am enclined to support the motion of the hon. member for Belfast, for the duty is very high on refined sugar. It is a mistake to think that this sugar is used only by the wealthy classes, it is an article that is extensively used.

The Speaker took the chair and the chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council, desiring a conference on the Bill to raise £10,000 for public buildings, &c., which was granted.

After return from the conference, the House adjourned.

MONDAY, April 12th.

Forenoon Session.

House, after some preliminary business had been attended to, resolved itself into a Committee of the whole House on the Bill relating to the terms of, and proceedings in the Supreme Court.

Mr. P. Sinclair in the Chair.

Hon. Leader of the Government explained the nature and object of the Bill, and said that it contemplated making provision for the continuance of any term of the Supreme Court beyond what the law now provides, so as to enable the Court to complete the hearing of any suit entered upon, and instanced cases where parties had been much inconvenienced by the defectiveness of the law on this point.

When the clause relating to the appointment of Jurors was read, several hon. members spoke briefly upon the subject, when the House resumed, the Bill was reported agreed to, and the House adjourned for one hour.

Afternoon Session.

TELEGRAPHIC COMMUNICATION.

Hon. Leader of the Government moved that the House do now resolve itself into Committee of the whole, on the second reading of the Bill to secure Telegraphic Communication, and said:—

Mr. Speaker—when our Cable broke last year, the Government took steps to underrun it; but it was found that it would be better to abandon it and procure a new Cable. The Government accordingly opened negotiations with the Company, and the result was, that the latter agreed to lay down a new Cable last fall; but as it was by that time too late in the season to do so, it was postponed till spring, when, as soon as the navigation opens, it will be done, and new offices will be opened in several places, for the transmission of messages. The Bill provides that a subsidy of £600 per year be paid to the New York, Newfoundland, and London Telegraph Company, for the purpose of keeping up and maintaining Telegraphic communication between different points on this Island, and between this Island and the continent. The agreement between the Government and the Company will extend over ten years, and the former agree to pay the subsidy as long as the latter keep up the communication agreed upon. As the last agreement between the Government of this Island and the Company cannot be found, we had nothing to bind the latter; they merely got the pay as long as the communication was kept up. When I was in New York, the Company stated that if a new Cable were laid they would have to charge fifty cents extra on messages sent through it. I said I had no doubt the Government would agree to it, but that I thought that the experience of all Companies was that raising tariffs causes a smaller revenue, and that I believed they would find it to their advantage to lower the tariff.

Mr. BELL.—The tariff should not be allowed to be raised higher than fifty cents extra.

Mr. HOWATT.—I hope that provision will be made to secure for the Winter Mail Couriers the privilege of telegraphing, free of charge, the Mail movements across the Straits, to and from Charlottetown, for there is often considerable anxiety about them.

HON. LEADER OF THE GOVERNMENT.—I believe there is an account settled every year between the Government and the Company; but I am not sure whether the cost of the messages referred to by the hon. member for Tryon is included in it, or not. We cannot compel the Company to pay that account, but it should be provided for.

Mr. HOWATT.—I merely wish to bring the matter before the notice of the Government, that the Couriers may be provided for in this way in winter in future.

The House then resolved itself into a Committee of the whole, on the second reading of the said Bill.

Mr. Reilly in the Chair.

The first clause was read, and after being amended, was agreed to. The second clause was then read and agreed to. The third clause was read.

HON. LEADER OF THE GOVERNMENT.—The provision made in this clause is very necessary, for the Company must have protection, or they would be liable to imposition. I hope this important line which is to be extended to Alberton; will not go over anybody's farm. I understand it will follow the main post road. Communication will be also opened up to Souris and Georgetown if the people in those places will put their shoulders to the wheel for that purpose. If they manifest as much public spirit as the people to the Westward, the Bill will give them the same privileges. If it had not been for the assiduity of the hon. member for Tignish (Mr. Howlan) in following me up with a telegraphic despatch, I should not have thought of trying to induce the Company to extend our inland communication. When I spoke of the matter, the Company did not object if the posts were supplied there; and they further expressed their willingness to extend the same to any other part of the Island, where any reasonable amount of business is carried on, on the same conditions.

Hon. Mr. HOWLAN.—I would be quite willing to support the extension of telegraphic communication to Souris, or any other place that will follow the example of the people to the Westward, in this matter. I am glad to say that we shall have this advantage extended to Cascumpee during the present year. Any gentleman engaged in business knows that telegraphic communication is of very great importance, for if he wants to charter a ship in a very short time, he should be able to communicate with those who have vessels at a distance from his place of business. It is also of very great importance to know when his vessel has arrived at, or left any particular port. If the business man wants any information, all he has to do is to telegraph for it. I hope, therefore, that Cascumpee will have telegraphic communication with this City in July or August next. If we had telegraphic communication between the former place and Georgetown, it would, in some measure, make amends for the absence of the much talked of Railroad.

Hon. Mr. LAIRD.—The inhabitants of Crapaud wish to have an Office established in that place; the cost would not be much in extending the advantages of the telegraph to them, for the wire passes through the place. I believe Victoria will soon be a greater place of business than either Georgetown or Souris; but I suppose it is now too late to introduce an amendment of that kind.

Mr. McNEILL.—I do not see why either Souris or Alberton should enjoy a monopoly in telegraphic communication. There is now a large quantity of fish—particularly mackerel—caught off the coast of Rustico, and at that place there are several establishments for the prosecution of the fishing. It would be of importance to the owners of those establishments to know the price of Mackerel abroad, and therefore telegraphic

Hon. Mr. DAVIES.—A telegraph line to Georgetown would prove of great importance, for a great deal of shipping is done there late in the fall, after our other ports are closed. I do not think the trade of Souris would warrant the outlay in extending a line to that place.

Mr. P. SINCLAIR.—I think it would be right to extend a telegraph line to Georgetown; but I cannot see what advantage it would be to Souris. It is very necessary to such a place as Crapaud, where so much business is carried off, that they should have telegraphic communication; but, although the messages flash through that place, they do not derive any advantages from them. I hope the Government will consider the justice of establishing a telegraph office in that town, for it will soon be a place of considerable importance.

Mr. CAMERON.—I fully agree with the remarks of my hon. colleague on the necessity for a telegraph office at Crapaud. The expense would be small compared with that incurred in extending the wires to distant parts of the country.

Mr. PROWSE.—I believe the Government would agree to the establishment of an office at Crapaud, if the Company have no objections; that is a question between the people of Crapaud and the telegraph Company. I quite agree with the hon. member for Belfast, (Mr. Davies) as to the necessity of the extension of a telegraph line to Georgetown; for its harbor is the last open harbor in the fall, and the first in the spring. A large amount of shipping is going on there when all our other ports are frozen up, and it is the rendezvous of Her Majesty's War Steamers, as well as a convenient resort for American and other fishing vessels. If an office were established there, I believe it would be self-sustaining while the harbor remains open. The only loss to the Government would be in providing posts, which would be a comparative trifle, when compared with the benefits which would accrue from it.

Mr. McMILLAN.—There should be a line of telegraph extended from Cascumpec to Georgetown, for communication of that kind is required between those two ports, particularly late in the fall of the year. I am also of the opinion that we should also have a railroad between Summerside and the latter port. If a railroad was established, as many more vessels as are now engaged in trading to Summerside, Charlottetown and Georgetown, would be required in ten years from the present time to carry on that trade. I believe the time is not far distant when we shall have a railroad between Cascumpec and Georgetown. Since we are called upon to pay our Governor's Salary, many persons are of the opinion that we shall be forced into Confederation; if this is the case, we should at once enter into a contract to have a railroad built between the two ports I have mentioned, that the Dominion Government may have the expenses to pay. At any rate, the Government should cause a survey of the route to be made as

prayed for in a petition unanimously signed and laid before them. I would support the extension of a telegraph line to Georgetown, because of the advantages of its harbor in fall and spring. When the Steamer runs from that port in winter, while all other ports are closed by the ice, telegraph communication with it will be very much required. Indeed I am of the opinion that Georgetown requires those advantages as much as any place on this Island.

Hon. Mr. HENDERSON.—Georgetown is so situated that its interests at certain seasons are intimately connected with those of the whole Colony. I fully coincide with all that has been said concerning the commercial value of that port to the whole Colony. If commercial affairs prosper, the Colony as a whole will advance in wealth; all branches of trade prosper in accordance with it; fishermen, tradesmen and farmers, all reap a corresponding benefit. A little electric fluid may yet revive the trade of Georgetown, and therefore I shall support the extension of the wires to that place.

Hon. Mr. CALBECK.—I quite agree that Georgetown should have the advantages of telegraphic communication, for it is a central port for fishermen as well as an important one when all our other ports are ice-bound. I think those advantages should also be extended to Souris, for it is a great place of resort for fishermen, and we know they often wish to send a message to distant parts. Indeed vessels of all kinds seek refuge in that port during stormy weather, and it is natural to conclude that if a vessel wished to send a message anywhere she would run into the nearest port for that purpose. The hon. member for Summerside referred to Confederation; but I hope the day is far distant when the telegraph lines will convey the intelligence that this, or any other House of Assembly that may sit here, passed a vote in favor of joining the Confederation. I trust that we shall always remain separate from Canada, while things go on as they now do in that country.

Mr. BRECKEN.—I am of the opinion that the Company would not be willing to open offices where the amount of business transacted does not require them; but there is no doubt the Government would make great exertions to supply every place of any consequence with the means for telegraphic communication. There is a good deal in what the hon. member for Summerside stated, concerning railroads; if Confederation is coming up in the distance it would not be a bad policy for this Colony to enter into a contract with some company to build a railroad from Cascumpec to Georgetown at once. If we go into Confederation without a railroad, the chances are that we will not get it afterwards; therefore we should begin in time to get it finished before going in. It would be rather too late for the Government to enter into large contracts when they see that our entering Confederation is unavoidable. If we ful-

ly believe that this Colony must, some day not far distant, enter Confederation, the Government should begin the construction of railroads and other costly public works at once, for there is no doubt the Dominion Government would take the burden of our debt as it did that of the other Provinces, upon itself.

Mr. SPEAKER.—The claims of Georgetown to telegraphic communication would certainly have been overlooked, had it not been for the hon. member for Summerside (Mr. McMillan). As Georgetown is one of our principal ports for shipping, and will be the only port in winter into which our steamboats can enter, I think there is a great necessity for telegraphic communication for that town.

Hon. Mr. HOWLAN.—If the people of Georgetown will put their hands into their pockets and do as the people of Cascumpec have done, they can have telegraphic communication. The people of Cascumpec do not enjoy the advantage of steamboat communication; but the Georgetown people do, and therefore they have not any more right to assistance from the Government to supply themselves with telegraph posts, than the people of the westward had. As regards the railroad question, I think it would be premature to survey a route for a line of railway at present; money employed for such a purpose just now, would be wasted, for a new route might afterwards be chosen. Any person who frequently travels the Malpeque road, knows how many engineering difficulties there would be in carrying a line through that part of the country.

The clause was then agreed to, as amended.

The Speaker then took the Chair, and the Chairman reported progress, and obtained leave to sit again.

Hon. Leader of the Government submitted the supplementary estimates for the current year.

House adjourned till ten o'clock to-morrow.

TUESDAY, April 13th.

Forenoon Session.

STOCK FARM.

Hon. Mr. Laird presented the report of the Stock Farm Committee, which was received and read.

Hon. Mr. DAVIES.—I may remark, Mr. Speaker, that there is a great necessity for good horses in this country, for we have an inferior class of horses on this Island, and I think some steps should be taken by those who have the management of the Stock Farm to procure some. I see by advertisement that there are seven hundred cavalry horses to be sold in St. John, New Brunswick, and as it is stated that some of these are high bred mares, I think it would be an ex-

cellent opportunity to procure some that would be suited to this Island. At sales of this kind, I believe, better horses could be obtained than are imported from England, and at a cheaper rate. I wish to know if the Stock Farm Committee have any intention of obtaining any of those horses.

Hon. Mr. LAIRD.—In reply to the question asked by the hon. member for Belfast, I may say that the Stock Farm Committee have no funds at their disposal with which to buy extra Stock, and if they had, I do not know whether it would be judicious for them to do so, for the farm does not produce enough to feed the stock at present on it, and I do not think it advisable for the Government to expend too much money on this matter. I am opposed to Government spending any more money in the purchase of stock, and, I may say, I am opposed to the principle of having a Stock Farm, for institutions kept up by Government aid, as a general thing, have been a failure, and I think it would be better to leave this matter to private individuals. If no public stock farm existed at the present time, I should oppose the giving of any grant to start one, but as the present one was established by our predecessors, I am willing that it should be carried on in the best manner possible. I cannot concur in the opinion of the hon. member (Mr. Davies) that the horses on this Island are an inferior class, for our horses are held in high estimation in the other provinces and the United States, and generally sell better than the horses of any other country.

Hon. Mr. DAVIES.—I think the system adopted here a few years ago was better than the present one for improving the breed of our horses. Rearing young horses is a very uncertain speculation, for you may raise a dozen before you get one good one, but if a person who is a good judge of horses, were sent to buy one, he could have an opportunity of choosing one that would be suitable. Although there may be a few good horses raised on this Island, yet, as a general thing, they are very inferior, they will not bear comparison with the horses of Boston or New York, and we want some new blood brought into the Colony to ensure a better breed of horses.

Hon. Mr. LAIRD.—It tends to crush enterprise when the Government import horses, for they charge a great deal smaller amount for the service of an expensive horse, than a private individual could afford to take; but as the people have to pay the cost of these horses, no saving is effected. I believe that if the Government were to leave this matter alone, it would be better than at present.

Hon. Mr. HOWLAN.—I do not think the importation of horses by the Government of this Island has proved a failure. I think the money expended in the purchase of the horses—Saladin and Columbus—was restored four-fold to the Colony, but of late the Government have been rather unfortu-

nate in this respect. In regard to the horses to be sold in St. John, I do not think it would be advisable for the Government to buy any of them. The cavalry horses are chosen for their symmetry, and they may be of many different breeds, and though they might be very suitable for private individuals would not be suitable for the Government to purchase, as they may not be pure breeds. These horses also might look well enough and yet be broken down. I have thought that the horse most suitable for this Island is the Irish Hunter. A gentleman in New Brunswick, who takes a great interest in the breeding of horses, has procured some of those, and has found them excellent, suitable both for farm work and driving. It is horses of this kind we require here, and I believe it is a waste of money to go across the Atlantic for horses, when we can find nearer home a breed that would suit us better. The heavy horses formerly exported from this Island sold readily in the other Provinces, but of late, carriage horses are more in demand, and I do not believe that, at the present time, five real good carriage horses could be purchased in the Island. In Massachusetts they have a Stock Farm, which is well managed, and there they raise superior horses. We should seek horses which have become acclimated in the American continent, and I think we can obtain better ones than on the other side of the Atlantic.

NEW ROADS.

House in Committee on the report of the special Committee on New Roads.

Mr. McNeill in the Chair.

Several paragraphs were read and agreed to.

The paragraph was read relating to the petition for a road from Wightman's mills to Peter's Road.

Mr. PROWSE.—This road is already opened nearly through Lot 59, and the petitioners ask to have it extended through Lots 61 and 63. Part of the road will be through Government land, so that a right of way of the whole distance will not have to be purchased, and the ground is level so that the cost of opening the road will not be much. I think it would be well to have commissioners appointed to report on the cost of this road and the best site.

Mr. HOWATT.—I have no objection to having commissioners appointed to report next Session; but I think we should not entertain petitions unless they are certified by the Road Commissioner, and a plan of the proposed road sent in.

Mr. P. SINCLAIR.—The Commissioners will have to report to the Government, and if they think the cost is too much they can object to it.

Hon. Mr. HENDERSON.—One reason why a plan has not been sent in probably is that the road is open at both ends already. It certainly would be a great service to the people to have this road.

Hon. COLONIAL SECRETARY.—This land at Burnt Point was cut up in small building lots by the owner of it, and sold to different individuals, and now they come to the Government and ask for a road to their property. I think a plan of the proposed road should have been sent in, which would make the matter clear to the members of the Committee who are unacquainted with the locality.

Hon. Mr. McAULAY.—I wish the Committee to bear in mind the fact that the people in that locality are to be taxed at the rate of £1 17s. 6d. per hundred acres, and I cannot see the justice of taxing people for land to which they have no access.

Hon. Mr. DAVIES.—I am acquainted with that locality to a certain extent, and I believe the road petitioned for would be a great advantage to the public generally.

Mr. P. SINCLAIR.—If it was an individual who cut up this land in small plots, so that he might sell it to better advantage, it is to him the people should look for a road; and I think the Government should consider this matter before granting the prayer of the petition. The person who sold the land should have provided a road to it.

Hon. Mr. McAULAY.—I am sure, Mr. Chairman, you must admire the logical deductions of the hon. member who has just sat down. According to his argument, a man who owns property has no right to sell it as he pleases. Good bye liberty, if the Government will not let a man have control over his own property.

Mr. PROWSE.—The cost of the road has been estimated at £30, and the petitioners agree to make up one half of the amount.

Hon. LEADER OF THE OPPOSITION.—If the theory laid down by the Colonial Secretary, and supported by the hon. member from New London, (Mr. P. Sinclair) is to be acted on in eight cases out of twelve, petitions for new roads would be disregarded; for the necessity for these roads arises on account of the proprietors of land not having laid off roads where they are required.

The paragraph was read relating to the petition for a road from Nfaurage to O'Hanley's.

Mr. McCORMACK.—The people do not agree upon a site for the road, and as there are two petitions in reference to it, opposed to each other, it will be impossible to give satisfaction to all parties, and I think it would be better to leave the matter to be settled by the Board of Works.

Mr. KICKHAM.—There is a part of that road in my district, and I can say there are only a few opposed to having the road opened. I believe there are six in favor of it for every one opposed to it.

Mr. REILLY.—There is one thing certain, if that road is opened, there will be considerable compensation to be paid to those through whose

farms the road will run. The farms are very narrow and the opening of a new road will necessitate a great deal of fencing.

Mr. BRECKEN.—I happen to know something about that locality, and some of the people living there are very much opposed to having this road opened. There is one gentleman with whom I am acquainted who owns a freehold farm of fifty acres. The road will run at the rear of his farm, and he will be materially affected by it. I think the present road is amply sufficient, and if we open this new road it will give rise to a great deal of heart-burning and discontent.

Mr. KICKHAM.—The hon. member for Charlottetown is not so well acquainted with that locality as I am, and therefore he is not so well able to decide upon the wants and wishes of the people. All the farmers, whose farms front on the old road are removing and building excellent houses on the rear of their farms. It is very difficult to travel along the old road in stormy weather.

HON. LEADER OF THE GOVERNMENT.—I tried to get the farmers in that place to come to some agreement, but without success. I must agree with my hon. friend, Mr. Kickham, that it is almost impossible to travel along the old road in winter. I think I know the person to whom the hon. member for Charlottetown referred—the person whose house he makes his head quarters when he goes plover shooting in that part of the country—and it is quite natural that the hon. member should hear the complaints of that gentleman about this road, and had the hon. member not said anything on this subject, he need not go to that place any more. I believe it would be best to leave this matter to be settled by the Board of Works.

Ordered to be referred to the Board of Works.

The Speaker took the Chair and the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council stating that they had passed the Act to add to the Act relating to weights and measures, with certain amendments, to which they desire the concurrence of the House.

The amendments were accordingly read and agreed to.

House again in Committee.

The following paragraph was read:—

In regard to the road from J. Darby's to Miscouche, the Committee find that a commission has already been held upon it, and compensation awarded.

Mr. McMILLAN.—I would like to know what is going to be done about that road.

Mr. ARSENEAUX.—There has been some expense about that road already, and I do not think it

would be well to spend any more upon it. It is not the people of Miscouche who wish to have this road, but the people of Summerside. It will be more for the benefit of the people between Miscouche and Summerside, than for the people beyond Miscouche. The people cannot keep the road they have at present in repair, and when they have another road five or six miles long, and part of it through low ground, I think it will be found impossible to keep them in repair, and fit for travelling on.

Mr. McMILLAN.—I am surprised at the hon. member who has just sat down opposing the opening of this road, for nearly one half of his constituents will be benefited by it. I believe in a few years that will be part of the main western road. If the matter is to be referred to the Board of Works, I shall be satisfied, but I am one of those who like to get a positive answer—yes or no.

HON. LEADER OF THE GOVERNMENT.—The hon. member from Summerside must not run away with the idea that if the matter is referred to the Board of Works, that the road will certainly be opened, for the Board may decide otherwise. I think the great difficulty in this case was the amount of compensation required for the opening of this road.

Ordered to be referred to the Board of Works.

The remainder of the report was read and agreed to, after which the Speaker took the Chair, and the Chairman reported the report agreed to, with certain amendments.

House adjourned for one hour

Afternoon Session.

Mr. Speaker in the Chair.

The Bill relating to terms of, and pleadings in the Supreme Court, was read a third time, when the House resolved itself into a Committee of the whole House, on the report of the Committee.

ON PUBLIC ACCOUNTS.

Mr. Howatt in the Chair.

Hon. Leader of the Government submitted a resolution to the effect that an amendment should be added to the Bill to be brought in, making it the duty of the Auditors of Public Accounts, and of the Land Commissioner, to have the public accounts kept and audited according to prescribed regulations.

Hon. Leader of the Opposition considered it necessary that the public accounts should be so kept, and that the accounts and receipts of the Land office should be kept distinct and separate from those of the general revenue, but saw no necessity for any statute regulating such a matter, as in all such cases he considered that an order from the Government should be quite sufficient for any such a purpose.

Hon. Leader of the Government fully admitted the correctness and reasonableness of what the hon. the Leader of the Opposition said; but said instances had arisen where the auditors had refused to arrange the public accounts, as ordered by the Government, and there was one of them now whose duties he would prefer seeing prescribed by statute.

Hon. Mr. Davies did not see why any auditor of public accounts should refuse to obey any order which the Government might make in one matter more than another. Their duty is to see that the accounts are correctly audited, and they have no right to take any discretionary power upon themselves in the matter.

Hon. Leader of the Government said that as hon. members thought it better that those officers should be held responsible if they neglected to make up the public accounts, and properly obey any order of the Government, he would withdraw the amendment.

House resolved itself into a committee of the whole House on the further consideration of supply.

Mr. Bell in the Chair.

Several resolutions having been agreed to—

HON. LEADER OF THE GOVERNMENT said, I have now, Mr. Chairman, another resolution to move, and it is such an one as is not often brought forward here. We know that for over twenty years there was an hon. member here who took an active part in all the great and important public questions which occupied the time, or engaged the attention of the public and the Legislature of this Colony, from the year 1840 until the time of his death. The Resolution which I hold in my hand proposes to vote £100 as a gratuity from this House on behalf of the public, and this House, to the wife and child of the late Hon. Edward Whelan. I would not rise up here and ask for this vote if I viewed it in the light of a pension, or if I thought it would form a precedent for such. I would be the last person who would ask for anything of the kind. But knowing that the family of that distinguished man, is now in want, if not in actual distress, and judging from what we know of the interest that is felt in their case, I assume as an undoubted fact that they are in indigent circumstances. Every year we vote money to persons who are supposed to be similarly circumstanced, in sums varying from two pounds to eight or ten, as the case may be, and all those persons receive these amounts on the assumed ground, that their position and claims in some way or other are such, as to entitle them to this allowance from the Legislature; so that were I even on this ground pleading for this grant, I mean on the ground that the family are in straitened circumstances, I would have a proper basis to found my argument upon; but when

we take a calm view of the matter, and of the public services of the deceased, combined with the present circumstances of his family, and consider the position which the Hon. Edward Whelan once occupied among us, I think it will be no more than what is due to this Hon. Committee to vote this amount, not as a charity, but as a tribute of respect to the memory of a man who occupied such a high position as a statesman and journalist in this colony; and in this way of voting it we will not only treat his memory with more respect, but I feel convinced that it will be more in accordance with the views and feelings of the members of this hon. committee and of the country.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, on the question before us, I will make a few remarks, but, Sir, I do not rise to oppose, but to support the resolution. (applause) I never, Mr. Chairman, had the honor of sitting on the same side of the House with the Hon. Edward Whelan, but I have always had great respect for his fine talents, and was a constant admirer of his eloquence and ability; and now that he has gone to "that bourne from which no traveller returns," and has left a widow and son in destitute circumstances, I think this hon. committee may well vote this amount, and in the way and manner indicated by the learned leader of the Government. Although I have not been on the same side of politics as the Hon. Edward Whelan was, yet, I think, I have watched his career more closely than some who were; at all events, I feel convinced that I have done so, more closely than any other member on the opposition side of this House did. From the first, I opposed him on most all important questions, until towards the close of his life, we agreed on that of Confederation. We were both returned to the Legislature at the same time, and neither of us ever lost an election, so that we always met here session after session each occupying his position on his own side of the House. We all know that he was a constant member of the Liberal party, and also, one of its brightest ornaments. It was owing to his eloquence and writings that the Liberals were so successful, and however much I differed with him in his views, I could never but admire the genius, eloquence and political consistency of the Hon. Edward Whelan; and I think he showed as much, if not more independence in his writings, towards the close of his life, in the fearless and bold manner in which he wrote his editorials, when the question of the Tenant League was doing its mischievous work in the country, than at any other time. We know, sir, that when that body was agitating the country from one end to the other, that his columns opened out upon those who agitated that question; and that his articles were written as a patriot would write them. He warned the people not to bring the country into anarchy and confusion, as they surely would if they gave heed to those who were attempting to bring the country into trouble; and if there was any one reason more

than another why I would now vote for this resolution, it is because at that time he acted with so much consistency and true patriotism, and I think it would ill become this Legislature not to grant this small token of regard for, and tribute to the memory of the deceased, or any other public man who has made his mark upon the institutions of his country, after he has gone, we trust, to a happier place than any occupy here. I was not aware that this resolution was to have come up and am therefore not prepared to speak to it as I could wish; but it would ill become me, who knew him, as a public man, for the better part of a quarter of a century, to allow the resolution to pass without expressing my approbation of its contents, and for the reasons I have given, adding, that it will afford me much pleasure, to record my vote in support of it. (Applause.)

HON. COLONIAL SECRETARY.—Mr. Chairman, I regret that I am not able to say what I, sir, would wish to say on the present occasion. I may say, however, that I concur in the remarks which were made by the learned leader of the Government, and have listened to what was said by the hon. leader of the opposition, with a great deal of satisfaction. Perhaps I knew the hon. Edward Whelan, as a private and public man, better than any hon. member on this hon. committee. As a private man, there was no more sincere friend than he. He was true, faithful, confiding and generous to a fault, in his disposition and intercourse with those who enjoyed his confidence and private friendship; and as a political friend, the Liberal party, from the day he entered public life, until his death,—from the time he engaged in the politics of this Country, until he ceased to act as a public man, he was connected with myself, and with the Liberal party, and I only regret that I am not in a state of health which admits of my saying what I would wish to say respecting the late Hon. Edward Whelan. (Applause.)

HON. MR. DUNCAN.—I am ready to admit that the late hon. Edward Whelan was a very talented man. Of that there is no doubt. But, sir, I do think that the office holders of the party now in power, and whom he supported so faithfully when he was alive, are those who ought to step forward now and assist his widow and child. It is certain that the way he came out against the Tenant League was much to his credit, but that was more than counterbalanced by the efforts he put forth to draw this colony into confederation. Nor can I approve of all he did otherwise as a public man. To do so would be to condemn myself; for if all he has done was right, then I have been doing wrong all my life, which I do not believe. No doubt he has done much for his party; but then he was well rewarded by them, and held the best office they had in their gift to bestow upon him, and, therefore, it is a pity he should have managed his affairs so that his family should be left without being better provided for. When he was serving the country, he was well

paid, and I see no reason why we should be called upon to vote this amount now.

MR. KICKHAM.—From the time the late hon. Edward Whelan commenced to publish the Palladium Newspaper, up to the day of his death, he always acted for the good of the country, and I never knew him to write or publish what would be prejudicial to any individual; but, on the contrary, in all his doings, as a public man, he was guided by those principles of right, which induced and led him always to aim at the good of the country, which all will admit, was much benefited by his services.

HON. MR. HENDERSON.—The resolution, before the House, asking for the sum of £100 in aid of the fund for supporting the late hon. Edward Whelan's widow and orphan boy, is one on which I feel disposed to make a few observations. Hon. members who have spoken in favor of this Resolution, have very properly alluded to Mr. Whelan's very superior talents—talents which were ever at the command of his friends, and often called forth the admiration of his political opponents. There is, however, one act of his public life above all others which gives his memory and especially his widow and orphan boy a particular claim upon my humble gratitude. I allude to the noble and eloquent manner in which he supported, in this House, the vote of £2,000 as a donation to the Patriotic fund, to support the widows and orphans of British Soldiers who nobly fought in the Crimea, and lost their lives in defence of the rights and liberties of Europe and the world. (Applause.) Mr. Whelan was very uncouthly opposed, on the occasion, by one of his colleagues in the Government, but this only served as fuel to arouse the fire of true generosity and patriotism that lay within him, and fanned it into a brilliant flame. The opposition alluded to led him into the history and merits of the direful contest, and resulted in one of the most patriotic, conservative, memorable and loyal speeches ever made within these walls. (Applause.) In view of these facts and thrilling reminiscences, I cannot oppose, but I will support the resolution.

MR. BRECKEN.—There ought to be times in the history of a politician when all ill feelings should be thrown aside and when we can look at that alone, in a political opponent, which ought to be admired; and, therefore, I was sorry when I heard the hon. member for Belfast (Mr. Duncan) express himself as he did. I would be sorry to utter one word that would be offensive to the memory of the deceased gentleman, whose voice was with such eloquence so often heard within these walls. When the late hon. Edward Whelan came to this colony he was a very young man, but a very few years after he was here, his talents had weight in the community, and much as I differed with him throughout his political career, I could not but admire his ability and eloquence as a public writer and speaker. They

were such, sir, that they could not but command the respect of the bitterest of his political opponents. He was one of those who thrust himself wholly into the political arena and devoting all the energies of his mind to that object, was thoughtless and to some extent heedless about those interests which some devote more attention to, and whoever has reaped the benefit of his services and labours, it is certain that he himself, nor his wife and child have not. I honestly believe that the public labours of that man were attended with good results to this country. He was one of the pioneers of those liberal ideas in this country, which have met with so much success, and no man contributed more to sustain the hands of that party than he did. I will not allude to any particular measure which he was prominent in supporting; but whenever he thought he was right, he went forward in supporting his views, without once turning back, and although I did not agree with all his opinions; yet, now that his voice can no more be heard among us, the mantle of charity should be thrown around his failings. He had many, many good qualities which all admired when he was living, and which we cannot but respect when his memory is brought to our notice. (Applause.) This trifling amount is a small tribute of gratitude to the memory of such a public man, and I think it would be bad taste indeed if any one should oppose it. Whether his family is in want, or he himself was imprudent in the management of his private affairs, are matters which it is not for us now to consider. He was an able and talented party politician, and I hope that our party contentions are not such, but that they may be forgotten when we go to our graves. Every public man should endeavor to avoid entertaining anything like ill or rancorous feelings toward a political opponent; and however we may differ in our opinions here, I should be sorry if we cherished ill feelings toward each other. We are supposed to be here advocating public questions, which we consider for the benefit of the country, and in considering such there are many stand points from which they can be viewed; and no body of public men ever can, or ever did, or I may add, ever will look at public questions in the same way. We ought to endeavour to feel that our political opponents are as sincere in their views as we are ourselves, and, therefore, should act toward each other as we would wish others should act toward us. (Applause.)

Mr. HOWATT.—I agree with some of what has been said, but at the same time I do not know but that we should also pay some respect to the feelings of the country, in deciding upon any question brought to our notice, when acting for them in this House; we have also a right to respect the feelings of the country at large, and in this matter there is a principle at stake which should not be lost sight of; for if we adopt this principle now before us, we lay down a precedent for supporting the wife and family of any public man who may be left unprovided for. I have no

wish to speak otherwise than respectfully about the deceased, but I will say that on one important question he placed himself in opposition to the well understood wishes of the people, and for us now to vote a sum of money as we are asked to do, would be like holding out a premium for all confederates. He went to the Quebec conference opposed to Confederation, but when there he signed a document, and used his exertions to take our constitution from us, and thereby, in so far as he could, he endeavoured to place us in a position in which we would be no better off than if we were Russian Slaves. If we establish this rule, every member, be his talents high or low, who may leave a family unprovided for, will be expected to be provided for by this House, and those families, or their friends, may quote this vote as a precedent in justification of such a demand. I believe that men who enter politics should run their chance for weal or for woe. In fact, the last time he was made Queen's Printer there was a strong feeling against him, because he had used his paper and his eloquence against the institutions of the country. I do not feel that I should support the Resolution.

Hon. Mr. DAVIES.—There is not a member on this hon. committee who was a greater admirer of the late hon. Edward Whelan, than myself, and, sir, I shall always admire and I hope rightly appreciate his efforts in aid of Responsible Government, free Education, and other measures which he aided us in obtaining. For his enlightened views on these and other matters relating to the public requirements, and the service he rendered in effecting them, his memory is warmly cherished by an enlightened community. No doubt the advice he gave to the Tenant League was very good, as far as it went. Still, notwithstanding all that has been said, I do not see that we should set such a precedent as we are about to establish now. A great deal has been said about the sympathy and kindly feeling which we entertain for Mr. Whelan, but, sir, we have not been sent here to vote on our feelings; we have to record our votes from other motives,—to act on what our minds and consciences may dictate as duty. And, when a gentleman has been engaged in the public service, and has been well paid for his labors, I do not consider it a sound principle to advocate granting extra money afterwards on account of those same services, when it is admitted they were well paid for at the time; and therefore I must vote against the resolution. I believe a great deal of respect is due to him from the people, and they are giving evidence of this from time to time, and as the people have taken the matter up, and the matter is being proceeded with by them, I consider that we should not interfere with arrangements which are being thus so handsomely carried out by the people, and in a manner too that, in my opinion, is much more honourable to the memory of the deceased, than voting a sum here. I believe this vote of £100 will retard, rather than advance what is now going on in the country, for if those who are now

aiding in this matter will go on as they are doing, there will be no necessity for asking for a grant from the Legislature. In voting against this resolution, I am voting against my feelings, while my vote, at the same time, is in strict accordance with the conscientious view which I take of the principle which is involved, and, through thus acting, I am aware that my view may not be popular. But I shall vote on this, as on other questions, as I consider it my duty to do.

Mr. PROWSE.—I shall vote against the resolution, although, in doing so, I am aware I shall lay myself open to the charge of bigotry, while my reasons for so doing may also be regarded as claptrap. But, notwithstanding all this, I feel like the hon. member, (Mr. Davies,) that my conscience compels me to do so, not that I have anything against the man, but from the conviction that those who sent us here did not do so with the intention that we should give a vote that will support a principle, which, if once established, it is hard to say where it may end. As to his talent and ability as a public man, he stood second to none in the colony. It is also equally true that he occupied a prominent position here, and held for several years one of the most lucrative situations in the gift of the Government; and he had an opportunity to have laid by enough for a rainy day. But, Mr. Chairman, how many other men are there in the country, who, in the positions which they have occupied, have also been of important service to the country? How many worn out teachers are there in the country—men who year after year have laboured for the good of the country, for paltry sums varying from £30 to £60 a year, many of whom are now in their dotage, and not having been able out of the small salary they received, to lay by anything, are now in destitute circumstances, and that from no fault of their own; yet, who will say that those men did not contribute largely to the substantial benefit of the country? We are not prepared to pay pensions, and therefore it is our duty to guard against laying a precedent which might be adduced hereafter in favour of such a principle. My hon. colleague referred to the patriotic fund, but I cannot see any analogy between the family of the late Mr. Whelan and the wives and children of those who fell in the Crimean War. Those men died, I might say in defence of the liberties of the civilized world, or had Mr. Whelan, when serving this country, come to his end like Mr. McGee, by the hand of an assassin, then there might be some good reason for asking for this vote, but from no such causes did he come to his end. On the contrary, Mr. Whelan's death is owing to natural causes, and not to any extraordinary circumstances, produced at the time, and therefore, I see no reason why we should be called upon to establish such a precedent, and with these remarks I shall only add that I shall regard it to be my duty to vote against the resolution.

Hon. Mr. HENDERSON.—I spoke of the noble

manner in which hon. Mr. Whelan supported the motion in favour of a grant in aid of the patriotic fund, and that too at the risk of being unpopular with his political friends; yet, he, casting all those considerations aside, on the spur of the moment, when provoked to it by a member of the Government, plead the cause of the widows and orphans at that time with an eloquence, manner, and ability, in which he threw his whole soul, that when I yet think of that speech which brings out so fully the genius, patriotism, and true heartedness of the man, as an old soldier, I feel that I must risk my popularity in voting a sum to his wife and child, for what he did in risking his popularity when voting a grant in aid of the wives and children of those who fell at Balaclava and on the heights of Alma; for as he on that occasion so ably supported a grant in aid of my wife and children, had I there fallen, so must I now vote a small sum to his widow and son, as a tribute to his truly honourable and dignified action on that occasion. (Applause.)

Mr. KICKHAM.—I was pleased, sir, to hear the remarks of the last speaker, as well as those of the hon. and learned leader of the Opposition; and I think there can be no good reason assigned why the resolution ought not to be agreed to; when hon. members who were always opposed to him in politics speak so highly in his favour: it is evidence, sir, that they feel that the resolution is a just one. Why sir, when the hon. member (Mr. Haviland) who always watched him as close as a cat would watch a mouse, saw nothing in hon. Mr. Whelan, but that which was manly and proper, I think there is in such a statement, a very high tribute to his memory; and when I consider all he has done for this country, and how little he did for himself, I cannot find in my heart to vote against the resolution. It is true he wrote against the Tenant League, but he stated to me that if the members of that organization did not see proper to take the advice he tendered them, that they might see the day when they would wish they had. (Applause.)

Dr. JENKINS.—When I heard the resolution read, I felt that it was a proper one, under the circumstances, to be introduced here, and I hoped that hon. members would have allowed it to pass unanimously. I do not consider this as a matter that ought to be regarded as involving a party question, and am glad that hon. members do not view it in that light, for while all admit that he did much to forward the best interests of his party; it may also be as truly said, that he did so for the country generally. He materially assisted in obtaining responsible government, the free education and land purchase acts, and in many other respects he aided the public service, so that the country generally owes a debt of gratitude to him; and in supporting this resolution we will only show our gratitude in granting this sum to his widow and child; and I certainly think we should do so with pleasure. I did not think it was possible that any objection could be raised.

for I look upon it as a debt that is justly due, and one that should be paid to the representatives of the hon. Edward Whelan as a recompense to them for what he did for this country. As to Confederation, he did what he considered was for the benefit of the country, and if he was mistaken in his convictions, we should not look upon that act as if he did what he thought was not right. He inherited the weakness and virtues common to some of the brightest minds of his country; and it is owing to his genial disposition, and open hearted manner, that he was not more careful. Had he been as saving of his means, and penurious in his manner and habits, as some are, he might have laid by some money; but it was contrary to his nature to act thus. I feel quite satisfied that the constituents of my hon colleague and myself will justify our vote on this resolution, and I believe, also, that the country will likewise heartily endorse it.

Hon. Mr. HOWLAN.—I have too much respect for the generosity, hospitality and open heartedness of the people of this Island, for one moment to suppose, that they would oppose the voting of £100 as a token of respect, and tribute of gratitude, to the wife and child of a public man who laboured so long and faithfully in advocating the interests, and maintaining the rights of the people of this colony, as hon. Edward Whelan did. When, sir, we consider the amount of time and service which that man rendered to this country, this amount is but a small tribute to the memory of a man like him, who for nigh thirty years passed through the political strife of this country and came out unscathed. Every person who knew him and even those who were opposed to him, know that in the course he pursued in dealing with public questions, he was thoroughly sincere and in earnest. He came among us when he was a young man, and set himself to work in agitating those liberal and advanced reforms, of which we are to-day receiving the benefit. He had to contend against the wealth and aristocratic power and influence which then united to crush him; but conscious of the justice of the people's cause which he espoused, and the correct principles he was advocating, he went forward, and we can now, after the expiration of his earthly career, turn to the public records of his acts, and reviewing them say, that throughout that period he rigidly adhered to those principles, which, though bitterly opposed at first, are now generally recognized and admired. If he gave advice to the Tenant League, and wrote that which was offensive to some of them, he in that, as in other public questions, guided himself by that course which he considered as a public Journalist, it was his duty to follow, and in that, as on other occasions, was constrained to sacrifice his popularity, at the shrine of duty. The hon. member from Tryon said he would oppose the resolution: Well! I believe there are very few, even in Tryon, who would follow his example if they were asked to cast a vote upon the question.

I am acquainted with some of the people in that part of the country, and believe I can speak for some of them too, and say that they would not oppose this paltry grant; for, even, if there was nothing more than the incident mentioned by the hon. member for Murray Harbor (Mr. Henderson) it would be sufficient to commend this resolution to their notice, for at that time, the resolution in favor of a grant in aid of the patriotic fund, had no warmer hearted a supporter than the hon. Edward Whelan, although, in supporting it, he had to cross swords with some of his political friends; and when one of them was so reckless as to allude to the probable ultimate defeat of the British Flag, and to, apparently, express pleasure at its partial defeat in India, his genius and loyalty were at once kindled, and burst forth in the truly loyal and eloquent speech, to which the hon. member (Mr. Henderson,) has so gracefully alluded, and in the delivery of that speech he but gave utterance to the inward and heart-felt sentiments of his generous nature. (Applause.) He was then speaking for the wives and orphans of those who fell, when fighting so bravely and so gallantly, for the civil liberty of Europe, and keeping that one idea before his mind, it so fired his patriotism as to lead him to sink all private and public feelings, and to risk even his popularity. Such, sir, was the spirit in which he supported the resolution, in aid of a grant to the patriotic fund, which was raised on behalf of the representatives of those brave men who fell in the defence of our common liberties, before the sword of Russia, at the time of the Crimean War. (Applause.) We have no publicly erected monuments here as mementoes of our gratitude to public men who have benefited the country, but, I know there are those by my side now, who have a monument erected in the affections of the people of this colony, which few can have, and, sir, while I would respect the living, I would also honor and respect the dead, and, although this is a new country, yet, we should have in it some spot to mark the memory of him, who as a public man, had such respect for the path of right, which may tell to those who may come after us that we knew how to appreciate such men. We know, that in Nova Scotia, when the hon. Joseph Howe took the field for the purpose of winning responsible Government, there were those who manfully stood by him throughout the whole campaign; and aided in fighting every battle that was fought, until their political arms were crowned with a brilliant success. Huntingdon was one of those veterans who first fell, and when Mr. Howe came down and asked for a grant to enable them to perpetuate his memory; yet, notwithstanding that he had been such an able opponent to many unto whom the appeal was made, they, nevertheless, with one accord, sank all private and political feelings of hostility and cheerfully voted in favor of the proposal. This proved that the public men in that province wish to have some spot where the memory of their

distinguished dead can be perpetuated, I do not like to expose to public view the position of Mrs. Whelan, but I feel assured that if it was thoroughly understood, a very different opinion would be entertained by some, respecting that lady's circumstances and difficulties, than, perhaps, is now the case. In voting this sum, we should look upon it as a slight mark of the esteem in which the memory of Mr. Whelan is held by the representatives of the people in the Legislature of this colony. I know there can be no monument erected to his memory that is equal to that which is now in the breasts of the people of Prince Edward Island; yet, when I recollect that a small sum was given to a former clerk of this House, and that that grant is not regarded as forming a basis for a precedent in favor of pensions, neither can this one be considered in that light either. We know that several persons have endeavored to get up subscriptions for this object, but those who have been so engaged know how difficult it is to get money in this way. One man has his church, another a society, or temperance hall, which requires his aid, and has not anything left for other objects, and, hence, those who argue that all that is required will be supplied by private contributions, know very little about it. The hon. Edward Whelan may have erred on the matter of Confederation; but I can have more respect for the man who, on that question, was sincere and outspoken, than I have for those who in Canada expressed one opinion, and when here another. Mr. Whelan said in Canada, and he said here, that while he was in favor of Confederation, yet he would never go for it without it was first submitted to, and carried by the people; and I believe if the carrying of the question depended upon his vote, that no consideration could have induced him to cast that vote in favor of the measure on any other terms. He would say No! until I have submitted this question to my constituents, I shall never vote for it; and, sir, I am glad to notice such a spirit of fairplay on the part of hon. members on the opposition benches, and such a well expressed appreciation of the genius and worth of a deceased political opponent, as has been uttered here by the hon. member (Mr. Henderson.) I can, myself, remember when a boy in that Gallery, listening to the hon. leader of the opposition, and the late Mr. Whelan, when with marked ability on both sides, they so often crossed swords on the floor of this House; and what nobler tribute can we have of the probity of character, the genius, talent, and eloquence of the deceased, than was borne to him to night by the learned and hon. member, the leader of the Opposition, after a political acquaintance of nigh thirty years, during all of which time they were opponents in politics. The manner in which the hon. member expressed his admiration of the genius, eloquence, and ability of the late Mr. Whelan, is as honorable to the deceased as it is creditable to the hon. member who delivered it. (Applause.)

Mr. PETER SINCLAIR.—Mr. Chairman, I do not consider it fair to look upon this amount in the shape of a pension, nor is it proper to consider it in that light. I, therefore, think we should look upon the amount in the light of a debt of gratitude due from this House as a slight tribute of respect from us, to the deceased, which we ought to pay to his wife and child; and on that ground I shall cheerfully vote for the resolution. When we reflect upon the exertions of the late Mr. Whelan, and upon what he did for his country, by the force of his genius as a public man, and consider the wife and orphan boy whom he has left behind him, I think the very least this hon. Committee can do is to record a unanimous vote in support, of granting the amount asked for this purpose, as a sum in aid of the public contributions of the public, for the object.

The resolution was agreed to.

Mr. Speaker resumed the chair, resolutions of supply were reported agreed to, when the House adjourned.

THE ADDITIONAL JUDGE.

On motion of the hon. leader of the Government, the House resolved itself into a committee of the whole, on the fourth order of the day, namely, the consideration of the clause in the Speech of His Honor the administrator of the Government, relating to the appointment of an additional Judge in the Supreme Court.

Mr. Cameron in the Chair.

The chairman read the said paragraph, which is as follows:

"Representations have been made to me on the necessity of appointing an additional judge in the Supreme Court. Papers on this subject will be laid before you, to which I invite your attention."

HON. LEADER OF THE GOVERNMENT.—In rising to submit a resolution on this subject, I may remark that the paragraph you have just listened to, states, that his honor had received representations as to the necessity for an additional judge in the Supreme Court of this Island; and that recommendations will be laid before this House, on the matter. It is not necessary to refer to those papers again, for they were read yesterday, while the Speaker was in the chair. Suffice it to say that they consist of a memorial sent to his honor the Administrator, by the Bar of this Colony, sometime during the present year; and a petition from a considerable number of the inhabitants of Prince County, having the same object in view. As we pretty fully discussed the matter, in the debate on the Speech, with which the session was opened, in all its bearings, it is not necessary to go over the whole ground again, and to repeat the same arguments; however, it will be well to take a view of the matters in connection with the Supreme Court as they now stand—this I will do in as few words as possible.

The reason which induced the gentlemen of the Bar to petition the Government, is, that they believed that the defects in the constitution of our Supreme Court came more clearly under their observation, than under that of the public. If the Bar, without any distinction of parties or differences of opinion on other matters, unanimously agree as to the necessity for an additional judge; and repeatedly and strongly urge their reasons for the charge; it is just about as good a test as this House can require on the subject. The reasons given prove that the position of our court is a perfect anomaly; and I do not suppose you will find another court in the British Dominions constituted in the same manner, or where such an unsatisfactory state of things exists. Our judges are men of standing, talent, worth, independence and judgment, all of which they bring to bear upon the responsible duties which they perform. But, it is not against those gentlemen the plea is set forth; it is against the principle of having our courts constituted with only two judges, although they may be men of equal worth and power of mind. In questions of law there are precedents to assist their judgments, and which apply to particular cases; but, as differences of opinion have arisen in other countries in regard to these matters, we must expect they will arise here also; therefore, unless something is done to meet such difficulties, we cannot expect our courts to give satisfaction. Whatever we have in our possession, whether life, liberty, or property, it is of great importance to us that we should be protected in its enjoyment, and that we should have a fair, open and impartial court to decide on differences which may arise, and to protect our rights, as is done in Great Britain, the United States and other parts of the world. I will go further and lay down this proposition: it is quite impossible that a court constituted with only two judges can give perfect satisfaction to the people of any country. Cases have arisen, and will arise, in our courts, while they are constituted as they now are, in which no judgment can be given at all, and, therefore, nothing but sheer inability would justify this House in postponing this matter any longer than during the present session. We often talk about reform, but nothing brings the necessity for it home to us so close as a difficulty out of which we cannot get. On account of the deficiencies in the constitution of our Supreme Court, we got into difficulties last year and may again, how soon we do not know. I referred the other day to the case of Wholau, the assassin of the lamented D'Arcy McGee, which was not long since before one of the courts of Canada. When the judges came to a conclusion on that case, it was found that there were four against six; this shows that a difference of opinion sometimes exists among judges and the need of more than two to decide on a case. We can see very clearly that if, in a question of life and death, a question should turn up, two judges cannot give as good satisfaction as three can. In a case which came

before our court last summer, there were large amounts of money at stake. One of the judges having an interest in a Bank connected with the case, decided that he was qualified to sit in judgment upon the case, while the chief justice decided to the contrary. This was a peculiar state of things and the Government were not in a position to call in the assistance of a third Judge till it was proved that the Assistant Judge was disqualified to sit on the case. Unless some remedy had been found by one of the Judges, the wheels of justice would have stopped. As our Courts are now constituted, we may be troubled in a dozen different ways, and we cannot tell what may occur. We cannot tell whether one of ourselves may not be unwillingly forced into Court some day, upon some important question; this would make us feel seriously the necessity of having a tribunal upon which dependence can be placed. It is better to have no decision at all, than to receive an unjust one; but there is no necessity that either of those things should take place. I shall not detain this Committee any longer. On behalf of the Government, I am prepared to submit a Resolution which, I believe, from the opinions of the public press—and I believe we may take the opinions of the press, especially their unanimous views on such a matter as this, as representing the sentiments of the people—will represent the views of nearly the whole population of this country. There appears to be an unwavering unanimity on this matter amongst the people as well as the gentlemen of the Bar. Having given all these matters due consideration, I submit the following resolution:—

Resolved, That it is advisable that an Act be passed, authorizing the appointment of an additional Assistant Judge in the Supreme Court of Judicature of this Island. Such Judge, in addition to his power and duties as a Judge of the Supreme Court, to have power to grant orders and injunctions in the Court of Chancery, and of the Master of Rolls in this Island.

Hon. LEADER OF THE OPPOSITION.—The truth is, Mr. Chairman, the Resolution is such a self-evident proposition, that it is hardly worth while to detain this Committee, by any remarks upon it, more particularly when you take into consideration the fact that hon. members have already expressed their opinions upon the matter in the debate on the Address in answer to the speech of His Honor the Administrator of the Government. But it would hardly do, to give a silent vote upon this resolution, although we may be guilty of repeating what has already been expressed on the subject, upon a previous occasion. There is no question that our Supreme Court is, at present, an anomaly as regards its judges, and I do not believe you will find a precedent for such a state of matters, in any country where the common law of England is in operation. In Great Britain and all her other Colonies, and in the United States of America, all Courts are constituted by at least three Judges. This Colony, therefore, should

have at least the lowest number which constitutes an efficient Court.) Even in the early history of this Colony, one of the first acts of its Legislature was to provide one Judge, educated as a professional man, and two lay Judges to aid the Chief Justice by their advice and assistance as circumstances required. But during the last twenty years the practice of substituting laymen on the bench has been done away with. It might have done very well when very little business was done in our Courts; but as the country progresses in wealth and industrial pursuits, nice scientific questions arise, such as one relating to the proper granting of a patent, or to the usefulness of an invention. Many questions arise in the Supreme Courts which require high-toned, educated minds to decide upon them. Our Courts, as has been already mentioned, are unconstitutionally formed; for all courts should be so constituted that when a difference of opinion takes place between the Judges on questions of law, there should be the means of having a constitutional decision. But in our courts the latter is impossible; for if one Judge entertains one opinion and the other another opinion, the wheels of justice are paralyzed. The Court sometimes becomes so nicely balanced, that it may yet be impossible for a suitor to obtain his rights; and as the hon. Leader of the Government has stated, we had an instance of that kind during the term of the Supreme Court last summer, in a well known mercantile question where a large amount was at stake by the suitors on both sides. The parties interested occupied a prominent and respectable position in Charlotte-town. When the trial began, an exception was taken as to the competency of the Judge to try the case, on account of a personal interest which he had in an institution connected with it.—Interested parties had gone to the trouble and expense of procuring the services of an eminent lawyer from New Brunswick, to defend their side of the case—Mr. Thompson. The Chief Justice decided that Judge Peters was incompetent to try the case; but the latter said he was competent. The consequence was that the judgment of one was equal to that of the other. While matters were in that state, the Government were appealed to to appoint an additional Judge to decide the affair. Upon looking at the Act, it was found that the Government had first to decide whether Judge Peters was really disqualified or not before they had power to appoint a third Judge. This they were not in a position to do, and the finale of the matter was that Judge Peters sold his stock which he had in the Bank interested in the trial, and went on to try the case; but it was not completed on account of his illness. If the trial had been finished, in all probability there would have been an appeal for a new trial in consequence of the parties on one side thinking he was still biased on the original grounds, and that though he had sold his shares he could not get rid of his former bias. Now, if we had had three judges all that trouble would have been saved. If a third Judge was necessary in a momentary case, how

much more necessary in criminal cases, where questions often arise upon which the life of a human being hangs, and where it often depends altogether upon a point in the evidence not clearly set forth by the Bench? A question may be argued by the Counsel before the Judge—one Counsel taking one view of it and the other another—while the life of the accused is, meanwhile, trembling in the balance; ultimately the same Judge before whom the case was tried, decides against a new trial and the accused is left without hope. This state of matters should not exist any longer in the Colony. I am pleased to see that the Government have come to a conclusion in agreement with the opinions of public men of all shades of politics. It is a political question of course, but it is not a party question. It is one which affects our lives, rights and liberties, and therefore, it is of more consequence to the people to have a Court satisfactorily constituted than to have a good Government. The having a Bench of Justices talented, educated, men of property, and, like Caesar's wife, above suspicion, is of more importance than any other consideration to the people of this Colony. For the reasons I have given, I unhesitatingly promise the hon. Leader of the Government my support, when the Bill relating to this matter comes before us. In future, when matters are argued before that bench, the Judges will be in a position to give their unbiased opinions without the fear of clogging the wheels of justice. It is against common sense to believe that our two Judges always agree upon all matters which come before them. When one judge is a better criminal lawyer than the other, the latter sacrifices his opinion to that of the former in criminal cases; and when one judge is better read on the admissibility of evidence than his brother judge, the latter gives way to him for fear he should be wrong, and consequently paralyze the wheels of justice. The consequence of all this is, that the Court is ruled by the decision of one man, for there is only one judgment. So it is in the whole number of suits which come before our Courts in their present condition. We have seen Judge Peters raised to the bench in 1849, and the present Chief Justice in 1822; but it was not known that they ever disagreed on any case which came before them till during the trial of the Dawson case. No doubt they imagined that the difficulty could be very easily remedied; but had it not been that the Assistant Judge sold out his shares in one of our Banks, the whole Jurisprudence of our country would have been paralyzed, and the lawyer who was brought here at great expense from New Brunswick, would have been obliged to go home in consequence of it, without finishing his labors. The description of matters in our Island Courts would have been circulated in New Brunswick, and also that the Dawson case could not be tried on account of a deficiency in the constitution of those Courts. We boast of Responsible Government, but it does not mean merely having one branch of our constitution in proper working order; it includes every branch

in that constitution; and, therefore, to carry out our present system of Government we must have a properly constituted Supreme Court.

Mr. BRECKEN.—Before the question is put upon the resolution before us, I wish to make a few remarks upon this subject. I believe we should ventilate this matter well, and the great want of an additional judge, in our Supreme Courts, must be felt by the Bar more than by the other portion of the public, for the former are brought more in contact with the bench than the latter. No feeling of modesty should deter the Bar from expressing their opinions on this important matter, because it materially affects the administration of justice. There is no department of the public service that can compare, in importance, with the proper constitution of our courts of justice; for in proportion to the Bench being constituted of able, independent and impartial men, in the same proportion are the rights and liberties of the people safe and secure. We all agree as to the qualifications of the gentlemen who, at present, occupy seats on the Bench of our Courts; they are well qualified for their position. But the great defect in those Courts, is their want of constitutionality; and there is no department which is looked upon with such stern criticism as the Bench for the administration of Justice, because there are no public servants who occupy public positions that have so much power intrusted to their hands, and upon whom strict impartiality so much depends. It is for the latter reason that the Judges in Great Britain and her Colonies are kept aloof from political parties, and are so well paid—not in this Colony, but in the Mother Country. A Judge occupies a high position, but he is only a man after all, and therefore should be placed, so as to be beyond suspicion, in an independent position, above the fear, favor or affection of his fellow-men. Now, Sir, so sensitive are the British public on the principles of the administration of justice, that the slightest change of relationship towards bias or prejudice, which in the man pursuing the ordinary avocations of life, would never be looked at, is sufficient to disqualify a Judge for the administration of justice between man and man. According to the spirit of the British constitution, the Bench should be as pure as the mountain rivulet, and, therefore, it is watched with a jealous eye. It is easy to be seen that in a small Colony like this, where so many families are connected, if the Judge is disqualified in the most remote degree by relationship or otherwise, in connexion with a case, he is disqualified from sitting on the Bench, to try that case. So tender are the principles of administering justice that if the slightest tinge of his connexion with the interests connected with any particular case is perceptible, he is not allowed to sit upon the Bench, even supposing he sits mute, while the trial is going on. How often may it not happen that both our judges may be disqualified from sitting to try cases which may turn up? What is then to be done in the absence of

a third judge? The wheels of justice will be paralyzed. It is therefore of the greatest consequence that the bench should be constituted with three men, who are independent of one another. When this is done we shall have an independent bench, and, in every case, each judge will be able to give an independent decision. A bench constituted with only two judges is not more satisfactory than it would be with only one; because, when one gives way to the opinion of the other, you have the decision of but one after all. If we are right, in regard to our Courts, every other Country is wrong, for you will not find a Court anywhere constituted with two judges. The Whalen case, which occurred the other day, in Canada, shows that the most highly talented men sometimes take different views of matters brought before them. I recollect seeing fourteen judges in a court in England, nearly equally divided on a case which came before them, and, it was remarked, that the most able jurists were nearly equally divided on the question. What can be more disgraceful to any country than to hear the integrity of its judges called in question? What more sensitive feeling can a people have on any subject than upon the fact that their highest tribunal, for the administration of justice, is not properly and satisfactorily constituted? Can the present state of matters in our courts be tolerated any longer? It is but fair to the judges themselves that they should be placed upon such a footing, that they can give ample satisfaction to the country. I expected to have seen this subject taken up earlier in the session, but I believe the hon. Leader of the Government is in earnest, and that a Bill to remedy the grievance will yet be brought down and carried. I believe that the appointment of a third Judge may be looked upon as a not very popular measure to those who have been fortunate enough not to trouble our courts with a suit, and who have therefore, not thought on the matter. These parties will say "here is an additional salary required to sustain another office-holder;" but I should not shirk my duty for the sake of popular favor. If we fail in carrying out such a measure, it will be in the cause of right and justice; but I have no doubt that those who think this change is for the benefit of the lawyers will get their eyes open to see that it is absolutely necessary. I believe that there is no public department in this Colony of so much consequence as the judiciary, and that there are no men who have so much power as the Judges of our Supreme Court; for this reason, I contend that the appointment of a third Judge and an expenditure of the public money to pay him, are indispensably necessary, and perfectly just and right. Our Judges are not properly paid and their salaries are very inadequate to sustain their position in society, as men holding their offices should be sustained. I do not hesitate to make such an assertion, although I know it is against the popular feeling: Look at the responsibility of a Judge,

and at the acquirements he must possess, and no man can question the fearful position in which he is often placed. For this reason those officers should be handsomely paid, that they may be placed above want, and in an independent position; but perhaps the circumstances of the country will not warrant a higher salary for our Judges. I hope the hon. Leader of the Government will not let the bird fly off for the sake of five hundred pounds, and then fire after him to try to hit him. I shall support the Bill for the appointment of a third Judge when it comes down.

Mr. McNEILL.—I must say that I was not aware that the country was in such a state as has been represented by the hon. member for Charlotte-town. I am much surprised to think I have not heard more about it. If things are as bad as has been stated, our Courts have not been above suspicion. We have had a few instances where the Judges have not given satisfaction—such as the Ramsay case, about which there was considerable excitement—but they were concerning lands. There has always been a feeling throughout the country that the Judges were not above suspicion—I do not say that the rumors on this matter were correct—but this feeling has existed. I agree with a good deal which has fallen from the hon. member, especially with his remark that the Judges, of all other men, should be above suspicion; but I believe it is very difficult in a small community like this, to get Judges unbiassed and without predilections one way or another. Perhaps it might not be difficult to find a stranger free from party bias; but it is the case with but few in this Colony. If an additional Judge is to be appointed, I should like to see him chosen from the tax-payers of the country. I am not aware that the people generally, wish for the appointment of a third Judge. I think they expect that in serious cases the two Judges ought to agree. The Judges have the Jury to go by; but if it is the case that the wheels of justice have been clogged, I should like to see a petition from the tax-payers of the country—from those who will have to pay the new Judge's salary—praying for a change in our Supreme Courts by the appointment of an additional Judge. I think this House should rather look to the opinion of the general public than to that of the lawyers on this question; but I do not intend to offer much opposition to it. I think if we look to the state of our Revenue, two Judges are as many as we can afford just now.

The resolution was then agreed to.

Hon. Leader of the Government moved the following resolution:—

Resolved, That the salary to be paid to the additional assistant Judge be £500 per annum, payable quarterly.

Mr. P. SINCLAIR.—The arguments that have been brought forward in favor of the appointment of a third Judge, have not convinced me that it

would be necessary to appoint one, if the two Judges would sit in their places. If the two Judges differ on any point, they will be more likely to reason the matter minutely than three would who could settle it by vote, and will not be likely to give it as much consideration. I believe the four Judges in Canada, who were voted down, retained the opinion that they were right. I believe you may multiply Judges indefinitely, but unless you get one better qualified than those you have already, it will be no use. But, Sir, considering the present state of the Colony, that the Chief Judge cannot sit on the Bench, as he is Administrator of the Government, it is necessary to provide for the appointment of a third Judge.

Mr. BRECKEN.—I would ask the hon. member who has just sat down, why there are three Commissioners in the Small Debt Courts, or three Arbitrators appointed to settle a dispute, if two can come to a decision as well as three? The principle is generally ignored, and it is only in respect to our Judges that this anomaly exists. In regard to the argument that we must get a better Judge than those we have, I say it is impossible to tell whether a man will be a good Judge or not until he is tried, for it is not always the best lawyers who make the best Judges. If we look at Lord Erskine, one of the greatest forensic orators of his day, or Lord Brougham; we find that the appeals from their judgment were numerous. It is no proof that a third Judge is not required because one was not appointed some time ago, for reforms do not always come with a rush. In England, a great reform measure was passed a short time ago, and at the present time, the British Parliament have under consideration another reform—the disestablishment of the Irish Church. Cases occur often in our Court where a Judge has given a decision which one of the parties are not satisfied with, and he appeals for a new trial, but finds that he has to appeal to the same Judge who gave the decision, with only one other Judge associated with him. Now, if the two Judges cannot agree, what is the consequence? The wheels of justice are clogged.

Mr. REILLY.—I have not very decided opinions on this subject, as I have not had time to study the matter thoroughly, but I am prepared to support the resolutions moved by the hon. Leader of the Government, for two reasons—one is, that under the present constitution of the court, the wheels of justice are liable to be clogged at any time, a fact which is patent to every person, and the other is that we have no properly constituted Court of Appeal. Many a man has been obliged to submit to what he considered injustice, because he could not appeal to a higher tribunal. Some may think there is no necessity for a third Judge, as they have never been brought to Court, but it is impossible for any person to say when he will be forced into Court, and every man should have the privilege of appealing, if he thinks he has not received justice.

Hon. Mr. DAVIES.—If three Judges will be for-

fortunate to give satisfaction to all parties, they will do more than any Court has ever yet done. I may say, Sir, I was not aware that the Court was in such a state as has been stated by some members of the Bar, here, to-night. It appears that the streams of justice have not been so pure as we thought they were. I think that the real cause for the necessity of a third Judge has been mentioned by the hon. member from New London, (Mr. P. Sinclair,) that it is on account of the action of the British Government in compelling our Chief Judge to fill the office of Administrator of the Government, and one Judge cannot attend to all the business. It has been stated by the hon. member from Cavendish that an opinion prevailed through the country that the Court had a leaning towards the proprietors, and when we look at the early history of the Colony, and see that it was ruled entirely by a proprietary party, it is not surprising that these opinions should go abroad, but now, that a third Judge is to be appointed, I hope there will be no more complainings. In regard to the salaries of the Judges, I should have no objection to raising them if the country would petition the House to do so, but burdened as we are at present by buying up land, I think it would be as well to leave the salaries as they are.

Mr. GEORGE SINCLAIR.—I gave my opinions on this subject when it was under consideration during the debate on the Draft Address, but since I have heard so many speak in favor of it, I begin to think that probably my views on the subject are incorrect. I do not intend to offer much opposition to a measure for appointing a third Judge, and I do not think there would be much use in doing so, judging from the number who have spoken in favor of it, but I must say that I cannot see the force of the arguments that have been advanced. If our Judiciary is in such a state as has been represented, and such an urgent necessity exists for the appointment of a third Judge, I wonder that hon. members have not seen it before now. As far as the work is concerned, two Judges are sufficient, and if it cannot be shown that there is a necessity for a third, we have no right to burden the people with the payment of the salary. I agree with the hon. member from New London, (Mr. P. Sinclair,) that we would be just as likely to get justice at the hands of two Judges as of three. They cannot adjudicate on any important case without a Jury, so that I think we have sufficient guarantee against injustice. It has been said that it is an anomaly to have two Judges, but I think the same anomaly exists in having an equal number of persons to form a jury, and in the most important cases, involving life or death, they have to come to a unanimous decision. The hon. member for Charlottetown has referred to a very important case which was decided by fourteen Judges, and they were nearly equally divided; so in that case one man may have turned the scale. It has not been shown that justice has not been done in all cases that have yet been tried. It is the members of the Bar who have petitioned

for this appointment, and I suppose it will be a benefit to them as it will give them more chances of promotion, but I should like to see the country petition for it before we put the burden on them.

Mr. BRECKEN.—The hon. member who has just sat down, has stated that there is no necessity for having an odd number of Judges, and referred to there being an equal number of men on a jury. It is an old principle that a man must be condemned by twenty-four of his peers—a Grand Jury and a Petit Jury—before he can be convicted, so that his guilt may be proved beyond the shadow of a doubt. One jurymen might object and so prevent a verdict from being given, and it is well that it should be so, for it is better that ninety-nine guilty persons should escape than that one innocent man should suffer. But if you apply the same rule to the Judges, if there are only two and they cannot come to the same decision, the wheels of justice will be clogged. In civil cases it is not always necessary for all the jury to agree, for if they cannot agree after being shut up four hours, nine of them can give a verdict. I may say in reply to the hon. member for Belfast, that no person threw a shadow of suspicion on the purity of the Judges. We know not whether one Judge has yielded to the other or not.

Mr. GEORGE SINCLAIR.—There might be some person appointed to step in, in case the Judges could not agree on any point of law.

Resolution agreed to.

The Speaker took the Chair, and the Chairman reported the resolutions agreed to. Ordered that the question be put on the said resolutions tomorrow.

HON. LEADER OF THE GOVERNMENT.—Mr. Speaker, there is one matter mentioned in the speech of his Honor the Administrator of the Government, namely, taking the census; but as I have ascertained since the opening of the session, that we shall be called upon to take it in 1871, the Government do not intend making any provision for it this year.

House adjourned.

WEDNESDAY, April 14.

Forenoon Session.

Hon. Speaker in the Chair.

Several resolutions of supply were agreed to, and on the motion being put that £100 be voted in aid of the Widow and child of the late Hon. Edward Whelan, Mr. Prowse moved in amendment, that the resolution be agreed to this day; three months, and said:—I can endorse a great deal that has been said about the Hon. Edward Whelan; but there is a great deal also which I cannot, as I do not consider his public conduct free from reproach; but as I feel disposed to bury his errors in the sand, I will only say that I am

opposed to this resolution, and all similar ones, and feel it to be my duty to record my vote against it.

Hon. Mr. HOWLAN.—Mr. Speaker, if this amount was asked to be granted as an annuity for the family, the hon. member might have some reason for opposing it; but when we recollect that it is simply an appropriation on the part of this House, in aid of a fund which is now being raised by subscription, and otherwise, in the country, to aid his family, it renders the case altogether different; nor do I believe that any portion of the country will disapprove of such a grant. I have too high a sense of the public spirit of the people of this Island to believe anything of the kind; but, Sir, when I hear a young politician like the hon. member for Murray Harbor say that the public character of Mr. Whelan was not stainless, I feel disposed to say that it will be well for the hon. member if he will be able when he leaves the world, to leave as good a character behind him. Let the public man who is without a fault cast the first stone at him. Some men may be so proof against anything that is improper, that they may never do wrong. All I can say is, if there are such men, they are rare to be met with; and if we are to judge of the mind and character of the late Mr. Whelan by the saying of Euripedes, which he took for his model and placed as a motto for all to read, at the head of his paper: "This is true Liberty; where free born men having to advise the public, may speak free." Then, he who will take that for a standard and examine Mr. Whelan's conduct thereby, will find that there are no stains on his character. I am aware that at one time he opposed the Tenant League; but he did so from the best of motives. He knew that as a public man, and a public journalist, he stood before the people in the capacity of an educator and adviser—especially of the Irish—and if he gave advice to them which he deemed it his duty to give, he was willing that others should enjoy the same liberty, and use their influence also in the way they might consider best. Had he acted differently, he felt that he would be only the means of defeating the object they had in view, for he knew the warm impetuosity of his countrymen, and was only fearful that this national characteristic might lead them into hasty and imprudent acts, which induced him to oppose them in the manner he did. For my own part, I am willing to admit that the Tenant League had an influence for good upon the country; for I believe it is owing to that influence that the Cunard property was purchased by the Government; and however much I may differ from the hon. member, (Mr. Prowse) I cannot but admire him for being so outspoken in his opinions; but when I hear the late Mr. Whelan spoken of by one who opposed him in this House for twenty-five years, in the handsome manner alluded to by the hon. Leader of the Opposition, last night, I think we may safely admit, that no stain rests upon the public character of Edward Whelan; for I am sure if there were, the hon. member (Mr. Havi-

land) would not have spoken of him as he did; and, therefore, though the hon. member for Murray Harbor may be opposed to the grant, yet he should have had more regard for the feelings of the living, than to have expressed himself as he did. I believe if there ever was a public man sincerely honest in stating his views, it was the late Mr. Whelan. We know the difficulties with which he had to contend when he established his first paper; and we know too, had the people whom he served, paid him as punctually and as faithfully as he served them; his pecuniary affairs had been in a better position than they were when he died. But he leaves a son, and I believe that boy will yet take his stand as a public man, and prove himself the worthy son of a worthy parent, and on a public platform yet express his gratitude for what the country and this House is now doing for him. If, however, the hon. member for Murray Harbor can show that there are public stains upon the character of the deceased, which should deter this House from voting this amount in aid of his widow and orphan child, now is the proper time for the hon. member to make them known.

Hon. LEADER OF THE GOVERNMENT.—In granting this amount, we do not ask those who were opposed, on public grounds, to the deceased all their life, to support this grant, on account of the political views which the late Mr. Whelan advocated; but from other considerations we think there are reasons which may induce hon. members to support it, although they were opposed to him in politics, and although, too, he was by his party placed in a position where some men would probably have improved their circumstances more than he did. It is to be remembered that this is not an annual grant, but one in aid of outside efforts for the same object; I think, therefore, there is no necessity for going deeply or warmly into the matter. The grant is asked under the peculiar circumstances in which the case is presented to our notice, and therefore it is not my intention to enter into a history of our late friend, hon. Mr. Whelan. We know that last year, when we paid our encomium upon the character of the lamented D'Arcy McGee, we did not consider it necessary to go into a detailed view of his whole life, nor do I see any cause for doing so in this case. I am, however, sorry that the hon. member, (Mr. Prowse,) deems it necessary to divide the House on this question.

Hon. Mr. DUNCAN.—I think the party now in power should have done more for the widow and child of the late Mr. Whelan. They should have left the publishing of the *Royal Gazette* with Mrs. Whelan. She offered good security for the performance of the work, and I think it was a disgrace to the party to have withheld that from her, for in leaving the publishing of that paper with her, the party could have benefited his widow and child without putting the country to one shilling extra cost.

Hon. COLONIAL SECRETARY.—The hon. member

(Mr. Duncan,) may have thought that the public printings should have been left in the hands of Mrs. Whelan, but, I believe, if all could be told, it would be seen that it could not. I may say that it was well known that there was a security upon the press, which would not have been allowed to remain if the printing of the *Gazette* had been left, as indicated by the hon. member. I can assure hon. members there was no disposition on the part of the Government to have taken the public printing from Mrs. Whelan, if it had been possible to have left it in her hands; on the contrary, there was a strong desire felt by several in the Government to have done so, but it was found impracticable; and the further question came up: would it be in accordance with the principles of Responsible Government, and the constitution of the country to have done so? It was found it would not, and therefore the idea had to be abandoned.

Mr. McNEILL.—Although I do not intend to oppose this vote, yet I am not one of those who cordially approve of all that the late Mr. Whelan did as a public man. Although I am a young member of this hon. House, yet I believe I am as old a supporter of the Liberal party as the oldest member present, and from the first, always contributed my mite toward obtaining Responsible Government, and the advantages that would flow therefrom to this Colony; and, therefore, I feel free to express myself without reserve on this question. We all admit that the late Mr. Whelan did much at that time as a public journalist in aid of the cause then so beautifully taken up by the people; but while we cheerfully admit this, I must say, that I think the party with which he acted, fully rewarded him when in power, and that I consider is all the claim any man has for public services upon his party. It is quite possible that the subscribers to his paper did not pay him as they should, but that is a matter with which we have nothing to do. Up to the time when he went to the Conference at Quebec, he acted in good faith with and enjoyed the confidence of the Liberal Party, but we know that when there; he tried to take the sovereign power granted to us under Responsible Government out of our hands, and used his influence to legislate us into the Dominion of Canada. I would be as sorry to impeach him with acting contrary to what he believed would have been for our benefit, as I would be willing to justify his conduct at that time; but I consider, that after his return from Canada on that occasion, he took undue advantage of the excitement that was then in the country on the Land Question, believing as I do, that he might have allowed those who were engaged in that affair to have pursued their course without so much uncalled for censure from him; for we all know that his countrymen did not form the majority of those who composed the Tenant Union. There is no doubt, Mr. Whelan considered Confederation would be a benefit to himself, and when the troops were brought here he did what he could to strengthen the hands of

those who brought them, and rejoiced when he saw the rents of the proprietors collected at the sharp point of the bayonet. If he did use his pen in aid of obtaining Responsible Government, he also used his influence in favor of Confederation. But as this vote is in aid of his wife and orphan child, I will not oppose it; although I wish it to be understood that I do not support it on account of any claim I consider the late Edward Whelan entitled to from this House, as a public man, or for any of his services as such.

Mr. BELL.—Although the late Mr. Whelan did advocate Confederation, I would be sorry to suppose that he did so from base or selfish motives. I, on the contrary, believe that his convictions were honest, and that he argued in its favor from pure motives. As to his stainless character or otherwise, it is a matter with which we have nothing to do; the question before us is, the country is now making efforts by voluntary contributions to raise an amount for the relief of his widow and child, and I look upon the amount now proposed to be given as a supplement in aid of the voluntary efforts now being otherwise made, and shall cheerfully support the Resolution. Nor can I, Sir, for one, forget, or ignore from my mind all the benefits which he rendered to this country, as a member of the Legislature and of the Press. In his able advocacy of important measures he did much for this country, which entitles his memory to respectful consideration, and as to his failings, where is the man who is so perfect, that he has no fault? If it is the pleasure of this House to grant this amount, I hope it will be done without a division. In looking upon the late Mr. Whelan we, I think, can see what his real character was in the speech he delivered on the occasion referred to by the Hon. Mr. Henderson last night;—a speech Sir, which, when duly pondered over and considered in connection with all the circumstances under which it was delivered, renders it one that entitles his name to be handed down to posterity. (Applause)

Mr. REILLY.—From what has been said by some hon. members in this debate, it might be supposed that I have applied for the publishing of the *Royal Gazette*. Now, such assertions have no foundation. In fact they are simply untrue. I had for several years been a warm admirer of the late Mr. Whelan, but during the latter part of his life I failed to see that the course he was pursuing was a correct one, and had to oppose him; but I did then, and do now, give him credit for acting from motives of integrity and the utmost sincerity, and can now, most cheerfully, unite in a tribute to his talents, genius, and cherished memory.

Hon. Mr. HENDERSON.—I regret that my hon. colleague cannot look at this charitable donation from the same point of view that I do, and as there are few, if any, public questions upon which we materially differ, a few explanatory remarks may not be out of place. It is possible that in this hon.

House, I may be looked upon as a stickler for principle and a reasonable amount of consistency, nor am I disposed to deny the allegation. I have for instance, great respect for Robert Burns, the poet of Scotland, but I am no admirer of his foibles and infirmities; but for Burns, as a genuine patriot, and as one who was among the first to teach the Scottish peasantry to look up, and in the true spirit of self-reliance, taught them to stand shoulder to shoulder for their social rights, I am a warm admirer, and for these noble traits in his character, I hold his memory in high esteem. And, Sir, let those remarks, in so far as they are applicable, be taken to illustrate my respect for the late Hon. Edward Whelan. But what places me under special obligation to his memory, is the noble and eloquent way in which he plead the cause of the widows and orphans of my brave old companions in arms, in the year 1855; and shall I now fail to support the claims of his widow and orphan boy? No, I trust I never shall.

MR. BRECKEN.—I fully agree with what has been said in favor of the Resolution, but I think it is a pity that in discussing the matter we should, even remotely, go into matters which have no proper connection with the question immediately before us. On this side of the House, we have been in the habit of looking upon the late Mr. Whelan as a man of great natural abilities, who rendered essential service to his party, and I will admit, did some good for this country, and had he applied the genius of his mind to the management of his private affairs, with the same he did to those of the public, I have no doubt but that he would have left his family in better circumstances than he did. When we consider the extent of his acquaintance, the numerous calls which, as a public man, were made upon him, the hospitable, generous and genial disposition of his nature, I think the hon. Col. Secretary and others will bear me out in saying that, under such circumstances, it is seldom that such men do, or can save money. At one time, as a Conservative, I did not approve of all he said, but there is a time when we must forgive and forget, and God forbid that now, when the grave has covered his mortal remains, that we should do other than cherish the most kindly feelings for his memory. When acting as a public man, he allowed politics to absorb his whole attention, and it is not for us to say that if he had done so and so, his circumstances before his death would have been different. Those of us on this side of the House, who support this grant, do so on account of those touches of genius and traits in his character, which we always admired in his conduct as a public man, and I think his views on Confederation were to his credit, and that they form a bright speck in his public career, as it shows the sincerity with which he would advocate a measure, even though in doing so it might render him unpopular among his friends.

HON. LEADER OF THE OPPOSITION.—In my remarks last night, I find I made a mistake when I said the late Mr. Whelan never lost an election,

for he lost the last he ever ran; and I believe the result so preyed upon his spirits, that it was one cause of his death. When in so short a time he found his friends had changed their minds, and that when appealing to them for re-election, they had ceased to trust and confide in him as they formerly did for so many years, his spirits sank under the pressure. Some found fault with him on account of his confederation views; but it should be remembered that no man in politics can be expected to please every person, and in considering a matter of this kind, we are to lay party considerations aside. We know, Sir, in the old country, that when public men who have left their mark upon the country, drop off and leave their families inadequately provided for, and the matter is publicly brought to notice, you will find statesmen who opposed them all their life, to be among the first who will come forward to offer their aid on their behalf, either to erect a testimonial to his memory, or to aid his family, if required. And in such enquiries, the question is not to what party he belonged, but did he act an independent part as a public man? We know that party Government is a vital principle, in the British Constitution, and as party men, politicians generally distinguish themselves, yet, as Lord Mansfield said: if a man has raised himself without merit, he will likely die without being remembered; but taking the whole of the circumstances of the life of the late Mr. Whelan into consideration, I think his family is entitled to this much at our hands. Is there any man here who never erred? No! not even yourself, Sir, although you are the first compeer in the land. Let us all therefore remember that to err is human, to forgive is divine; and when speaking of the late Mr. Whelan, whom we so often heard within these walls, let us remember the advice of the poet, and

“Be to his faults a little blind;
To his virtues ever kind.”

MR. G. SINCLAIR.—I would be sorry to hold up the late Mr. Whelan as a pattern for public men implicitly to follow; but in speaking on this question, I wish now to look at the bright spots in his public character, and wholly to forget the dark. I confess I did feel grieved at the course he pursued when advocating confederation, and cannot find any sufficient reason for justifying him for the course he then adopted; but I am willing to admit that I believe he was sincere. Indeed, of that I have no doubt, and although I am opposed to testimonials to politicians as such, believing as I do that they must, like other men, take their chance for success in that as in other callings; but as this grant is in aid of efforts now being put forth, which, when taken in connection with the services which he rendered this country during the early part of his life, I could not have the heart to vote against this small grant in aid of those whom he has left behind him.

MR. McCORMACK.—There are not many, Sir, who knew the late Mr. Whelan better than I did, or in whose estimation he deservedly stood higher.

He represented the Second Electoral District for Queen's County, for a period of over eighteen years; and whenever he came out to that part of the country, his supporters, I can assure you, Sir, were always glad to see him; but on the question of confederation they did not see the matter as he did, and on that ground they were led to oppose him; but he manfully told his constituents that though he was in favor of the measure himself, yet rather than go against their wishes in the matter, he would subdue his own feelings and never support the measure unless it was carried at the polls; and I am surprised at the attempt which has been made to do injustice to his memory. He, through life, led a manly and irreproachable career. In his nature he was free and generous to a fault, and was most sincerely respected by those who knew him best. He has passed into his grave, and I hope the resolution will be supported by the unanimous vote of this hon. House.

Mr. Prowse.—In anything to which I alluded when I spoke, I made no reference to his private character, I had reference solely to the public character of the late Mr. Whelan. For that gentleman, as a private person, I had much respect, but as a public man I did not approve of all he said and done, nor do I now approve of them. Some hon. members say they are opposed to such grants, but will support this one. Now I think a vote upon this question will test the sincerity of hon. members. For my part I oppose the grant, not out of disrespect to the memory of the late Mr. Whelan, but because I do not wish to vote in favor of a resolution which, if carried, may form a precedent which may have an injurious effect hereafter.

Hon. Mr. Speaker put the amendment, which was supported by **Hon. Mr. Davies, Messrs. Prowse and Howatt.**

The Resolution was then declared agreed to.

Also sum voted for an additional Judge.

When House resolved itself into a committee of the whole House on Bill relating to the Telegraph from Summerside to Cascumpec.

Mr. Roilly in the chair.

HON. LEADER OF THE GOVERNMENT.—As there is a dispute about the Telegraphic Office at Summerside, and if hereafter at some time it should turn out that the Newfoundland and New York Company should put in claims in opposition to others who now lay claim to a portion of the line, a dispute might arise which would defer, and for a time, might defeat the opening of the line to the public, and, therefore, I ask this Committee to agree to a clause which will place the matter in the hands of the Government, and thus enable them to go on with the work without any hindrance. (The Hon. Member here read the clause, and moved its adoption.)

HON. LEADER OF THE OPPOSITION.—I think there can be no objection to the clause asked for by the

hon. and learned member. The fact is, telegraphic communication has become at the present time, not merely a luxury to the mind of those who can afford it, but an actual necessity which cannot be dispensed with without great loss to the country; and as we are now cut off from communication from the outside world, I think we should afford the Government every proper means and power to enable them to open up this means of communication with as little delay as possible. We feel the want of this at all seasons, but more especially in the winter when we are shut out from daily intercourse with the mainland, and I am sure no one will object to giving the Government the discretionary power now asked for in this matter. All classes, Sir, have an interest in this question. At one time the Literary men alone had the most interest in the communication to be obtained in this way, but we know now, that men in business, ay even the farmers, feel a deep interest in such undertakings now. They, in common with merchants, like to keep themselves posted up in the latest market prices, and by no means can this information be as readily obtained as by telegraphic communication. I am sorry, Sir, that I was not in my place the other evening when the matter was under discussion, especially when my friend, the hon. member for Summerside, (Mr. McMillan,) gave such sound reasons why the line should be extended to Georgetown. Indeed, I believe my hon. friend advanced some of the best arguments in favor of the just claims of my district, that has yet been put forward, and coming as they do from such a disinterested source, and from an hon. member who, from his business relations, is in a position to estimate the advantages of such means of communication, I hope they may not be without their effect upon the Government. We have all, in one way or another, an interest in having such means of communication opened up to all the important worthy harbors of the Island, and I do hope the Government will see to it, that Georgetown will be supplied, at an early day, with Telegraphic Communication. It is the chief winter port of the Colony. Vessels can load there long after the harbor is closed at Summerside, and a merchant could obtain information, and if necessary, have his vessel sent there to load, before a messenger could get half way through the mud to obtain the information which he might require. Telegraphic Communication will be the pioneer of a railroad, and the railroad will be the precursor of Confederation. When we get deep in debt for a railroad, then I have no doubt but that even the hon. member for Tryon, (Mr. Howatt) would go in for Confederation, providing the Canadians would pay for the railroad.

HON. LEADER OF THE GOVERNMENT.—I am glad the Bill was not closed before the learned and hon. member had an opportunity of expressing his views on the subject. With respect to extending the line to Georgetown, I have no doubt but that if the inhabitants of King's County will aid the undertaking as the people in Prince County have,

the Government will be prepared to treat Georgetown in the same way as Alberton has been. For my part, I am perfectly willing the line should be extended to Georgetown, and hope that Souris may also be included in the arrangement. I know the Government is prepared to grant as much for King's County as for Prince County. It was a serious loss to this Island, to be deprived of such means of communication last fall, but I hope that such will not again be the case after the cable is again laid, and the means of communication once fairly opened to us.

Mr. KICKHAM.—If there was an office in Georgetown, with an unbroken line to Prince County, the latter County would find that it would be of great benefit to them also. Information of arrivals in Georgetown, and other items of important intelligence to business men at certain seasons could be received, which, in many cases, would be of immense advantage to them, especially when this information could be obtained so readily. I hope King's County will, also, soon have the telegraph wires running through it to Georgetown.

Hon. Mr. SPEAKER.—I was absent when the hon. Leader of the Opposition spoke about Georgetown, but I may say that the people of that town are exceedingly anxious to have the line extended to that place, and I believe are well disposed to subscribe their full share, if the Government will grant a small sum in aid of the work, and I believe if they were aware of the disposition of the Government, as expressed by the hon. the Leader of the Government to-day, they would see to it and have the posts procured at once. The people there had their hopes raised with reference to this matter a few years ago, when it was contemplated to lay down a cable from the East Point to the Mainland, but the idea was abandoned. Georgetown is as much entitled to this means of Communication as any other port of Prince Edward Island. I have often heard the Americans say that if there was a line extending to Georgetown they would often use it. Not unfrequently, when an accident happens to their vessels, or when short of supplies, they would deem it of incalculable benefit to be able to hold such instantaneous communication with their owners. I felt myself deeply interested in the matter, and feel certain there is not a man in the town, who would not readily put his hand into his pocket to aid such an undertaking.

The clause was then agreed to.

Hon. Speaker resumed the chair.

The Bill, as amended, was reported, agreed to, and ordered to be engrossed.

House adjourned for one hour.

Afternoon Session.

REVENUE BILL.

On motion of the hon. Leader of the Government, the Bill for raising a Revenue was read a third time and passed.

PETROLEUM BILL.

On motion of the Hon. Mr. Howlan, the "Act to provide for the inspection of Petroleum Oil and Burning Fluid" was read a second time.

Hon. Mr. DAVIES.—I believe that this measure belongs more properly to the City Council than to this House, because it is their business to attend to such matters, for the benefit of the city. For that reason I think we are taking power upon ourselves which does not belong to us. The city has a law which provides for the destruction of measles pork by fire upon the public square. I recollect seeing meat destroyed in England in that manner; the pigs were burnt upon the Market Square and the Butcher who owned them was made to stand by while it was done, that the public might know who he was. By the provisions of the Bill which has just been read, a man may import bad oil, for it is only to be inspected—not destroyed. It is my opinion that it should be treated in the same manner as measles pork; it should be destroyed altogether, that the owner might not have a chance to sell it contrary to law. Inspectors of flour were appointed, who now brand the barrels of flour, Nos. 1, 2 and 3; but, although the latter quality is not fit for human food, it is allowed to be sold, and thus, the intention of the law is evaded. Now, if the oil is dangerous and not fit for use, the inspectors should have power to throw it overboard before being landed. When an article has passed through the hands of an Inspector, there is nothing to prevent its sale; for this reason the law should provide for the destruction of all dangerous and explosive oils. For my own part, I think this Bill comes within the scope of the Common Council of the City, and that the matter should be taken up by them.

Hon. LEADER OF THE GOVERNMENT.—I cannot agree with the hon. member for Belfast, that this matter belongs exclusively to the jurisdiction of the City Council. Are we to sit here and be blown up by an explosion of those explosive oils because the City Council will not attend to the matter? I think the great point is for us to inquire whether there is need of action in regard to these oils or not; if so, we should take the precaution in time, before any damage is done. I am not prepared to say whether the City Council have not the power to pass such a measure, or whether they will not do it; but I am of opinion that the reason for the Bill before us is a good one. Such a law exists in the other Provinces, and it is quite clear that it is necessary to the safety of person and property, to apply certain tests to the oils in question. If Paraffine explodes at the temperature of seventy degrees, we should use every precaution to guard against its introduction into our dwellings. Dangerous oils should either be destroyed or their importation prohibited. As regards the measles pork spoken of by the hon. member, I may state that we have a similar law to that of England, but I believe there was only one pig ev-

er burnt under its provisions, and that was one bought by myself. I believe it was made a burnt offering at the back of this building. I agree with the hon. member that merely stamping the casks of oil would amount to nothing, unless the dangerous oil is prohibited from being imported, or, unless it is destroyed, no law can prevent its being clandestinely sold. If, after the stamping was done, the heads were knocked out, the oil might still be put up for sale and the people might be, in that manner, deceived.

Hon. Mr. HOWLAN.—If the Bill is allowed to go into Committee it can be so amended as to suit our particular circumstances. My attention was first called to the necessity for such a law by the officer of Internal Revenue of St. John, N. B. Bad oils have found their way into our ports because we have had no law to prevent their importation. The neighboring Provinces passed laws disallowing the sale of these dangerous oils, and the consequence is that the unsaleable article has been sent on here, where there is no law to prevent its sale. That these oils will explode from spontaneous combustion there is no doubt; ships are often burnt from the same cause. As I considered that a very great necessity exists for a law to protect the public from the evils arising out of the use of those explosive oils, I copied the Bill now before us from one passed in one of the neighboring Provinces, leaving every clause just as I found it. Under its provisions no person can sell any oil that has been condemned by the inspector, and therefore, the hon. member for Belfast, (Mr. Davies) is entirely mistaken.

Mr. PROWSE.—The Bill is not a fair one, because inspectors are not to be appointed for the out-ports, to carry out its provisions. I, for my part, think the people in the country have lives just as dear as the people of Charlottetown. The consequences of this Bill may be that the country merchants may import the more dangerous article because it is the cheapest, and thus endanger the lives of the people in the country, while the lives of the citizens are protected by law. I think the benefits of the Bill should extend to the country also. You are putting a restriction upon oil in Charlottetown, while there is none to be put upon that used in the country places—this is unfair. What is to prevent country merchants from getting brands made for the purpose of branding their oil casks, even if the law does extend to the country, if there are no inspectors to be appointed for the out-ports?

HON. LEADER OF THE OPPOSITION.—It seems to me that this debate is out of order; the discussion on the provisions and details of a Bill should take place when the House is in Committee of the whole on the second reading of the Bill; only the principle of a Bill can be discussed before going into Committee. If it is granted that a Bill is necessary to prevent the sale of dangerous oils, this is all that is necessary to allow the Bill to be received in committee. If the details of the Bill

do not carry out the ideas of hon. members, they can be amended when the House resolves itself into a Committee of the whole upon it. The question as to whether these oils should be destroyed, and not allowed to be landed or not, can then be settled; and, also, whether inspectors should be appointed for the outports as well as for Charlottetown. I am of the opinion that with so many dangers from the use of these oils, hanging over our heads, something should be done. If a house was burnt down from the use of dangerous oils, while insured, the insurer would have to bear the loss of his property. The provisions of the Bill should extend to the country as well as to the city, because country people have not so many advantages as the towns-people, in extinguishing a fire. I hope this House will take all these matters into consideration, and remedy the defects complained of in the Bill, so as to make it beneficial to all the people in the Colony.

On motion of Hon. Mr. Howlan, the House then resolved itself into a Committee of the whole, on the second reading of "the Bill to provide for the inspection of Petroleum Oil and Burning Fluid."

Mr. Cameron in the chair.

The first clause was read.

HON. LEADER OF THE OPPOSITION.—The Bill should provide that the Kerosene offered for sale shall be of the best quality, and that it shall stand the test without explosion. This oil is often very dangerous, and in nearly every store in Charlottetown where half a dozen candles are sold, it is to be found. Casks of dangerous Kerosene oil are like so many barrels of gunpowder when a fire occurs. Some years ago, at the great fire which swept a large part of Charlottetown, while the firemen were busily extinguishing the flames taking hold of a certain store, it was rumored that there was Kerosene in the cellar; this paralyzed the men who were putting out the fire and they refused to continue to work at the building, from fear of the danger of being blown up. We should have a feeling of security while in our houses, and therefore, this Bill should be made as stringent as possible; but at the same time the rights of the public should be guaranteed. The Bill is not to come into operation before the first day of July next; this will give merchants time to get rid of all the dangerous oils they now have on hand, and to prepare for the operation of the new law.

The Speaker took the chair, the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council, stating that they had passed the Bill providing £10,000 for the erection of Public Buildings, and also, the act for the protection of the Salmon fishery.

House again in Committee to resume the consideration of the Act to provide for the inspection of Petroleum Oil and Burning Fluid.

First clause again read.

Hon. Mr. LAIRD.—It is my opinion that this measure has been hurried up too rapidly and that its provisions are very deficient. I think all oils intended to be used as burning fluids should be tested on importation, and if found unsafe, should be thrown overboard, at once, or taken from the Colony. But the Bill is so deficient that I cannot see that we can take hold of it in its present shape. If the operation of this law is confined to Charlottetown, other parts of the Island may be almost overflowed with inferior oils, and the people could not put a stop to their importation. It is my belief that no benefit can be derived from the present arrangement of the Bill; it must be patent to every thinking mind that people in the country have as much right to the protection of a law of this nature as the people of Charlottetown, and that the lives of the former are as dear to them as the lives of the latter are to them. I should heartily give my support to a Bill which will give us proper protection from dangerous oils; but I consider the present Bill as worse than useless.

Hon. Mr. HOWLAN.—If the hon. member would try to amend the Bill he would do some good service, but his remarks have not had the least tendency towards that end. If he wishes to show up its defects, I can refer him to the Bill which he presented the other day, and which was very defective. If we had followed his representations we should have been entirely led astray; but he got his eyes opened on the matter and great alterations were made in the Bill. I always give a man credit for doing what he thinks is best in any matter, and I only hope he will do as much for this Bill as I did for the one introduced by himself. I am no chemist; still I can try to remedy a defect in our laws relating to such subjects as the one before us; but if he wishes to remedy the defects of this Bill there is plenty of chance for him. I wish to offer an amendment to this clause that it may better suit our position as a Colony. In the city of Boston, the other day, they sent around to assay all the different kinds of burning fluids, and out of some twenty-five samples, very few would stand the test. If our merchants wish to purchase Kerosene Oil in Canada, New Brunswick or Nova Scotia, they have to purchase it from a bonded warehouse some distance from a city, for there it is not allowed to be stored up within city limits. By altering the clause before us to suit our circumstances, the whole can be included in a few words.

Mr. REILLY.—I think it is high time such a Bill as this was passed, because the shops in which the largest quantity of these oils are kept, and which are liable to be blown up at any moment, are in the most densely populated parts of Charlottetown. A store took fire some time ago through this oil, and if the building had not happened to be a brick one, the whole of that part of the town might have been consumed. I am of the opinion that the Bill before us will exclude the bad article from our markets, and this is all we require. I believe the good article proves

cheaper, because it burns longer than the inferior oil.

Hon. Mr. LAIRD.—I stated that I should be happy to support the Bill if it contained the necessary provisions for the exclusion of bad oil from our market; but I am still of the opinion that it applies very poorly to the wants of this Colony. If it is altered to suit our circumstances, it must be entirely changed from its present form. As to the remarks made on the Bill relating to weights and measures, I consider they are entirely uncalled for. After hon. members had tested the weights of the different articles, they found I was nearer to the truth than they were.

Hon. G. SINCLAIR.—I would like to see some proof that the danger really exists, before any strict law is enacted. It appears there are strict provisions in those parts where this oil is made, to the effect that no person is allowed to manufacture or sell bad and dangerous oil; I cannot, therefore, see how it gets here. We have no manufactories where this oil is made; and if there are such strict provisions in the Provinces and the United States, I cannot see where our dangerous oil comes from.

Hon. Mr. HOWLAN.—I have in my hands a document from a gentleman who tested all the kerosene oil in this City; and he found that nearly every sample he procured would explode at seventy degrees, Fahrenheit, which is only about half the standard allowed in the United States and neighboring Provinces. In Boston, they keep the manufactories and warehouses where there are large quantities of this oil, at a safe distance from the City. Our merchants purchase their cheap oils and bring them here where there is no law to prevent their sale; and if it is a fact that nearly all the oil in this town will explode at seventy degrees, the sooner the matter is remedied the better. What oils I purchase, I test, knowing that if they explode upon my premises, I lose my insurance. I believe this debate will have an important effect upon the country; for many of our people are not aware of the danger of using these bad oils. As an individual, this matter is of little importance to me; but as a member of this house, I thought it my duty to attend to it, and to bring in a measure for the purpose of protecting the people from danger; and if this matter is not immediately attended to, the country will dearly pay for the consequences.

Hon. Mr. DAVIES.—The objection I made to the Bill, was that it allows the dangerous oil to be brought ashore from the vessel in which it is brought here. If the oils can be landed, the danger will be as great as ever; the provisions of the Bill are therefore not stringent enough. It provides that if a man sells bad oils he can be fined. Now, this is altogether too slack, for if the dangerous oils are once landed, a way will be found to get rid of them, and the law will be evaded. The bad oils should be destroyed altogether or sent away from the Colony. No man can be legally punish-

ed for selling what has legally received the Government stamp.

HON. LEADER OF THE OPPOSITION.—I quite agree with the remarks just made by the hon. member for Belfast, (Mr. Davies). If the Inspector is allowed to mark the dangerous casks of oil, without destroying them, the law will do no good at all. The only safe course will be to make it illegal to import unsafe oils; they should not be allowed to be landed at all. If commercial men will import bad oil after the first day of July next, they will do it at their own pecuniary risk. Officers to inspect these oils should be appointed for all our Island ports; when this is done the law should be strictly enforced. People must be given to understand that if they persist in using dangerous oils, they will not get any insurance which they may have upon their property.

MR. BELL.—Suppose I ordered an article from Boston, and when it arrived here, I found it did not come up to the proper standard, what am I to do?

HON. LEADER OF THE OPPOSITION.—If the hon. member ordered a supply of oil and it did not stand the test, and was destroyed by the Inspector, the party in Boston from whom it was purchased would be liable to pay for it.

MR. McMILLAN.—I think an Inspector should be appointed for all our Island ports. But if a bad article is sent me from Boston and on arriving here, is destroyed, how am I to get back my money from Boston?

HON. COLONIAL SECRETARY.—If dangerous oils are allowed to pass inspection without being destroyed, merchants may keep a few casks of the good article on exhibition in their stores, while their cellars are filled with the bad article, and from which they may continually draw to supply purchasers who would not be able to distinguish between the good and the bad. This Bill is really necessary; but there will be a difficulty in getting the oil tested at the outports, because there is hardly a person on this Island who knows how to do it properly. In New Brunswick, an Inspector examines the oil before it is sent abroad; but he is provided with expensive instruments for that purpose. If inspectors are to be appointed for all the outports, a school should be established for the purpose of instructing them in the matter.

HON. LEADER OF THE GOVERNMENT.—There can be no good reason why the law should not apply to all parts of this Island, for there is as much need for the inspection of dangerous oils in the country, as in town. I understand that it was the intention of the introducer of the Bill to have Inspectors appointed at all the outports. There is a complicated apparatus for testing those oils, in the Colonial Secretary's room down stairs; and from its appearance, I would judge that some experience would be required in using it properly. As soon as parties can learn the art of testing oils,

appointments should be made for Summerside, Georgetown, and the other ports in succession. Inspectors should not be appointed till men can be found who are qualified to test those dangerous oils referred to in the Bill.

HON. COLONIAL SECRETARY.—Mr. Smith, Inspector of Steamboats, of St. John, N. B., informed me that all the dangerous oils which could not be sold there found their way to this Island, because we have no law against them. Whilst here last summer, he offered to show some person how to test those oils, that after the passing of such a bill as the one before us, the latter might be ready to carry out the provisions of the law when appointed to the office of Inspector. The process of testing oils at the manufactories is pretty expensive; but I believe there is a more simple way of doing it. When Mr. Smith comes over to inspect our steamboats, he might be induced to instruct some person how to perform the operation.

HON. MR. HOWLAN.—I do not think the process would be very difficult to learn. I have in my hand a description of a very simple way of testing those oils; this is nothing more than heating the oil to the required temperature, and then bringing a burning match near it. If the oil is bad an explosion takes place; but if it is good it will stand the test. From what I have heard from a gentleman acquainted with the matter, I do not think there would be any difficulty in regard to it.

MR. G. SINCLAIR.—From the remarks I first heard in reference to this matter, I began to be alarmed; but it appears that the oil must first be raised to seventy degrees of heat, and even then would not take fire, unless a lighted match was brought near it. We are not exposed to as great a danger as I supposed, for if fire is not brought near the highly heated oil no explosion will take place. It would probably be more dangerous in a store where it might come in contact with fire, than anywhere else. If the tests can be as easily applied as described by the hon. member for Tignish, any person may easily learn how to prove the dangerous oils. It is not probable there will be any of those oils manufactured here for some time to come.

HON. MR. HOWLAN.—If oil will not stand a higher degree of heat than seventy degrees Fahrenheit, there is great danger of its explosion; for in warm weather, or by the heat of a warm room, it will rise to that temperature, and if there is a light brought near it, it will explode.

MR. PROWSE.—It appears that there is a misapprehension in regard to the danger of using dangerous explosive oils. From the remarks of the hon. member for Tignish, (Mr. Howlan,) one would be led to suppose that those bad oils would not ignite without the presence of a lighted taper; but I am of the opinion that if they were heated to a certain temperature, they would explode without the presence of fire.

Hon. LEADER OF THE OPPOSITION.—From what I have heard and read concerning dangerous oils, I believe that when raised to a certain temperature, they will explode spontaneously. Therefore, a lamp containing bad oil, in a very warm room, is liable to explode; and we know of cases where lamps have exploded and the oil has been scattered about the room, and did serious injury.

Hon. Mr. DUNCAN.—Any person can test this oil by pouring a basin of it into water heated to the temperature of one hundred and twenty degrees, which is the standard at which good oil will not explode; a light must then be brought near it, and if no explosion takes place the oil is not dangerous.

Hon. Mr. HENDERSON.—I can see a reason why an expensive apparatus for testing those oils, when gathered in large quantities, should be employed. Water may exist at the bottom of a cask, and, therefore it must be ascertained in the inspection, whether it is present or not.

The first clause was then amended, so as to provide for the appointment of Inspectors for all the Island ports, and agreed to.

The second clause was then read.

Hon. LEADER OF THE GOVERNMENT.—The law must be enforced by a heavy penalty, for bad oil is a very dangerous article. This clause merely provides that no oil shall be imported without being first inspected, and that any person who sells dangerous oil, or oil which will not stand the test of one hundred and twenty degrees, shall be liable to a fine of £100, or imprisonment not exceeding six months. I see that the same law is in force in Nova Scotia.

The second clause, after being slightly amended, was then agreed to.

Several clauses read and agreed to.

Mr. P. SINCLAIR.—I have not said anything on this bill, for I did not understand this subject; but I do not think it will give much satisfaction in the country. I think this bill should have come from the Mayor and Councillors of Charlottetown, for it is in the City where large quantities of kerosene oil are stored, that it is dangerous.

Hon. Mr. DAVIES.—I do not think there is much danger except in Charlottetown, and I think if any danger is likely to arise here, that the Mayor and Councillors will take action on the matter. If inspectors are appointed for all the outports, it will be considerable expense. There is a party whose interest it is to make people believe this oil is dangerous, and thus prevent its use as much as possible, and that is the Gas Company. From a fear of accidents by using this oil, I have had gas introduced into my house, and now have to pay five pounds for as much light as would be produced by twenty shillings worth of kerosene oil. As far as the country is concerned, I do not

think there is any necessity for having the oil inspected.

Hon. Mr. HOWLAN.—This bill provides that the Government shall appoint inspectors where they may think proper. If there is a necessity for a bill of this kind in the other Provinces, I think it is just as much required here, especially for this town, which is built almost entirely of wood, and therefore much exposed to fires. I was in Portland after the great fire which happened there two years ago, and I saw a granite building—the Custom House—which had been exposed to the fire, and the intense heat had such an effect on the granite, that it crumbled as if it had been melted. Now, if such an inflammable substance as some of this oil is, was in such a building as that, which we would think entirely fire proof, the heat would cause it to explode.

The last clause was agreed to, after which the Speaker took the Chair, and the Chairman reported the bill agreed to, with certain amendments.

Ordered to be engrossed.

House adjourned.

THURSDAY, April 15th.

Forenoon Session.

On motion of the hon. Leader of the Government, the Bill to secure telegraphic Communication was read a third time and passed.

On motion of the hon. Leader of the Government, the Act to provide for the inspection of Petroleum Oil and Burning Fluid, and to regulate the sale and manufacture thereof, was read a third time and passed.

ELECTION LAWS.

On motion of hon. Mr. Laird, the House resolved itself into a Committee of the whole to resume the consideration of the petitions to amend the Election Law.

Mr. Cameron in the Chair.

Hon. Leader of the Government said that as there was a considerable discussion on this matter when the petitions relating to it were before the House, it was not likely there would be much discussion at this late period of the session. He then submitted the following Resolution:—

Resolved, That the Act 21st Vic. Cap 34, be so amended as to provide for the establishment of another polling division in the Fifth Electoral District of Prince County.

The Resolution was agreed to, and on motion of hon. Mr. Laird, a Committee was appointed to bring in a Bill in accordance with said resolution.

Hon. Mr. Howlan alluded to a petition that had been presented by hon. Mr. Laird, from divers

inhabitants of P. E. Island, asking for an alteration in the election law, so that electors in voting might be confined to the district in which they reside. He said that it appeared from said petition that the resident electors of Georgetown and Summerside were liable to be out-voted in the election of their representatives, because of the number of votes given by parties holding small, and in many cases, worthless plots of swamp and waste lands in the vicinity of those towns. He thought the petition merited, at least, some consideration.

Mr. Speaker said that it would not be just in all cases to disfranchise property, but the law relating to road certificates, which, at present, causes much inconvenience, should be abolished.

Mr. Owen asked whether it would be right to deprive His Honor the Speaker, of a right to vote on his property in Georgetown, simply because his residence was outside that town. Such an idea, he said, was preposterous.

Hon. Leader of the Opposition said that the question relating to the changing of the franchise, if decided according to the views of some members of the Government, would revolutionize the whole system of our present election laws, and therefore should not be entertained so late in the session, when many hon members had left for their homes in the country. In all countries where universal suffrage existed, property as well as manhood qualification was represented; and to annihilate property qualification is contrary to the true principles of reform. The existing law relating to the production of road certificates, if objectionable, can be easily remedied.

Hon. Leader of the Government said he had no objection to grant an additional polling division to the people of Summerside, but it was too late to take up such an important question as the amendment of our election laws.

Hon. Mr. Laird said that though he presented the petition, as well as the petition asking for an additional polling division at Summerside, he had no wish to press the franchise question, which was of vast importance, upon the attention of the House, at so late a period in the session.

Hon. Colonial Secretary thought that such an important subject as the one in question, should be taken up at the opening of the session.

Mr. P. Sinclair said that the change alluded to involved principles dear to every man, and that it was now too late in the session to take action upon the matter.

The Speaker then took the chair, and the Chairman reported the resolution agreed to.

A Committee was then appointed to bring in a bill in accordance with said resolution.

The Hon. Leader of the Government, according to previous notice, submitted a Bill to shorten the

language of Sheriffs' deeds, which was read a first time and passed.

On motion of the hon. Leader of the Government, the rule of the House was suspended to allow the second reading of the Bill to-day.

The House then resolved itself into a Committee of the whole, on the second reading of the Act to shorten the language of Sheriffs' Deeds.

After a short time spent in committee, the speaker took the chair and the Chairman reported the Bill agreed to, without amendment.

Hon. Leader of the Government submitted the returns of fishing licenses for the years 1867 and 1868. Received and laid on the table.

Hon. Leader of the Government submitted the Appropriation Bill, for the current year, which was read a first time, and the rule of the House being suspended for that purpose, the House resolved itself into a Committee of the whole on the second reading of the said Bill.

Mr. Cameron in the Chair.

After some time spent in Committee, the Speaker took the Chair and the Chairman reported the Bill agreed to, with one amendment.

On motion of the Chairman, the Bill was ordered to be engrossed.

The Act to shorten the language of Sheriffs' Deeds, was read a third time and passed.

Hon. Leader of the Government submitted the returns of the Prince of Wales College, and the Georgetown and Summerside Grammar Schools. Received, and laid on the table.

A Bill providing for the appointment of an additional Judge in the Supreme Court, was submitted by the hon. Leader of the Government, and read a first time and passed.

Afternoon Session.

House in committee on the further consideration of the bill relating to the appointment of a third Judge.

Several clauses read and agreed to. The clause was read providing that the Chief Justice shall not, on account of being Administrator of the Government, be disqualified from presiding over a Court of Appeal.

HON. COLONIAL SECRETARY.—If the Administrator of the Government preside over the Court of Appeal, there will be no person to appeal to above that Court.

HON. LEADER OF THE GOVERNMENT.—If there was a Lieutenant Governor, a person could appeal to him; but if the Chief Justice happened to be administering the Government, the case would be different, but it is impossible to prevent a difficulty in every case.

The foregoing clause and the next were agreed to.

Another clause read.

HON. COLONIAL SECRETARY.—In case the Chief Judge was Administrator of the Government, we would only have two Judges.

MR. BRECKEN.—I am not certain that the fact of the Chief Judge acting as Administrator of the Government disqualifies him from acting as Judge, for he is not appointed to that office on account of his talents or standing in the community; but it is by virtue of his office as Chief Judge, that he is appointed Administrator during the absence of the Lieutenant Governor. Though it would not be a wise policy for the Administrator to act as Judge, as a general rule, yet if, by the death of the Assistant Judge, or anything that would render it absolutely necessary, he were called upon to do so, I do not think there is any rule to prevent him.

Several clauses were agreed to.

Mr. Brecken moved that a clause be added to the bill providing that there shall be paid to the person who shall be appointed Assistant Judge, the sum of £500 per annum, payable quarterly.

MR. P. SINCLAIR.—Mr. Chairman, I have been rather opposed to this bill from the first, but it has been pressed on us by the lawyers. The hon. member for Charlottetown has been the principal advocate for it, and his main argument for the appointment of a third Judge was, the difficulty under which we were laboring, on account of the Chief Judge being incapacitated from sitting on the bench, on account of acting as Administrator of the Government; but to-day he said he could see no reason why the Chief Justice should not take his place in Court. If this be so, I think there is no necessity for this bill the present year; and I think the people have taxes enough to pay already, without putting this additional burden upon them.

MR. BRECKEN.—It is not advisable, nor is it right, that the Administrator should sit upon the bench. I only remarked that in cases of absolute necessity, there should be no objection to him doing so; but it is not right, as an ordinary thing, that the same man should be found one day at the Council Board, and the next on the Judge's Bench.

HON. LEADER OF THE OPPOSITION.—It appears that, notwithstanding the wariness and legal acumen of the hon. member for Charlottetown, he has been caught in a trap laid for him by the hon. member from New London, (Mr. P. Sinclair.) I do not agree with the hon. member for Charlottetown. I do not think that the Administrator would be justified in sitting as a Judge on any criminal case. Suppose for sake of argument, that during the time the Chief Justice was administering the Government, one of the newspapers of the Colony contained a very libellous article against the Government, and the case was brought up before the Government, with the Chief Justice at its head, and they decided that the Editor of that paper should be brought up before the Supreme Court, would it

be right that the Chief Judge, having prejudged the case, should sit on the bench and pass sentence upon that Editor? Cases often occur where a Government enters actions against individuals, and it is a rule that no Judge shall have anything to do with Executive functions.

MR. BRECKEN.—There is no doubt but that in such a case as that supposed by the hon. Leader of the Opposition, the Chief Justice being head of the Government that ordered the trial, would be to a certain extent interested in the case, and should not sit as Judge; but I referred to Civil Cases, and I am not so sure that the Chief Justice, on account of being Administrator, would be disqualified from sitting on the Bench and deciding Civil Cases.

HON. LEADER OF THE GOVERNMENT.—It is quite unconstitutional for the Administrator to sit as Judge on criminal cases, for it would be incompatible with the prerogative of mercy which he has as the representative of Her Majesty, for him to pass sentence on a criminal. This is the view the Administrator takes of it, and he accordingly refuses to act as Judge at the present time.

Clause agreed to.

The Speaker took the Chair and the Chairman reported the Bill agreed to.

On motion of the hon. Leader of the Government, the Bill to appropriate certain moneys therein mentioned, was read a third time and passed.

HON. MR. HENDERSON.—I wish to ask the Government what action they intend to take upon a petition from the inhabitants in the vicinity of Montague Bridge, praying for the establishment of a Custom House in that place.

HON. LEADER OF THE GOVERNMENT.—I may say that the Government do not intend to establish a Custom House at Montague Bridge the present year, but with the growing business at that place, I think the time is not far distant when a Custom House will be established there.

HON. MR. KELLY.—As Chairman of the Committee, appointed to report upon certain petitions, praying for a reduction in the fees charged by lawyers, I beg leave to state that on account of the almost impassible state of the roads, and the unfavorable condition of the weather, parties from the country, whom the committee wished to examine, could not get to town, and I intend to move that this matter be deferred until next session. I may say that I expected the hon. Leader of the Opposition would have assisted the committee in making out a Bill.

HON. LEADER OF THE OPPOSITION.—I promised the hon. member that I would give him any information he required, but he has never asked me a question on the subject.

HON. LEADER OF THE GOVERNMENT.—This is an argument in favor of building a railroad, for if we had the rail-cars running to the extreme ends of

the Island, there would be no difficulty in getting witnesses brought to town at any season of the year.

Mr. Prowse.—Speaking of the bad state of the roads reminds me of the difficulty which members of the Legislature who live a considerable distance from town, experience in getting home after the session is prorogued. I think it would be better if the House was called together early in the winter: soon after the close of the navigation.

Hon. LEADER OF THE GOVERNMENT.—In old times the House used to meet in January, and the consequence was, they were constantly interrupted by the sitting of the Court, and often they did not finish the work of the session until the middle of May. The Supreme Court holds its sitting in Charlottetown in January, and in Georgetown in February; and as there are several lawyers in the House, they might not be able to attend until after the sittings of the Court.

Hon. LEADER OF THE OPPOSITION.—I think the time the House meets is the best that can be chosen, for the public accounts are not made up until the thirty-first of January, and after that the Auditors have to examine them and make out a tabular statement, so that they cannot be ready much before the first of March. The lawyers also have to attend the Courts in January and February, and although some hon. members may not look on us as angels, yet I think they will acknowledge that the lawyers in the House do, to a great extent, facilitate the public business. In the whole history of England, there never was but one parliament without lawyers, and the Acts passed by that parliament are spoken of as the Acts of the unlearned parliament.

Several hon. members spoke on this subject, and all, with the exception of Mr. Prowse, concurred in the opinion that the House, for the last few years, has met at the most appropriate time.

Messrs. P. Sinclair, Kelly, and G. Sinclair, were appointed a Committee to prepare an Address to His Honor the Administrator, praying that the recommendations for opening new roads, be carried into effect.

Messrs. Reilly, Bell, and Kelly, were appointed a Committee to prepare an Address to His Honor the Administrator, thanking him for his communications during the present session.

Messrs. P. Sinclair, G. Sinclair, and Owen, were appointed a Committee to report on the contingent expenses of the House.

House adjourned.

FRIDAY, April 16th.

Forenoon Session.

Hon. Speaker in the chair.

Mr. P. Sinclair presented from Committee on

New Roads, an address to His Honor the Administrator of the Government, on the opening of new roads, when it was ordered that the Committee, who prepared the Address, be a Committee to present it.

Bill providing salary for third Judge, was read a third time.

Hon. Mr. Laird presented a Bill providing for an additional polling division in Lot 17, and moved that it be read a first time.

Hon. Mr. Davies considered the Bill should have gone further, and removed the fifty pounds qualification, necessary for members of this House and thus have placed them in the same position as members of the upper House; as he considered it high time that such an alteration should be made, he hoped the hon. member would have made provision for it in the Bill. He (Hon. Mr. Davies,) saw no necessity for any such a provision in the law, and hoped it would soon be done away with, said there were many men who prefer investing their capital in business, but had no disposition to do so in real estate; yet, though many such men do a large business, and have a large stake in the interests of the country, they are, as the law now stands, rendered ineligible to obtain seats in this House, just because they do not happen to have a landed property worth fifty pounds. He thought, also, that the right of voting in more than one district, demanded consideration.

Hon. Leader of the Government said the Bill introduced by his hon. friend, Mr. Laird, merely contemplated meeting a local difficulty. He (hon. Leader of the Government), was of the opinion that the property qualification should be done away with, and could not but recollect the amount of trouble and annoyance this regulation gave on one occasion, when the qualification of the late Mr. Whelan was questioned in the House. He believed property qualifications were done away with in England. With respect to the right of voting on property, in any district where a man may own it, it is a question which admits of some consideration, but as it was not now under consideration, he would defer an opinion on the subject until the matter came properly before them.

Hon. Leader of the Opposition considered that any alteration which would vitally affect the election law of the country, was one which should emanate from the Government, and as no such a measure was now before them, he would reserve his remarks for the present. He said the hon. Leader of the Government was correct in saying that property qualifications were done away with in England.

The bill was then read a first time, and on motion, the 10th rule of the House was laid aside, that it might be read a second time.

The House went into committee of the whole House on the Bill.

Mr. Cameron in the chair.

The Bill being agreed to in committee, House resumed.

Chairman reported accordingly, when the Bill was ordered to be engrossed.

Hon. Mr. HAVILAND.—As the business of the House is drawing to a close, I wish to call on the hon. Mr. Kelly for the report of the Committee appointed to revise and amend the Act relating to the fees of lawyers and officers of the Supreme Court.

Hon. Mr. KELLY.—As Chairman of the Committee appointed by this hon. House to examine and report by bill or otherwise, on certain petitions praying for the amendment, alteration and reform, of the Act 16th Geo. 3, Cap. 1, passed in the year 1776, intituled "An Act for regulating Fees," was sorry that from the shortness of the session and other causes, the Committee were unable to have their report prepared in time for the House to take action on during this present session, and would therefore have to move that the time for preparing and bringing in the said report, be extended to the first week in next session; but before making such motion, he wished to offer a few observations on the subject. Hon. members of the bar in this house, contended that any interference with the fees and charges of their honorable profession was entirely uncalled for and unnecessary; that their charges were next to nothing in comparison with those of the neighboring colonies or the Mother Country, when forty dollars is often freely offered as a *retainer*, and frequently more than double that amount for a *refresher*, with *similitars*, *replications*, *rejoinders*, and all their other learned terms equally liberal. He (Mr. K.) had with much trouble and difficulty procured, and had now on his table, the Statutes of New Brunswick, Nova Scotia, Canada and Newfoundland, together with those of the Imperial Parliament, on the subject of costs and fees allowed in all their Courts—the whole of which, or the greater part of all the said regulations being prepared and carried through their respective Legislatures by members who were members of the learned profession, who also should have taken up the matter here, and which he hoped the hon. and learned Leader of the Opposition ultimately would assist in doing, as a late brother barrister of his in the old country has not long since done, and to which I beg the attention of the House. On the 29th of April, 1864, Mr. O'Hagan, then Attorney General for Ireland, moved for leave to bring in a "bill to amend the process, practice and mode, of pleading in the Supreme Courts of Common Law at Dublin, which, among other things, he said, was to simplify procedure to destroy technicalities, and other useless forms and fictions in the law, to save heavy expenses, and to avoid the complication of pleadings, and to reduce the whole, as far as possible, to a plain and simple system;" and although strongly opposed by Mr. Whiteside, another Irish barrister, the bill was

then ordered to be prepared and brought in by him (Mr. O'Hagan) and Sir Robert Peel, and something similar to which he (Mr. K.) wished this House to pass. I am aware, Sir, said Mr. K., that one of the hon. members for Georgetown, who imagines himself the fountain of all the wisdom in this House, intends to use his venerable influence against my measure, on the ground that people should keep clear of law and law courts, and there would be no lawyers' bills. I always understood, Sir, that Her Majesty's Courts of Law in this Island, and in all other places, and at all times, were established for the benefit and protection of the people of all classes—the poor as well as the rich—and not for the purpose of establishing lucrative livings for one favored profession; and you also must be aware, Sir, that many a poor man is dragged into courts sore against his will or inclination; and out of a large number of cases and bills of costs now placed in my hands, two or three of them which I will exhibit, will readily convince you that the present application for reform, are not so frivolous as many would wish to pretend. Mr. J. Wisner was sued in the Supreme Court for a trespass in cutting down a few pieces of timber in the forest, for which he paid the then reputed owner the full value. Another person claimed, or pretended ownership of the land, and brought his action. Wisner, who could not well find out who was the true owner of the land when the trial came on, was advised to admit the trespass for a small amount, but was saddled with over £60 cost. But worse was to follow. An unfortunate laboring man named FitzSimmons, happened to be with Wisner, at the cutting down of one tree; he, also, was sued at the same time with Wisner, and although neither witness nor proof of any kind was necessary to be brought against him, or subpoenaed, or called against him, his being the one case with Wisner, he confessed for forms sake, to a judgment of one shilling, but to which a bill of costs of £16 was afterwards attached, for which he was seized and imprisoned in Charlottetown jail, and not having a shilling's worth of property or a shilling's worth of food in his house at the time, applied for the benefit of the Act for relief of Insolvent Debtors, which had he been confined for at the suit of a farmer or a merchant for the supply of flour or necessaries of life, he could, at once, have been discharged; but being for a bill of costs, he was forthwith remanded back to jail, and ultimately had to sell the services of himself and his poor wife, till he paid the last farthing. In another case, a poor farmer named McNally, held a farm of land at Battery Point, Lot 35, and a small island containing about ten or twelve acres, in front of his farm in the Hillsborough River. His said farm and Island are situate almost in the centre of said Lot or Township, and for the Land Assessment of this Island, one shilling and one penny, Her Majesty's Attorney-General, for the year 1864, fyled an information in the Supreme Court, and obtained a judgment for the said sum of one shilling and one penny, with £9 8s. 6d. costs, although the 5th

section of the Act 16th Vic. Cap 14, and the 11th section of the Act 27th Vic. Cap 37, expressly provide that when the lands comprised in any one information, for recovery of land assessment, shall not exceed 500 acres, the costs to be taxed thereon, shall not exceed the sum of three pounds, including Attorney-General's, Prothonotary's and Judge's fees, and all other costs of Court. Moreover, Sir, by the same Acts, it will be seen that no information can be filed against any island included in any of the Townships; and, therefore, the whole of the proceedings against the said island were contrary to all or any law. I will now, Sir, with your permission, read over another bill of costs, being in the case of James Stewart, against Francis McQuade, Edward Lane, and John Scott McLeod, in which, if you don't agree with me that there are many useless forms and fictions which ought to be done away with, I shall be much mistaken, and at the evening session of this House, if the House will permit, the Committee will be prepared to furnish what will fully satisfy, for the necessity of the reform prayed for.

In the Supreme Court—Plaintiff's Costs.

JAMES STEWART,
vs.

FRANCIS MCQUADE, EDWARD LANE, AND JOHN S. MCLEOD, Defendants.

Retainer, 10s. 6d., letters to defenders, 3s. 4d., Warrant of Attorney, 1s. 6d., Precept for writ and copy, 3s., £ 0 16 10
Issuing writ, 2s. 3d., 3 copies, 3s., affidavit of service, copy & oath, 3s. 6d., 0 8 9

TRINITY TERM.

Searching bail, 3s. 4d., drawing declaration in trespass and copy, 21s., service on deft's Attorney, 2s. 3d., 1 6 7
Notice to plead thereon, copy and service, 5s. 3d., copy rule to plead, 1s., service, 2s. 3d., 0 8 6
Demand of plea, copy and service, 5s. 3d., searching plea, none filed, 3s. 4d., 0 8 7
Defendants having obtained order for several pleas, and having pleaded first "not guilty," searching and perusing same, 3s. 4d., similitur, 2s., 0 5 4
Secondly, justification under Education Act, attending and searching Secretary's office, 0 6 8
Drawing replication to the plea, 5 fol., 5s., copies to file and serve, 5s., 0 10 0
Paid counsel signing this replication, 10s. 6d., 0 10 6
Thirdly, having pleaded justification under right of way, perusing this plea, 0 6 8
Drawing replication thereto, 5 fol., 5s., copies to file and serve, 6d., 5s., 0 10 0
Counsel signing this replication, 10s. 6d., 0 10 6
Fourthly, having pleaded similitur, drawing replication thereto, 5 fol., 5s., 5 copies, 5s., 0 10 0

Paid counsel for signing this plea, 10s. 6d., *perusing the above four pleas*, 6s. 8d., 26s. 8d., 1 17 2
Searching and perusing rejoinder, 3s. 4d., making up issue, 79 fol., 1s., 79s., 4 2 4
Copies to file and serve, 79s., service, 2s. 3d., term fee and continuance, 6s., 4 7 3

MICHAELMAS TERM AND VACATION.

Notice of trial for next Hilary Term, copy and service, 5s. 3d., 0 5 3
Attending Probate office, searching for bill, 6s. 8d., paid for search, 1s., 0 7 8
Proth. for two Subpœnas and copies, 3s., issuing, 4s. 6d., six copies, 6s., 0 13 6
Term fee and continuance, 6s., (not including herein 6 services, 6 mileages, and 6 viaticums, 0 6 0

HILARY TERM.

Docket and copy, 2s., attending court, 9s., brief for counsel & copy, 7s. 6d., 0 18 6
Motion to record verdict, 10s., entering rule for judgment, 3s. 4d., motion for judgment, 10s., 1 3 4
Drawing affidavit of increased costs, 5 fol., 5s., copy 2s. 6d., two oaths, 2s., Attorney attending to swear, 3s. 4d., 0 12 10
Copy to serve, 2s. 6d., servers, 2s. 3d., Term fee, 5s., costs and copy, 5s., copy to serve, 2s. 6d., server, 2s. 3d., 0 19 6
Notice of taxing, costs and service, and copy, 5s. 3d., attending taxing, 2s. 6d., paid Attorney, 3s., 0 15 9
Paid Hon. C. Young, Judge Probate, 1 day, 21s., do Charles Palmer, 21s., 2 2 0
Prothonotary's costs, £4 19s. 6d., counsel fee or trial, £4 4s. 0d., 9 3 6

Not including the costs of constables and witnesses, not the fees of defendant's counsel, which amounted in all to £84 19s. 6d., for the recovery of a frivolous, alleged trespass, not the value of 2s. 6d. } £34 13 6
add 1-9 3 17 0 1/4 } £38 10 6 1/4

I have many other bills of cost now on the table before me, over a dozen similar to the above, one against a Mr. Berney, and another for £54 12s. 3d., but which I need not trouble the House to read over, I therefore beg to move the following resolution:—

"That the time for the said Committee to bring in their report, be extended to the end of the first week of next session."

Afternoon Session.

On motion of hon. Mr. Laird, the Bill to constitute two polling divisions in the fifth electoral district of Prince County, was read a third time and passed.

DESPATCHES.

House in Committee on certain despatches. Despatches relating to Reciprocity read.

HON. LEADER OF THE GOVERNMENT.—Mr. Chairman: You have now read all the Despatches relating to Free Trade, and I may say, I am sorry to be obliged to differ from Earl Granville, especially where he states, "I am clearly of opinion that your Government exceeded their proper authority, in thus treating with the Committee of Congress." I regret very much that His Lordship should have thought fit to pronounce a censure of that kind on the Executive Government of this Island, or that Earl Granville or any of his *subs* should have taken so cursory or superficial a view of the matter, as to think we exceeded our powers in treating with the Committee of Congress, for there was no treating at all. It was laid down explicitly, both in speaking and writing, the exact position which this Island occupied, and the Congressional Committee were given to understand that without permission of the British Government we could not meddle with the fishing interests, nor with the commercial interests, except so far as was permitted by the Act of 1849. That Act provided that if the United States Government will admit certain articles from this Island, into their country, free of duty, that this Island can do the same, in reference to articles from the United States coming here. Every person can act according to law, and that Act is a law of the land. We gave notice to the Home Government that if opportunity should offer, we would avail ourselves of the provisions of that Act, as far as it would be for the best interests of the people of this Colony, and we also asked the Home Government for the privilege of allowing the Americans to fish on our waters. The jurisdiction of the Colony does not extend beyond high water mark. If that had not been the case, there would have been no appeal to the Home Government to allow us to give the Americans permission to fish around our shores, in return for the benefits they would confer on us by free trade. There was a strong feeling here in favor of free trade with the Americans, and the opinion entertained here was, that if ever a Colony was entitled to the right of disposing of its fisheries, it was Prince Edward Island. The reason was, the old Land Question, not yet worn out, we had appealed to the Home Government time after time on the subject, but still the money had been drained out of the Colony in the shape of rent, and if ever a Colony had a claim upon the Home Government, it is this Island. The ground the Government took in addressing the Home Government on the question of Reciprocity was this—the soil of this Island had been granted away, the people had been deprived of their heritage, the rights which unalienably belong to every Colony had been confiscated by the British Government, and if they would not assist us in buying our land, they might surely concede to us the right to make use of our fisheries to enhance the value of our trade, and secure to ourselves the benefits which would accrue from Reciprocal Trade with the neighboring Republic. That is

all the Government asked for, and they well understood that the Imperial Government had full control of the Fishery, otherwise they never would have addressed them on the subject. This Address was forwarded to the Lieutenant Governor who was at that time in Halifax, and he said he did not see any reason to think there would be an exceptional rule in reference to this Island. I would be the last to reflect upon His Excellency for this expression of opinion in regard to the views held by the Home Government on the subject, for subsequent Despatches have shown them to be correct. In the address, the government stated that they would take advantage of the Act now on our Statute Book, but that was not sufficient for the purpose, and they asked the Home Government to allow them to make use of the fisheries also. It may be a rule of the Imperial Government not to agree to exceptional arrangements for a Colony, but if the Government of that Colony think an exception to the rule would be an advantage to the people, they have a right to ask for it. It will not do in this age of improvement to be quoting old rules,—the stiff rules of a hundred years ago have to be relaxed in our day. The Congressional Committee wished to know what disposition the people of this Island would have to make a Treaty in case that certain powers were granted by the Imperial Government and the subject was entered into and discussed. I challenge any hon. member to show that the Executive Council entered into anything but a very prudent negotiation with the Congressional Committee, for they gave them full information regarding the powers of the local Government, as well as the views and opinions of the people of this Colony on the subject. An exceptional privilege was given to the French in regard to the fishery on the coast of Newfoundland, and I think the British Government might well make an exception to the rule in our case. They allow us to permit the Americans to fish on our coast by paying a license of two dollars per ton, by which we do not gain more than five or six hundred pounds a year, but they will not allow us to make use of this fishery to get Reciprocity which might benefit us fifty or sixty thousand pounds a year. I leave others who understand the matter better than I do, to explain the inconsistency of this matter. It is enough to make us think, that notwithstanding the education of the present day, Government has not any more enlightened ideas than they had when the Magna Charta was signed.

HON. LEADER OF THE OPPOSITION.—Mr. Chairman, this question is one of great importance, for it affects the Commercial and Agricultural interests of the Colony, and I regret that the Government should have thought proper to postpone a question of such magnitude until so late a period of the Session, when there are so many vacant seats in the House on account of so many members having gone home under the impression that the principal work of the Session was over.

No person can think of the advantages which were derived by this Island during the time the Treaty between these Colonies and the United States was in existence, without coming to the conclusion that it was a very unfortunate day for us when it was repealed. But we had no voice in that repeal, neither had the mother Country, and, Sir, Great Britain did all she could for the benefit of her children, in 1854, when that treaty was negotiated and carried into operation under the auspices of one of the greatest statesmen who ever wielded the destinies of these Colonies,—the late Lord Elgin. When that treaty was advocated, there were gentlemen on this Island and in the neighboring Provinces who were opposed to it, and said it would paralyze our trade and encourage smuggling, but they proved to be false prophets. That treaty greatly benefitted all the Colonies, and if ever there was a day when there was cause for lamentation on this Island, it was when there was a move in the United States Congress to have it abrogated. The reasons for that abrogation have not been given to us,—they are buried in the Archives of the American Congress. Some parties have said that the Treaty was annulled on account of the soreness felt by the American people, caused by the way in which the inhabitants of Great Britain and these North American Colonies acted during the great struggle in the United States, when they thought the sympathies of the British were with the Southern Confederacy, and then the unfortunate escape of the celebrated cruiser—the Alabama—and her subsequent depredations, which added fuel to the flame. Others have argued that the American Government wanted these British Colonies as a sort of counterpoise to the South and they thought that the best way to make them come into the Union would be by starving them, as it was thought the abrogation of this Treaty would do. The Treaty has been repealed by the action of the American Government, and the loss of trade, if it has been great to us, has also been great to the United States, for the benefits resulting from the Treaty were reciprocal and mutual. During the last session of Congress, when the Americans had time to reflect about their business transactions with these Colonies, a considerable number of the statesmen and commercial men in the different States, when they found that we were not to be annexed by this process of starvation, and that we had found other outlets for our agricultural produce, thought that the sooner trade relations were resumed the better. This matter was moved in Congress, and this Committee, to which the hon. Leader of the Government has referred, was appointed, not by the Government of the United States, but by a vote of the House of Representatives. You are aware that all international treaties must be originated by the President and Senate. The House of Representatives have no power to treat with foreign countries. That Committee came here, headed by General Butler, and I believe when

they arrived, many people thought the Golden Age was going to be inaugurated at once, and that before the close of the navigation, we should have liberty to take our products to the United States free of duty. But it was altogether a delusion, as has since been proved, and I was of the opinion at the very commencement, when it was first agitated that there was no hope of our obtaining Free Trade, unless a Treaty was made between the British Government and the constitutional powers in the United States. This was my opinion, which I did not hesitate freely to express, and I received pretty severe rubs on account of it by many of the newspaper editors in the Colony, even by the hon. member, the Queen's Printer. It was said that because I was a Confederate, I was willing to put any checks on the prosperity of the people that they might be induced to join the Dominion. I believe we never shall have free trade unless by the united action of the British Government, the United States of America, the Dominion of Canada, and ourselves. No Colony will be put in a different position from the others, that was the principle adopted when the late Treaty was obtained and it will not be departed from now. That Treaty was repealed after the termination of the war, and reasons have been given from time to time, that it was on account of the action of the British Government in acknowledging the South as belligerents. I would ask what sympathy did England get from America when she was struggling to maintain the rights of a nation? During the time the Crimean war was raging, the Press of the United States teemed with sympathy for the despotic Russians. During the late war in India, also, all the sympathy of the Americans was with the Sepoys. There is also at the present time a rebellion at the Island of Cuba, of a certain section of that Colony against the Imperial Authorities, and we find that the Congress of the United States has carried a vote expressive of sympathy with the rebels, and begging the President to acknowledge them as an independent power as speedily as possible. Now, no such action was taken by the British Government during the late war in the United States, and those persons in the British Dominions who sympathised with the South did so because they thought they had State rights, which would enable them to secede from the Union whenever the Government acted adverse to their wishes. It was stated in the HERALD last summer that General Butler, being an intimate friend of General Grant, would have great influence with him in getting this Treaty, but to-day we see them adverse to each other on a very important point of political morality—General Butler is opposed to paying the national debt in gold, and General Grant says it must be paid in gold, as it was an understanding at the time the debt was contracted. So the hon. member's paper was a false prophet. I am sorry to say that since these Despatches came out, some of the newspapers of this Island have been

strongly tinged with Annexation principles. I will ask hon. members if they think we would better our condition by leaving that flag which has so long waved over the free, and join the United States? The people of this Colony have two great peculiarities—one is they are very anxious to have good roads and bridges and public buildings, and the other is they are very averse to taxation to pay for such improvements. Our public debt is about five dollars per head and our ordinary expenditure about three dollars per head. Now suppose that to-morrow we raised the stars and stripes, what position would we be in? The National Debt of Great Britain is about eight hundred millions, and the Debt of the United States is about six hundred millions of pounds sterling, contracted during the war.

Hon. Mr. HOWLAN.—They paid off some of it since.

HON. LEADER OF THE OPPOSITION.—During the present Session of Mr. Congress Commissioner Welles showed that the debt had not decreased. The interest on the Debt of the United States is greater than on the Debt of Great Britain, because they pay a higher rate of interest. The interest on the general Debt amounts to five dollars in gold per head, and then every State in the Union has a large debt. I believe the aggregate of the State Debts is greater than the general Debt. The people of the United States have to pay an annual tax of twenty-nine dollars per head. The whole debt of the United States is one hundred and twenty-six dollars in gold, of Great Britain one hundred and thirty-four dollars, and of our Island five dollars per head. When we take these things into consideration, will we be ready to rush into annexation because we cannot get all we ask for from the British Government? It would be jumping out of the frying pan into the fire. When we grumble at paying three dollars per head tax what would we say if we had to pay twenty-nine dollars? And then do you not think we have a purer system of government than that of the U. States? Do you not think that it is a great satisfaction to know that if the Government is doing wrong, we can by a vote of this House annihilate it in five minutes? But in the United States they have no responsible government: all the officers are outside of the House, and the government can maintain a despotism for four years. Then again with respect to taxation, we are terribly afraid of increasing even the paltry duties that are imposed on articles coming into this Island, but we are able to dress in broad cloth, and our wives and daughters can keep up with the fashions, but what would it cost in the United States? Mr. Commissioner Welles says the cost of provisions has increased eighty-eight per cent. fuel fifty-seven per cent. and house rent sixty-five per cent since 1860, while laborers' wages have not increased in proportion to the cost of living. He also says a man can live as well on £500 sterling

a year in England as he can on £1000 in New York. This shows what an exorbitant duty is put on all merchandize imported from foreign countries. Before I come under the stars and stripes, I should like to have a little better evidence than I have at present of the advantages we would derive from doing so. It is the duty of the Legislature to discuss this subject when certain papers are advocating those noxious principles. I am afraid that a certain periodical published here is subsidised, I will not say with American gold, for that is a very scarce article in the United States at present, but with American paper to advocate Annexation and sow discord among the people of this Island. Its very name is ominous—the *North Star*,—intimating that this Island is to be the North Star in the Union. I think when the people of this Island go into statistics, they will prefer the flag of Great Britain to the stars and stripes, even if they have occasionally to swallow a small dose of medicine such as this Despatch we lately received. The narrow minded policy of the protectionists of America is being done away with, and free trade principles are being better understood, and it will be found before long that free trade will benefit both the United States and the Colonies. Those engaged in the coal trade in Pennsylvania know they cannot compete with the coal mines of Nova Scotia, and the lumberers of Maine do not want their market open to the Canadians, and there are several other interests which would be affected by free trade. We have no more chains of slavery upon us a Colony than Massachusetts has as a State, for Massachusetts would probably like to make a treaty with this Island, but she cannot do so independent of the rest of the Union. No treaty can be made or duties levied by the voice of the State—the Federal Government has the sole control of such matters. I am a free trader as well as any hon. member in this House, the only point in which I differ from the Government is this, they think we can get this Treaty ourselves, I believe it is only through the Imperial Authorities we can obtain it.

Mr. BELL.—As this is a question which affects the interests of the whole community, I do not wish the Despatches to be disposed of without giving my opinion of the manner in which I think we have been treated in this matter. In glancing over the Speech of the hon. Leader of the Opposition and the subject referred to by him. I do not intend to notice all the details but merely refer to the more prominent points. The American Government has a kindly feeling towards us at the present time because, during the late war, we did not sympathize so much with the South. As the other Provinces had a great many vessels, and if the South had gained its independence, they would have had a considerable trade with them, and this was no doubt the reason they wished the Southern people to achieve their independence. In this small Island, the people did not take much interest in the matter. We felt that

it was a struggle for the abolition of slavery, and we looked more at the real question at issue than almost any country. Under the idea of protecting a great imperial right, the British Government keep the fisheries under their control, but we are allowed to give the Americans permission to take the fish if they pay small tonnage dues which we will not get; for the Americans take the fish and we have no means of preventing them. The duty on mackerel taken to the United States is two dollars per barrel; and on potatoes one shilling and six pence per bush.—more than a hundred per cent. on the first cost, which is a prohibitive duty. Very few cargoes will glut the markets of Nova Scotia and New Brunswick, and we can find no sale for the remainder. England has given us a good market for oats during the last few years, but now the means of transit are being developed in the interior countries of Europe, and these countries are supplying the British market. The consequence is, the price of oats is now coming down, and the merchants who have bought up oats during the winter will lose a great deal. The Imperial Government will not give us control of the fisheries, which are no benefit to them, but would be a great boon to us. I think we should ask the Imperial Government to give us leave to protect the fishery if they will not do it. The fact is, the British Government are not pleased with us—they conceived that we should enter confederation, and the people of this Island thought differently. They could not see any inducement to join the Dominion, for there was no market for our produce in Canada; and I think the British Government are thwarting our wishes in this respect, to induce us to accept terms from the Canadians, and link our destinies with theirs.

Mr REILLY.—I must say that the hon. member for Cascumpec, (Mr. Bell,) has exactly given my views on free trade. It appears that he is well read on the matter, for he has very clear ideas upon it. There was one potent reason why the United States moved for the abrogation of the Reciprocity Treaty, and that was, that their financial condition was such that it was necessary to exclude foreign productions from the country, unless the latter paid a heavy duty; because it was of the first importance to protect their own resources, which were heavily taxed. But as the people of the United States are now willing to enter into a new treaty, there should be nothing to prevent this Colony's taking advantage of the offer. I feel convinced, in looking over the question, that there is nothing unreasonable in our asking for free trade with that country; the only difference between parties in this Colony in regard to it was, that one side thought it desirable to offer information and to show their willingness to enter into free trade, while the other party were opposed to our having anything to say in the matter at all, but thought we should let the Dominion of Canada speak for us, and that the latter should ask the opinion of the Imperial authorities in regard to it. Although the chief

Ministers of Great Britain are great statesmen, the people of this Colony are in a better position to judge of their own wants than any Colonial Minister. It is our duty, therefore, to put forth all our energies in favor of free trade with the United States. There are many things which entitle us to the consideration of the Imperial Authorities in obtaining the so-much-wished-for treaty; among the most prominent of these was the granting away of our lands by the British Government. The great obstacle of our obtaining a separate treaty is the fact that the fisheries are the common property of all the British North American Colonies; and that, therefore, we have no right to use these fisheries for our advantage, alone. If the Imperial government would allow us the right to give the people of the United States the right to fish in the waters surrounding our Island alone, instead of receiving a paltry amount, as we now do, into our treasury, we should receive, indirectly, thousands of pounds—we should have the markets of the United States opened to our productions. I agree with the hon. Leader of the Government when he says that he cannot see why, for the sake of two hundred pounds, the United States should receive the advantages of our fisheries, while we do not receive the advantages of free trade. The people of this Colony are placed in a curious position; we see our fisheries robbed and the power to obtain free trade in return, taken away. The great difference between parties here was that one side wished to make an effort to obtain free trade, while the other side wished the Dominion to make that effort.

Hon. Mr. HOWLAN.—We are going to have the most important debate of the Session, at its close. I may remark, without attempting to argue on either Annexation or Confederation, that we should not be trying to throw cold water on the United States, on account of their not being under the British Flag. We, as a Province, did not defend the action of the Northern section of the United States during the late war with the South, nor did any of the other Provinces; and this was partly the reason why the late treaty was broken off. For my own part, I do not agree with those people who would delight in the breaking up of a great nation, speaking the same language as we do, and enjoying the same free and liberal institutions. I am not of the opinion that it would, for a moment, tend to assist the civilization of the world, or add to Britain's glory; on the contrary, I believe that Great Britain and the United States of America are two great powers which are destined to protect the flag of liberty among all the nations of the globe. And, when I recollect that the great blot on the people of the latter country was slavery, and that the question of emancipation was, for many years, agitated in England before she could free herself from the same foul blot, I am astonished that the people of Great Britain and her Colonies should, for one moment, sympathize with the cause of the South against the

North. When I found that the question of emancipation had to be fought out on the soil of America; the people of the North had my sympathies in favor of constitutional and moral right. The people of the latter section were the manufacturers and laborers—they were the bone and sinew of the country. The people of the South had been pampered, they had the best positions in the Army and Navy, for many years before the war between the two sections began, and were determined to maintain their favorite institution, slavery. When I saw the struggle between the slave-holders and the Abolitionists, culminate in the placing of a man in office who was pledged to remove slavery from the soil of the United States, I gave the Northerners my sympathy; but the large majority of the people of these British Colonies sided with the South against the North, and the consequence was that when the rebellion was crushed, the Reciprocal Treaty was abolished. Do you think, Sir, that the sons of Englishmen, Scotchmen and Irishmen would suffer insult without retaliation? No, it was quite impossible, and therefore we could expect nothing else than the breaking up of the Reciprocity Treaty. I am also sorry that ever the British Flag covered the *Alabama*. The flags of Great Britain and America used to fly side by side in different parts of the world, and the latter often assisted the former when occasion required it; for this reason, I say it was disgraceful that ever the British Flag was allowed to cover the *Alabama*. I do not think it right to abuse a whole nation to back up my position when I happen to differ from another hon. member of this House. When the war broke out between the North and the South, there was not a single war ship at home, and there were not one hundred thousand good muskets at the control of the former, in the different arsenals. All the really serviceable locks had been carefully sent South by those who had been in power before the war began, so that there was scarcely a gun ready for use. But the people of the United States astonished the world by the rapid advancement they made in the art of war, and the strength they put forth to crush the rebellion in the South. The great question to be decided by the war was, whether an oligarchy was to rule the nation or not. Just as much right had our last party to rebel against the present Government, as the South had to rebel against the Administration of President Lincoln. The United States may have given their sympathy against Britain in her war with Russia; but I have no reason to believe that they destroyed her commerce by privateers. When I look upon the fact that Great Britain allowed her flag to be used for the purpose of destroying the commerce of the United States during the late American War, as a British subject, I feel deeply ashamed of it, and I hope the former will repair the losses caused by the *Alabama*. What a farce it is to say that for the sake of a paltry hundred pounds, all the advantages of free trade with the United States will be denied this Colony. Great Britain has tried for many

years past to weaken her hold upon these North American Colonies, and to deny us this boon is one of the surest ways of accomplishing her ends. What does Earl Granville now tell the people of these Colonies? He states that the number of British Troops in the Dominion of Canada shall be reduced. What has hitherto been the policy of Great Britain towards these Colonies? It was to make them as strong as possible, and for that purpose she expended fifty millions of money in fortifying them, but now she is going to withdraw her troops and leave the Dominion almost defenceless. What has been her policy towards her Australian and other Colonies in the South Pacific Ocean? When those Colonies wished a free interchange of commodities with each other, she refused to allow it. If England wishes to get rid of her Colonies, why does she not look them in the face and tell them what she intends to do with them. If she intends to continue punishing them in the way she is now doing, she must not forget that there is a line to which she can go, and to which we can suffer on account of her ill treatment; but if she goes beyond that line, we can consider what is to be done. If England wishes for the loyalty of her people, she is taking a very strange course to make the rising generation of this Colony loyal. Hitherto there has been no disloyalty in this Colony; but we must come to the conclusion that a very serious change has lately taken place in the minds of the people of these Colonies when we see such a resolution as that of Mr. Gudlip introduced into the New Brunswick Legislature. A few years ago a man who would dare to take such a step would have been hooted; but depend upon it, when a man goes to that length, there is something behind it to sustain him in such a course. I must say that the present surroundings of the people of British North America lead us to ask whether we are a part of the British Empire, or not. Does Great Britain mean to throw off her Colonies, or not? This is a question which men in these Colonies must naturally ask themselves. I must state my honest conviction that the free trade principles of Great Britain with regard to her Colonies reflect no great honor upon her: all the Colonies upon which her flag flies, she should foster and protect, just as much as she does her home territory. Her protecting and fostering care should pursue her Colonies across the Atlantic so as to make them as much a part and parcel of the British Empire as England, Ireland and Scotland are. If Great Britain loses her hold upon these Colonies, it will be entirely through her own neglect and mismanagement. The statesmen of the Mother Country should remember that the downfall of great nations always dated from the moment they lost their Colonies; and I am of opinion that Britain, powerful as she is, could ill afford to lose her large and important Colonies in North America. It is therefore necessary to her best interests to foster and encourage these Colonies that the loyalty of the inhabitants of the latter, should be, like "Cæsar's

wife about suspicion." I will support the resolution.

Hon. Mr. DAVIES.—I will take this opportunity of giving my ideas on the important subject before the House. I did not hear the remarks of the hon. Leader of the Government, but I do not agree with what has fallen from several hon. members on the Reciprocity Question. I believe that the Memorial of our Government to the Lieutenant Governor, was perfectly correct, and that no hon. member of this House, or any other person, can put his finger upon one word in it that was wrong, or in any way unconstitutional. There is no doubt in my mind that the Government and House of Assembly have been overruled by the correspondence on the part of the Lieutenant Governor of this Colony, who set his face against our efforts to obtain free-trade, from the very first. I have no doubt that gentleman is sincere in his motives but the people of this country entertain different views from his on the matter, and have a right to speak for themselves. We think that if we had free trade it would be a great gain to us, and no injury to any other party. In the first despatch of the Lieutenant Governor to the Secretary of State, on this matter, he says:

"These Resolutions were brought to my notice in Council, but I did not deem it right to hold out the slightest hope that Her Majesty's Government would sanction any arrangement of this kind, which did not include the other British North American Provinces."

For my part, I cannot see what our Lieutenant Governor had to do with the other Provinces with regard to the matter. In his despatch of the 27th August, he is pretty much of the same opinion. The Colonial Office must think His Excellency's Ministers are very deficient in information in regard to public treaties, for they tell us that the Colonial Government have no power to make such treaties, or to enter into any arrangement with a Foreign Power. Extraordinary information, surely; scarcely a boy is to be found in one of our schools who does not know that our Government have no power to make a treaty with a foreign country. We all know that. This piece of information is all that is contained in the reply of the Colonial Minister. It is well known that our Government never attempted to enter into an arrangement with a Foreign Power. The Administrator of the Government, I believe, highly approves of the steps which have been taken in regard to the matter; and I believe we shall yet enjoy free trade and reap more advantages from it than anybody expects. This is what the Executive Council have asked for, and the memorial shows plainly that they were well aware of their position and never once thought of assuming the right to enter into a treaty with a Foreign power. They ask permission from the Imperial Government to grant to American fishermen the right of fishing on our coasts in return for the

advantages of free trade. The answer to the Administrator is as follows: "You will hear from me shortly in reply to your despatch, and in the meantime I would impress upon you the necessity of observing great caution in touching upon the subject when you frame your speech to the Legislature, as I am of opinion that it would not be prudent for the Government and Legislature of Prince Edward Island to take any action in the matter." This is merely cautionary advice, and tells us that the reply will shortly be received. But, when that reply came, you may observe the decided turn which took place, for the Colonial Minister says: "these proceedings might have been attended with benefit, if they had been restricted, as originally intended, to the mere giving and receiving of information on questions of trade between Prince Edward Island and the United States, &c." Now, we well know that the Government never went farther than the giving and receiving of information to the Committee of Congress. The latter were given distinctly to understand that our government had, beyond the giving of all necessary information, no right to enter into any treaty whatsoever, with them. The answer of the Colonial Minister shows pretty clearly that our Lieut. Governor had given him private information on the matter; for in it we find the following: "I think it unfortunate that the discussion should have been allowed to assume the appearance of a negotiation between a Colonial Government and the representatives of a foreign Legislative body." Again, we find these words: "I am clearly of opinion that your Government exceeded their proper authority in thus treating with the Committee of Congress." But we know very well that our Government did not treat with the Committee of Congress, and the Colonial Minister does not answer the question sent Home by the Administrator of the Government in Council. The information which the Colonial Minister had received, was sent to him by some party who misrepresented the doings of our Government, and who acted in a very unfriendly manner towards it. The Colonial Minister is very particular when he speaks of the opinion of Her Majesty's Government on the matter, for he writes thus: "Her Majesty's Government are not prepared, at the present moment, to take any steps in consequence of the report of the Executive Council. If, however, in the course of time, there should be a possibility of a general arrangement between the United States and the North American Colonies, the suggestions contained in the report will be borne in mind by Her Majesty's Government." I conceive that this reply is as favorable as could be expected under the circumstances, for we could not expect that this great boon would be granted us all at once. When the Congressional Committee came down here, certain parties declared that the visit was all a hoax—a mere political dodge—that as the fishermen of Massachusetts were constituents of Gen. Butler,

it was his policy to get up the affair as an electioneering dodge, and that nothing more would he heard about it. Governor Dundas seems to have been of the same opinion, for he says: "Any enquiry from the Colonial Government, as to its authority to enter into any particular or exceptional arrangement or agreement with the United States, must be answered in the negative. But apart from the general principles involved, the Lieutenant Governor is of opinion that the members of the Council have over-rated the immediate effects of the proceedings of Congress in this matter." It is evident that His Excellency looked upon the matter in the same light as some of our neighbors in the Dominion, who thought the idea of the United States entering into a treaty with little Prince Edward, preposterous, and that it was all a ruse; but I am happy to inform you that such is not the case. General Butler is always sincere in his public doings, and it is not likely that such a man as he would come all the way down here, for the sake of deceiving us, that he might gain his election. I see, by a paper I have in my hand, that Congress has sanctioned the report of the Congressional Committee. In the *Toronto Globe*, there is a long article upon this Island, showing that this is about to become an important question. It goes on to say that Gen. Butler came down to little Prince Edward Island on an electioneering expedition, but that the result of his visit is now receiving a good deal of consideration in Congress, &c.

Hon. Mr. HOWLAN.—A considerable part of the report of the Congressional Committee was copied by Secretary Welles, and placed in his report.

Hon. Mr. DAVIES.—The *Globe* says that the affair is now about to become a serious one, for Congress has proposed a series of resolutions, stating their willingness to negotiate for free-trade with this Island. For my own part, I believe we are at present in a capital position, and I am glad that there is some prospect of a favorable answer from the British Government. I believe the Home Government have had the matter under consideration, and that some proposal from the United States had been received by the Imperial authorities. I would say, to all those who wish either Confederation or Annexation, that I want neither the one nor the other. Every person who gives the matter much consideration, must be aware that we shall do better by retaining our present status and by keeping our present position. We have a good prospect of obtaining free trade with the United States, and when that is once secured none of the other Provinces will be in a better position than our own. I believe that the great body of our people are advancing rapidly, even under the ill-treatment of Great Britain, and that the country will gain, in spite of all its losses. Our farmers have increased their wealth doubly within the last seven years, and there is every prospect that with the advantages of free trade they will advance still more rapidly. I believe Annexation will never be obtained without the assent of the Imperial Government, and that the

time for it is yet a great way off. When the whole of the Colonies are agreed to become part and parcel of the United States, Great Britain will throw no obstacle in their way. Powerful as the Americans think themselves, they are not strong enough to take these Provinces from Great Britain. An American gentleman told me, not long since, that the people of the United States knew their position too well to interfere with these Provinces; that it was time enough yet for the latter to go into the Union, and that when we get better acquainted with them, we will seek, by our own accord, to unite with them, and when that takes place we will be received by them. I should not like to submit a resolution on the subject of free trade, because I do not know whether the Government have not some scheme of their own, relating to this matter. Whenever there is a will there is a way.

Hon. LEADER OF THE GOVERNMENT.—I may here state that the Government have taken no steps on the matter.

Hon. Mr. DAVIES.—If we can get free trade without trampling on the rights of the Imperial Government, it will not be withheld from us. We have still some power left in our hands and as the British Government allowed us to grant the privilege of fishing in our waters to American fishing vessels, on their paying a certain amount as tonnage, and allow us to make use of the receipts, could not this House grant back to the Americans the money which they thus pay us? I would say, let the Americans pay us the license demanded and let us refund them the money again in the shape of a grant. If this can be done it will give the Americans all the advantages which are in our power to give them, and we shall be quite independent on the matter.

Hon. LEADER OF THE OPPOSITION.—I would ask the hon. member for Belfast (Mr. Davies) whether he would be willing to refund that money if the Americans did not remove their duty upon our mackerel.

Hon. Mr. DAVIES.—While the Committee of Congress were here there were certain stipulations made which they agreed to; they agreed to receive our produce into their markets duty free and they only ask for the privilege of fishing in our waters in return. If we can carry out the scheme I have proposed, we can then say, "Fish away boys, fish away; your money shall be refunded." For my own part, I cannot see why this idea could not be carried out. A good deal has been said on the manner in which the Congressional Committee made approaches to us on this matter. It is but natural for the members of a Republican Government to suppose that the first movement in such a scheme should come from the representatives of our people and, therefore, it was on that principle they came here. They wished first to ascertain our feelings on this matter; and it seemed very natural, right and proper that they should do so. As the Congress of the United States have endorsed the actions of the Congressional Committee all that

is now left to do, is for the head-quarters of both sides to sanction the arrangement.

Hon. LEADER OF THE OPPOSITION.—I have not yet seen any account of the actions of the Congressional Committee being endorsed by Congress.

Hon. Mr. DAVIES—As Congress has endorsed the action of the Committee, the plan will be recommended to the American Government, for their sanction. Taking this view of the matter, I believe I am justified in expecting that the great object we have in view will be finally obtained. We cannot expect that, like a child that wishes for a thing and must have it all at once, we shall have free trade without delay; but it will come sooner or later. We must agitate the matter and stick to it like the old Escheaters stuck to the Land Question. Although the latter did not obtain their wishes altogether, yet they got many of our grievances swept away.

The Speaker took the Chair, the Chairman reported progress and obtained leave to sit again.—House adjourned.

SATURDAY, April 17.

House resolved itself into a Committee of the whole House, on the consideration of the amendment of the Legislative Council, on the bill regulating the sale of Petroleum.

Mr. McCormack in the Chair.

Hon. Mr. Howlan said he was the party who introduced the bill, but the amendment proposed made such an alteration in the bill, as to almost destroy the original intention. The original bill provided that the lowest test proof of heat should be 120 deg. This amendment reduced it to 118 deg.; and made such other alterations as in his opinion it would be unwise to agree to it.

Hon. Leader of the Government said the House was placed in a peculiar position with respect to the bill; for it had either to allow or disallow, the amendment of the Council; and if the House should throw out the amendment, the Council may quash the bill; yet he saw no other course to adopt but the latter.

Hon. Mr. Laird was also opposed to the amendment.

Dr. Jenkins highly disapproved of lowering the standard for the test of heat, below 120 deg. Said that in the London *Lancet*, he saw that the test in England was 140 deg.

On motion, the amendment of the Council was not agreed to.

Hon. Mr. Kelly submitted the following resolution:—

Resolved, That the order of the House of the 19th day of March last, appointing a Committee to report this Session, by Bill or otherwise, on the petition of Alexander McRae and others, of Townships Nos. 57 and 58; and also on the petition of Jardine Williams and others, of Townships Nos. 23 and 24, praying for the amendment, revision and consolidation of the Act of 1776, known as the Fee Act, with the Act 26th, George III, Cap.

13, be extended so as to enable the said Committee to report during the first week of next Session, by Bill or otherwise, with power to send for persons, papers and records.

Hon. Leader of the Government had much pleasure in seconding the resolution, as it was more general in its application than he had anticipated it would be.

House adjourned for one hour.

Afternoon Session.

DIVORCE BILL.

House in Committee of the whole, on the bill to provide for the service of divorce process on absent parties.

After a short time, the Speaker took the Chair, and the Chairman reported the bill agreed to, without amendment.

The rule of the House being suspended for the purpose, the said bill was read a third time and passed.

The House then resolved itself into a Committee of the whole, on the contingent accounts of the session, with closed doors.

House adjourned till Monday next.

MONDAY, April 19.

Forenoon Session.

A Conference was held with the Legislative Council on the Bill to regulate the sale of Kerosene oil.

DESPATCHES.

House in Committee on the further consideration of Despatches. Mr. Cameron in the Chair.

Mr. BELL.—I would move the following resolution.

Whereas, during the eleven years that the late Reciprocity Treaty with the United States of America was in operation, this Island prospered at a rate previously unparalleled in its history, and that for a continuance of that prosperity and for the due development of its resources, free access to the large and near market which the United States affords is an absolute necessity; and whereas by the recent action of the Congress of the United States and the visit of the Congressional Committee to the Island in September last, a reasonable prospect was afforded this Colony of a renewal of Free Trade relations with that great country; and whereas it appears from Despatches received by His Honor the Administrator of the Government, from Her Majesty's principal Secretary of State for the Colonies, that the nature of the intercourse between the Congressional Committee and the local Government has been altogether misunderstood by the Imperial Authorities, the Local Government being well aware that neither in it nor in the Committee with which its members had communication, was vested the power of entering into separate and independent negotiations, that intercourse being in fact wholly informal and held solely for the purpose of receiving and imparting information; and whereas Her Majesty's loyal subjects on this Island,

believing that no injury would be done to their interests, or to the interests of the surrounding colonies by the extension of the Fishery privileges to American citizens, and knowing also, that the insignificant Revenue derived from Fishery Licenses is altogether unworthy of consideration, when compared with the immense advantages to be derived from Free Trade with the United States, and consider themselves hardly dealt with when so small a favor of the Imperial Government to grant, but so great a boon for them to receive as the concession of the Local Government of power to grant Fishing Licenses to American citizens at a nominal price is denied them, seeing as they do, that the useless and disregarded restrictions on the coast fishing are the sole obstruction to unrestricted commercial intercourse between them and the United States, and the great barrier to their prosperity as a people.

Therefore Resolved. That the House of Assembly in taking into consideration the Despatches from His Lordship Earl Granville, wherein is conveyed the decision of Her Majesty's Government to the effect that they are not prepared at the present moment to take any steps in consequence of the Report of the Executive Council, trust that Her Majesty's Government will adopt such measures as will ensure to this island the benefits of reciprocal free trade with the United States, even if the same cannot be secured for Her Majesty's other British North American Colonies.

I am very sorry that this subject which is of so much importance and demands so much consideration should have been postponed until this late hour of the Session. At this moment there are thousands of bushels of produce in our Island which we cannot dispose of at a profitable rate on account of the American market being closed against us. Now, it is of vast importance that Free Trade should be established between this Island and the United States, and the only impediment to the accomplishment of it is, the refusal of the Home Government to give us the control of the Fishery around our coasts. These restrictions are useless, for although it has been said that the British Government protected the fishery, it has not been done. It has been said that during the last year, there has been British Men-of-War at Georgetown, but they must have staid there, for I do not think they have ever been seen on the North Side. We have a just right to these fisheries, for we have been obliged to run the Island in debt to purchase the land for the people, we have no mines or minerals, we have no communication with the rest of the world during a great part of the year, except by the very precarious means of Ice Boats, and on this account we should have a little consideration from the Home Government. The fact of the matter is, the people of Great Britain take very little interest in the affairs of this Island, they know such a place exists and that is about the extent of their knowledge. I bring forward this resolution to show the British Government our opinions on the subject.

The Speaker took the Chair and the Chairman reported progress and obtained leave to sit again.

A message was received from the Legislative Council saying that they agreed to a Free Conference on the Bill to regulate the sale of Kerosene Oil.

On motion of the hon. Leader of the Government the Order of a committee to bring in a Bill for additional Land Assessment was discharged.

House again in committee on despatches.

Hon. Mr. DAVIES.—Regarding the resolution now before the Committee, I may say that I have expressed my opinions on this subject pretty freely on a former occasion, and there is no necessity for me to say much at the present time. It is the duty of every member of this House, to do all he can to forward reciprocity, as it is essential to the prosperity of the people of this Colony. It will be useless for the farmers to sow or reap, except so far as required for our own use, unless we can get a market for it. It is not to be expected that the prices of produce will continue high in the British market, and it is necessary that we should look for a market in the United States.

Mr. SPEAKER.—I think the hon. member (Mr. Bell) was very dilatory in not bringing this resolution forward at an earlier period in the session, for he was well aware that the House was to rise to-day.

Mr. BELL.—I trusted the matter to the hon. Leader of the Government.

Mr. SPEAKER.—Of course we are all desirous to get a renewal of the reciprocity, so that we may get a market for our surplus produce. We have not suffered so much from the abrogation of this treaty as might have been expected, for we have found other markets; but these are now getting over-stocked. We have been doing all we could to induce farmers to cultivate their land with skill, and thus raise large quantities of produce, but we are deprived of the privilege of taking it to a market where the prices would be remunerative. If this resolution had been brought in sooner and an Address forwarded to Her Majesty, it might have been the means of inducing the British Government to give us what we desire. The hon. member, (Mr. Bell,) has said that no protection was afforded to our fishery, but he is astray on that point, for to my certain knowledge, British vessels have been in Three Rivers, Gaspé and Port Hood; but the instructions given to the Captains, as they informed me, was that they were obliged to give any American vessel notice three times before any action could be taken, and as no vessel would remain on the fishing ground to be notified three times, the whole affair was a burlesque.

Hon. LEADER OF THE OPPOSITION.—Every hon. member is of the same opinion, as regards the importance of this subject, and yet the Government have lain on their oars and let this matter rest until now, when we are expecting every moment to hear the tap of the Black Rod summoning

us to the other end of the building, to have the Session prorogued. There are a great many matters to be debated in connection with the subject, before that resolution could be carried, for which we have not time; and according to rule, also the resolution should have been tabled twenty-four hours. That resolution which will be buried in the Journals of this House, will not be productive of the least benefit, nor forward the cause of free trade the least. It would also be an insult to the Lords in the other end of the building after refusing to accede to their request to join them in an Address to Her Majesty on the subject. When the subject of paying the Governor's Salary came before the House, although we had a perfect right to resist it, the Government succumbed at once, and voted £2100, because they said there was no use to oppose the British Government, but now in this case when the Home Government have constitutional right on their side, we will not agree with their views. Every man who lives under the British flag has as good a right to those fisheries as we have, and there is no use for us to contend for a peculiar claim to them. It was the fault of the American Government that the Treaty was annulled, and as soon as they come forward on a general platform, there is not a man in these colonies that will not go in for it. I give the hon. member credit for his production, he has laid his egg but I do not think he will hatch it. I would move the following:

"Whereas Reciprocal Trade with the United States, and the privilege of American citizens to fish on the coast of this Island involve rights in which the Imperial Government as well as our sister Colonies have certain interests, and as Earl Granville has declared in a Despatch to the Administrator of the Government, bearing date the 13th day of March, 1869, that Her Majesty's Imperial Government are not prepared at the present time to take any steps in consequence of the Report of the Executive Council, but that however if there should be in due course of time a probability of a general arrangement between the United States and the American Colonies, the suggestions contained in the report will be borne in mind by Her Majesty's Imperial Government:

"Resolved, therefore, that it is inexpedient with this information before us to take any further proceedings upon the said question of the Fisheries and Reciprocal Trade with the United States during the present Session."

HON. LEADER OF THE GOVERNMENT.—I may say that the Government did not bring in any resolution on this subject because they expressed all their views in the minutes of Council, but at the same time, they were not averse to any hon. member bringing in a Resolution of this kind to endorse their views on the matter. This Resolution is merely an echo of the opinions of the Government, and I do not think it will have much effect on the Home Government.

MR. BRECKEN.—I do not see the utility of this Resolution, for it is stated in the Despatch that the Treaty must be general. In Nova Scotia

and New Brunswick they are more interested in the coastwise trade and the registration of vessels in American ports than in commercial treaties.

DR. JENKINS.—I think the necessity of free trade with the Americans is admitted on all sides, and if there was another argument wanted it would be found in the fact that there is a high tariff on Agricultural produce taken into the Dominion, and although the rule has not yet been enforced in respect to that shipped from this Island, we do not know how soon it may be. I do not think this resolution would have done much good even had it been brought forward early in the session. I do not think anything we can do will hasten reciprocity. I believe the course the Home Government is pursuing will hasten, not confederation but annexation, what I believe is the inevitable destiny of these colonies.

In favor of the amendment proposed by hon. Mr Haviland—Messrs. Brecken and Haviland—2. In favor of the original resolution, Messrs. MacMillan, Howlan, Jenkins, Cameron, Coles, Bell, Davies, Reilly, Calbeck, Laird—10.

HON. MR. LAIRD presented the Report of the Committee appointed to report on what should be printed in the Appendix to the Journals.

Report adopted. —House adjourned.

Forenoon Session.

A message was received from His Honor the Administrator of the Government, by Henry Palmer, Esq., Usher of the Black Rod:

Mr. Speaker;

His Honor the Administrator of the Government commands the immediate attendance of this Hon. House at the Bar of the Council Chamber.

Accordingly, Mr. Speaker and the House went up to attend His Honor in the Council Chamber, when His Honor was pleased to assent to the several Bills following, viz:

An Act to continue the Act regulating the publishing of Notices and Advertisements relating to the public service.

An Act to authorize the increase of the amount of deposits to be received in the Savings Bank.

An Act to add to and amend the Act relating to Patents for useful inventions.

An Act relating to persons now or hereafter to be confined within the limits of the Saint Eleanor's jail.

An Act further to amend the Acts for the regulation of the Militia and Volunteer forces.

An Act to amend the Laws relating to the office of Sheriff, and to repeal a certain Act and parts of an Act therein mentioned.

An Act to provide for carrying out of capital punishment within prisons.

An Act to incorporate the trustees of the Baptist Church, Summerside.

An Act to naturalize Charles Otto Winkler.

An Act to incorporate the trustees of the Wesleyan Methodist School, Charlottetown.

An Act in further amendment of the Act incorporating the Summerside Bank.

An Act in amendment of the Act to provide for the punishment of offences against the person and property, and to repeal the Act relating to treasons and felonies.

An Act to incorporate the Wheatly River Lime Company.

An Act to alter and amend the Act to incorporate the Minister and trustees of Saint Andrew's Church, Brackley Point Road, Township number thirty-three.

An Act to revise, consolidate and amend the Charlottetown Mutual Fire Insurance Company's Acts.

An Act to authorize the establishment of additional Small Debt Courts in Prince and King's Counties.

An Act to incorporate the Queen's County Agricultural Society.

An Act to incorporate the New Glasgow Temperance Hall Company.

An Act to amend the Act for the relief of unfortunate Debtors.

An Act relating to the terms of, and proceedings in, the Supreme Court of this Island.

An Act to amend the Act of the thirty-first Victoria, chapter sixteen, intituled "An Act for shortening the language of sheriff's deeds."

An Act to constitute two Polling Divisions in the Fifth Electoral District of Prince County.

An Act to provide for the service of divorce process on absent parties.

After which, Mr. Speaker spake as followeth:—

May it please your Honor:

On behalf of Her Majesty's faithful Commons of Prince Edward Island, I have now to present the following Bills of aid and supply voted to Her Majesty during the present session, to which I have humbly to request your Honor's assent, viz:

An Act to add to the Act relating to Weights and Measures.

An Act to amend the Act for preventing frauds by secret Bills of Sale of personal chattels.

An Act for the better protection of the Salmon Fisheries, and to repeal a certain Act therein mentioned.

An Act to provide for the appointment of a Board for the general supervision of the Public Works and Highways in this Island.

An Act to enable the Government to secure Telegraphic Communication.

An Act to authorize the Government to raise the sum of Ten thousand pounds for the erection of additional Public Buildings in Charlottetown, and for permanent improvements on Roads, Bridges and Public Works, under superintendence of the Board of Works.

An Act to empower the Government of Prince Edward Island to expend the further sum of thirty thousand pounds in the purchase of Lands in this Island.

An Act to authorize the appointment of an Assistant Judge of the Supreme Court of Judicature, and Vice Chancellor of the Court of Chancery in this Island.

An Act to provide for the payment of the Salary of future Lieutenant Governors of this Island.

An Act for raising a Revenue.

An Act for appropriating certain moneys therein mentioned, for the service of the year of our Lord One thousand eight hundred and sixty-nine.

To each of which his Honor was pleased to give his assent.

And then His Honor was pleased to make the following Speech to both Houses:

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

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

The business of the session having been brought to a conclusion, I feel called upon, in relieving you from further attendance in General Assembly, to acknowledge the diligence and attention which you have throughout, evinced in the transaction of the public business, and to congratulate you upon the many useful measures which have been matured by your joint labors.

The Act constituting a Board of Works; the provision for the appointment of a third Judge in the Supreme Court; the amount granted for the erection of Public Buildings of acknowledged necessity; the large sum placed at the disposal of the Government for the purchase of proprietary Estates, in extension of the provisions of the Land Purchase Act, and the liberal Grant for the further promotion of Steam navigation, evidence your zeal for the public interests.

Your promptitude in providing for the payment of the Salary of future Lieutenant Governors will, I hope, prove satisfactory to Her Majesty's Government.

Mr. Speaker and Gentlemen of the House of Assembly:

In Her Majesty's name, I thank you for the supplies which you have granted for the Public Service of the Colony.

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

Mr. Speaker and Gentlemen of the House of Assembly:

In parting, I have now only to express my Hope and earnest Prayer, that, by God's Blessing, another Session may find you assembled in your Legislative capacity, under circumstances of increased prosperity.

After which, the Hon. the President of the Legislative Council, said:

Gentlemen;

It is the will and pleasure of His Honor, the Administrator of the Government, that this General Assembly be prorogued until Friday, the 28th day of May, next, and this General Assembly is accordingly prorogued until Friday, the twenty-eighth day of May next, to be then here holden.

I. OXENHAM,
B. BALDERSTONE, } Reporters.
R. GORDON,

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ERRATA:

On page 8, line 13, for "there," read *in Charlottetown*. On page 25, line 7, 2d column, after "that," read *they are, perhaps, a century in advance of the time for establishing a railway here*. In the same column, in line 18, from the bottom, for "rocks" read *soil*. On page 151, line 13, before "flag," read *French*.