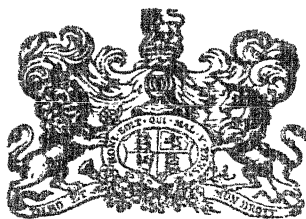


THE
PARLIAMENTARY REPORTER;
OR,
DEBATES AND PROCEEDINGS
OF THE
HOUSE OF ASSEMBLY
OF
PRINCE EDWARD ISLAND,

FOR THE YEAR 1867.

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



CHARLOTTETOWN:
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1867.



THE
PARLIAMENTARY REPORTER.
SESSION, 1867.

Meeting of the Legislature.

THURSDAY, April 18, 1867.—At 3 o'clock His Excellency the Lieutenant Governor was pleased to command the attendance of the Members of the House of Assembly at the Bar of the Council Chamber. Accordingly the Members appeared before His Excellency, and after the usual formalities returned to choose their Speaker, when,

On motion of the Hon. Joseph Mensley, Attorney General, seconded by the Hon. Benjamin Davies, the Hon. Joseph Wightman was appointed Speaker.

His honor the Speaker having suitably acknowledged the high honor conferred on him, the Speaker elect, with the House, then went up to the Council Chamber, when His Excellency was pleased to open the First Session of the Twenty-third General Assembly of this Island, with the following

SPEECH :

Mr. President and Honourable Gentlemen of the Legislative Council :

Mr. Speaker and Gentlemen of the House of Assembly :

The time at which it was deemed advisable to dissolve the last Assembly, and the Ministerial arrangements which were the result of the General Elections, have prevented me from summoning you at an earlier period for the discharge of your Legislative duties. Although the lateness of your meeting must be attended with inconvenience to you, I rely with confidence upon your devoting sufficient time to mature such measures as the exigencies of the Colony and its public service may require.

During the recess, the purchase of extensive Estates has been effected—the particulars of which will be laid before you.

I do not fail to observe the general desire evinced by the tenantry to obtain the fee simple of their land by the purchase of their farms. My efforts are, therefore, directed towards extending the action of the Land Purchase Bill to such parts of this Island as have not yet participated in its benefits, and I shall endeavour, under its provisions, to buy out the interest of the remaining proprietors in the comparatively small portion of the land which is now held under leasehold tenure. The means of providing funds for this purpose will require your serious consideration.

The important question of Education will again be submitted for your consideration, with the view of improving the position

of the school teachers, and otherwise rendering the laws now in force on this subject more efficient and more extensively useful.

Mr. Speaker and Gentlemen of the House of Assembly :

The public accounts for the past year will be laid before you. The revenue has increased, but the expenditure has been largely in excess of ordinary years, on account of the purchase of the Estates to which I have alluded, and the amount required for military purposes.

The Estimates for the current year will be submitted to you. They have been framed with due regard to economy.

Mr. President and Honourable Gentlemen of the Legislative Council :

Mr. Speaker and Gentlemen of the House of Assembly :

The advantages to be derived from the development of local industry and from improvements in agriculture are well worthy of your attention, and I shall be glad to co-operate with you in such measures as you may devise for the advancement of these interests.

The serious loss incurred by the total unfitness of the highways to support the yearly increasing traffic, renders it absolutely necessary that the whole question should undergo a thorough investigation, with a view to the adoption of a better system. Your experience will readily suggest the most appropriate means of collecting information on this important subject as a preliminary step to future legislation.

In full reliance on your zeal for the welfare of the Colony, I now leave you to the discharge of your Legislative duties.

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

The Hon. Attorney General proposed that John McNeill, Esq., be re-appointed Clerk. The Hon. Mr. Haviland stated that he had great pleasure in supporting the nomination of Mr. McNeill, who, he said, had discharged the important duties of that office with remarkable efficiency in previous Parliaments; and he (Hon. Mr. H.) congratulated the House on the circumstance that that gentleman's ability and experience were now again fortunately available for the service of the present Assembly, which had a larger than ordinary proportion of new Members.

Moved by the Hon. B. Davies, seconded by the Hon. Mr. Howlan, that Mr. Kenneth Morrison be appointed Assistant Clerk.

Hon. Mr. Duncan moved in amendment, seconded by Mr. Brecken, that Mr. Joseph M. Dixon be Assistant Clerk, which amendment was negatived on the following division:—

Yeas—Hons. Duncan, McAulay, Henderson, Haviland; Messrs. Owen, Prowse, Yeo, Brecken, Ramsay, Green, McLennan—11.

Nays—Hons. Davies, Laird, Howlan, Hensley, Kelly, Callbeck; Messrs. Bell, Kickham, P. Sinclair, G. Sinclair, Cameron, Jenkins, McNeill, Arseneault—14.

The Hon. Mr. Haviland then moved that Mr. F. W. Hughes be appointed Assistant Clerk.

For the amendment—Hons. Haviland, McAulay; Messrs. Green, Brecken, Yeo, Owen, McLennan, Ramsay—8.

Against it—Hons. Davies, Laird, Howlan, Hensley, Kelly, Callbeck, Henderson, Duncan; Messrs. Bell, Kickham, P. Sinclair, G. Sinclair, Cameron, Jenkins, McNeill, Arseneault, Prowse.—17.

Hon. Mr. Henderson moved that Mr. John McLeod, of Orwell, be Assistant Clerk, which motion, seconded by the Hon. Mr. Duncan, was also negatived, on the same division as the first amendment, namely, yeas 11; nays 14.

The question was then put on the original motion, that Mr. Kenneth Morrison be appointed Assistant Clerk, and agreed to.

On motion of Mr. Bell, seconded by the Hon. Mr. Howlan, that Nicholas Conroy, Esq., be appointed Sergeant-at-Arms.—Mr. Green moved in amendment, seconded by Mr. Yeo, that A. H. Yates, Esq., be Sergeant-at-Arms. The question being put, the amendment was negatived on the following division:

Yeas—Hons. Haviland, Henderson, Duncan, McAulay; Messrs. Ramsay, Green, McLennan, Owen, Prowse, Yeo, Brecken—(11.)

Nays—Hons. Hensley, Callbeck, Laird, Davies, Kelly, Howlan; Messrs. Bell, Kickham, P. Sinclair, G. Sinclair, Cameron, Dr. Jenkins, McNeill, Arseneault—(14.)

On motion of Dr. Jenkins, seconded by Hon. Mr. Callbeck, Mr. Richard Pickard was appointed Messenger to the House.

Mr. Patrick Furlong was appointed Doorkeeper, and Mr. P. Moan, Assistant do.

Hon. Attorney General moved that Mr. David Laird be Chief Reporter of the House during the present Session, with leave to employ Mr. Robert Gordon and Mr. P. S. McGowan as his Assistants.

Hon. Mr. Haviland objected to the House naming any Assistants for the Reporter, and contended that he should be allowed to employ whom he pleased to assist him, as he (the Chief Reporter) alone was responsible for the due performance of the work. He (Hon. Mr. H.) therefore moved, in amendment, that all after the word "employ" be struck out of the Hon. Attorney General's motion, and the word "Assistants" be inserted in lieu thereof.

For the amendment—Hons. Haviland, Henderson, McAulay; Messrs. Ramsay, Green, McLennan, Owen, Prowse, Yeo, Brecken—10.

Against it—Hons. Hensley, Callbeck, Laird, Davies, Kelly, Howlan; Messrs. Bell, Kickham, P. Sinclair, G. Sinclair, Dr. Jenkins, Cameron, McNeill, Arseneault—14.

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

Hon. Attorney General moved, seconded by Hon. Mr. Howlan, that D. O'M. Reddin, Esq., be Law Clerk, to which Mr. Green submitted an amendment, seconded by Mr. Brecken, that W. M. Howe, Esq., be Law Clerk. The question being put, the amendment was negatived as follows:

Yeas—Hons. Haviland, Henderson, Duncan, McAulay; Messrs. Ramsay, Green, McLennan, Owen, Prowse, Yeo, Brecken—11.

Nays—Hon. Attorney General, Callbeck, Laird, Davies, Kelly, Howlan; Messrs. Bell, Kickham, P. Sinclair, G. Sinclair, Cameron, Dr. Jenkins, McNeill, Arseneault—14.

Committee to prepare the Address in answer to His Excellency's Speech—Hon. Mr. Kelly; Messrs. P. Sinclair, G. Sinclair, Bell, Dr. Jenkins, Arseneault, Kickham.

Committee on Public Accounts—Messrs. G. Sinclair, Bell, P. Sinclair; Hon. Mr. Kelly, and Messrs. Owen, Prowse and Yeo.

The usual standing Committees of the House were then named, after which, on motion of the Hon. Mr. Howlan, the Rev. Thos. Duncan was unanimously appointed Chaplain.

Hon. Attorney General presented a message from His Excellency the Lieutenant Governor desiring the House to adjourn over Good Friday.

The House accordingly adjourned until Saturday next at 10 o'clock.

SATURDAY, April 20.

HON. ATTORNEY GENERAL, Chairman of the Committee on Standing Rules and Orders for the government of the House, presented the Report of said Committee, which report, having been read at the Clerk's table, was committed to a Committee of the whole House,—

Mr. GEORGE SINCLAIR in the Chair.

Hon. Mr. HAVILAND suggested the propriety of incorporating, among the Standing Rules of the House, that important rule relative to the Initiation of Money Votes, which, at the suggestion of the Imperial Government, had been adopted by the late Government. He would, therefore, move that the Rule referred to be placed among the Standing Rules of the House.

Hon. ATTORNEY GENERAL concurred in the remarks made by the Hon. Mr. Haviland, touching the advantages of that rule, and supported the motion to add the same to the Standing Rules of the House;

Which rule reads as follows:—

"That this House will receive no petition for any sum of money, relative to the public service, nor proceed upon any motion for granting any money, but what is recommended by the Lieutenant Governor in Council."

Motion agreed to.

AFTERNOON SESSION.

Hon. Mr. KELLY, Chairman of the Committee to prepare an Address in answer to His Excellency's Speech, presented and read Draft Address, which, having been received, was made the order of the day for Monday next, and is as follows:—

To His Excellency George Dundas, Esquire, Lieut. Governor, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY:

1. We, Her Majesty's dutiful and loyal subjects, the House of Assembly of P. E. Island, beg respectfully to tender our thanks for the Speech with which your Excellency opened the present Session.

2. Although the late time at which it was deemed advisable to dissolve the last Assembly, and the ministerial arrangements resulting from the General Election, prevented your Excellency from summoning us at an earlier period than the present, your Excellency may rely upon our willingness to devote a sufficient time to mature such measures as the exigencies of the Colony and the public service may require.

3. We shall be glad to receive from your Excellency the particulars of the purchase of Estates which have been effected during the recess.

4. We have observed in common with your Excellency the general desire evinced by the tenantry to obtain the Fee Simple of their lands, by the purchase of their farms, and we therefore rejoice to learn that your Excellency's efforts will continue to be directed towards extending the operations of the land Purchase Bill to such parts of the Island as have not yet participated in its benefits. We trust that the remaining Proprietors of Township lands, who have not as yet evinced a disposition to part with their lands under the provisions of the Land Purchase Bill on fair and liberal terms, will see the advisability now of forwarding your Excellency's views in that respect; and we can assure your Excellency that we are fully impressed with the importance of making every exertion to extinguish the leasehold tenure, and secure to the occupant of the soil a more independent interest in his labor and improvements. The means of providing funds for the foregoing object shall receive our careful and serious consideration.

5. The important question of Education shall receive our deliberate attention whenever it shall be brought before us, whether it be with the view of improving the position of the School Teachers, or otherwise rendering the law now in force relating to Education more efficient and more extensively useful to the inhabitants of the Colony.

6. We are gratified to learn from your Excellency that the Revenue has increased, and we thank your Excellency for the assurance that the public accounts for the past year will be laid before us, which will inform us as to the sums paid for the purchase of the Estates already alluded to, and the amounts expended for military purposes, which your Excellency informs us have caused the expenditure to be largely in excess of ordinary years.

7. We shall be prepared to grant the necessary supplies for the public service so soon as the accounts for the past and the estimates for the current year shall have been laid before us.

8. We acknowledge fully the great advantages to be derived from the development of local industry and improvements in agriculture. The subject is well worthy of, and shall receive, our constant attention as the Representatives of the people; and we thank your Excellency for informing us that you will gladly cooperate with us in such measures as we may devise for the advancement of those interests.

9. We agree with your Excellency that the whole question of the construction and management of the highways, and the expenditure of public moneys thereon, requires a thorough investigation, and we shall endeavor to obtain reliable information on this most important subject as a preliminary step to future legislation.

10. We assure your Excellency that you may rely with confidence upon our zeal for the welfare of the Colony.

Hon. Mr. HOWLAN, Chairman of the Committee to receive tenders for printing the Parliamentary Reporter, submitted the Report of said Committee, stating that they had received tenders from Messrs. John Ings, W. Malone, and David Laird, and recommending that the tender of Mr. D. Laird, being the lowest, be accepted.

Hon. Mr. DAVIES, Chairman of the Committee to receive tenders for printing the Journals of the Session, submitted a Report, stating that tenders had been received from Messrs. W. Malone, H. Cooper, J. Ings, and George T. Haszard, and recommending that the tender of Mr. Haszard, to print the Journals on superior English paper, same as specimen submitted, at 19s. 6d. per sheet, be accepted.

House adjourned till Monday next at 10 o'clock.

MONDAY, April 22.

Hon. ATTORNEY GENERAL moved that the House do adopt the usual Resolution touching the distribution of a certain number of copies of the Journals. In submitting which, he observed that it would be necessary to forward copies to the Governmental departments of the Provinces recently Confederated.

Hon. Mr. HAVILAND asked the Hon. Attorney General if he admitted that Confederation was a fixed fact.

Hon. Mr. DUNCAN remarked that the people of Nova Scotia were driven into Confederation without their consent—they were denied the privilege of an appeal to the Polls.

Mr. HOWAT did not see the necessity of recognizing the Confederated Government, as it was termed, for it could scarcely be said that it had, as yet, an existence—certainly it was not yet in working order, and, therefore, it was unnecessary on the part of that House to give it any hasty recognition.

Hon. Mr. DAVIES said the fact that the Bill for Confederating Canada and the two Maritime Provinces had passed the Imperial Parliament, and received Her Majesty's Royal assent, rendering it necessary that the House should recognize it. He thought the views of some hon. members of the Opposition must have been considerably modified on the question of Confederation, for it appeared that they had nominated the Hon. Mr. Haviland, who was a strong Confederate, as their Leader.

After some further remarks from hon. members, the resolution was put and agreed to.

Hon. Mr. HAVILAND remarked that the names of the new Administration had not been announced to the House, nor was it made known whom hon. members should address as Leader of the Government.

Hon. Mr. HENSLEY, Attorney General, replied, and read the names of His Excellency's responsible advisers. He remarked that the Hon. Mr. Coles, Colonial Secretary and President of the Executive Council, having just been triumphantly elected by the people, would in a few days be able to take his seat as the Leader of the Government.

AFTERNOON SESSION.

Debate on the Draft Address in Answer to His Excellency's Speech.

On motion of Hon. Mr. KELLY, the House resolved itself into a Committee of the whole, to take into consideration the Draft Address in answer to His Excellency's Speech at the opening of the Session,—Mr. BELL in the Chair.

The 1st paragraph was agreed to without remark.

On the 2d paragraph being read—

Hon. Mr. HENSLEY rose to move its adoption, and said:—Mr. Chairman: This clause may not meet with the approval of all hon. members, though I am unable to see that any one can raise against it a valid objection. It does not censure any party; it simply states a fact. While it says that "the late time at which it was deemed advisable to dissolve the last Assembly, and the Ministerial arrangements resulting from the General Election," prevented His Excellency from summoning the House at an earlier period, it does not cast the least reflection upon the late Government. We charitably suppose that they had good reason for delaying the Election. But, as some eight or ten months of the most suitable season of the year for holding it, elapsed before the House was dissolved, a satisfactory explanation of the matter, from some of His Excellency's late advisers, would, no doubt, be gratifying to hon. members, as well as to the people generally. As you are aware, Sir, the "ministerial arrangements" referred to in the clause, are those rendered necessary by the resignation of the late Government and its principal officers, whose places had to be filled up to carry on the public business of the Colony. Those hon. members who accepted offices of emolument, of course, had to vacate their seats; and, though the writs for the Elections, in such cases, were made returnable as soon as possible, delay in calling the Legislature together was impossible. We do not wish to attach blame to the late party in power; we merely express our willingness, notwithstanding the lateness of the Session, to devote a sufficient time to mature such measures as the exigencies of the Colony and the public service may require. It, however, would afford me pleasure to hear from two hon. members present (Messrs. Duncan and Henderson), who held seats at the late Executive Board, an explanation of the reason why the General Election was so long delayed. It is surmised that the late Government deferred the dissolution of the Assembly until Confederation might be matured; but as those two hon. members are understood to be decidedly opposed to that measure, they could not have consented to the delay on any such ground.

Hon. Mr. McAULAY.—Mr. Chairman, I cannot but admire the moderation of the hon. gentleman who has just resumed his seat! At first he was not going to cast any reflection upon the late Government, but he concluded his speech by calling upon them to give an account of their actions. Conduct like this is unparliamentary. Never before, I believe, has such a thing occurred in any country, as an incoming Government attempting to call their predecessors to account on the floors of the Legislature. A new light has dawned upon the world since the advent of the present Government party to power, and I hope it will benefit from the faint illumination which that light affords. It is contrary to parliamentary rule for one House to refer to the proceedings of another. But the hon. member's allusion to the acts of the late Government seems merely intended to cover the mis-

deeds of his own party. He complains of the lateness of the Session, and throws all the blame upon His Excellency's former advisers. His excuse will not stand the test of investigation. The General Election was held on the 26th of February, and the House was not summoned to meet until the 18th of April. Why the delay? The pleading about ministerial arrangements will not satisfy the public. Were the Officers of the late Government asked to retain their places for a few months, until the business of the Session could be got over? The real fact of the case appears to be that the leaders of the party now in power were so anxious to obtain office, that, rather than forego the sweets of emolument for a few weeks, they were prepared to put the people to expense, and the country members to great inconvenience. I will not move any amendment to the paragraph under consideration; but I hope that the Hon. Attorney General will adhere to parliamentary rule more strictly in the future.

Mr. BRECKEN.—I regret that the hon. Leader of the Opposition is not in his place: if he were, I have no doubt he would satisfy the Hon. Attorney General respecting the delay in holding the General Election, which seems to cause that hon. member so much uneasiness. I believe, however, that his surmise was pretty nearly correct; that the late Government deemed it advisable to delay the Election until the intentions of the Imperial Government, with respect to the position this Island would occupy in regard to Confederation should be made known. Though I am opposed to Confederation, I believe the policy of the late Administration, in waiting to ascertain the decision of the Home Government on that question, was a sound one. It was but right that the people of this Island should be made aware of what the Imperial Government purposed to do with them, before they were required to go to the polls. This is a small Colony; and, though we objected to enter the proposed Confederation, it was possible that the authorities at Home might resolve to include us in the Bill then about to be brought before Parliament. The people, I think, will not blame the late Government for delaying the Election until the public mind was relieved upon that point. It would have been unwise to put the country to the expense of a General Election, without knowing what would be our future fate. But, Mr. Chairman, if I recollect rightly, the late Government placed their resignations in His Excellency's hands some ten or twelve days before their successors were appointed, therefore the very late period at which the Session was called, could not be altogether attributable to the time at which the Election was held. And, after the Government was formed, and they had placed their friends in office, there was apparently no occasion for delaying the opening of the Session until last week. They were strong—at least numerically so, whether really strong or not. They had nineteen to eleven of the Opposition—or eighteen to twelve—a question which I suppose the hon. member for Tryon alone can solve; consequently the absence of two or three members from their seats should not have delayed the public business. But, I suppose we must accept the explanation in the paragraph under consideration, that "ministerial arrangements," or perhaps more properly, "ministerial difficulties"—prevented an earlier call of the House. We know, Sir, from the declaration of the hon. Leader of the Government himself, at the late nomination, that his present supporters in the Legislature are composed of all political parties; therefore it is easy to understand how difficulties may arise. The paragraph before the Committee is moderate; and, indeed, the whole Address is moderate; and, had it not been for the allusion made by the Hon. Attorney General to the course pursued by the late Government in reference to the General Election, I would not have troubled this hon. Committee so early in the debate.

Hon. Mr. DAVIES.—The hon. member for Charlottetown has stated that the reason the late Administrators delayed the Election, was in order to ascertain what action the Home Government intended to take on Confederation. This is a very extraordinary excuse to offer. Did they suppose or desire that the Imperial Government would force us into Confederation? The British Parliament would not be so unjust as to sanction such an act. We are in as independent a position as any of the States in the neighboring Republic; and our independent rights cannot properly be taken from us. But the British Government never wished to coerce us into Confederation. Those who held up this idea, were the men who wished that this Island might be legislated into the Union without the people's consent. The Home Government could not rightfully deprive us of our separate Government, unless we had violated the constitution of the Colony. And I believe this is what the late Government attempted to impress upon the Home authorities, when they sent for troops to quell, what they represented to be a disturbance among the tenantry, thereby bringing the Island into discredit. To state that the late Administration delayed the election until it was known whether this Colony would be included in it or not, is as much as to say, that they believed the Legislature of this Island to be a farce, and our constituents not a free people.

Mr. BRECKEN.—Mr. Chairman, I agree with the hon. member for Belfast, that it was not at all probable that the Home Government would take away the Constitution of the Colony without our consent. But the Government did not know what instructions His Excellency might, almost at any moment, receive. He might have been instructed by the Secretary of State for the Colonies to dissolve the House, and test the opinion of the country on the question of Confederation. Suppose that he had received such instructions a week or two after the Election was over, would not the country have thought that the Government of the day had been too hasty in making an appeal to the people? I am just as prepared as the hon. member to stand up for the rights of the Colony; but considering our insignificance, I cannot admit that we are so independent of the Mother Country, as he has asserted. The object of the late Government, he also stated, seemed to be to bring discredit, or a stigma upon the Colony. This was caused, he says, by their sending for the troops. The Tenant Union disturbances, are no doubt looked upon by him, as a very trifling affair. He did not condescend to inform us whether he was a member of that organization or not; but I know, Sir, that when a procession of that body paraded the streets of Charlottetown, they halted opposite the hon. gentleman's business establishment, and gave him an ovation. He appeared at the door before them, and received the honor with a countenance radiant with the smiles of patriotism. I am not going to detain this hon. committee at present to discuss the point whether the nature of the disturbances which arose, out of the great Tenant League agitation, were such as to justify the late Government in sending for troops. I will merely say that if the hon. member for Belfast sincerely believes that their action in the matter was intended, or calculated to bring the Colony into disgrace, he ought, now, since he is a member of the Government, to have introduced a paragraph into His Excellency's speech to carry out the objects of this Tenant Association which he countenanced and supported. A little pepper in the Speech would have been an improvement. I was not at the hon. member's elbow through his election campaign, but I have been informed that the League had not a little to do with his presence here. If, then, Sir, he owes his seat in this House to the influence

of that organization, why has he not something in this Address on the subject, even supposing he could not procure a place for it in the speech from the Throne? I fear, Sir, that having ridden into this House on that political horse, he has turned him away, never more to be heard of, until the next Election day comes round. I can only compare his conduct to a man who has undertaken a long journey on foot, and finding himself fatigued, and almost despairing of reaching his destination, he meets with a horse which he coaxes with a little provender, leaps on his back, rides to the end of his journey, and then turns him adrift. So is the hon. member with the Tenant organization; he gave it a few political oats, and encouraged it to help him along, but having served his purpose, he has now quietly forgotten its claims. He may declaim about the troops and the acts of the late Government, but now, after having become one of His Excellency's sworn advisers, he will discover that he must pursue the same policy in maintaining law and order, as was adopted by the Conservative party. It is rumored that the British troops are to be withdrawn from the other Provinces after they are confederated. If so, those which are here will also be called away. Should the hon. member for Belfast, then ascertain that law and order can not be maintained in this Colony, except at the point of the bayonet, he, I think, will conclude that we are not so independent as he at present imagines.

Hon. Mr. DUNCAN.—The subject of the Tenant League having been brought forward by the hon. member for Belfast (Mr. Davies) one of the members of the Government, it is, Mr. Chairman, no harm for the Opposition to mention it. The conduct of my hon. colleague in regard to the Tenant association has been, I think, somewhat strange. In fact he has merely used that body as a means of getting into power, and even in his canvass before the late Election, he regulated his speeches in regard to the Land Question and the rights of the Tenantry very much by the character of the people whom he happened to be addressing. He should not, I think, have alluded to this question at all, and I wonder that he has done so. But, Sir, returning to the paragraph under discussion, why did not the present Government, if they desired to call the Legislature at an earlier period, wait a few weeks before appointing their principal officers from the members on the floor of the House? Could not some of these appointments have been postponed until the House had risen, and thereby no delay be occasioned? But the Address throughout follows the policy of the late Government—that policy which the present Government at the late Election found so much fault with, but which now they appear ready to carry out. I, for my part, Mr. Chairman, see nothing objectionable in this paragraph, but am surprised at my hon. colleague's allusions to the Tenant League. It is plain that he has merely used that organization as a means of getting into the Government, and that he will now have no further use for the tenantry until he again comes upon them at another Election.

Hon. Mr. DAVIES.—I wish, Mr. Chairman, to make a few remarks regarding the defence of the hon. member for Charlottetown, with respect to the action of the late Government in delaying the General Elections. The observations which have fallen from that gentleman would lead us to believe that had certain news come from England regarding Confederation, the House would never have been called. This is but a poor defence of the action of the Government, and is equal to saying that its members were willing to sell their country and prove traitors to the trust reposed in them. And is not the party carrying out the same policy still? Have not the Opposition chosen the hon. and learned

member for Georgetown, a red hot Unionist, as their leader, thus showing their leanings to the Confederation Scheme? With regard to what my hon. colleague (Mr. Duncan) has said of my connection with the Tenant League, I may tell him that I am not now in this House through the influence of that body, though many of its members voted for me. It is true that I at first supported the Tenants in their demands, but I had afterwards cause to disapprove of many of their acts. The hon. member's rambling allusions to my canvass and election in Belfast have not very much weight. He clearly expected to carry all Belfast before him, but failed in the attempt.

Mr. BRECKEN.—In the explanation which I gave of the probable cause of the delay in issuing the Writs for the General Election, I merely stated that, in my opinion, that delay was occasioned by a desire on the part of the late Government to postpone the Elections until something more definite was known on the subject of Confederation; but I did not wish to convey the impression that they were waiting in order to sell their country. Even if disposed to take such action on Confederation, they would first have had to submit it to the Legislature; and I therefore do not see that they were in a position to act as traitors, even were they so inclined. Much, Mr. Chairman, has been said about the Opposition's having chosen the hon. member for Georgetown, (Mr. Haviland) who is a Confederate, as their leader, but I cannot think it consistent in the hon. member for Belfast to condemn them for doing so when the party of which he is a member offered the highest honor in this House which they could confer upon the same Confederate gentleman, namely, the Speaker's Chair. And has not the Government of which he is a member appointed a gentleman who is a strong Confederate to the most lucrative office in their gift? That gentleman has since lost his Election, and I am sorry that such is the case. The Queen's Printer has always been a credit to the House and I would not have the slightest objection to seeing him now on the floor, for I have always respected him, strongly though he has denounced the policy of the Conservative party. I consider that the Liberal party—if such a party exists—acted rightly in appointing Mr. Whelan; I merely object to the inconsistency of hon. members who made that appointment, now finding fault with the Opposition for selecting their ablest and most experienced member as Leader, even though he be a Confederate.

Hon. Mr. DAVIES.—The hon. member who has just spoken considers that I cannot, with any degree of consistency, approve of Mr. Whelan's appointment as Queen's Printer, and yet condemn the Opposition for choosing the hon. member for Georgetown (Mr. Haviland) as their Leader. It is well-known that Mr. Whelan had strong claims upon the Liberal party. He ran his election, was returned, and then applied for the Printership; but, before that office was given him, he renounced his former opinions in favor of Confederation, and promised to oppose the measure in the House, if again elected. It appears, however, that, on his returning to his constituents, they were not satisfied with his promise, and rejected him; and, I am proud, as a politician, they did so, though I myself believe that, had Mr. Whelan been again returned, he would have opposed Confederation. But the case is different in regard to Mr. Haviland. The Opposition have chosen him unpledged, and he will still support Confederation.

Mr. BRECKEN.—I am sorry, Mr. Chairman, that Mr. Whelan is not present. I have always had too high an opinion of that gentleman to think that he would sell himself and his opinions for an office, and, if he were now in the House, he would not, I think,

thank the hon. member who has just sat down, for the character which he has given him, that of a political hireling. I have never seen his abandonment of his opinions, and I do not think such was ever made. The hon. member thinks there is a vast difference between the appointment of Mr. Whelan and that of Mr. Haviland. If he objects to the Opposition being led by the latter gentleman, why was he so anxious to place him in the Speaker's Chair? If he is bent upon betraying the interests of his native country, was that the reward to give him,—make him first Commoner of the land? I believe Mr. Whelan is as much a Confederate as ever, and he was placed in office by the present composite Government, for that is its character. There are in it fragments of the old Liberal party, some of the Tenant League element I believe, and some Conservatives. The position of the present hon. Leader of the Opposition is before the country. He is, we know, a staunch Confederate; and, since his avowal of his opinions on this matter, he has been returned by his constituents. Regarding the delay in the Elections, Mr. Chairman, as I said before, I do not think that the Conservative party delayed them, in order to sell the people, or that they had the power or inclination to do so. Surely the House of Assembly that passed the "No terms Resolution" would not be willing to sell the country. There was, I think, as much integrity in the late House, as in the present one; and I consider it right that the Elections were delayed, in order that the people might be better informed upon the subject of Confederation, and the wishes of the Imperial Government.

Hon. ATTORNEY GENERAL.—I did not, Mr. Chairman, think that the Tenant League and Confederation would be brought up for discussion, when I moved the clause now under consideration. Nothing of the sort was mentioned in the clause; and, in moving it, I merely stated that no blame was cast upon the late Government, as they were probably able to give good reasons for their acts. It was reported that the late Government desired to sacrifice the Island on the altar of Confederation, and therefore delayed the dissolution of the Assembly; but, as a proof that this could not be the case, I alluded to the fact that the hon. members opposite, for Belfast and Murray Harbor, both strong anti-Confederates, were in the Executive up to and after the time at which the dissolution would ordinarily have taken place. But, if the dissolution was delayed to enable the people to obtain more information on Confederation, that they might thereby form a more correct opinion on the subject, I am willing to concede the wisdom of the delay. Regarding the case of the hon. Leader of the Opposition, and that of the present Queen's Printer, I consider that, if any person thinks proper to cover his views on a subject, and to say that he will not press them upon the attention of the House, I am perfectly at liberty to accept him as an officer, either of the Government or of this House. I look upon the hon. member for Georgetown as pledged not to support Confederation, until he shall again appeal to his constituents on the subject. It was not at all unparliamentary for the Government to offer him the Speaker's chair. In the British Parliament, the Speaker is chosen simply with regard to his merits, leaving his political opinions out of the question; and why could not we do the same? The hon. member for Charlottetown also stated that he believed that the dissolution of the late House was probably delayed, in order to afford time to receive despatches from the Home Government on the subject of Confederation. It was probably of advantage to the people, that, at the time the Elections took place, the question, in all its bearings, and all its fairness, should be before them, giving them an opportunity of forming their own opinions on the matter, and taking these opinions as a guide for their actions; and I consider that no

compulsion that could be brought to bear, would prevent them doing so. The hon. member for Georgetown (Mr. McAulay) has accused me of acting in an unparliamentary manner. That gentleman occupied the Speaker's Chair for some time, in the late House, and, of course, his statements will carry great weight. It sounded very well for him to say that I had departed from Parliamentary practice; but I am unable to see in what respect I did so. If asking for an explanation, to enlighten this hon. Committee, is unparliamentary, I must, I confess, plead guilty. Much has been said about Departmental and Responsible Government. I lately read, in a Halifax newspaper, an article on this subject, which defined Responsible Government to be a government according to the well-understood wishes of the people, as expressed through a majority of their Representatives. We, then, have Responsible Government in its pure form, so long as we have a majority of the Representatives carrying out their wishes. The hon. member for the City also stated that there was nothing in His Excellency's Speech,—that, in the Speech the Government merely followed the policy of the late Administration. What an example the Tories have set, certainly! They laid aside the Land Purchase Bill, which was a Liberal measure, and tried other measures for the purchase of the Lands; but, these failing, they finally returned to the original Bill. Does the hon. member think that, because the Conservatives adopted the policy of the Liberals, that that party, in its return to power, is to throw aside that policy, and adopt a new one? We do not, Sir, follow the Conservative party, but merely support a measure brought forward by ourselves,—a measure the best adapted to settle the Land Question, and which has done so to a very great extent. But, Sir, the present Government have been blamed, by some hon. members of the Opposition, for not having waited until the House had risen, before appointing its officers from that body. It was impossible for the Government to work until its principal officers, such as the Colonial Secretary, were appointed; and, I think that my hon. friend, the Leader of the Opposition, would have been rather surprised, had the Government asked him to remain in office after the defeat of his party. I trust that the hon. member for Georgetown (Mr. McAulay) will see fit to withdraw the charge of being unparliamentary, which he has brought against me.

Hon. Mr. McAULAY.—If the hon. member expects me to retract, his hopes, Mr. Chairman, will end in disappointment. When I charged him with being unparliamentary, I did not speak unadvisedly; and there are now, or were lately, before him, authorities to prove the correctness of what I said. If he is not too indolent to peruse these authorities, he will find that references in censure are not allowed in the Imperial Parliament.

Hon. Mr. HAVILAND.—If I had been in my place at the commencement of this debate much discussion might have been saved. The debate, Mr. Chairman, should have been confined to the paragraph now before you, instead of which, we have subjects brought up and discussed which do not even appear in the Address. The hon. member for Charlottetown was right in saying that Confederation was the cause of the delay in holding the late General Election. Her Majesty's Representative, together with his advisers, considered that it was for the interest of the Island to defer the Election as late as possible, that all the information which could be received might be laid before the people at the polls, that they might know the result of the Conference in London, and the principles of the Confederation Bill before the Imperial Parliament. We expected some despatch in answer to the Address sent from this House last year which would contain more than the usual announcement that Her Majesty had received it graciously. On the day of

nomination such a despatch was received and immediately published that the people might read it; and had the Election taken place in the autumn the country would have been in ignorance of many of the facts concerning Confederation. Very probably the reason why some hon. members object to the late Government's having delayed the Election, is that they were then anxiously waiting to get into the House, and were therefore impatient of any delay. Some insinuation has been thrown out that the late Government were waiting to sell the country. I can tell hon. members,—and my word will, I think, have some weight, for I am pretty well known,—that I was returned by my constituents pledged not to commit the Island to any scheme of Confederation, without first appealing to the people, and I would as soon cut off my hand as allow it to be done. I only hope that hon. members opposite will be as well able to clear their skirts when they go out of power as I am. I never, Mr. Chairman, heard on the floor of this House such an extraordinary admission as that made by the hon. member for Belfast (Mr. Davies) regarding the Queen's Printer's appointment. He actually seemed to me to sing a psalm of joy over that gentleman's defeat. If the hon. member was unwilling to see him in office, he should, I think, have resigned his position as a member of the Executive. By the principles of Responsible Government every member of that body is individually responsible for every appointment, and it is the duty of each of them to defend that appointment when made.

Hon. Mr. DAVIES.—I think I may be allowed to explain my statement in regard to Mr. Whelan's appointment as Queen's Printer. I would have been opposed to his appointment, had I not been aware that, before his first Election, he publicly renounced his opinions on Confederation. When I said that I was glad that the people had now rejected him, I merely meant that I was glad they had done so, if they did not consider him sincere in the pledges which he had given.

Hon. Mr. DUNCAN.—I omitted, Mr. Chairman, to remind my hon. colleague, who so strongly condemned the action of the late Government in sending for the troops, that the Opposition of last Session, with the exception of two hon. members, approved of the step taken by the Conservative Administration in that matter.

Hon. Mr. HENDERSON.—During the Debate, reference has been made to me personally, as a member of the late Government, and an insinuation has been made against that Government, for which I consider it my duty to demand something more than an assertion. The hon. member for Belfast (Mr. Davies) has stated that the late Government had called the soldiers into the Island, with the intention of forcing the Island into Confederation. Can he produce any proof—anything like proof—for that statement? Does he mean to say that his Honor the Chief Justice, who was at that time Administrator of the Government, would consent to anything like that? I repudiate the statement, and hand it back to the gentleman for proof. I admit that, perhaps preliminary steps, on the part of the civil power, were not used in time, and I will give you no opinion now, contrary to the opinions which I held when in the Government. I do not wish to occupy the time of this hon. Committee: but, when the integrity of the late Government is called in question, I consider it my duty to defend them. I say, then, that the hon. member for Belfast (Mr. Davies) has given no proof—except his bare assertion—that such was the motive of the late Government, in calling the Troops. I regret that this subject has been brought forward. I would be one of the last to mention it. Some gentlemen have referred to the fact that my hon. and learned

friend, the member for Georgetown, has been chosen as Leader by the Opposition. We were in this act, Sir, as consistent as were the Government in offering him the Speaker's chair. The fact of their having done this only proves that we have made a wise choice. I myself heard that gentleman, when addressing his constituents in Georgetown, say, if ever that crisis came, when his vote could put this Island into Confederation without the consent of the people, God forbid that he should give it. Take this fact in connection with the well-known character of the hon. member for Georgetown, and we have, I think, as good a guarantee for his conduct as can be required.

Hon. Mr. HOWLAN.—I did not, Mr. Chairman, intend to speak at this stage of the proceedings; but, certainly, I did not expect that any hon. gentleman would have made such statements as the hon. member for Belfast (Mr. Duncan) has done. He said that all the Opposition of last year were in favor of bringing the troops here, except two—the hon. member for New Glasgow, and the hon. member for Tryon. All the members of the minority of last year, with the exception of two, were not in favor of the action of the late Government in that matter; and, therefore, Sir, his statement is incorrect. There was a Resolution brought in by the Government, to which the hon. member for Tryon moved an amendment, and eight members voted for it—which amendment I will now read:—

“That the House of Assembly regret the disturbances and troubles which occurred in this Colony in the past year, but the House, at the same time, are of opinion that the alleged open and systematic defiance of the law might have been set aside by a further recourse to the aid of the civil power at the disposal of the local authorities, before calling in the aid of Her Majesty's troops.”

Now, Sir, I find that eight voted for this amendment, and this is an important fact. I did not intend to go into this question. I am sorry, and I think every hon. member in this House is sorry, that the Hon. Mr. Whelan has not been returned,—sorry that he was so unfortunate. There have been other matters brought up, which, I think, we had better now pass by, as we shall have ample opportunity, hereafter, to speak to them. I will only say that I was surprised at the explanation given by the hon. member, with respect to the delay in holding the Election.

Hon. Mr. HAVILAND.—Does the hon. member refer to me?

Hon. Mr. HOWLAN.—I referred to the hon. member for Belfast (Mr. Duncan).

Mr. HOWAT.—Mr. Chairman, I was the one who moved the resolution in the House last year which has just been read by the hon. member. I believe that law and order should be maintained; and I believe that all classes are liable to become excited at times; but I do think that the Government should have used the means at their disposal before they brought the troops here. Had they done so, they would have had no occasion for the troops to put down any disturbance. But now that they are here, I am glad to see them. It is admitted by all that this Session was called too late, and both sides of the House seem to try to get clear of the blame. Now, is there cause for complaint? I, for one, believe that there is blame, and I wish that blame to rest upon those on whom it should. If the present Government, as explained by the Hon. the Atty. Gen., had no more time than was required by law for calling the Legislature, then the blame must rest with the late Government. I am at a loss to understand the hon. member for Charlottetown (Mr. Brecken) when he gave as a reason that they were waiting for fuller information on

Confederation. Now, Sir, if he was sincere last year in the *no terms resolution*, there was no necessity to wait for any further information on the subject of Confederation; and the Election should have been held at the proper time, and the country not put to the inconvenience of calling the Legislature so late.

Mr. BRECKEN.—In the absence of the Leader of the Opposition, I suggested what I thought probably was the reason why the late Election did not take place at an earlier date, that the Government were waiting the result of the deliberations of the delegates of the other Provinces, in London, on the subject of Confederation. If such was their reason, it appears to me a sufficient one; for who could tell to what extent our position might have been effected by the policy of the Imperial Government? Some persons predicted that we would be coerced into union; others, that certain terms would be offered for the acceptance or rejection of the people of this Colony, and with that object a dissolution would have to take place. The hon. member for Belfast (Mr. Davies) will surely admit that it was of consequence that all doubts in this important matter should be removed before the Electors were called upon to choose their representatives. The hon. member charges me, as one of the supporters of the celebrated *no terms resolution*, with inconsistency in excusing this delay; but Sir, the hon. member knows very well that, although I voted for these resolutions, I did not agree with the wording of them; and if he refers to the report of my speech on that occasion, he will find that I stated that they went too far, that to say that no terms of union that would prove advantageous to our interests and the well-being of the people could be offered was going too far. My reasons for voting for these resolutions were, that I believed that no other terms were in store for us other than those offered by the Quebec Scheme—terms which I believed then, and still do, were neither just nor liberal to the Island; and that in a union on such terms, our material interests would be most seriously depressed. That looking at what was then taking place in the neighboring Province of Nova Scotia, the very great dissatisfaction that appeared to exist there, and the protests that were being made against the policy of the Government going into Confederation without first appealing to the people; I considered it would have been dangerous for us to admit the principle in the abstract, until there was a prospect of getting fair terms, such as the people of this Colony would be prepared to accept. If the hon. member (Mr. Davies) will take the trouble to refer to my speech, when these resolutions were under discussion last Session, he will find that I have not changed my opinions. That I then said that terms might be offered which it would be to our interest to accept. Not that I think it any discredit to a man to change his opinions, on political as well as other subjects. The man who never changes his opinion, never corrects his errors. Since last Session Confederation has undergone a material change. The union of Canada, Nova Scotia, and New Brunswick has been accomplished; besides the terms of the compact have also been materially changed. With us, Sir, I think it is only a question of time. I have never thought that we can stand alone and keep out of the union. If I thought we could without imperilling our various interests, I would say in the words of Shakespeare, “better

bear those ills we have than fly to others we know not of." Our position now is such that it becomes the duty of every public man to look the question fairly in the face, not in a party spirit with the object of making political stock out of it. It is time we made up our minds on this great question, as to the most beneficial course to be pursued, and having done so to stand or fall by those opinions.

Hon. Mr. DAVIES.—I look at members who have pledged themselves.

Mr. BRECKEN.—The hon. member need not alarm himself about my inconsistency. I am not going to play with the question. I have pledged myself in common, I believe, with every hon. member of this House, not to commit the country to Confederation until the question is first submitted to the people at the polls. This pledge was most distinctly given, and I intend to keep it strictly.

Hon. Mr. DAVIES.—I understood the hon. member for Charlottetown.

Mr. BRECKEN.—I consider myself bound by a pledge to hand back to my constituents the power they entrusted me with undiminished. I do not feel myself precluded from discussing the question. For, if the present Government were to open negotiations with the Confederate Colonies, for the purpose of joining the Union—a course that would not very much surprise me—and obtain an offer on favorable terms, I should consider myself bound to vote against closing with that offer, and vote for referring the question to the people. I am surprised at the coolness of the hon. member, twitting me with inconsistency on the subject of Confederation. I ask him, what candidate did he support at the recent Election for Charlottetown,—my hon. colleague, a prominent supporter of Confederation, one of the celebrated "ninety-four." If, Sir, the hon. member and his party, well-knowing my colleague's views on that question, supported, and, with the assistance of some Confederates in the city, returned him to this House; but—strange and inconsistent—having placed him in that responsible position, they are afraid, I understand, to trust him as a member of the Executive Council, and resolutely refuse to appoint him to that position, although he has as resolutely insisted on his right to be there. Looking at the fact that he is one of the representatives of the capital of the Colony, and the only one who is in harmony with the Government, if there is anything of that element amongst them, which I much doubt, and considering that his constituents are the most wealthy, and certainly as intelligent as any in the Island, and that the greater portion of the mercantile, mechanical, and many other of our important interests are centred in the Town and Royalty, I do think my colleague, and those who sent him here, have a right to see him at the Executive Council Board. I understand the Government distrusts him on account of his Confederate opinions. It cannot be that his qualifications and position, in other respects, do not justify the appointment. Strange inconsistency, voting for a gentleman, returning him to this House, and still afraid to trust him as a member of the Government. But, Sir, for another piece of inconsistency on the part of the hon. member (Mr. Davies) and his party: How does he defend the appointment to the

office of Queen's Printer of a gentleman, one of the most ardent and talented (and on that account the most dangerous) advocates of Confederation. The hon. member designates Confederates as traitors. Is this his mode of punishing treachery by appointing the offender to the most lucrative office in the gift of the Government?

Hon. Mr. KELLY.—Mr. Davies was not appointed to the Executive until after Mr. Whelan was appointed Queen's Printer.

Mr. BRECKEN.—So much the worse for him, if such was the fact, for, by accepting a seat in the Government, he endorsed and approved of the Act; but the fact is Mr. Davies was a member of the Government at the time the appointment was made. The hon. member (Mr. Davies) jeers us for having a red-hot Unionist as Leader of the Opposition. It is within the knowledge of this hon. House, that that hon. member and the Government proposed to punish the Leader of the Opposition for his red-hot Confederate ideas, by making him first Commoner of the land, placing him in the Speaker's Chair. Strange method this, of marking the people's and the hon. member's disapprobation of the Leader of the Opposition's unsound and traitorous opinions on a question so vitally affecting our interests. The fact is, the Government is a mass of inconsistency; there are scarcely two of them who profess the same principles. Their Leader, who has not at present a seat in this House, always contended, (and no later than a few days ago, on the hustings in Charlottetown,) that the departmental system of Responsible Government was the only true system. How often have we, on this side of the House, been denounced as traitors for departing from it, by excluding office-holders from the Legislature. Now, we find this composite Government following the course laid down by the Conservatives, without having the honesty or candour to confess that they have seen the error of their way, or to assign reasons for changing their minds. No, Sir; rather than admit that it was honorable for their opponents to do anything right, they prefer pursuing a course which they have denounced as deceptive. They tell us that all political parties must make compromises. To a certain extent this is true,—but in matters of detail, there is a point at which compromises must stop. There are certain vital principles, which admit of no compromise, unless they wish to be, as this Government are, compromised from head to foot, without any distinctive principle, composed of a remnant of the old Liberal party, an infusion of Tenant Leaguers, and a few calling themselves moderate Conservatives. Look at some of their recent and most important appointments. What principle of Responsible Government was respected in the appointment of the Colonial Treasurer—a gentleman who, a few weeks ago, was rejected, at the Legislative Council Election, by an overwhelming majority; and, as to the appointment to the head of the Customs' Department, I cannot say what known rule of the Constitution has been invaded, as the framers of that system of government, wide and comprehensive as they made it, never contemplated such a case of unblushing political jobbery occurring; this was reserved for the ingenuity of Prince Edward Island Liberals. And bear in mind, Mr. Chairman, that the Government, by making this appointment, endorses its propriety collectively and individually, otherwise

they would insist on the Controller of Customs obtaining the approval of his constituents. I can picture to myself that gentleman, when on the hustings, dilating on the grievances and wrongs perpetuated by those ruthless and grinding Tories, and assuring the people that, if they would only return him to Parliament, he would put his shoulder to the wheel, and ease them of all their burdens and wrongs. They do so. He, on his part, accepts a lucrative office, makes his bow to his oppressed constituency, and takes final leave of them and their grievances. I have always looked upon Responsible Government as a very elastic thing; it may be compared to an Indian rubber bag, capable of being squeezed into a variety of shapes and forms; and, provided you keep it inflated with the breath of the well-understood wishes of the people for the time, all well; but the present composite Government seem disposed to squeeze that very breath out of it, and hold it up to the people as an empty and meaningless thing. So much, Sir, for the consistency of the hon. member for Belfast and his new-found friends.

Hon. Mr. LAIRD.—Mr. Chairman; being a young member, I did not wish to be too hasty in rising to address this hon. Committee. But I cannot any longer retain my seat, when I hear such a reason given for delaying the General Election. In fact, it is no reason at all. Sir, in my boyish days I was led to believe that law and lawyers were nearly synonymous terms for roguery and deception; but I have lived that opinion down. Still, when I hear the hon. and learned member for Charlottetown advancing such reasons as he has done to-night, I am almost forced to the conclusion that my early impressions were correct. Now, if he was honest in voting for the "no terms" resolutions, it ought to be a matter of indifference to him how early in the summer the elections were held. If consistency had characterized the actions of the late Government, delay in the case was unnecessary. The attempt to justify putting off the Elections, on account of the general tenor of the resolutions on Confederation passed last Session, is, I think, without force, when we consider that the "no terms" portion of them is their most prominent feature,—so much so, that they receive their designation from it, and will continue to do so, while the Journals of this House remain in existence. The hon. member for Charlottetown has also twitted the members of the Government about the "composite" material of which it is formed. Be that as it may, I think their opinions are more in harmony with each other, and their actions characterized by greater unanimity, than were those of the late Government. One member of that "happy family"—the hon. member for Murray Harbor (Mr. Henderson)—was kicked (pardon the expression) out of that honorable body. And the operation appears to have had a beneficial effect upon him, judging from his present conduct, following, as he does, closely to, and firmly supporting, the present hon. Leader of the Opposition, who remained a member of the late Government after his (Mr. Henderson's) gentle dismissal.

Mr. BRECKEN.—To say that no terms could be offered that would induce us to enter into Confederation, was certainly going too far. The hon. member from Bedeque insinuates that I was prepared to enter into Confederation, if better terms were offered. This is an error. I did not say so, or deviate from my pledge to return the matter to the hustings.

Hon. Mr. HENDERSON.—Mr. Chairman; the hon. member, who has just sat down (Mr. Laird), in his reply to the hon. and learned member on my right (Mr. Breckon) has alluded to me; but, I would remind him that it is quite unnecessary to attack me over the shoulders of another, for, I believe, I can stand upon my own legs. He affirms that I was kicked out of the late Government; but I can assure him that I was neither kicked nor pushed out of the Government, as the correspondence on the subject, published several months ago, has sufficiently proved; and, if the question were put to the vote of the intelligent people of the Island, I venture to say that they would pronounce my conduct as honorable as that of any member in this House. The illustration made use of by the hon. member, I did not distinctly hear, but its drift I can easily understand; and believe that, if it may be taken as a true index to his forthcoming speeches, he may expect laurels, not a few, before the end of the Session. He has only bound on the state harness; let him not think too hastily that he would work his way through a difficulty like the one alluded to, with more credit than I have done. The hon. member (Mr. Davies) is muttering on his seat, while I am speaking; but, I must tell that hon. member that it would be much more gentlemanly for him to stand up and reply to me himself, if able to do so, than to sit prompting another for that purpose.

Mr. McLENNAN.—This discursive debate, Mr. Chairman, is a perfect waste of time. I am one of those who approve of the action of the late Government in reference to the General Election. Hon. members have brought into this discussion matters not before this hon. Committee. In the paragraph under consideration, there is not one word that has any reference to Confederation. It is a waste of time to be referring now to many of the subjects which have been dragged into this debate. There will be ample opportunity to do so when these questions come up, in proper form, before the House.

Mr. PROWSE.—Mr. Chairman: I feel it to be my duty to tell the hon. member for Belfast (Mr. Davies) that, when he undertakes to charge this side of the House as being the Confederate side, he is stating what is incorrect. There are, Sir, on this side of the House, men as strongly anti-Confederate as can be found anywhere. Why, Sir, the conduct of the majority, with respect to the elections for the City of Charlottetown, cannot be defended. The hon. gentleman charges us with changing our opinions on Confederation, because we have a Confederate for our Leader; and yet he and his party were willing and anxious to put that same gentleman into the Speaker's Chair. I am sure, if a Confederate was placed in that honorable position by this House, it would be regarded by the public as a tendency towards Confederation, much more than the act of the Opposition, in choosing him to be their Leader. I need not say one word with respect to the hon. member giving his own vote for a strong Confederate, after what has been said by others on that act of his. The Government side of this House is made up of old Liberals, Tenant-Leaguers, Confederates, and Conservatives; and on this side, there are men who are strongly opposed to Confederation. With respect to the question, why the late Government did not cause the Elections to take place earlier, I may say that, if they felt that any danger was to come out of hasty steps, they were doing a good service in acting as they did. And, Sir, I believe, there was a time when a Legislature, only nine months old, was dissolved, and a new Election held. Had the dissolution of the late Assembly taken place at the usual time, there was reason to apprehend that the same would have again occurred. If that was the reason, I consider it a perfectly satisfactory one, for it probably saved the country the expense of a second

Election. We know that the Home Authorities were more anxious that this Colony should go into Confederation, than they were, some time ago, that we should have six additional members in this House; therefore, it was quite probable that they might have instructed His Excellency to dissolve the Assembly, and test the question of Confederation at the polls.

Hon. Mr. DAVIES.—I wish to say a word in reply to the hon. member for Charlottetown (Mr. Brecken). The hon. member said that we were carrying on the Government on principles different from those formerly adopted by the Liberal party.

Mr. PROWSE.—As defined by yourselves.

Hon. Mr. DAVIES.—Responsible Government has been so ably defined by my hon. friend, the Attorney General, it is quite unnecessary for me to go further into the matter, as I endorse his opinions on that subject. Responsible Government is supposed to be the well-understood wishes of the people, as expressed through their Representatives. This side of the House is not now composed of the old Liberal party. There is a good deal of new blood infused into it. There are not so many of the old party on the floor of this House as formerly, but there are gentlemen on this side of the House who are prepared to serve their country faithfully. The hon. member for Charlottetown has said that the Hon. the Colonial Secretary is not here. I am happy to inform that hon. member that he soon will.

Hon. LEADER OF THE OPPOSITION.—The Hon. Attorney General has favored us with a definition of Responsible Government, as given from a Nova Scotian stand-point of view. I, however, am in favor of the home-manufactured article. In 1859, the Liberals were defeated at the polls, and the Conservatives came into power. Previous to that time there were only twenty-four members in this House, a large proportion of whom were officeholders. Some questions arose which showed that the principle of having six or seven officeholders on the floors of this House gave the government of the day an undue influence, and the people declared in favor of excluding all officials from the Legislature. When the Conservatives came into power, they carried out their pledges by forming a Government, without any of its officers having seats in either branch of the Legislature; and for so doing they were told that they had mutilated Responsible Government—that they had crushed out its life's blood. During the first Session which they were in power, a question of importance—the nature of which I do not now remember—came before the House, and an hon. gentleman—who was then a member of this branch of the Legislature, but who is now, like Mahomet's coffin with respect to heaven or earth, neither in nor out of this House—expressed his views on this point in very strong terms. Then we heard quite a different definition of Responsible Government from that which we have received to-day. Under the first Administration formed by that hon. gentleman, the Colonial Secretary, Treasurer, Commissioner of Public Lands, Collector of Customs, and others, down to the Registrar of Deeds, were members of the Legislature; and because these officers were excluded by the Conservatives from holding seats either in this House or in the Legislative Council, I find by the *Parliamentary Reporter* of 1859, that he expressed himself as follows:

Hon. Mr. CONNS.—Under the present mongrel system of Government, every member of it is as much bound to support it, as was any head of a department under the previous system, so that the argument about the greater freedom from improper influences fell to the ground. There should be three or four heads of departments in the House, and I regret that the leader of the Government has not accepted the office to which he was so fully entitled; and I believe, that sooner than have allowed him to retire as a representative, had he taken office, a majority

of his friends would have returned him here as an official. I should like to see every member of the Executive holding office, and I would rather see their number reduced to five, with offices, than as at present. This Government is a disgrace to the Colony, and a laughing stock to our neighbors. I say not this in reference to the individuals composing it, but to the principle on which it is constituted. The people will not remain long satisfied with the system of dispensing the patronage among the relatives of members of the Executive. Such has not been the course pursued in the other Colonies; and in Nova Scotia, Mr. Johnston, to whom the hon. member has referred, did not adopt it when he succeeded to power, but carried out the constitutional system, which is as near an approximation to the British as the difference between Imperial and Colonial institutions will admit. At present, a person coming from the country, having business with the Government, may be unable to see members of the Council; while, until recently, if the Governor was in his office, a Council could be formed at once from the officers in the building; but now the Governor cannot hold confidential communication with his principal officers, because they are not his advisers.

Now, Mr. Chairman, with a party in power, under the leadership of the same hon. gentleman who enunciated these views in 1859, we look around this House in vain to see either the Colonial Treasurer, the Commissioner of Public Lands, the Collector of Customs, or the Registrar of Deeds. A change, certainly, has come over the spirit of their dream. In this case, verily the men of yesterday are not the men of to-day.

Hon. ATTORNEY GENERAL.—It requires a good deal of political experience to arrive at correct conclusions. We have had sixteen years' experience of Responsible Government, and have been endeavoring to work it out according to the well-understood wishes of the people, as expressed through their Representatives in this House; and, Sir, the events of the past teach us that we must look for change of views with politicians, as with other men. What did we see in England last year? and what do we see this year? Look at Mr. Gladstone, last year, and his opponents. He was driven from office, not, Sir, because the Conservatives feared his Bill would increase the constituencies too much, for now they themselves have brought in a Bill making yet larger increase. I am not, however, going to say that Mr. D'Israeli and Lord Derby are doing what is wrong. They are merely bowing to the expressed will of the people. So we see Mr. D'Israeli openly and zealously advocating measures to which he was formerly opposed, and advocating them, too, in his place in Parliament. Sir Robert Peel, also, carried the Repeal of the Corn Laws, although he, at one time, was opposed to that measure.

Hon. LEADER OF THE OPPOSITION.—He was converted; you are not.

Hon. ATTORNEY GENERAL.—I will ask the hon. member for Charlottetown if he was not a member of the Political Alliance. If the hon. member will say he was not, then I will bow to his statement.

Mr. BRECKEN.—I was.

Hon. ATTORNEY GENERAL.—Then that Association advocated vote by ballot.

Mr. BRECKEN.—I did not say that I would support the ballot, although I was a member of the Alliance.

Hon. ATTORNEY GENERAL.—The only question I ask is, was the hon. member connected with the Political Alliance? He says that he was, and it is no use for him now to say that his sentiments were, on any point, opposed to the charter of the association. We cannot accept of any personal declarations of differences of opinion in another way. If a person belongs to an association, and makes use of it, I say it is just to state that he assents to, and is responsible for, the principles

of that society; and, if my reading was correct, the Political Alliance was in favor of vote by ballot in 1858. But, what have the Conservatives since done to carry out this measure? It has been allowed to remain out of sight. We may assume that they, too, have changed their views, at least on this point. I consider, Mr. Chairman, that a party which brings forward any measure, departs from its principles, if it does not carry that measure out. I have, as I have said, always been opposed to vote by ballot, because I think that an Englishman should not be ashamed to record his vote openly. When the Conservatives came into power in 1859, we were to have total exclusion of officeholders from the floor of the House. This was then their great policy, and this policy they departed from in 1863. Can they tell us, then, that we are not carrying out Responsible Government, because we depart from some of the principles which guided us when that form of Government was introduced here? If this be the case, they themselves did not carry out the principles of Responsible Government, when they changed their policy, in regard to the officeholders.

Hon. LEADER OF THE OPPOSITION.—The people saw the error of their ways.

Hon. ATTORNEY GENERAL.—Yes; the people saw the error of their ways, and the Government and the Representatives of the people saw the error of their ways. But it was still a departure from their principles, though they may say it was only a different way of working those principles out. This is very well—very good; and I am sure that, although the then Opposition congratulated the Conservatives on having turned from the error of their ways, they never upbraided them for not bringing a regiment of officers into the House. But, Mr. Chairman, there was no desire, on the part of the present Government, to delay unnecessarily the summoning of the Legislature. As soon as possible after the late Administration was broken up, the present Leader formed his Government; and I believe that, rather than leave the country in confusion, had the Leader of the Opposition been able to form a government, our Leader would not have interfered with him. If the members on this side of the House had been grasping after offices, it would have been impossible to call the Assembly even now, and the Revenue Bill might have been lost, had we thus adhered to the former policy of the Liberal party,—for with more than two or three members out of the House, the Government would have been placed at the tender mercies of the Opposition; and, in that position, as you may imagine, we were not inclined to be placed. The gentlemen on that side of the House may be very pleasant and agreeable; but we cannot trust them, when they are able to obtain an adverse vote. Let the Opposition, then, not cry out too soon. Why are they in such a hurry to pounce down on us, driven, as it were, into the position which we held? They would, Mr. Chairman, show far more of the true patriotic spirit, if they refrained from doing so for a time, or, at least, until the Government has had an opportunity to develop its policy.

Hon. LEADER OF THE OPPOSITION.—I am, indeed, very much obliged to the Hon. Attorney General, for his able, lengthy, and statesmanlike lecture upon political morality. I was not present when this discussion commenced; but I understand it was begun by members on his own side of the House. The hon. member for Belfast opened it with that speech of his, which included the Tenant League and the calling in of the Troops. Then the Hon. Attorney General gave us a definition of Responsible Government; and now he has gone into the Franchise, vote by ballot, and Lord Derby's policy.

Mr. BRECKEN.—I wish, Mr. Chairman, to say a few words upon the ingenious remarks of the Hon. Attorney General concerning the Political Alliance. I can say only this: The Political Alliance was an organization of the Conservative party. The principle of vote by ballot was not, I believe, part of the Constitution of the Alliance. Though incorporated in the draft constitution, it never formed part of the policy of its members or of the Conservative party, and was never brought forward by that party, either at the hustings, or on the floor of the House. I find no fault with the Hon. Attorney General for having changed his opinions. The Conservatives saw their mistake in the total exclusion of officeholders from the floor of the House, and they acknowledged it. If the present Government see that they were wrong in carrying out Departmental Government, why do they not frankly avow it? I believe that they are pursuing a wise course; but let them say that they have found themselves in the wrong,—not that the necessities of the times have compelled them to act as they have done, and compromise their principles. No, Sir; nothing would justify that—not even the loss of the Revenue Bill.

Hon. Mr. HOWLAN.—We have, Mr. Chairman, heard much in this discussion about the consistency of party. We would almost be led to believe that those hon. members could be accused of no inconsistency. But what, Mr. Chairman, did we see in 1859? Why Sir, during that year, and until 1863, the actual Attorney General of the Island had a seat in the House, while the gentleman who nominally held that office did not receive the salary belonging to it. This was the belief throughout the Island at the time. The party were afraid to send the gentleman who really discharged the duties of Attorney General back to his constituents, and hence this anomaly. We are, however, taking a straightforward course; we are satisfied with three members on the floor. Much has been said, Mr. Chairman, regarding the Queen's Printer's rejection by his constituents, but the hon. member who last spoke, must remember that he very nearly shared the same fate. I contend, Sir, that it is not right or just to introduce that gentleman's name here since his defeat. This matter should be left in abeyance, for his case may yet be that of other hon. members. But, Sir, the present Government has been styled a "composite" party, by the Opposition. Why, Sir, the character of the Conservative Government for the last eight years, has been composite. During that time they have had three Leaders, while the present Leader (Mr. Coles) is the only one the Liberal party ever had. The members who form the present Government, have come from the east, the west, the north and the south, and thus far, Mr. Chairman, it is composite, but not so on real principles. It was the mismanagement of the Land Question by the late Administration, which gave the present Government the majority in this House. It was a Colonial disgrace to call in the Troops, and I am glad to hear it admitted, that the civil power was not sufficiently exercised before doing so. That the conduct of the Executive in this matter did not meet with the approval of the country, is shown by the fact that a gentleman, who was then a member of that body, has been returned by his constituents to the bosom of his family.

Mr. BRECKEN.—With all deference to the hon. member who has just spoken, I will tell him, Mr. Chairman, that he must, in his statements before this hon. committee, confine himself to facts. He has stated that I have introduced and made free use of the name of a gentleman not now in the House. He must remember, Sir, that that gentleman's rejection was brought up in discussion by hon. members on his

own side of the House, not on ours. He has also alluded to my election, but with reference to this, I can tell him, that the influence which gives me a seat in this House, is a true British political one. I have run two elections, and I owe my return to the respected constituency which I represent; and I believe that though not more than fifty votes ahead of my opponent, I have the confidence of my constituency. But, Sir, the hon. member has also said that in 1859, I was appointed Attorney General *nominally*. This, Sir, is not true. I have never asked for an office of any description for myself or any one connected with me,—I never asked for the Attorney Generalship, and when appointed, I was astonished, for I always considered myself too young a man to be appointed to any important office, or to a seat in the Government. But, Sir, the duties of that office I discharged, and the *whole* of them, and in giving it to me Mr. Palmer's name was never mentioned. For two years I enjoyed the whole salary of my office, and had nothing whatever to do with that gentleman in performing its duties, receiving no more assistance from him than one lawyer usually does from another. At the end of that time, however, seeing that he was serving the country without receiving any reward, while I, who had far less claims, was being liberally rewarded, I employed him to assist me, and paid him myself without having any communication with the Executive on the subject. I did not even know that the Council, as a body, was aware that Mr. Palmer was employed by me. I stake my word of honor, that I was appointed as freely as the present Attorney General. Will the last speaker deny the fact that I discharged the duties of the office while I held it. It was a free and voluntary act on my part to employ Mr. Palmer, and I was in circumstances which enabled me to do it; but I was in no way *bound* to employ him, and received no more assistance from him than the present Attorney General receives from any lawyer he pleases to employ.

Hon. Mr. HOWLAN.—It appears to me rather strange that the Executive should not be aware at the time that the hon. member employed and paid Mr. Palmer. Though I do live at Tignish, I can read the newspapers, and I know that it was the general opinion throughout the Island that the Government, when they gave him the appointment, intended him to act as he did.

Mr. BRECKEN.—I was sworn into office without one word being said concerning Mr. Palmer; and what I did, I did of my own accord. If I chose to employ and fee him liberally, I had a perfect right to do so. I knew when I held the office that of right it belonged to him.

Hon. Mr. HOWLAN.—The hon. member is only getting deeper into the mire. He says that the Government were not aware of the fact that he was employing Mr. Palmer. I think that had he employed a gentleman of the opposite party they would not have remained long in ignorance of it.

Mr. McNEILL.—I am, Mr. Chairman, one of the "young members," but I may, perhaps, say a few words, though I do not wish to occupy the time of this Committee. I had not the slightest idea that the paragraph now under discussion would have been the cause of so long a debate, as it did not convey any censure upon the late Government for having delayed the General Election. I do not intend, Sir, to go over all the ground that has been traversed by the speakers before me, or to argue whether the hon. member for Charlottetown or Mr. Palmer was Attorney General in 1859. But, Sir, we have been twitted for the manner in which we are carrying out Responsible Government. I would ask if the conduct of the present Opposition, when in power, showed any very great degree of consistency? I well remember that in 1859 the hon. member for Charlottetown (Mr. Brecken) came out to Wheatley River to support a friend of his who was running the Election in that district. He made a splendid speech on the occasion,—for, as you know, Mr. Chairman, the hon. member can be very eloquent—and almost the whole of it

was in favor of excluding officeholders from the floor of the House. This, Sir, was in the days of the Political Alliance; and the reasons given by the hon. member for having since changed his policy are not very satisfactory to me at least. The Tenant League cannot certainly have influenced him, for that League was not in existence at the time. Allusions have also been made, Sir, to our not working harmoniously together; but the Opposition must remember that we have not had a fair trial, and should consider, too, that such taunts come with a bad grace from them. Every one knew that during the last year the Conservative Government was composed of anything but harmonious elements. First, one member of the Executive was put out, or resigned, then another, till finally no Government was left. Though we are not carrying out the Departmental system in its fullest sense, still, if our principles are right, no censure should be cast upon us.

Hon. Mr. DUNCAN.—I do not think that the last speaker has said anything worthy of a reply, so that none is needed. I must say, however, that the present Government have seen the error of their ways, as we did. We went into one extreme, and for four years had not an officeholder on the floor of this House. When we found that our policy was wrong we acknowledged it at the hustings; but the present Government has never publicly disavowed their former Departmental policy, though now, after they have got into power, we find them tacitly admitting that the policy which they condemned in the Conservatives (that of having three officers on the floor) is the correct one. But, Mr. Chairman, is it from necessity or from a desire to do what is right, that they have appointed only three of their members to office? I am inclined to think that they feared some would be rejected, and the case of the Queen's Printer shows that it might have been as well for the party had he not taken office, though my hon. colleague has told us that he is glad that gentleman was rejected.

Hon. Mr. LAIRD.—The last speaker has said that the Conservatives, eight years ago, went to the hustings with the avowed determination to allow no officeholder on the floor, and that for four years they carried this policy out. This I will admit, but I am not so willing to concede the truth of his other statement—that they afterwards at the hustings acknowledged their error. It, I think, was understood among the members of the then Government that they were at that election to be silent on the subject of officeholders; and I am of opinion that the members of that party made no profession upon the subject, and that they were returned without any questions being asked them. It is well known that from that time they had three officeholders in the Legislature, and during last session we find them bringing in a Bill relating to Election Laws (Par. Rep. 1866, page 52) providing for as many as eight officers in the House of Assembly and Legislative Council. The paragraph relating to these officers reads as follows:—

"The Bill provides that any person holding the office of Colonial Secretary, Attorney General, Solicitor General, Colonial Treasurer, Commissioner of Public Lands, Postmaster General, Financial Secretary or Collector of Imposts for Charlottetown, and being at the same time a member of the House of Assembly or Legislative Council, who shall resign his office, and within one month after his resignation accept any other of the said offices, under the same administration, shall not thereby vacate his seat in the said Assembly or Legislative Council."

The statement of my hon. friend, the member for Belfast, that he was glad on certain grounds that the Queen's Printer had been rejected by his constituents, has been made the subject of many remarks. The members on the Opposition side of the House must certainly be very obtuse. The hon. member only said that he was glad that gentleman's constituents had rejected him if they did not believe his professions sincere regarding his future policy on Confederation. This discussion has already been continued too long, but it is necessary to disprove the statements made regarding the inconsistency of the Government, when such charges can more easily be substantiated against the present Opposition when in power. That the present is a true Responsible form of Government is evident from the definition given by the Hon. Attorney Gen-

eral; for if Responsible Government is a government to carry out the wishes of the people, as expressed through their Representatives, surely the nineteen or eighteen members on the Government side of this House can form a truly responsible Administration.

Hon. Mr. DUNCAN.—I do not, Mr. Chairman, find fault with the exclusion of officeholders from the floor of this House; but I wish to tell the hon. gentleman who last spoke, that I canvassed as a Conservative, and only as a Conservative—not as an Independent. I would feel obliged to the hon. member, if he would tell me where the Independent members are in the present House. Surely Independent members cannot be members and supporters of a Government. They are returned as Independents, and they support a Government before they are a month old. These members should, I think, remain dumb, when consistency is spoken of.

Hon. Mr. LAIRD.—The last speaker says he has always been a Conservative; surely he must mean a converted one—for he was once opposed to having any offices on the floor of the House; then he would admit three, and last Session eight. He has also referred to the Independent members. I can tell the hon. member for Belfast that I canvassed on the principles that I now hold. I never canvassed as an "Independent;" and, therefore, when I found that the present Government held the same principles, I was perfectly free to join them.

Hon. Mr. DUNCAN.—Then the whole Government is Independent.

Hon. LEADER OF THE OPPOSITION.—The hon. member for Bedeque (Mr. Laird) has said that, in 1863, the Conservatives gave no notice to the country of their change of policy, regarding officeholders. What better proof could the country have of the change in their opinions, than the fact that they sent two gentlemen (Mr. Pope and Mr. Palmer) to their constituencies in that year, while holding office. There was not any curtain kept before the public, as the hon. member has insinuated. I cannot but wonder at the sophistry of the hon. gentleman in bringing forward that clause which he read, relating to officeholders. That clause does not prove that the Conservatives were willing to have all these officers on the floor of the House; but merely provided that any person, at any future time, holding one of these offices, by vacating it and accepting another, should not thereby forfeit his seat. This matter has been brought up as a delusion and a snare. The clause, too, was not carried by the Conservative party as a party measure. We all (Government and Opposition) were a happy family in passing the Bill. It is true that my friend (Mr. Howat) the master of the situation, as he used to be called, objected to the insertion of the words—"Finance Minister," as that was an office not recognized in the Colony.

Hon. ATTORNEY GENERAL.—There are many views regarding Responsible Government, but I think that the definition given by me already,—that a Government is responsible so long as a majority of Representatives are willing to support it in carrying out the wishes of the people, and only so long,—is the truest definition. I was once conversing with a gentleman in one of the other Provinces, and in the course of our conversation he asked me who was then Attorney General of the Island. I told him; and he asked how it could be the case, since that gentleman did not hold a seat in the Executive, and added that we were not carrying out Responsible Government. This only shows how different opinions are upon this sub-

ject. We may, Mr. Chairman, debate here for two days without arriving at any conclusion. All that can be said is that a government, so long as supported by a majority, is responsible; if not, the people have the power to turn them out. Exception may be taken to this, but as we can arrive at no satisfactory conclusion, it is better to say that both parties have changed their views. All this discussion has nothing to do with the clause before the Committee. That clause merely says that we are willing to engage in the business of the country even at this late period. I trust that the debate will now terminate.

Hon. LEADER OF THE OPPOSITION.—I hope, Mr. Chairman, that it will, but the Hon. Attorney General must not lay the flattering unction to his soul that no one understands Responsible Government except those on his side of the House. In 1850 we were carrying out Responsible Government in fulfilling the wishes of the people relative to officeholders, and the Address sent home by the Opposition shows that they were then opposing that form of Government.

The second paragraph was then agreed to, when the Committee rose and reported progress.

House adjourned.

TUESDAY, April 23.

Hon. ATTORNEY GENERAL, from the Committee on expiring Laws, presented the first report of said Committee, and moved that it be made the order of the day to-morrow.

Hon. Mr. HAVILAND, Leader of the Opposition, said that, by the report just read, he observed one law had expired, the immediate consideration of which was necessary. He would therefore move that the House do now go into Committee on the report.

Hon. ATTORNEY GENERAL supported the motion. Mr. GEORGE SINCLAIR in the Chair.

The House in Committee reported the following Resolution agreed to, namely:—

That it is expedient to revive, continue, and amend the law relating to the limits and rules of Jails in this Island.

A Committee was then appointed to bring in a Bill in accordance therewith.

On motion of Mr. BRECKEN, Mr. JOHN YEO obtained leave of absence for one week.

The House then went into Committee of the whole, to take into further consideration the Address in answer to His Excellency's Speech.

The 3d paragraph of the Address was read and agreed to, without comment.

Paragraph of Address relating to Purchase of Lands.

On the 4th paragraph being read, which relates to a further extension of the Land Purchase Bill, &c.:

Hon. ATTORNEY GENERAL said:—I rise to move that the paragraph just read be adopted. As it principally refers to extending the operations of the Land Purchase Bill, a measure introduced by the Liberal party, and carried out by the late Government,

I have no doubt it will be agreed to by both sides of the House. No question is raised as to the principles of that Bill, under the operation of which so many tenants have become freeholders; the paragraph only contemplates further efforts to enable tenants on the estates of the remaining Proprietors of Township Lands to participate in its benefits. The concluding part of the paragraph relates to providing funds. It does not, however, seek to pledge this hon. Committee to any particular method of raising these funds; it simply states that the means of providing them shall receive our careful and serious consideration. I am not aware that the Opposition intend to propose any amendment to the clause under consideration, therefore it is unnecessary, at the present stage of the debate, to enter very fully into the subjects to which it refers. Though I am pleased that the Cunard Estate has been purchased, yet I believe that, had the loan brought forward some years ago by the Liberal party been secured, that purchase could have been effected at much less inconvenience to the Colony, than by the arrangement of the late Government. With the Imperial guarantee, money can be obtained at a much lower rate, than under the ordinary security of the local Government; hence the advantage of the measure which we then introduced. Of course, those who opposed the Loan Bill did it from patriotic motives, though I am of opinion they were mistaken. One of the Montgomery estates was also purchased last year, and the manner in which the tenantry on that and other estates have come forward to secure the fee simple of their farms, shows that the people generally are anxious to be relieved from the leasehold system. A scheme for raising funds to pay for proprietary lands may have to be matured and brought forward, but no pledge to that effect is contained in the paragraph now before this hon. Committee.

Hon. LEADER OF THE OPPOSITION.--Mr. Chairman; it is not my intention to offer any amendment to the paragraph, the adoption of which has just been moved by the Hon. Attorney General, but some of his remarks call for a reply. He appears to think that all the patriotism of this hon. House is on the side of the present majority, and that the settlement of the Land Question is their sole birth-right,—in fact, that it is nothing short of plunder for this side of the House to meddle with that question. Sir, in my opinion, the Conservative party have effected quite as much as ever the Liberals did, to enfranchise the tenantry. It has been stated that the Conservatives simply carried on the operation of the Land Purchase Bill, after it had been passed by their political opponents. I now state that the Land Purchase Act was never made a party question in this House. It was introduced in 1853, by the hon. Leader of the Government, and the only opposition offered to it was brought forward by a member of their own party—the Hon. Mr. Mooney. The amendment proposed by that gentleman is the sole opposition to the Purchase Bill, which has a place on the records of this House. This being the case, the Conservative party had as good a right to carry out its principles as the Liberal Government. It has also been stated, during the course of this debate, that the Land Commission scheme, introduced by the Hon. Col. Gray, did more to injure than benefit the cause of the tenantry. I cannot agree with that opinion, but contend, on the

contrary, that the Commission was productive of a great amount of good. It so happened that the Commissioners' Award was not approved of by the Imperial Government; its failure, however, cannot be charged against the Conservative party, who did their utmost to have it carried into effect. The first opposition shown to it was by the Liberal press of the Colony; and, so successful were the efforts of their organ, the *Examiner*, to excite a prejudice against it, that Hon. Mr. Howe, of Nova Scotia, the Commissioner on behalf of the tenantry, was burned in effigy in one or more parts of the Island. After reflection, however, when the people had time to examine into the Award, they became convinced that, if only confirmed, its operation would be more beneficial to their interests, than had been set forth by the Liberal press. But the discovery was too late. The Award was objected to by the proprietors—encouraged, it may have been, by the opposition to it in this Colony—and that objection was held as valid by the Imperial authorities. Still, though the Award, in its entirety, was rejected, out of it arose the Fifteen Years' Purchase Bill. That measure, I am aware, has been strongly denounced as worse than useless; but I maintain that it has been attended with benefit to not a few of the tenantry. One object, at least, it accomplished; it was the means of remitting a large amount of arrears of rent. Some, I know, affirm that those arrears could never have been collected. As the agent for the Montgomery estates, I am in a position to state, from personal knowledge, that a large proportion of the arrears due on them, which that Bill remitted, could have been recovered. I contend, also, that the privilege of obtaining the fee simple of their farms, at 15 years' purchase, was a boon to the tenantry on many of the estates. On Cunard's estates, the lowest price at which the tenant could purchase was 20s. an acre; and the Messrs. Montgomery would not sell their lands in detached farms, at any price. The operation of the Fifteen Years' Purchase Bill, as it would eventually break up the estates into fragments, was the means, I believe, of bringing both the Cunard and Montgomery properties into the market. Another objection urged against that Bill is, that it confirmed the Fishery Reserves to the proprietor. But, Sir, admitting this to be the case, it is more advantageous to the tenant to pay 1s. an acre rent to the proprietor for the reserves, than that he should pay such a rent for them as might be exacted at the discretion of the government of the day, without the privilege, too, of securing the fee simple thereof, as provided by the Fifteen Years' Purchase Act. The Hon. Attorney General stated, as his opinion, that the Cunard estate could have been purchased on terms more advantageous to the Colony, had the celebrated Loan Bill of the Liberal party been in operation. This is a problem very difficult to solve. I, for one, hold a directly opposite opinion to the hon. member. It is contrary to the principles of Political Economy, for a government to go into a foreign market for money when it can be procured at home. Supposing the Imperial guarantee had been secured, at what rate could the money have been obtained?

Hon. ATTORNEY GENERAL.—Four and a quarter per cent.

Hon. LEADER OF THE OPPOSITION.—Still, supposing it could have been obtained at 4½ per cent., would not an agency have been required to manage the

loan, which would have cost an additional sum? But even with an Imperial guarantee money cannot be very easily raised. In the case of the Inter-colonial Railway, where the revenues of the several Provinces are pledged, backed by the Imperial guarantee, the money cannot be obtained at less than 4 per cent; and without that guarantee it could scarcely be raised at 6 per cent. When this Colony, therefore, can borrow money from its own people at 5 or 6 per cent., it is folly for us to go into a foreign market. With respect to the operation of the Land Purchase Act, when introduced by the Liberal Administration, it only allowed the purchase of lands to the amount of £30,000. The Conservative party first extended its powers to £40,000, and then again last year to £110,000 additional, making in all £150,000. The Liberal Government only bought some 85,000 acres under the provisions of the Act, while the Conservatives purchased about 311,000 acres, or more than one-fourth of the number in the whole Island. Notwithstanding all the land which passed into the hands of the late Government, the money was secured without any discount, their warrants being cashed at face. The Cunard Estate, purchased last summer, cost £53,000, sterling, or £79,500, currency. Of this sum £5000, sterling, or £7500, currency, was paid down; £21,500, sterling, in debentures bearing 6 per cent. interest, payable in three equal instalments of about £10,750, currency, each, at six, twelve, and eighteen months; and the balance, or one-half of the whole, in debentures at 5 per cent. interest, payable in ten years, bearing date from July 1st, 1866. And I am of opinion that the resources of the Colony are quite sufficient to meet these payments, without the Government's applying to a foreign market for funds. I find that the late Government, after paying the first two instalments on the purchase of the Cunard Estate, has left to their successors a credit, at the Bank of P. E. Island, of £7556 4s; at the Union Bank, £3225; cash in the Treasury, £1010 19s. 6d.; over due Bonds, £1790; and coming due Bonds to the amount of £18,615 6s. 6d.; in all, £37,197 10s. With such a credit as this, I think the present Government should not encounter much difficulty in meeting the remaining instalments on that estate. The receipts this year from the estates in the hands of the Government will also enable them to pay these instalments. From the Cunard Estate the sum of £11,220 has already been realized; and the receipts from the other estates last year were over £5000. Notwithstanding the remarks made by hon. members on the other side of the House, I believe the people generally duly appreciate the efforts put forth by the late Government to relieve the tenantry. I am aware that some persons in Charlottetown were opposed to the purchase of the Cunard Estate, and since that purchase was effected, have set themselves to work to establish a new school of economy, by advocating legislation to relieve the embarrassments of trade. Whether or not they have brought their pressure to bear on the Government, I am unable to say; but judging from the tone of the Hon. Attorney General, I would suppose they had attempted to make their influence felt. The Government have nothing to do with commercial movements. Their duty is to break down all improper barriers to trade, and allow commerce to take care of itself. If there is a tightness in commercial affairs in this community, it has been

caused by over-trading. Large quantities of goods have been imported, and ships have been sent home, many of which are lying in the docks there unsold, consequently depriving the Colony of that exchange necessary to meet the foreign bills of the merchants. These circumstances, and not the purchase of the Cunard Estate, have, in my opinion, caused the present depression of trade. To show that I am not advancing peculiar views when I state that it is impolitic on the part of a Government to attempt remedying commercial panics, I will read an extract from the leading article in the London *Times* of February 1, 1867, commenting upon the Resolutions passed against the Bank Charter Act at a meeting held in Birmingham:—

The errors of the Birmingham Committee are legion, but their first and cardinal mistake appears to be that they look upon a time of panic as a time when some mysterious commodity, called "CURRENCY," is in demand, and that it is the peculiar function of the Government to keep a supply of this commodity always on hand. The fact is that a panic is a demand for money, and with the supply of money the Government has no concern whatever. Money comes and goes just as cotton, or copper or silk comes and goes. Merchants import it and export it, and the Government simply stamps its quality when it is taken to the Mint or to the Issue Department for that purpose. There is something infinitely childish in this clamor to the Government to help embarrassed speculators, which ought of itself to lead the Birmingham Committee to suspect the truth of their conclusions. The monetary engagements of merchants are free, and the responsibility of providing for them rests upon them. If the Government undertook to help them, it would overstep its functions; if it interfered with their free action, it would be despotic. In truth, the Government leaves men to their own resources. The Bank Charter Act gives no facilities, imposes no impediment in the way of commerce. Stumbling-block as it is, its machinery is perfectly simple, and its single object, which it perfectly secures, is to provide that the five-pound bank-note shall always be exchangeable for five sovereigns.

This, Sir, is the duty of all governments. If they allow paper to be put in circulation, they should see that it is always redeemable in gold. I have heard some parties state that at present there is not more money in circulation in this Colony than about \$3 per head of the population. If this be the case, it only proves that trade is not in a flourishing state. Some four or five years ago when our ships were selling, and our farm produce realized good prices, the Bank of P. E. Island had £90,000 in circulation. And when we consider that the Union Bank can also issue £90,000, the Summerside Bank £45,000, and the Rustico Bank, under the late amendment to its charter, I believe an unlimited amount, I think it must be admitted, that there is no deficiency of circulating medium, providing the balance of trade be in favor of the Colony, and the Banks, consequently, in a position to issue their paper. If they are unable to secure exchange, they cannot allow their notes to go into circulation. Suppose the threatened war between France and Prussia should actually break out, and the carrying trade were to pass in a great measure into the hands of the British, our ships would sell, and business in this Colony look up. No more complaints would then be heard about the purchase of the Cunard Estate. The paragraph under consideration does not mention where or how the funds are to be obtained for the further working of the Land Purchase Act; but if the Government intend to raise money in the British market, I consider they would be pursuing a short-sighted and unwise policy.

Hon. Mr. MACAULAY.—I have no desire, Mr. Chairman, to impede the progress of the Session by any factious opposition to any satisfactory measure the Government may propose. Notwithstanding the terrifying definition given of our form of government, by the Hon. Attorney General during the progress of this debate, when he pronounced Responsible Government to be (in other and more concise words) a quadrennial despotism, I shrink not, although I am in the minority of this House, from the free utterance of my sentiments from the dread of his ire; neither do I wish wantonly to provoke the wrath of his party. But a sense of duty impels me to draw your attention to the extraordinary document which forms the subject of this debate. My justification in so doing is that the destinies of the people are so entwined with the acts of the Government, that the welfare of the one must be promoted or marred by the acts of the other; and, as the document before you will appear on the Journals of this House, and as you have already decided to send copies of that Journal to each of the adjacent British Colonies, special care should be taken that the people's money should not be spent to publish to the world any matter that may tend to their discredit. I do not intend to offer any amendment formally to the Address, or any part of it. The paragraphs of which you have already thought proper to approve, are beyond the reach of any amendment. The clause under consideration, however, with your permission, I will submit to a short, gentle, critical analysis, leaving the matter thereafter in the hands of the Government themselves for subsequent amendment and revision. This course I purpose to pursue, because the majority evince a determination to support every measure they originate, be it beneficial or injurious to the commonwealth. If the Government were truly patriotic, they would studiously endeavor, while professing to benefit the people at home, not to degrade them abroad. How far the document before you is calculated to do the one or the other of these, is problematical. To aid in the solution of this question, I claim the privilege of making the paragraph before you the subject of a few remarks. On reading it, I notice the following words: "We have observed, in common with Your Excellency, the general desire evinced by the tenantry to obtain the fee simple of their lands, by the purchase of their farms." To copy these words into the records of this House without remark, would be branding the whole House with the stigma of imbecility. Why not alter that mawkish sentence, and say in plain words that we know the leaseholders of this Colony are desirous of becoming freeholders. But, Sir, such a plain statement would but ill accord with the twaddle that characterizes the whole Address, no part of which will bear the touch of criticism. I will give you another example, viz.: "And we rejoice to learn that Your Excellency's efforts will be continued to be directed towards extending the operation of the Land Purchase Bill." Here we have the full portrait of that vanity and conceit, if not dissimulation, which have marked the past career of the party who gave birth to this Address,—a party which will be memorable for its vanity and weakness. Through the thin guise that conceals their purpose, it can be seen that they play with the hopes of the people, as an engine to retain that power, which, by the same instrumentality, they lately obtained. Why not say, in plain and unambiguous words, that the tenantry of this Colony owe to His Excellency a debt of gratitude for having been the instrument of making so many of the former leaseholders of this Colony the freeholders of the soil which they formerly held as leaseholders? Such a sentiment would be ill-suited to their purpose. They prefer to hover about the subject, rather than strike at the root of the evil at once and abolish it forever. The sentence last quoted does not include all the absurdity in the Address. In the same strain of

inexpressive ambiguity, are the following words: "We trust the remaining proprietors." Does this mean the proprietors that are yet living? [Laughter.] Certainly the dead and gone do not remain. [Laughter.] But, Sir, I am weary of reviewing this silly document, and I will cease provoking your risibilities by further criticising a production that should create in us all a feeling of humility, when we consider that it emanated from persons who constituted themselves the Government of an intelligent and an enlightened community,—a community whose intelligence will be estimated abroad by the acts of the parties who, by political fate, sway the destinies of the Colony. Sir, it is my sincere desire to see all our people happy, prosperous, and progressive, and trying to equal, if not surpass, their surrounding neighbours, and to cause the fame of their excellence to extend as far as the name of the Colony is known. But the Address under review is not calculated to promote that desire; and, as it is not my intention to offer any amendment thereto, for reasons aforesaid, I hope the Government will withdraw it, or get some competent person to revise it for them, before it goes abroad to the world. [Applause.] The Hon. Attorney General seems to favor obtaining a loan in the British market. Does he think that money will breed money? It is folly, except under very extreme circumstances, for this country to go into a foreign market for money; because the interest will have to be paid out of the Colony yearly, and finally the principal also.

Hon. ATTORNEY GENERAL.—If the doctrines laid down by the hon. member are right, then it is a pity that he has not given the world the benefit of his counsel. He ought at once to be sent on an express to England, to prevent other Colonies ruining themselves by contracting loans, for most of them are doing so at present. Let him be appointed general Colonial Finance Minister, and let a telegram be at once sent to London by the Atlantic cable, to let the world know he is coming; and then let him go to South Australia, Canada, and elsewhere, to advise their various assemblies on financial measures.

Hon. Mr. HOWLAN.—Send him to Van Diemen's Land.

Hon. ATTORNEY GENERAL.—No, I would not let him go to *Van Diemen's Land*; I respect him too much for that. They borrow money in Australia and other countries, and why cannot we safely do so too? Now, if the Government can borrow money to purchase out the remaining estates of the proprietors, it will be wise to do so. I quite agree that a loan should not be contracted, unless the money can be obtained on terms that are reasonable, and under circumstances that the corresponding advantages will be an equivalent for the interest. Without referring to what has taken place in 1848, I cannot express the hope of our now getting a guarantee from the Imperial Government; we must depend upon our own credit and resources to raise the money in England. And, Sir, looking at the state of the country at present, I do think we would be justified in endeavoring—nay, indeed, that we ought to endeavor—to obtain a loan. We see that the securities of Nova Scotia stand at 97, in the quotations of the British market. Surely, then, it would be nothing very objectionable or disreputable in us to legislate, in order to effect what they have done in Nova Scotia. It would not at least be anything very extraordinary for the Government to adopt such a policy. Notwithstanding all that has been said by the hon. member for Georgetown, to whom I listened with pleasure, while discussing the financial affairs of this Colony, I have not yet heard any idea advanced by him, or any other hon. member, to show that it is wrong for any party to come to this House, and ask for its interfer-

once to relieve the monetary pressure existing at the present time. The reason for going abroad is that, in view of the £12,000 to be paid in July, on the Cunard estate, and the farther sum of £12,000 in January next, unless relief can be given, these payments will greatly increase the pressure, and create many difficulties which will prevent the Banks from discounting, as they must so soon prepare to meet these foreign demands. We must recollect that, notwithstanding all the money we have in the Treasury, our predecessors have left us many debts to pay, and we have to look to the payments to be made in the future. My own individual views are that, if a loan can be had, we should endeavor to obtain one. I am certain that, unless some great change in the mercantile world takes place, that when the instalments I have referred to shall have to be paid by us, the community will be placed in a difficult position; consequently, if a loan can be effected at, say about 6 per cent., I think it would be an advantage to this Colony. With respect to what has been said by the other hon. member for Georgetown, I will only remark that it is easy to find fault. We are much obliged to him for endeavoring to enlighten us with respect to composition. No doubt, he will yet be rewarded by being at the head of a government, and when he is, we shall have the satisfaction of looking to a party that will have an Address free from all grammatical errors. In reply to what has been said about the Hon. Col Gray, I can only state that I have always acknowledged my belief that he was actuated by a sincere desire to advance the welfare of the country, when he brought forward the Land Commission measure. But I think it will be admitted that, of all the schemes introduced for the settlement of the Land Question, the Land Purchase Bill has been the best and most successful.

Hon. Mr. DUNCAN.—With regard to the projected loan, Mr. Speaker, I think it can be provided for here. If it is intended to accommodate the mercantile community, then I say that the object in view is a mistaken policy. Trade is like water, if left to itself, it will find its own level. If merchants cannot get money to meet their bills, or procure exchange, it is an evidence that there has been over-trading; and it shows also that the balance of trade is against the Colony. But, Sir, I would sooner borrow money at home, if it can be had, than go abroad to raise funds. If there is an actual necessity for securing a loan, then I would go abroad, providing it can be obtained on reasonable terms. But I am of opinion that the Colony, in matter of finance, is in a very good state, for there is to the credit of the Colony the following sums, viz:—

| | | | |
|--------------------------------------|---------|----|---|
| In the Bank of Prince Edward Island, | £7556 | 4 | 0 |
| In the Union Bank, | 8225 | 0 | 0 |
| Cash in the Treasury, | 1010 | 19 | 6 |
| In over due Bonds, | 1790 | 0 | 0 |
| And in Bonds not due, | 18615 | 6 | 6 |
| Amounting in all to | £37,197 | 10 | 0 |

This will leave £15,619 19s. over, after paying the money that will be due on the Cunard Estate up to and on the 1st of January, 1868. That estate has already realized £11,220; other Estates last year £5080; and all that will have to be paid on the Cunard property will be in July next, £10,750, and in January next £10,750. After that time there will be no further demands against the Estate, except the interest, until the Bonds become due in 1876, which leaves some room for the present Government to work upon. They, Sir, must be very extravagant indeed if they cannot carry on the Government with a balance of £16,000 to begin with. But I have not heard what interest they expect to pay on the contemplated loan.

Hon. LEADER OF THE OPPOSITION.—The hon. and learned Attorney General said six per cent.

Hon. Mr. DUNCAN.—When the party asked for a loan before, some person sent home a copy of the *Royal Gazette*, and when the Colonial Minister saw that the Colony was in debt to the extent of £25,000, while the despatch they sent home with the Loan Bill showed a balance to the credit of the Colony of £5000, the result was, that so soon as the Colonial Minister noticed this discrepancy, the loan was dropped at once. The cause of the present depression of trade in this community is not to be attributed to the purchase of the Cunard Estate. It is to be charged to other causes. Many ships are lying at home unsold, and unless they sell at a better price than they have done recently, ship-builders had better close up their business than go on and lose money. Another reason is that there were large importations last year, and sales have taken place at a ruinous loss, while a large amount of property yet remains on hand unsold.

Hon. Mr. HOWLAN.—When was that Bank statement taken to which you referred?

Hon. Mr. DUNCAN.—On the first of April. The Government, as shown by the statement I gave, have only £21,000 to pay on the Cunard Estate, which, considering the credits bequeathed by the late Government, will leave them about £16,000 to begin with; therefore, I do not think that they should borrow any money at all. The Land Purchase Bill was carried through the Legislature when the Hon. Mr. Coles was the Leader of the Government, but it was supported by both parties. The late Mr. Duncan McLean put forth the ideas, and they worked them out. The purchase of the Cunard Estate, it was believed at one time, would occasion a considerable loss to the Government; but judging from the amount of receipts already come in—about one-fourteenth per cent. of the whole purchase money—and that there is a large quantity of good land yet to sell on the estate, I think the loss will be but trifling, perhaps about £5000 or £6000. With respect to the purchase of more lands, I did not think the present Government would require any funds for that purpose, as I understood that some of the hon. members who support that party had propounded the doctrine before the election that the tenantry could procure free lands without the assistance of the Government.

Hon. Mr. HOWLAN.—Mr. Chairman; we have been told that the Land Purchase Bill did not originate with the Liberal party. I shall not go into the consideration of that matter now; nor is it necessary, as the subject was pretty fully discussed here last year. But I will read a quotation from the *Islander* of 1853, which shows the opinions the Conservative party entertained about the Bill at the time:—

“SWEEPING MEASURE”—THE LAND PURCHASE BILL.—This is emphatically the greatest broom, or leading humbug of the Session. It is just Coles' old Bill, authorizing the Government to purchase Township lands at not more than 7s. 6d. currency per acre, in lots not less than 1000 acres, if any proprietor be willing to sell within the limit. The *Royal Gazette*, of the 7th inst., furnishes an epitome of the Act, and a very confused affair it seems to be. The Government to settle the tenantry in freehold, if they wish it, at 'cost and charges'; but it appears that those same 'cost and charges' may amount to, but not exceed, 'that sum, the annual interest of which would be equal to the annual rent paid by them under their leases.' Reducing our cotemporary's explanation to a perspicuous statement, it means that if a tenant pays £7 10s. rent in the produce of the farm, he may have to pay £7 10s. rent of interest in cash, yearly, to the Treasury, until he be enabled to hand over £150 to the Government, for the freehold of the same. How the 'charges' should amount to such a figure is the mystery.

ERRATUM.—In Hon. Mr. DUNCAN'S last speech on preceding page, for "about one-fourteenth per cent" read, *over fourteen per cent.*

Our quotation cannot mean 3d. rent per acre, and under the equivalent of not more than £5 sterling purchase, there being none leased so low on the Island, we believe.

"But the Bill is not simply an electioneering humbug—it is something worse. Unless land be in the position of the Worrall Estate, owned by a very aged gentleman without heirs, no proprietor will sell for four or five years' purchase, with titles better than they were 10 or 20 years ago. The Bill, nevertheless, provides that Debentures—obligations for borrowed money—shall be issued by the Government to the tune of £30,000, which, with the £10,000 already afloat, needlessly, will form a public debt of £40,000, bearing an annual interest of £2,000. Ye 'Family Compact' Governments! hide your diminished heads; ye were but novices in the arts of corruption.

"Some years ago, Pope purchased a tract of land on or near Lot 11, amounting to upwards of 1000 acres, we believe, sold for a trifle, because it was not considered worth paying the land assessment for. We have seen and read a Freehold Deed of 100 acres of similar bog land to Pope's, in the same quarter, for £10, or about 2s. 2d. per acre.—Now, we don't doubt that the purchase of Pope's swamp is one main object of the Bill. Will the public consent to continue to be represented by a pack of fellows who needlessly impose high duties on tea, sugar, &c., to obtain money to squander on any such purpose? Now see the downright corruption, and the absolute irresponsibility, of what is deceptively called Responsible Government. Pope and Warburton—who, we understand, has also abundance of bog land for sale—and their *clique* in the Assembly, pass a Bill involving a public debt of £30,000, to be expended in the purchase of such land as the Government may choose. But Pope, Warburton and their *clique* colleagues form the Government, and may thus draw from the Treasury a price for their worthless land of more than ten or twenty times its value."

This proves pretty clearly what the opinion of the Conservative party, at that time, was. There is, Sir, a difference between the way the Revenue is raised in England, and the way in which it is raised here. In Great Britain, they raise a large inland revenue from the income tax, while our revenue is derived almost wholly from the duty imposed upon our imports. The question now before this hon. Committee is not, properly speaking, one which relates to trade, but it is closely allied to it. It is well known that there is not more money in this Island than will barely pay the business of the country. There may have been too much trading; but when, by an arrangement of the Government, the trade of the Colony was disturbed, as, doubtless, was the case in the arrangements entered into by the late Government for the purchase of the Cunard estates, should not the Government attempt to do something to remedy the evil? At the present time, the trade of the country is so carried on, that merchants, to a considerable extent, do their business through the Banks. For example, there are a great many auction sales. A quantity of goods may come in from Boston, and a large sale takes place. Dealers make purchases at these sales on a credit of three months, and their paper goes into the Banks; and if the Banks cannot give exchange, as a matter of course the gold is drawn out. I am well aware that the Government cannot regulate trade; but it is the duty of the Government, for the time being, to pay some attention to the position of the trade of the Colony. With respect to the remarks made by the hon. member for Belfast, that the Cunard estate will be nearly self-sustaining, I will only say that it may be so; but I still believe that there will be a considerable loss upon that purchase. The Commissioner's Report showed an anticipated loss of £30,000, but he now thinks it may be no more than £10,000. I find no fault with the late Government for purchasing that estate. I am

glad they did so, but, at the same time, every gentleman engaged in business feels the pressure occasioned by the withdrawal of so much exchange from the country. Whether the late Government acted wisely or not, I will not say; but the country feels the effects of their arrangement with respect to that purchase. I believe that the hon. member will agree with me that the receipts at the Treasury will fall below those of last year; but if, in next July, we had £18,000 exchange to offer the Banks, instead of drawing that amount from them, it would put quite a different face on the business of the country. Unless a loan can be procured by the Government, I fear the present state of affairs will seriously affect the trade of the Colony.

Mr. BRECKEN.—I do not agree with hon. members who are inclined to attribute the present monetary depression solely to the purchase of the Cunard Estate. No doubt that purchase has caused a drain of specie to the extent of the instalments paid, but the amount was not such as to be felt seriously by our mercantile community. The present depressed state of the shipping market, the number of vessels owned by our merchants now lying in London and Liverpool docks, is, I believe, the chief cause. Could those vessels have been sold last winter, exchange would not have been so scarce, and the Banks would have been able to afford more accommodation. I admit it was rather unfortunate that the purchase of that large estate should have been made at a time when our trade was not very buoyant. We should not forget that there are other interests besides those of the Tenants which require consideration at our hands; and desirable as it is to get rid of the leasehold tenure in this Island, this ought not to take place to the prejudice of our commercial and other interests. Commercial panics occur periodically, and it appears that no foresight on the part of business men can prevent them. If any such measure can be proposed to relieve the present depression, I will gladly support it; but, Sir, I believe that it is not within the province of politicians to control commercial matters. Trade will always regulate itself, and, like water, find its own level. With respect to the loan that is talked of, I was not present when the debate commenced, nor am I aware that any prospects have been held out of our being able to obtain one. There is one member of the Government who, from his connection and acquaintance with capitalists in the Mother Country, can throw more light on this question than perhaps any other hon. member in this House. I allude to the Hon. Attorney General; but I doubt whether he thinks there is any chance in our present isolated position of being able to borrow money without an Imperial guarantee, and we know that the Home Government have set their face against guaranteeing Colonial loans. The guarantee that was given the other day for a loan of £3,000,000, sterling, to assist in building the Inter-colonial Railway, was owing to the special circumstances connected with that undertaking, and indeed was one of the conditions of Confederation. That undertaking is looked upon by the public men in England pretty much in the light of a great military work and valuable means of defence. As a commercial undertaking, apart from the question of Confederation, I doubt whether that guarantee would have been given.

Hon. ATTORNEY GENERAL.—Had the hon. and learned member for Charlottetown been present this morning he would have heard what I said as to the prospect of obtaining a loan. I stated that I thought there was a probability that a loan might be obtained in the money market of Great Britain by laying the resources of the Colony before the capitalists in London. In Nova Scotia a loan was obtained at six per cent. An Imperial guarantee for a loan I do not think we can obtain.

Mr. BRECKEN.—I expected, Mr. Chairman, that the Government would have propounded some policy on the subject of a loan. If it is thought desirable that we obtain a loan abroad, it must be remembered that an agency would have to be established wherever that loan was obtained, and that the principal as well as the interest would be payable there. It is unfortunate that the purchase of the Cunard Estate should have taken place at a time when trade was so depressed as it is at present, for the withdrawal of the purchase money for that estate from the Island must have a tendency to increase the difficulty. If a loan could be negotiated on reasonable terms, I do not see why members on this side of the House should object to it; but any money obtained in this way must be employed in paying for land only.

Mr. MCNEILL.—I merely rise, Mr. Chairman, to remark upon the extraordinary assertion made by the hon. member for Belfast (Mr. Duncan.) He stated that some of the new members said before the Election that they could settle the Land Question without the assistance of the Legislature. He did not mention names, but insinuated that they were the members put in by the Tenant League. The hon. member seems to think that there is not a good feeling between the north and south. Now, Mr. Chairman, the best course for him to pursue would be to move for a committee to discuss the subject of the man who went from the north to the south to raise money for the League; he no doubt understands black and white.

Hon. Mr. DUNCAN.—I do not see anything to answer in what the hon. member has just said. He does not deny that a certain gentleman went from the north to the south to collect money for the League, and was paid ten shillings per day for his trouble.

Hon. Mr. LAIRD.—I rise to second the motion of the Hon. Attorney General, and in any remarks which I may offer will endeavor to confine myself to the subject of the paragraph under consideration. The substance of that paragraph has been very well discussed with the exception of one clause, that relating to the future purchase of and payment for proprietary lands yet unbought. Now, Mr. Chairman, I must, though a member of the Government, say that I think the discussion of this subject premature at present. We should leave it until we have the question before us. But, Sir, it has been said that trade will regulate itself, and so it would, had this Island been treated properly. It is allowed that the soil of a Colony should be the property of the Colony; but that is not the case in this Island, and the want of these lands will always prove a drain upon our resources. This fact, Sir, is a good plea for a loan to enable us to buy up these lands and make them the property of the Colony. Many reasons are advanced by different persons to account for the present financial depression. Some attribute it to one thing, some to another. Some lay much stress upon the dull sale of ships in England, and of course this has contributed to it; but the direct cause is the purchase of the Cunard Estate and the withdrawal of money from the Island to pay for it. I must confess to being somewhat surprised at the manner in which the hon. Leader of the Opposition has spoken of the war which is expected in Europe. He spoke as if he were glad that war was likely to take place, since it would improve our money market.

Hon. LEADER OF THE OPPOSITION.—I did not, Mr. Chairman, attempt to justify the war. I said that the war was looming in the distance, that therefore the prices of our vessels might be raised, and perhaps all our difficulties wiped away in one night.

Hon. Mr. LAIRD.—Some remarks were made by the hon. member for Georgetown (Mr. McAulay) about money *breeding*, and he appeared to hint that the idea was new. But, Sir, money does *breed*, for what is the use of Banks if it does not? The hon. member for Belfast (Mr. Duncan) followed, and tried to prove that our Banks were able to supply the wants of the Colony. If that gentleman is a sound financier, why do so many of our merchants think differently? We have only his assertion for what he brings forward. Were the Government only to employ him as Financial Secretary, all their difficulties would vanish. But, Mr. Chairman, there is really little in the paragraph requiring debate. There is nothing binding in it, and I will second the motion for its adoption.

Hon. Mr. DUNCAN.—The last speaker, the hon. member for Bedeque, has stated that I said our Banks could supply the wants of the country. I believe, Sir, that they have the means and could do so, if trade was not against the Colony. The merchants have imported more goods than they should have done, but is the Government to find exchange for them? Will any person tell me that money cannot be procured to buy produce, such as pork, &c., for exportation from the Island. But, Sir, £11,220 of the purchase money of the Cunard Estate, has been drawn from the people who have bought the land. This would ordinarily have gone into the pockets of the merchants, and they of course, feel the loss; but they must recollect that some of this money must go in the shape of Rent. The Government has paid £18,220 for this Estate, besides interest, and of this sum, as I have said, £11,220 was paid by the people themselves, leaving £7,000 to be paid directly by the Government, therefore, this cannot be the great cause of the depression. The real cause is, in my opinion, the dull sale of ships. If, however, a loan is desirable, it is not, I contend, good policy in the Government to go to England for it, when it can be obtained as cheaply at home. Other countries do not borrow money abroad when they can get it at home. If a loan were obtained in England you would, I fear, only receive £95 for £100, and have in addition to pay interest on the £100. I do not see how there can be, as the hon. member for Tignish would have us believe, a loss of £20,000 on the Estate in question. Suppose that all the land was sold, and the deposits paid, there could not be more than £22,400 of a loss. But out of the twenty per cent. which has been paid, fourteen and one-tenth per cent. has been paid in by the people. We may, therefore, reasonably expect that the Estate will be self-sustaining, when so much has been paid in in the course of about nine months. If a loan could be obtained in England at four or five per cent., some object would be gained in obtaining it there.

Mr. P. SINCLAIR.—It appears to me, Mr. Chairman, that the discussion of this paragraph has taken as wide a range as the one of last evening. No doubt, however, there are allusions in this clause requiring to be considered. The hon. the Leader of the Opposition attempted at the beginning of the debate to show that the credit of the Land Purchase Bill was due to the late Government. This I deny. The credit of that Bill is entirely due to the Liberals. Then, Sir, there has been much discussion on the subject of a loan. The hon. the Attorney General has spoken on this subject, and, as he is a gentleman who is well acquainted with the Banking System of this Island, his opinion should carry much weight. I consider that it is the duty of every member of this House to support no measure that is calculated to bear injuriously upon the people of this Island; and when the Attorney General has given us his opinion, that the withdrawal of so much money has affected, and will affect the people, it is our duty to prevent such inconvenience

if possible. We know very well that the Banks afford great accommodation to the country at large. When a farmer wishes to purchase flour or goods at a time when he cannot conveniently pay for them, he gets some friend to join him in a note, and by getting this note discounted he obtains money to buy the articles he requires, and in this way obtains them at a cheaper rate than if bought on credit. If, then, this money is to be taken out of the Banks, and our circulating medium lessened so that that accommodation is curtailed, it must affect us to a very great degree. If the money were to be paid in the Island, no loan would be required. I consider, Sir, that those hon. members engaging in an irrelevant discussion, have not the interest of the country at heart.

Hon. Mr. DUNCAN.—I do not understand the argument of the hon. member who has just sat down. He must remember that the money borrowed will eventually have to be paid in England.

Mr. P. SINCLAIR.—The country may be in a very different position ten years hence. If we can do anything to relieve the country now, we should do it. The Island ten years hence, or when the principal of the loan is payable, will be able to look after itself.

Hon. Mr. McAULAY.—There is much in what has been said by the hon. member for New London, (Mr. Sinclair), but he forgets the fact that if a loan is obtained in England, the interest will have to be sent from the Island annually, which would not be the case were a loan obtained here. This is a strong argument in favor of borrowing the money if required on the Island. If a loan be obtained out of the country, the capital now here would seek foreign investment.

Hon. Mr. HOWLAN.—I am surprised that the hon. member for Belfast, (Mr. Duncan) should state that the Cunard Estate will be self-sustaining, when he must be aware of the Report that was submitted to the Council Board. How can he, knowing the nature of that Report, assert that there will be little or no loss on that Estate? He has also tried to impress us with the fact that only £7000 will be really taken from the circulation by the Cunard Estate payments, but he must remember that by taking that sum in exchange from the Banks, their circulation is really lessened by three times the amount. This withdrawal of specie takes place at a time when we cannot afford to have any portion of our circulating medium withdrawn. As regards the loss to the country, and the purchase of the Cunard Estate, it must be remembered that there are large tracts of that Estate which will never sell for the price paid by the Government for them. The Commissioner of Crown Lands himself, told me that when he made his report he thought that the loss would probably be £30,000. I would be sorry to make the loss £30,000 or £10,000, but I think the facts of the case will bear me out in saying, that the estate cannot be self-sustaining. The hon. member must bear in mind, that though a large amount has been paid in by the people, the Banks have to provide exchange for the whole amount which has to be remitted.

Hon. Mr. DUNCAN.—I said that £11,220 had been paid in by the tenants, and that therefore, there would be only £7000 left for the Government to pay.

Hon. Mr. HOWLAN.—Yes, but the whole £18,000 is drawn off in exchange. If the amount which had to be paid were four times greater—say £72,000—it would cripple all the Banks in the Island. This smaller amount than of £18,000, has a proportionate effect. The hon. member says that there is always sufficient money in the country to purchase our produce, oats, &c., for export. He must remember that

by the purchase and shipping of this produce, exchange is obtained, and there is no withdrawal of money from the country.

Hon. Mr. DUNCAN.—The Banks do not require to have gold in their vaults, for they can issue three times the amount of their paid up capital, if they believe there will be no drain upon them. I think I have made it clear that the Banks are not discounting, because the discounts are not required for circulation.

Progress reported, and House adjourned for one hour.

AFTERNOON SESSION.

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

Hon. ATTORNEY GENERAL.—Mr. Chairman, the hon. the Leader of the Opposition moved an adjournment of the debate in the forenoon. If any hon. member desires to speak further to the question, I do not wish to interfere.

Hon. Mr. DAVIES.—I wish, Mr. Chairman, to answer a charge brought against me, in the course of this debate about my Confederate views, because I voted for Dr. Jenkins. I said to Dr. Jenkins in the Sheriff's Court on the day of nomination of Candidates for this House: "Doctor, if you wish to be returned, you will have to give up Confederate views; I shall not countenance them, neither will the Liberals." The Doctor said he could not support such views. But I said, "Doctor, what we want is men who will oppose Confederation, will you do so if returned?" Doctor Jenkins answered "I will," and knowing his high sense of honor, I felt—and so did the whole community—that he would keep his word. Under these circumstances, Sir, did I vote for that gentleman, and I think I was perfectly justified in the course I pursued. I did the same with the gentleman for whom I voted in Georgetown, the Hon. Mr. McAulay. With respect to the paragraph in reply to His Excellency's Speech now before this Committee, I think, that if hon. members have objections to offer, they should submit them in the form of a resolution. Sir, it is several years since I sat in this House. I became a member of the Legislature in 1850. I belonged to the Escheat party, and, Sir, I am not ashamed to own it. I joined the Liberal party, because I thought that they would press the just claims of the people. A good deal has been said about what the claims of the people were. Now, Sir, what was the question? Why, one between the public and the proprietors? The Land Question is not, as it has been too successfully promulgated by the proprietary minions, a question between the tenantry and their landlords. The Escheat party acted upon a different plea. The Land Question, Sir, is one between the public and the proprietors. Before Responsible Government was granted, it was a question between the proprietors and the Crown; therefore, it follows, that the Escheat had been established prior to the introduction of Responsible Government, and their lands had been escheated, it would have reverted to the Crown; but if the lands had been escheated after the introduction of Responsible Government, such would have become the property of the Colony. This is the way they have deceived the people of this Island, and the Home Government too,

by leading them to believe that it is a private, instead of a public question. The people wished to know if the proprietors owned the land. If they did, the intention was not to deprive any man of property he justly owned; and, also, not to allow any body of men to hold public property they have no right to; and a court of Escheat would have afforded an opportunity for proving this. The proprietors based their rights upon certain grants, or leases obtained from the Crown, and if these were good, why, the court would have confirmed them. In so far as the proprietors were concerned, the question would then have been set at rest, and the claim of each party would have stood or fallen upon its own merits. If they had a right to the land, a court of equity would have established that right.

Hon. LEADER OF THE OPPOSITION.—That would have been a question of law, not of equity.

Hon. Mr. DAVIES.—If they could not show that they had a proper claim to the land, it would not be right to leave it with them. I say, then, that it was wrong for the proprietary party to try to lead the country to believe that a court of escheat could not be established, without a law being passed for that purpose. But, Sir, what did the Land Commissioners say? They said that we could establish one, by the powers vested to us in the constitution of the Colony under Responsible Government, for, under our constitution, is transferred to us every security, every right pertaining to British subjects; and the same courts which redress the grievances of Englishmen at London, or of Scotchmen at Edinburgh, are invested, by Her Gracious Majesty the Queen, in her representative, the Lieutenant Governor. He can to-morrow open a court of escheat, if good and sufficient reasons are put forward for the purpose; and it was wrong in any party to come into this House by the votes of the people, and, when here, to use every possible means in their power to deceive the people they represented; and they did deceive them on this question. It was their duty to have established a court of escheat.

Hon. LEADER OF THE OPPOSITION.—Why did you not establish it, then?

Hon. Mr. DAVIES.—But instead of doing so, they threw every possible obstacle in the way of its establishment, which they could think of. These were the opinions I entertained in 1850, and I dare the hon. the Leader of the Opposition to prove that we have not the power to establish a court of escheat, or to contradict what I have said.

Hon. LEADER OF THE OPPOSITION.—Yes, if you can get it, and find a precedent.

Hon. Mr. DAVIES.—I know that the hon. and learned Leader of the Opposition is very fond of precedents, and I will give him one. In Lieut. Governor Smith's time, a court of escheat was established; the claims of the Crown for non-compliance with the conditions of their leases or grants, as the proprietors choose to call them, were brought up before that court, and two Townships were escheated. There was no appeal from the court,—no exception taken to the decision which was given. They knew, and knew it well, that what had been done was right. They know, Sir, that Lieut. Governor Smith had but done

his duty. But what did they next do? Why, the *old clique*, that has ever been a bane to this Colony, united together, and raised a question about the quit rents, and, by deceptive influences, led the people to believe that, if escheat were allowed to be continued, the exactions for quit rent on the tenant in arrears, which had to be enforced before the Township could be arraigned before that Court, would be yearly exacted. Under this impression, the people got exasperated against Lieut. Governor Smith, and signed the petitions the land agents got up against him, praying for his removal from the Colony, which accordingly followed, for, in all their efforts in this direction, I am sorry to say that the proprietary party were but too successful. Thus, by their deceptive influences, they induced the people to petition for his removal, and in that petition laid grievous charges against him. But on his arrival in England he demanded an investigation of his conduct before the Privy Council, and what was the result? Why, he was honorably acquitted, and his conduct as an able officer remunerated with a pension of £500 sterling a year. Is not this a precedent, Mr. Chairman? and if this is not satisfactory, look at the settlement of the lands in Nova Scotia. They were escheated. The question of Responsible Government was brought forward in Sir Donald Campbell's time. It was offered to us then, but the proprietary faction saw that it was a system of government that would work against them. The terms offered were, that a few officers of the Crown, who came here more for their own good than that of this Colony, were to be pensioned off, and provision was to be made for the officers who were to take their place under the new system of government. These were thought to be hard terms,—more than the Colony could bear; and a committee were appointed by the Assembly to remonstrate, on behalf of the Colony, with the Crown. This was done. Mr. Rae, the Chairman of that Committee, ably put forward the state of the Colony, and plainly laid down the grievances which we lay under. This can be seen in the Journals of 1850 or 1851. In the meantime, Sir Donald Campbell died, and Sir A. Bannerman succeeded him as Lieutenant Governor of this Colony. He repeated the conditions offered by his predecessor. They were the same. But, said Sir Alexander Bannerman, when you are prepared to accept this burthen (meaning the pensions for the officers of the retiring Government, and providing means for the pay of their successors), I am prepared, on the part of the Crown, to hand over to you for recovery, for the benefit of the Colony, the *arrears of quit rents*, the *Fishery Reserves*, and *all lands liable to forfeiture*. These stipulations were ratified, and embodied in the *Civil List Bill*, which is the *writing of our Constitution*. Yes, Mr. Chairman, it was a bargain. These quit Rents, these Fishery Reserves, and all lands liable to forfeiture, were sold, yes, Sir, sold, I repeat the word, sold to the Legislature of this Colony, for the consideration of paying the Civil List Bill, as I have mentioned. And, Sir, I would add, I think it was discreditable to the Colonial minister to withhold from us the right to recover the same in a court of escheat. In private transactions, such dealings would not be allowed; and the only apology I can offer for the gentlemen who have filled this high office, is, that the administrations which have followed the introduction of Responsible Government in this Colony, have neglected to put

these facts fully and truthfully before the Colonial Minister. These are facts which every hon. member in this House is as well acquainted with as I am. The party thought they were making a good bargain,—that we had an advantage we never had before. Now, allowing that the titles were not good, these lands would have all fallen to the Government, and the country would have had the benefit of them. It has been said that the escheators promised the people free land, if a court of escheat was established, and that the small freeholders would lose their lands. Now, I deny that the escheat party ever propounded the idea that the settlers would get their lands free of cost, or that the small freeholders would forfeit their estates. It was the proprietary faction who said that, if a Court of escheat were established, the quit rents would be annually exacted from the tenants, and that the small freeholders would lose their estates. These, Sir, were the doctrines they preached, and they knew, Mr. Chairman, when they were preaching them, that they were preaching false doctrine, for they knew that when a court of escheat was established in Nova Scotia, the first act of that court was to establish every man in his possessions. I had no reason in the world, Sir, to prejudice me against the proprietors, further than that I knew they were continually making annual raids upon the people, and taking money and property from them that they had no right to. Why, we were oppressed by them, like as the people of England were, about the year 700, when the Danes and Normans made annual raids, sweeping off all the poor man had! I thought that, when we would get Responsible Government, the first act of that Government would be to enquire what their titles were, and if they were bad, that they would have been forfeited. I knew, and so does every hon. member know, that the grants were nothing but *leases*, with conditions attached which have never been fulfilled, and therefore, under Responsible Government, it became a question between the public and the proprietor. I thought that that system of government would have given us a court; that then, if the proprietors had a title, they would be compelled to go to court and prove it; if they were good, their land would have been confirmed to them, if not they would lose it; and thus the question would have forever been set at rest. But there were a great many difficulties thrown in the way, and brought in against it, and I think the many despatches sent here from different Colonial Ministers increased that difficulty.

Hon. LEADER OF THE OPPOSITION.—Which of them?

Hon. Mr. DAVIES.—I mean those who were in power after we got Responsible Government. I considered that it was not dealing fairly with us. I contended, Sir, and I believe, justly, that the early settlers had a perfect right to be established in their possessions. They were men, Sir, who endured many hardships in the first settling of this Island, and I always consider they had a perfect right to their farms. They were the early pioneers of that prosperity to which, as a Colony, we have attained; and I do consider that they honestly paid for their land by the great service they rendered the country in the public improvements they made in every part of it, and do

consider that injustice was done to this class of men, when they did not get their lands. Well knowing the people have been led astray with respect to escheat, that they believed such a court could not be established, the Liberal Government thought that the next best measure would be that of the Land Purchase Bill, and in that Bill, there was a clause inserted, making it imperative to investigate the titles before estates should be bought under it, and I gave to that Bill my cordial support. From that time to the present, I have been out of the Legislature. I lost four elections. Wherever I went I was followed by a flock of Tories from Charlottetown. They followed me from Charlottetown to Princetown, and from Prince County into King's County I had, Sir, thirty of them following my heels wherever I went. Escheat, religion, and every thing they could think of were brought up to prejudice the people against me. Many thought that the Land Purchase Bill was not a good one. The proprietary faction denounced it in every stage of its proceedings.

Hon. LEADER OF THE OPPOSITION.—I deny the statement. I voted for it. Why, Sir, I was the first to offer to sell them land under it.

Hon. Mr. DAVIES.—Yes they voted for it when they found they could hold out no longer against it. The Land Purchase Bill was the Bill wholly and entirely of the Liberal party. The Conservatives supported it when they feared that any further opposition would injure them in the estimation of the people, and, therefore, supported it when they perceived that further opposition would be useless.

Hon. LEADER OF THE OPPOSITION.—The hon. member should keep cool, and draw a line between the Loan Bill and the Land Purchase Bill.

Hon. Mr. DAVIES.—The two Bills are so closely allied to each other by the connecting link which unites them, that I consider them as one. The Land Purchase Act is inoperative without the Loan Bill being brought to its aid.

Hon. LEADER OF THE OPPOSITION.—Why did you oppose the purchase of the Cunard Estate?

Hon. Mr. DAVIES.—Because the Government had made no provision to pay for it. It cost too much. With respect to a court of Escheat, I have not yet given up that question. I have merely laid it aside for the present. It may yet be necessary to take it up. At this time it is unavailable. The people have been led astray by the proprietary faction on that question, and I ask, is it wrong for a man to abandon a course of action when he finds he can do no good by pursuing it? I supported the Land Purchase Bill, which was brought in by the party to which I now belong, and of which I am proud, (applause) and, Sir, what were the statements of the Imperial Government respecting that Bill. They said that if the proprietors would not agree to receive what was a fair compensation for their claims, that they would not have any more support from Home. And when we see men like Lord Selkirk, offering to sell their lands under that Bill, it is an evidence of the favorable opinion taken of the Bill by the Home Government. With respect to the Loan Bill, what did Lord Stanley say?

He said that the Imperial Parliament ought to agree to it, not merely as a favor, but as a right, to indemnify us for the injustice we had been laid under. What were the representations the Opposition, or Proprietary party, made against this measure? They put forward misrepresentations, shewing that the Colony was in an embarrassed state, in contradiction to the report of the Government and in direct opposition to the acts of the case; and they represented that it would have an injurious effect on the small freeholders, but the latter party now know better, and their Representatives are here to-night to testify to that effect. But what did the proprietary party do? Why, they said that they would establish a court of Inquiry—a court of Escheat. ("Oh," from the Opposition.) And I ask what was the Commission as represented by them, but a court of Escheat? and that they imposed this opinion upon the Colony, I will make patent before I am done. No party, Sir, that ever came into power in this Island, raised the expectations of the tenantry higher than they did at that time; and, yet I believe, they never intended to benefit the country by that measure. It was all deception. I will leave you, Sir, to say whether it was the good of the people, or their own selfish propensities, which induced them to bring in the Bill to give effect to the decision of the Land Commissioners. That Bill gave to the Commissioners all the powers of a court of Escheat, and they published that the Bill had been sent Home, and that it had been graciously received by Her Majesty, when all the time, Sir, it had not been sent Home at all! Who ever heard of the like? who can trust such a party after that? Did ever deception go further? I never once thought that they would give the powers contained in that Bill to any court; and when from so many parts of the country I was chosen by the people to appear as their delegate before that court in Charlottetown, and at St. Eleanors, the first question I put to them was, to ask if they had power to settle the whole question. I said to the court, that if the proprietors could not substantiate their claims to the land, that then it should become public property. And, Sir, if the land had been forfeited, it ought to become public property. The Commissioners answered the question, by saying, if it could be proved that the proprietors had not complied with the conditions of their grants, that then they had power, *with one dash of their pens, to erase their claims.* Sir, I could not but believe them. I did believe them; and believed that justice was going to be done to us at last. I never gave the proprietors credit for any sincerity, when their friends held out the prospect of obtaining an equitable arrangement of this question. It was unreasonable to expect they would of their own accord let go the power in their own hands. It is not in human nature to do so.

Hon. LEADER OF THE OPPOSITION.—You did well to make the admission.

Hon. Mr. DAVIES.—I wish to show this Committee that the course I pursued was perfectly justifiable, and that I am worthy of the confidence and esteem of the people whom I have the honor to represent. Well, what did the Duke of Newcastle say? He said that the Commissioners had no power to settle anything. That all the power they had, was simply to enquire into the existing grievances, and recommend a mode for settling them; and the Com-

missioners merely recommended purchasing the proprietors out under the provisions of the Land Purchase Bill, and said that they thought the transfer should be made for two shillings and sixpence sterling per acre; and I am surprised that the Government then in power did not act upon that recommendation. And why did they not do so? Because it was a recommendation which did not suit the proprietary party here. But it ought to have been acted upon, and would have been, were they the true friends of the people, as was well and ably shown by the Leader of this Government, Hon. Mr. Coles, at the time. Had they acted upon that recommendation, all the lands in the Colony would ere this have been bought up. But instead of doing that, instead of legislating for the people whom they represented, they legislated for the proprietors, and gave them a statutory title: and added to all their claims the property of the people, namely, the Fishery Reserves, which was a property they never once laid claim to. What absurd legislation! But, Sir, no one knows better than the learned and hon. member, the Leader of the Opposition, that when a dispute takes place between two parties, and when they agree to leave it to arbitration, both parties are bound to abide by the decision which may be given. But in this case, while the people were bound to abide by the decision of the Commissioners, the proprietors were not bound at all; and why were not the proprietors bound down? Because they wished, that if the recommendation of the Commissioners was favorable to the proprietors, that the tenants should be compelled to abide by it, and on the contrary, that if it was not favorable to themselves, they might set it at defiance. Now, I maintain that when they neglected to bind the proprietors to abide by the recommendation of the Commissioners, that they did wrong. Indeed, Sir, their whole conduct has disappointed the reasonable expectations of the people, and it is this which has overturned the late Government. The rights of the people that ought to have been upheld by them, were sunk, and a Bill to confirm the proprietors' titles, and to bestow upon them property they never claimed, was brought in and carried. Nothing, Sir, could have been more unjust. The Legislature of this Island confirmed them in all their claims, and more than they ever claimed, when it passed that Bill. Previous to the passing of that Bill, the proprietors could not maintain their claim in any court. Since I was a boy—I am now nearly grey-headed—I never saw a proprietor come into court and shew that he had a title. I have seen squatters summoned up to court to respond to the proprietors, and they never met them in court. I believe that in England, if a man does go into court with a claim, that he is bound to show his claim, and produce proof if required. But here, I knew a man to be brought up to court six times by a proprietor, and for six times the proprietor did not appear in court against him! The proprietor could not prove that he had as good a title as the squatter. Therefore the squatter has a better title than the proprietor, *nor can the government or any other party disturb him in his possession.* I maintain, Sir, that the squatters have a better title than the proprietors. It is true the proprietors have a title now, by virtue of the Bill passed for that purpose by the late Government, and as a result we see Sir Samuel Cunard immediately raising his land to double the price set upon it by the Land Commis-

sloners. I think that no party will rise up, and eschew what I have now said. What did Messrs. Cooper, Rae, Macintosh, and others get for advocating the just claims of the people? They were honorable men—they were patriots! But they were men who were reviled and misrepresented, as I have been. Well, matters came to this, that all these misrepresentations and disappointments had so exasperated the people, that it led to the formation of the Tenant Union organization. I have been referred to in connection with that organization. In the early rising of that body, I felt that they had a perfect right to make offers to the proprietors. And I tell you, Sir, that the Union was composed of the very bone and sinew of Queen's County. And I contend, Sir, that the Tenant League or any other body of men, have a perfect right to make overtures to the proprietors. No objection can be taken to that; and, Sir, lands were bought up by that organization on fair terms.

Mr. BRECKEN.—Where?

Hon. Mr. DAVIES.—From Hon. Mr. Haythorne, and others. They bought that gentleman's estate. They were respectable men, and when they came to this city to take a drive, they were not men who were to be insulted by a proprietary faction's sending constables quite unnecessarily to annoy them. I was never a member of the Tenant Union, but as soon as I understood that in some parts of the country a few refractory men contemplated resistance, I published a letter in the *Weekly*, the organ of that party, shewing them that to do so, would just be committing what the proprietors wished them to do, and warned them against any unlawful proceedings. But after the Government made representations that it was necessary to have the troops brought here, they brought up a few of the Leaguers to court for alleged resistance to the law, but had hard work to get evidence to convict them.

Hon. LEADER OF THE OPPOSITION.—The hon. member was Foreman of the Jury that brought in the Bill.

Hon. Mr. DAVIES.—A grand jury hears evidence for the Crown only. The grand jury, therefore, sent the whole case down, in order that the evidence might be heard on both sides; and what do you find? Why, that, in order to punish these men, the verdict of the jury had to be set aside, and the men indicted were punished for a crime of which the jury acquitted them. I think, when such is the case, that there is no liberty for the people—no liberty for the subject; and when we see men gentlemen at the bar, who pride themselves as being so patriotic and high-minded, allowing all this to take place before them, and raising no voice against it, it speaks little for their love of liberty.

Hon. LEADER OF THE OPPOSITION.—I say, Sir, that if the Judges have done wrong, it is the duty of the hon. member, as a member of the Government, to have them removed from the bench.

Hon. Mr. DAVIES.—I did not say that the Judges had done wrong; I merely repeated what I had heard and read in the public newspapers; and will, Mr. Chairman, hon. members on the other side of this House deny this statement? When the Government undertook to purchase the Cunard estate, it was their duty to have made some provision for the payment. I think I saw in some paper a statement to the effect that the Banks represented that they could meet all these payments as they became due, without inconvenience. I believe such a statement was made, and that the Government would not have effected the purchase unless they had such expectations. But we know the situa-

tion of the Banks, that, under their constitution, they can not afford the accommodation required, because it has been and is as much as the Banks can do to afford merchants the ordinary requirements for remittances to Britain; and it is evident to every man acquainted with the trade of the Colony, that the Banks cannot now meet the payment on exchange in England without draining the specie from their vaults. In doing so, the community would suffer, because the exchange they require will be absorbed by Government, and the distress which we already feel will be fearfully augmented when the second and third payments are made. I therefore blame the late Government for entering into a purchase before providing means to pay it—without distracting the trade of the Colony. Sir, they have left us this difficulty to contend with, without allowing time to make the necessary arrangement for overcoming this want of statesmanship, by obtaining money in the British market to meet it. While trade is flourishing, it is all very well, but when a reverse comes around, and the Banks cannot give the facilities required, it is different; and where is the gentleman in business, who is not aware of this? I am apprehensive that, when the time for the next payment to be made on the estate comes on, a great difficulty will be experienced, unless some remedy is provided. When the late Government made the first payment, where did they go for money? They went to the Banks. The Banks do not create exchange or bring gold into the market; that is the merchants' avocation, who employ our labor in various ways, in constructing ships, in fishing, &c., &c.; and by exporting these effects abroad, they (the merchants) then give the Banks exchange on their brokers for the proceeds of their shipments. It is true the merchant cannot go on without aid from the Banks,—one assists the other; it therefore follows if the Government drain the Banks of gold, that they cannot afford the accommodation trade requires, then it becomes paralyzed. This is what we are rapidly approaching to, and if the Government cannot effect credit in London, to draw on in payment for the sums falling due on the Cunard estate, I think the Banks will either have to stop specie payment or shut up for a time, which will not only entail ruin on the trader, but eventually fall as heavily on the agricultural classes. I cannot account for gentlemen, possessing the ability the late Government were acknowledged to possess, entering at all into this arrangement, unless it was that they expected the payment of this debt would be an inducement for us to go into Confederation, as we might be enabled to meet this difficulty out of the sum they expected the Canadians would give us for yielding up our liberty. A deeper laid scheme could not have been devised. (Hear, hear.) You may say hear, hear; but many who hear me know it was so. My hon. colleague has said that this state of affairs has been brought on by overtrading. I cannot agree with him. The stock now in this Island is not one-sixth more than it was last year; nor does the fall in the price of shipping apply to this Island with any force. It applies with more force to those ships sent from St. John and Quebec. The people of England ought to be proud of these Colonies, when they look at such splendid ships as are sent from New Brunswick and Quebec. They are classed for seven years, when they should be classed for twelve. They are equal to ships built of English oak, being built of material that will not take the dry rot. Now, I wish to show that the cause of the low price of these splendid ships sent home from the sister Provinces, is that there are more of them in the market than are required; this is the reason why their price is so much depressed. The ships we build range from 100 to 300 tons, and as but few so small are sent to market from other parts,—the requirements being greater, our vessels have not fallen equally low in price with those

of St. John and Quebec. These vessels range from 300 to 2,000 tons register. There are but thirty or forty Island vessels unsold in the English market. It is the withdrawal of the money from this Colony that makes the pressure. I do not mean to throw any blame on the Banks; I know better. They must respect the rights of their shareholders. If the Banks have not got bills of exchange; they must pay out the gold; and, if means are not obtained before the first of July, the Banks will have to close. Their object was to drive us into Confederation. They thought it would release us from these difficulties, and that the money we would get out of Confederation would pay for the Cunard estate. They were willing to sell our rights for the self-interests of a few. But before closing, Mr. Chairman, I would observe there is a very interesting tale being published at London. It comes out in the periodicals, and is called "Birds of Prey." If the author were as well acquainted with the transactions of some of the proprietary party as I am, and would introduce one of them into his work, it would render his name immortal.

Mr. BRECKEN.—We have listened to a lengthy speech from a member of her Majesty's Government, in which he has ignored the views of his colleagues. I thought, Mr. Chairman, it was the duty of a member of the Government to declare its policy; but instead of this, Sir, he has treated us first to a biography of himself, and then to a history of escheat, quit rents, and kindred subjects. He told us how he advocated escheat, because his heart felt for the wrongs of the tenantry; but the people, he said, would not listen to him. You will excuse me, Mr. Chairman, for going back to this old question, but as it has been introduced into this debate, I will briefly refer to two or three points connected therewith. I admit, with the hon. member for Bedeque, in the course of some of his remarks the other day, that the virgin soil of a country, of right, belongs to the people who compose its population. But, Sir, the granting away of the lands of this Colony was the fault of George III; and, as they have since frequently changed hands, the claims of the proprietors have become confirmed. The Crown, notwithstanding the original grants were forfeited, by allowing time to lapse without re-entering upon its rights, gradually increased the difficulty of effecting an escheat. It stands to reason, that this should be the case. If I allow a person to hold a property on certain conditions, some of which are not fulfilled, and I see it change hands without interfering, it must be supposed that I assent to the principle of his right to dispose of that property. Is it not a fact, also, that the government derived revenues from the lands of this Colony through the proprietors? Why was this? Was it not that they recognized them as the owners of the land? I am really sorry that the Government have one among them who ventures to rise on the floor of this House, and propound such extraordinary views. I do not say that the hon. member is dishonest; but I look upon him as laboring under a delusion. If the proprietors are not the owners of the lands which they claim, upon what principle was money paid by the party to which that hon. gentleman belongs for the Worrell Estate? I believe that he had a seat in this House when that purchase was effected; why, then, in the name of common sense, did he allow the government which he supported, to put their hands into the public chest and pay some £25,000 for that estate, if the parties from whom they purchased it had not the shadow of a title to the land?

Hon. Mr. DAVIES.—Half a loaf is better than none.

Mr. BRECKEN.—True, Mr. Chairman, half a loaf is better than none; but that was giving them the whole loaf. However, in either case, whether we

pay for the half or the whole, the claim is recognized, and it is folly to continue talking of escheat. But, Sir, the hon. member, while giving us his biography, omitted an interesting little piece of his history. He did not inform us how it was that he came into this House when he formerly had the honor to represent the constituency of Belfast. I believe he was borne in on the shoulders of the Conservatives; but shortly afterwards, when the Liberals celebrated their triumph he was found among their ranks. Still, this is the hon. gentleman who constitutes himself the *custos morum* of this House, and comes forward here to-day to lecture us on political morality. The Conservative Government—that base administration which he denounces with such vehemence—sold the country, he says, by the Land Commission. That Commission, he affirms, was a court of inquiry. For my part, I always understood it was a court for adjusting the difficulties between landlord and tenant, and not to consider the case between the proprietors and the Crown. Who appointed these Commissioners? There were three parties concerned—the tenantry had their Commissioner, as well as the proprietors and the Imperial Government. The proprietors chose Hon. Mr. Ritchie, of Halifax, and the Imperial Government Hon. Mr. Gray, of New Brunswick. But whom did the Conservatives choose as Commissioner on behalf of the tenantry? They nominated a more liberal and illustrious person than the hon. member for Belfast will ever be, namely, the Hon. Joseph Howe, of Nova Scotia. That is the sum and substance of what the Conservatives did for the Land Commission. They appointed the man of the people to guard the interests of the tenantry, and will the hon. member deny the fact?

Hon. Mr. DAVIES.—He was deceived.

Mr. BRECKEN.—I believe he did not deceive as many as did the hon. member himself on one occasion; and as to being deceived, I call for proof of the insinuation. Nor was the Hon. Mr. Howe the only friend the people had at the Commissioners' Court. Did not the Government of the day obtain the services of Mr. Thompson, of New Brunswick, as counsel for the tenantry,—a young gentleman of education and ability, whom I recommended to their notice? Yes, Mr. Chairman; and this gentleman appeared before that court, and boldly and ably advocated the rights of the people. And more than that, parties of all shades of politics and opinions were allowed to come before the Commissioners' Court and make their statements, without giving them on oath. Every species of representation respecting the grievances and hardships of the tenantry was made there; and I believe the hon. member himself also delivered a speech in presence of the Court. At the time of the French revolution, it used to be said: "O, Liberty! what crimes are practised in thy name?" and were it not making a too free comparison, I might say, how much buncombe is practised under the name of P. E. Island Liberalism! The Conservatives, we have been told, are everything that is bad and deceptive. Even when the people endeavored to get the arbitration clause of the Award carried into effect, and did not succeed, the cry was raised that the proprietors and the Tories had thrown obstacles in the way. The proprietors, it is true, raised an objection to the arbitration clause, on the ground that the Commissioners had no authority to delegate their powers to others; and I believe the objection had some force, for it is based on a principle recognized in all arbitrations; but the Conservative party of this Island were innocent of throwing any obstacle in the way of the confirmation of that clause. So much for the Land Commission; now for the Tenant League. I understood the hon. member to say that this association started on a right principle; but that afterwards

it departed from the paths of rectitude. But, Sir, I believe that the contrary is the fact,—that the Tenant Union was at first based on the principle of resistance to the payment of rents, and that afterwards it renounced it and modified its constitution. Perhaps this hon. gentleman, who is sworn to support the laws, will inform this hon. committee whether the Union was working on an illegal principle or not, when he subscribed to its funds. It is easy to draw nice distinctions about moral and physical resistance; but when an association of that kind, with a large proportion of not very scrupulous members, gets under way, where is it to stop? Notwithstanding that he has told us that he warned the Leaguers they were going too far, and cautioned them to beware of violating the laws, I believe he sympathized with their association when it was illegal, and sympathized with it to the end; in short, that he owes his seat in this House to the use he made of that political horse. Sir, I believe, as I remarked last night, that he rode the Tenant Union horse to the very door of this Legislative hall, and then turned him adrift. The hon. member has endeavored to make it appear that, after all, there was scarcely such a thing as resistance to the officers of Her Majesty's Supreme Court. I can tell that hon. gentleman that I have had writs in my own hands, which had nothing to do with rent, that I could not get the Sheriff to execute. That officer informed me that he could not undertake the duty unless a body of some twenty or thirty men were placed at his disposal. I have, Sir, often gone home from my professional duties, humiliated with the thought that in this, my native Colony, society was in such a state that Her Majesty's laws could not be carried out without the intervention of a stronger power than the ordinary officers of justice. We have been told that the late Government should have called into requisition the civil force of the Colony,—should have armed man against man, and brother against brother, before they sent for the troops. Supposing they had done so, what would have been the consequence? The men sworn in to do duty for their Queen would have been marched forth with the Sheriff, armed to execute the writs of the Court; the tin trumpets—those trumpets which have no doubt been music to the hon. member's ears, and should be taken now and hung around his neck—(applause)—would have been sounded, and neighbors have rushed to spill neighbour's blood. But British troops are cautious, and being under strict discipline, would commit no act of violence unless it was unavoidable. Neither would they be deterred from doing their duty by any fear of offending or injuring a neighbor. Under all the circumstances, then, I hold that the late Government pursued a wise course in calling in the aid of the military, for after they came there was an end to the League. True, we had to build the barracks; but would the hon. member deny shelter to Her Majesty's troops? Had they not been brought here, I believe blood would have been shed before the Leaguers would have desisted in their mad resistance; and once stationed in the Colony, the troops must be provided with comfortable accommodation. But the outlay for the barracks will not prove a loss, for do not the troops spend amongst us annually some £6000 of that money which we so much require? At a particular time, about a year ago, when a subject was agitating the public mind, of more concern to us than even the land question—one, Sir, that came home to our hearths and our homes, namely, the Fenian raids—this hon. member, who now complains so loudly of the action of the late Administration in seeking the intervention of the military to quell the Tenant Union disturbances, said to me in the course of a conversation that I had with him, that he was grateful to the Government for bringing the troops here.

Hon. Mr. DAVIES.—I am glad that the troops are here.

Mr. BRECKEN.—Very good, Mr Chairman, and I hope he will use his influence as a member of the Government to retain them here. But there is another interesting point in his history which the hon. member did not give. He has vindicated the tenantry, and denounced the late Government, the Supreme Court, and all concerned, for being so harsh with the Tenant League prisoners; and, Sir, this same hon. gentleman who speaks in this strain, was foreman of the Grand Jury which presented to the Court a true bill against those men—a bill which declared that with evil intent, malice aforethought, and dear knows what all, they had broken the law.

Hon. Mr. DAVIES.—What was the nature of the Judge's charge?

Mr. BRECKEN.—I am not prepared to enter into the merits of the case; but, Sir, I consider it very unfair for an hon. gentleman, one of His Excellency's responsible advisers, to rise up in this House and insinuate that the fountains of justice are impure,—that the men who occupy the Bench of this Colony, and who are sworn to administer justice, have failed to discharge their duty. He would not venture to state that the Court said so and so; but simply that he had heard that such and such was the nature of the statements. If he believed what he heard, he ought to have instituted a charge against the Judges. It would be easy for him to have gained access to the records of the Court, and satisfied himself whether the sentences were as reported to him. This was the course for the hon. member to pursue, instead of bringing up the matter here; and, Sir, as he is now a member of Her Majesty's Executive Council, I trust he will not allow the case to rest with his remarks before this hon. Committee, but that he will have it investigated to the very bottom. As regards the financial question, and the censure he passed upon the late Government for purchasing the Cunard estates, I may say that that purchase involved a loss to myself personally of perhaps nearly £100 a year in a business way—inore, probably, than the hon. member ever realized from his advocacy of the cause of the tenantry—and also that in that purchase the interests of my constituents were not regarded. But, Sir, it is not right to be too selfish in considering the expediency of a public question—it is the duty of an enlightened legislator to look to the general good. The price paid for the Cunard estate may have been higher than the people could have wished; but notwithstanding the censure that has been cast upon the late Government for this purchase, it is a satisfaction for me to know that the average price paid by them for lands is 1s. 2d. less than that paid by the Liberal Government for the Worrell estate. The Conservatives bought the Cunard estate on the best terms they could obtain; and I believe the people on that estate are satisfied with the purchase. But we heard nothing from the last speaker as to what his party is prepared to do in the future. The Sullivan estate, I understand, is in the market; is it to be purchased or is it to be escheated? Let us have something tangible before this Committee, and not the nonsense to which we have listened from the hon. member for Belfast (Mr Davies).

Hon. ATTORNEY GENERAL.—The discussion on this paragraph has, Mr. Chairman, embraced nearly every question before the Legislature for many years past. We have heard a very lengthy address from my hon. friend, the member for Belfast. Although I do not agree with him in many points that he has brought forward, yet I cannot think that his speech called for such severe condemnation from the hon. member for Charlottetown. The object of the hon. member was, I think, simply to explain the reasons that have induced him to act as he has in the matter of the land question.

He explained that he was formerly one of an old party, who held extreme views, and that he supported them to the utmost. The reason that he now sat in the Government and supported the Land Purchase Bill, was that he wished to do everything in his power for the good of the country, and therefore, finding that his former ideas did not meet with general acceptance, he had abandoned them, and was prepared to support the next best measure for the country. This was what I understood my hon. friend to mean. Had I thought he was advocating any other course, I would have looked upon him as rather an inconsistent member of the Government. As I understand him, he has professed himself willing to forward and carry out the Land Purchase Bill, in order to settle the question. He considers that, when a court of escheat was demanded in 1830-33, it was unjust that it should have been refused, but now, as this escheat cannot be carried out, the next best measure for the tenantry should be adopted. Although my hon. friend has entertained extreme views, he is in his heart a firm friend of the tenant; and such being his opinions and principles, I am willing to sit with him in the Government. I cannot see the advantage of bringing before this hon. Committee the fact that such and such persons said such and such things. I think that, when sitting in a Legislative Assembly, our great object should be, not so much to find fault with the acts of our predecessors, as to work for the good of the country. I think that the parties in this Island are converging to this point, that they are all willing to carry out the Land Purchase Bill as the most practicable measure to benefit the tenantry. We should not, then, differ upon this paragraph, but should agree in saying that we are willing to buy up the proprietors' lands, if they are willing to sell on reasonable terms. In purchasing the Cunard estate, the Conservatives merely followed the policy of the Liberals. I myself favored that purchase last Session, and still approve of its having been made, even under the circumstances. I look upon the evident desire of the tenants on that estate to purchase their farms, as an index to the opinions of the tenants in other parts of the Island. It may perhaps be said that the hon. member for Belfast (Mr. Davies) has brought up these matters; but it must be borne in mind that he has not been a member of this House for some time, and that he therefore wishes to explain what has led him to take that view of the land question which he does at present. As regards a loan, I consider it desirable, if it can be obtained on fair and equitable terms; but I do not expect an Imperial guarantee. We will probably have to raise the money on our own responsibility, and, of course, will not attempt to do so until we find that there is a reasonable prospect of success. Since we will have so much money to pay during the summer, it is the duty of the Government to provide a loan, if possible, to meet those payments.

Hon. Mr. DUNCAN.—I would like to ask the hon. Attorney General at what per-centage money could have been obtained in England last summer, when the Bank rate was ten per cent.?

Hon. ATTORNEY GENERAL.—That, Mr. Chairman, is a curious question, for I cannot see how the rate of last summer can influence the money market now. I may say, however, that bonds bearing 3 per cent. interest sold last year at 92 and 93. The fact that the Bank rate is ten per cent. is no criterion as to the sale of bonds—for ten per cent. is merely the rate they asked for short loans. When numbers of mercantile houses are failing, as was the case last summer, few capitalists are willing to lend money on their security, but the price of the bonds of any country varies little on that account. I cannot say at what rate money can now be obtained in London (that matter must be made the subject of enquiry); but I am unable to see why

capitalists should be afraid of investing money in the bonds of this Island, as they must certainly be more ready to purchase the securities of a country where the revenue has been in excess of the expenditure, than of one in which the expenditure has been in excess of the revenue. I think a loan could be obtained in England at 6 per cent., with perhaps 2 or 3 per cent. discount in selling the bonds, and if so, it would be very advantageous to the Island. It may seem strange that the payment of these sums of money—amounting in all to only about £29,000 stg.—should affect the whole community and cripple our trade; but it must be remembered that this money represents a very large portion of the capital of the Island. Irrespective of political bias, I am of opinion, unless something can be done to meet this matter—to postpone the payment of this money to some future period—that a crisis of great financial depression throughout the Island will be the result. This matter requires the serious consideration of the House. If nothing be done to prevent it, we will, perhaps before another Session, pass through a more serious financial trial than ever fell to the lot of the Colony.

Hon. Mr. DUNCAN.—There is, I understand, a considerable sum of money now in deposit in our Banks, waiting for investment in Treasury Warrants. If the parties owning this money knew that they could buy in London bonds of this Island bearing 6 per cent. interest, and buy them, too, at a depreciation—say at 98—would they not withdraw their money and take gold or exchange from the Banks to buy these bonds? Then, why not sell the bonds here at 6 per cent., and save expense!

Hon. ATTORNEY GENERAL.—The Hon. member forgets to calculate what it would cost our capitalists to forward their money to London in order to purchase bonds. They would first have to pay one-and-a-half per cent. premium for drafts at 60 days' sight; they would then lose sixty days' interest on these drafts, which is equal to one per cent., and would have to pay a commission to some person in London to negotiate the purchase, which commission, with the loss of interest, while the draft was going to England, would make about one-and-a-half per cent. more. It would thus cost them four per cent. to place their money in London, and even if they could buy our bonds at 97 they would really have to pay £101 for £100.

Hon. Mr. DUNCAN.—This may be true, but the hon. member must recollect that when the principal money or interest of the loan were paid in London they could then sell their drafts here at a corresponding premium. If these parties drew gold from the Banks they would not have to pay the premium on exchange.

Mr. G. SINCLAIR.—I endorse the opinions of the Hon. Attorney General, regarding this discussion. I do not think it necessary for each party to bring forward the actions of the other as a means of justifying themselves. It was the custom of the present Opposition, when in power, to excuse themselves for many of their wrong deeds by attempting to prove that the Liberals had acted in the same manner; but we, Mr. Chairman, should not follow in their footsteps. As regards the paragraph, there is, I think, nothing in it to call forth such a wandering discussion. It merely says that we are pleased to observe the desire on the part of the tenants to purchase the fee simple of their farms, and are willing to extend the operation of the Land Purchase Bill. Much information has been given regarding the desirability of a loan. I do not pretend to be an authority upon commercial matters, and have therefore listened to the opinions of other members on the subject. I must, however, say that it is our duty to devise some means to relieve the

present financial embarrassment of the country by a loan, if we can obtain one. As this is a matter of opinion, however, it is well to bring it forward for discussion.

Mr. HOWATT.—Mr Chairman, as regards the manner in which this debate is conducted, I certainly agree to a very great extent with the hon. member for New London (Mr Sinclair). The main question now before this Committee appears to me to be the best means of raising the money required for the purchase of proprietors' estates. The duty of the Government is, in my opinion to make every enquiry before taking any active steps in the matter of a loan, and when the necessary information has been obtained, and the most feasible and profitable course ascertained, all parties will, I consider, be willing to do their utmost to forward the measure. But, Sir, while I am perfectly willing to support and forward the working of the Land Purchase Bill, there is a possibility that it may not operate fairly over the whole Island. In some parts of the country much land has been bought under this Bill, while in other parts very little has been purchased. Unless then it can be made work fairly for all parts of the Island, something in addition to that Bill is clearly necessary. I would favor the passing of an Act somewhat similar in its working to the Fifteen Years Purchase Bill, and compulsory on all the Proprietors throughout the Island. Of course the amount to be paid for the land would have to be settled by the Legislature. This course would, in my opinion, be the most equitable one to pursue. If a loan is obtained the money must be applied exclusively to purchasing land.

Mr. PROWSE.—Regarding the discussion on the paragraph now before this hon. Committee, I agree with much that has been said by the hon. members for New London and Tryon. But, Sir, when members of the Government go back 30 or 40 years, to the times of escheat, and introduce matters that are things of the past, they cannot complain when members of the Opposition reply in a somewhat similar manner. Let the members on the opposite side of the House wait, for a time at least, before charging us with insincerity. To the question which party has, during the last 16 years, done most to benefit the tenantry, there can, I think, be only one answer. Did the Conservatives offer any factious opposition to the Land Purchase Bill when it was brought forward by the Liberal Government? Was not the purchase of the Selkirk estate quite as satisfactory to the country as that of the Worell property? Each party has held the reins of power for 8 years, and the Conservatives have bought four times as much land as the Liberals. From the remarks of some members of the Government during the discussion yesterday, I was led to believe that they cared little or nothing for the opinions of the Home Government on matters in this Island. When they condemned the Conservatives for having delayed the Election in order to ascertain those opinions, they insinuated this. They now, however, acknowledge that objections were made by the Home Government to the establishment of a court of escheat, and that, therefore, that court was not established. If, Sir, the pressure brought to bear by the Imperial Government was so strong in one case, might it not be so in another? Reference has been made to the action of the late Government in the matter of the Land Commission. I think, Sir, that if any one act can prove their sincerity, the course they pursued in that matter will do so. To show that they were not actuated by party feelings, I may mention that the present Attorney General was employed to assist Mr. Thompson,—the claims of the hon. member for Charlottetown (Mr. Brecken), who was a supporter of the Government and a talented lawyer, being overlooked. The statement which has been

made—that the Conservatives never intended to benefit the tenants by the Land Commission—is very strong, for I consider that, but for the opposition of the present Government party to the Award, better terms would have been obtained. The hon. member for Belfast (Mr. Davies) does not deny the fact that he gave pecuniary support to the Tenant League, but would have this hon. Committee believe that, when he did so, that association was a thoroughly legal one. To show this hon. Committee how much truth there is in that statement, I will read the pledge of the League, as adopted at the meeting held in Charlottetown, after which time the hon. member subscribed to its funds:

"Resolved, That we the tenantry of ———, individually and collectively, virtually and solemnly pledge our honour and fidelity to each other, to withhold the further liquidation of rent and arrears of rent, and thus voluntarily enrol our respective names as a tenant organization, to resist the distraint, coercion, ejection, seizure, and sale for rent and arrears of rent, until a compromise be effected in conformity with resolutions proposed and carried by the meetings in Lots 48, 49, and 50, and further understood that each signature hereto annexed bear a proportional share of expenses in connection with this organization."

If, Mr. Chairman, the organization, when it passed that resolution, was not illegal, at what period did it become so? It was never, Sir, more illegal than at that time; and if the hon. member was justified in supporting it *then*, he would have been quite so in supporting it in all its actions.

Hon. LEADER OF THE OPPOSITION.—I have taken lengthy notes of this discussion, and especially of the speech of the hon. member for Belfast (Mr. Davies); but my friend, the hon. member for the city, having answered that gentleman so satisfactorily, I will reserve my notes, and the authorities I intended to quote, for some future occasion. If, Sir, you were entirely ignorant of the Land Question, the debate of to-day would have given you a very fair epitome of it. In 1855-56, the Liberal Government opposed escheat. Mr. Cooper—the apostle of escheat, as he used to be called—had some years before left the Island, and emigrated to California. He returned in 1855, and, expecting to find the country in the same state as he left it, again mounted his hobby (escheat), and in the Session of that year, we had many discussions on the subject. The present Colonial Secretary showed that the only way to settle the question was not by coercing the proprietors, but by moderate measures and equitable arrangements between man and man. In 1856, we had a speech from the throne to that effect. I must say that I at first thought that the hon. member for Belfast was foreshadowing the policy of the new Government, but the explanation of the hon. Attorney General shows that he has merely been reading his recantation. He has been bitten by escheat, but is now going to bury it, and the hon. Attorney General has informed us that he would not otherwise sit with him in the Government. We must recollect, Mr. Chairman, that this is St. George's Day, and also the anniversary of the introduction of Responsible Government, and that, therefore, large allowance should be made for the hon. member.

The paragraph was then unanimously agreed to.

Education Paragraph.

The adoption of the fifth paragraph of the Address was then moved by the Hon. ATTORNEY GENERAL.

Hon. LEADER OF THE OPPOSITION.—I hope, Mr. Chairman, that the hon. Attorney General will foreshadow the policy of the Government on this most important question of Education. We know that, if our children are properly educated, they will be able to judge for themselves and form correct opinions on the land question and other important matters, which it is most desirable that they should thoroughly understand, and they will then be less influenced by political demagogues. I certainly expected that some members in the Government would have given us an inkling, at least, of the policy which they intend pursuing in the matter of Education. Do they purpose raising the teachers' salaries, and paying them entirely out of the Treasury? and if so, how are they going to raise the money? The Government may, perhaps, be excused if they allow this matter to stand over for a few days, as the father of Free Education, our present Colonial Secretary, cannot, according to our Statutes, take his seat immediately, although we know that he has beaten the foremost man of the Tenant League, by an immense majority.

Hon. ATTORNEY GENERAL.—I would, Mr. Chairman, judging from the debate we have just had on the land question, be unwilling to awaken any discussion on the paragraph now before this hon. Committee. I hope that my hon. friend, the Leader of the Government, will be in his place on the floor of this House when the Education question comes regularly up for discussion. I may, however, say that it is the intention of the Government to make the Education laws more extensively useful. The hon. leader of the Opposition has said that, if the people are properly educated, they will be less liable to be influenced by political demagogues. Now, Sir, if the Liberal party, as the Conservatives would have us believe, belong to that class, they must acknowledge that we show a great amount of forbearance in helping forward the cause of Education. As every true lover of his country should be willing and anxious to forward a measure such as this, I do not anticipate that there will be any great disagreement among the members of this hon. Committee upon the subject, or that we will be compelled to travel over ground similar to that gone over in the previous debate. We will, I trust, agree that, as Education is so great a boon to the country, it is right and proper to make the system, if possible, more extensively useful, and to help the school-master so far as lies in our power.

Mr. BRECKEN.—I agree with the remarks of the Hon. Attorney General, but think it would have been right to have given us an idea of the policy which the Government intend pursuing, one part of which is, I think, to pay the teachers entirely out of the public purse. I trust that the House will not make this matter a party measure, for it must be acknowledged by all that nothing can be more important to the country than free education. The Conservatives have been charged with mutilating the system, but abundant opportunity for discussing the matter will be afforded when it comes regularly up for discussion. I am quite willing to help forward the cause of free education—the credit for introducing which system must be acknowledged to be due to the present Leader of the Government (Mr. Coles).

Mr. McLENNAN.—I do not intend to offer any factious opposition to the paragraph under consideration; but as education is one of the questions which the party in power promised to put on a better footing, I suppose they will be prepared to introduce important amendments to the Act. At the late General Election, I was one of those who advocated that the teachers should be paid their full salaries from the treasury; and I believe it was the intention of the majority of the Conservative party, had the government remained in their hands, to amend the law in this particular. I am of opinion, judging from the revenue of last year, which exceeded the expenditure by about £7,000, that the teachers could be wholly paid out of the public purse, without any additional taxation. There are about 300 teachers employed in the Colony, and were the Government to pay each of them the £15 which it is now provided they shall receive from the people, the sum would only amount to £4,500. This is an outlay which the Government could very well afford, with a surplus of £7,000 of revenue, such as we had last year.

The paragraph was then agreed to, as were also the 6th and 7th.

Paragraph relating to Local Industry and Agriculture.

The 8th paragraph was then read, which relates to the development of local industry and improvements in agriculture.

Hon. LEADER OF THE OPPOSITION.—The wording of this paragraph is somewhat ambiguous. I would like to hear from some of the members of the Government an explanation of what they mean by the expression "local industry." It might refer to the establishment of cotton mills, to the manufacture of tin trumpets, or the encouragement of a woollen factory, as we know, Mr. Chairman, that a Bill was passed last session to incorporate a company of that nature. Or, perhaps they intend to give a bounty to encourage the fisheries, as I understand that the constituents of the hon. and gallant Colonel from Cascumpec are urging for a measure of this kind. The fishery bounty question was ably discussed at two or three public meetings held in Charlottetown, at which some rigid economists argued that a trade which would not support itself should be allowed to go down; and others just as strenuously maintained the opposite view. Though I will not at present give my own opinions on this question, yet I would be interested to hear whether the fisheries is one of the branches of "local industry" that are to be developed by the present Government.

Hon. ATTORNEY GENERAL.—The enquiry, coming as it does from the hon. Leader of the Opposition, is very natural. Comparing great things with small, we know that the speech of Her Majesty at the opening of Parliament is generally very vague. Supposing that speech were to state that a Reform Bill was to be introduced, would it be proper for Mr. Gladstone to rise and ask what the clauses of that Bill were to be? If the Royal speech promised that a measure of reform would be brought forward, would that not be sufficient? The paragraph under consideration, however, does not promise that any measure at all will be introduced relating to local industry. Providing the

Government proposed to give a grant for an agricultural exhibition or a woollen factory, it would be enough for them in the speech to allude to it in general terms. But I need not enlarge upon the subject, as I do not think that the hon. Leader of the Opposition really expects any very definite answer to his question.

Hon. LEADER OF THE OPPOSITION.—The reply of the Hon. Attorney General has certainly been very evasive. If the Government have not decided what branch of industry is to be encouraged, this part of the Address is merely a piece of buncombe.

Mr. BRECKEN.—There is one subject which may probably come before the House this session that should not be looked upon as a party question; I allude to the fisheries. It is a branch of industry next in importance to agriculture. We have all heard how necessary it is to the prosperity of a country that its exports should exceed its imports. Notwithstanding all the improvements which are being effected in the art of agriculture, it is not a very money-making business; but if we could, in addition to farm produce, export a considerable quantity of fish, we might turn the balance of trade largely in our favor. We see our neighbors sending down vessels to our coast, splendidly fitted up for fishing, and no doubt they find it remunerative, or they would not continue the business. We are surrounded by fish, and if others can come a distance and take them at a profit, we should look after the trade. I am generally of opinion that a trade should not be subsidized; but as regards the fisheries, we are at present laboring under a disadvantage. As a result of the repeal of the Reciprocity Treaty, our mackerel are subjected to a duty of two dollars a barrel on entering the United States; and as there is a probability that the American Government will soon give up their Japanese policy towards the Colonies, a little assistance for a time might prevent the trade here from wholly languishing. We know that the fishing business is generally carried on by shares—that the men employed are paid by receiving a certain proportion of the catch, and if the fish bring a low price, the fishermen realize but small wages, and consequently will refuse employment in Colonial bottoms. Unless, then, something is done, it is supposed that our young men, who have become experienced in the business, will remove to the United States. I do not say that these are my views; but I have heard them advanced by parties at public meetings. If the Government, however, intend to assist this branch of trade, they should have said so in the Address. As they purpose to develop the resources of the Colony, they ought to have stated their policy. Probably before the Session is over, we shall have petitions presented to this House, which will test their views on the question of fishery bounties.

Hon. ATTORNEY GENERAL.—The bounty question was before the House last year, and it is strange that the hon. member for Charlottetown did not evince the same anxiety on the matter then as he appears to do now. His party had a large majority last Session, and had been for some years in power; still they did nothing to encourage the fisheries. We have had the management of affairs for only a few weeks, and already we are called upon by the Opposition to state our policy with respect to granting a bounty to encourage the fisheries. Such a display of

patriotism on the part of hon. members on the other side of the House, regarding a question which, so late as last year, they quietly shelved, is somewhat extraordinary. I am deeply impressed with the importance of a bounty for the object referred to, and am aware that my constituents feel keenly on the subject; but the policy of the Government is not yet fully developed on the point, though it is just possible that before the close of the Session we may be able to do something for this branch of business.

Hon. Mr. LAIRD.—The Hon. Leader of the Opposition is very anxious to hear our policy. I hope whatever that policy may be, our records will not be darkened by such proceedings as some of those of the late Government. Hon. members belonging to that party cannot show much that they did to develop local industry. The only woollen factory, I believe, on the Island, is established in the district which I have the honor to represent. The enterprising owner petitioned this House that the duty might be remitted on some machinery which he was importing to improve his factory; but the late Government, I understand, threw his petition under the table, for it was never even seen by the member for that part of the district. I trust the party at present in power will never thus turn the cold shoulder to those who are endeavoring to develop our manufactures. In reference to agriculture, they have been tolerably liberal; they have spent some £4000 in establishing a stock farm, which has as yet accomplished very little for the benefit of the Island generally. The only share of the stock which has come to the County in which I reside is, I believe, a few little pigs and one lamb. (Laughter.) I fear that the farm in question has not been properly managed, for I hear that some of the young stock have been worried by the dogs of parties who were admitted on the premises. I am inclined to the opinion that it would be less expensive to import stock every year than to keep up a farm for raising pure breeds. We know that, as a general rule, the Government cannot conduct any business so economically as it can be done by private enterprise.

Hon. LEADER OF THE OPPOSITION.—As regards the petition to which the hon. member for Bedeque has referred, it was laid before the Executive under the rule which gives the government the initiation of money votes. They brought it before the members of the party in caucus; but there was not a majority in its favor, though I myself supported it, and went to the store of a gentleman, who is now a member of this House, to obtain information on the subject. If the hon. member's colleague did not see the petition it was because he would not attend meetings of caucus at that time; and if he thus neglected the interests of his constituents, the blame should rest upon him, and not upon the Government of the day. With respect to the stock farm, it was established principally to avoid the risk of importation, as on one occasion the Government nearly lost the whole of some valuable animals, purchased in Britain, on their passage out to this Island. Certain competent persons were appointed to take charge of that farm when it was established, among whom were the Hon. George Beer, Dr. Jenkins, the present Liberal member for the city—and last but not least, Hon. Alexander Laird, the father of the hon. member for Bedeque, and if they did not attend to their duty, I cannot understand why

the hon. gentleman should censure the late Government.

Mr. HOWAT.—The hon. leader of the Opposition has thought proper to allude to me in connection with money votes. When the question of allowing the Government the privilege of initiating money votes was brought up in this House, I opposed it. Talk about caucus meetings properly adjusting money matters! there never was a greater delusion! (Laughter.) I was opposed to the initiation of those votes by the Government when the question was first introduced, and so was the hon. member from New Glasgow; and I am opposed to the principle still. I think it is a power which should never be placed in the hands of any government.

Hon. Mr. DUNCAN.—I am surprised to hear a farmer like the hon. member for Bedeque, opposing the stock farm. I was expecting on the contrary, as he is a member of this progressive Government, that he would be proposing a grant now of £1000 a year for that farm. He has referred to the petition praying for a remission of duty on certain factory machinery. If the prayer of that petition had been granted, it was found that the duty would also have to be taken off a great many other things of a similar benefit to home enterprise.

Mr. MACLENNAN.—I rise to corroborate the statement of the hon. member for Bedeque in regard to the share of stock which Prince County received from the stock farm. I hope as he is now a member of the Government, that he will carefully look after the interests of Prince County.

Hon. Mr. LAIRD.—I wish, Mr. Chairman, to ask the hon. Leader of the Opposition, if the stock farm was not employed as a shooting ground?

Hon. LEADER OF THE OPPOSITION.—When I was at Halifax last summer, I was informed by Major General Doyle that unless the Government provided a shooting ground for the troops in this Island, they would have to be taken to Halifax for this exercise, and back again, at the expense of the Colony. And as no other suitable place could be found than the stock farm, we thought it better to give the troops the use of that farm, rather than put the country to the expense of several hundred pounds.

Hon. Mr. LAIRD.—The hon. member who has just spoken taunted me by saying that if there had been any mismanagement about the stock farm, the Commissioners in charge, my father among the number, were to blame. Now, I would ask what responsibility could be attached to the Commissioners, when Hon. Colonel Haviland and other members of the late Government, without consulting or notifying them, turned the stock farm into a shooting ground. If the Government permitted troops to go on the farm, and the dogs of the officers worried some of the young stock, I hold that they, and not the Commissioners, were chargeable with allowing the public money to be squandered.

Hon. LEADER OF THE OPPOSITION.—It was, Mr. Chairman, to save the public money that the

troops were allowed to go on the farm for shooting practice. Was the amount of the stock destroyed on the farm worth £500 sterling, for this is about the sum it would have cost the Colony to send the troops to Halifax? It is, however, the first time I heard that any of the stock were injured on account of Her Majesty's troops being permitted to go on the farm; and I believe if it were represented at head quarters that such was the case, remuneration would be offered for the damage sustained.

Hon. Mr. HENDERSON.—I was a member of the Government at the time alluded to by the hon. member for Bedeque, and gave my consent to the stock farm grounds being used for military ball practice, from the conviction that it was the best course that could be adopted, in view of all the circumstances of the case. I regret to learn that any portion of that valuable stock were injured in consequence of the arrangement; but this is the first time I have heard of it. Am I to understand it as the opinion of the hon. member, that any Government should delegate an amount of power to a committee, which would make that committee entirely independent of the government that appointed it? If that is not his meaning, I am at a loss to understand him. The mistakes and faults of the late Government should be of service to the present party, as beacons to make them steer clear of the rocks and shoals which proved so dangerous to their predecessors, for they may depend upon it that the due performance of promises made by them at the hustings will be demanded by the people.

Hon. Mr. LAIRD.—I wish it to be distinctly understood that the powers of this Committee were over-ruled, and their privileges interfered with. I ask, is it right for any committee to be sacrificed, and their authority set aside, while they, as such, are held responsible for the consequences?

Hon. LEADER OF THE OPPOSITION.—There was no time to consult the Committee.

Hon. Mr. LAIRD.—In the neighborhood of stock was no place for ball practice. The danger was twofold; the young stock were liable to be shot or otherwise killed, as, on such occasions, many persons would be out there on horseback, with dogs, and these latter, when collected together, were apt to destroy young stock.

Hon. LEADER OF THE OPPOSITION.—It is not every place that will do for ball shooting practice. Before even the grounds of the stock farm would be taken, two officers were sent out to see if they were suitable.

Hon. Mr. DUNCAN.—I expect everything will go on well this year; there will be no failures in anything.

The paragraph under discussion was then passed, as also were the 9th and 10th; after which the Committee rose, and the Chairman reported the Address agreed to without any amendment.

House adjourned.

WEDNESDAY, April 24.

At 12.10 p.m., the House waited on His Excellency with the Address, and on their return, His Honor the Speaker reported and read the reply, which is as follows:—

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

“I thank you for your Address. You may rely on my hearty co-operation in your endeavours to promote the welfare and prosperity of this Island.”

Hon. Mr. HOWLAN presented the Report of the Medical Superintendent of the Lunatic Asylum for the past year.

Ordered to be laid on the table.

Jail Limit Bill.

Hon. ATTORNEY GENERAL, from the Committee on expiring Laws, presented a Bill to revive, continue, and amend the Act relating to the limits and rules of Jails in this Island.

Received and read.

Read a second time, and committed to a Committee of the whole House. Mr. G. SINCLAIR in the Chair.

Hon. ATTORNEY GENERAL observed that the Act relating to the rules and limits of Jails had expired last year. A Bill to renew it had been brought in last Session, but after having been submitted to a Committee of the whole House and ordered to be engrossed, it had never been passed. It was therefore necessary, in the Bill now before the Committee, to provide for the future, and also to confirm the acts of the Sheriffs during the past year, they having acted under the rules of the old law, supposing it still in force. He also explained that there was a clause in the Bill before the Committee, providing that if a person left the limits of a Jail and came back before a writ was issued against him, he should be held to have broken the limits. The old Act had not been explicit on this point, and there had been misunderstandings in consequence.

Hon. Mr. DAVIES remarked that some improvement might be made in the Bill. He considered that it would be a great advantage to extend the limits to the whole Island. At present, if a person overstepped the limits of the town, his securities would be liable for his debt. He knew friends of his who were greatly benefitted by the present Act, but if they inadvertently even overstepped the limits, their bails were bound to discharge their debts.

Hon. LEADER OF THE OPPOSITION confirmed what had been said by the hon. Attorney General, relative to the Bill of last Session, which by some accident was never passed. He thought that the suggestion of the hon. member for Belfast would require some consideration, as it would entirely alter the law which had been hitherto in force. Such an amendment as that proposed would not be consistent with the spirit of the law for imprisonment for debt; as that law would be rendered almost useless if prisoners were allowed to take the limits of the whole Island. The suggestion of the hon. member proved the want of a Bankrupt Law in this Island. He fully agreed with the principle that when a person was unfortunate in his business, not through any dishonesty of his own, and gave up his

property to his creditors, there should be some law to wipe out all his antecedent debts, so that no subsequently acquired property could be taken for them. This subject had been before the House several years ago. In 1852, he had prepared a draft Bill, but nothing further was done in the matter. He therefore thought that the best course for the hon. member for Belfast to pursue would be to allow the Bill before the Committee to remain as introduced, and to have a special committee appointed, who might, with the assistance of the Attorney General, report next Session on the most feasible plan for a Bankrupt Law.

Hon. ATTORNEY GENERAL agreed with the hon. the Leader of the Opposition with respect to the amendment which had been proposed. It was well known that those persons who took the benefit of the limits were not always the most strictly honest men, as any prisoner for debt could do so by getting two responsible persons to be his bondsmen. If he were an honest man and had no property, he could, as the law at present stood, take advantage of the Insolvent Debtors' Act, and would then be free to go where he pleased; while the suggestion of the hon. member for Belfast, if carried out, would prevent creditors, in many cases, from recovering their just claims from dishonest debtors. If we had a good Bankrupt Law, and competent commissions to carry it out, it would probably be of great benefit to the country. He would therefore recommend the hon. member to have a committee appointed who could report on the subject next Session.

Hon. Mr. DAVIES would be quite ready to do this if he thought that a Bankrupt Law would be passed here; but so many objections had been thrown in the way of the Bill that was formerly introduced, he did not consider it likely that there would be any better success in the future. If, however, the hon. Attorney General would promise to bring in such a Bill, he would be willing to withdraw his proposition. The objections urged by the last speaker would not apply so strictly as he had made it appear; for a dishonest debtor could, if his dishonesty were proved against him, be prevented from taking the benefit of the limits, by being prosecuted as a criminal. He (Mr. Davies) did not by his proposition wish to change the law, except as regarded the extent of the limits.

Mr. MACNEILL agreed with the hon. member for Belfast, for he considered that, if the limits of the town were a benefit to debtors, they would be still further benefitted by having those limits extended to the whole Island. If a debtor were honest and deserved the present limits, he would be quite entitled to a wider range.

Mr. BRECKEN thought that, if the suggestion of the hon. member were to be adopted, it would be as well to abolish imprisonment for debt entirely, since giving debtors the limits of the whole Island would be virtually doing so. He was not prepared to go to the extent of abolishing imprisonment for debt, as he did not think it would be just to creditors. Even if the proposition of the hon. member were carried out, there would then be scarce any restraint upon dishonest debtors. They would, when they became involved, make over their property by bill of sale to their friends, and thus *Ca. Sa.* executions would be valueless, and writs of no force. The majority of those imprisoned for debt would have no object in leaving the Island, and therefore they would not dread imprisonment—knowing that they could take the benefit of these extended limits, and would then be in reality as free as they were before.

Hon. LEADER OF THE OPPOSITION had been in favour of doing away with imprisonment for debt, and by way of testing the principle on a small scale had had a clause inserted, a few years ago, in the Small Debt Act, preventing imprisonment for debts under £10. This amendment did not, however, appear to work satisfactorily, for during the next session of the Assembly, petitions were presented against it, signed, not by the merchants, but by the debtors themselves. The hon. Committee could easily see the reason. A large class of people in the community obtained credit with the merchant upon their persons; he knowing that if they failed to pay he had the power of imprisoning them, and that they dreaded imprisonment. When, therefore, that power was taken from him, he felt that he could only depend upon the honesty of the debtor, and was unwilling to credit so freely as before. Many persons could not then obtain goods upon credit, and they therefore presented petitions praying for the privilege of being again locked up. He feared that the principle advocated by the hon. member for Belfast would work in a similar manner. Debtors would give bills of sale of their property, in order to take the benefit of the limits, and every one acquainted with the matter knew that it was sometimes almost impossible to break such bills of sale.

Mr. BRECKEN knew that in many cases the dread of arrest would make men pay their debts. In several instances persons had assured him that they were utterly unable to pay claims which he had against them, but as soon as a writ had been issued they in some way obtained the money. He thought the suggestion of the hon. member,—if he were really serious in it,—would, if adopted, almost entirely do away with the credit system, for the merchants would then know that they must depend upon a person's coming forward voluntarily and paying his debts. The poor people, as well as the merchants, would suffer, for most men would not be able to obtain the articles they might require without paying for them at the time.

Hon. Mr. HOWLAN was glad that the question of having a Bankrupt Law in this Island had come up for discussion, as it was a most important question, and one in which it was desirable to obtain correct information. He knew that in the other Provinces there was much difference of opinion on the matter, and it would be the duty of the hon. House to consider whether we had arrived at that stage, at which a Bankrupt Law would be of benefit. In Canada there had been much opposition to such a Law, but he believed he was correct in stating that there was one at present in force in that Colony. Everyone must acknowledge that when misfortune overtook a man,—not from any fraud on his own part, but from circumstances beyond his control,—it was hard that he should be imprisoned, or, if at liberty, be compelled to do business for the rest of his life in another's name, without any prospect of ever ridding himself of his former debts. The best man was liable to misfortune or loss from a change in the markets and various other causes. He might have his property consumed by fire, and though insured the insurance might not be paid, and thus he would be made a poor man in one hour, with perhaps a family depending upon him for support. Under our present law poor he would have to remain to the end of his days, for no one would give him credit. If he asked for it he would be told "no, we cannot credit you for you owe Mr. — and he can at any time seize any property you may possess." He (Mr. Howlan) knew a gentleman who had spent all his early life in opening up the resources of this Island, but, becoming unfortunate in his trade transactions, and meeting with heavy losses, he was

now obliged to do business upon sufferance. Looking at these facts he thought that the time had arrived for the Legislature to take the matter of a Bankrupt Law into its serious consideration. He was glad that it had been brought up, for if not settled this Session it might be next. He would be ready to support any hon. member in introducing such a Law.

Hon. Mr. LAIRD quite agreed with the hon. member from Tignish regarding the hardship which honest though unfortunate men were compelled to suffer under the existing laws. If a bill providing for a Bankrupt Court were brought forward by members on either side of the House he would be ready to give it his support. Respecting the petitions for striking the amended clause out of the small debt Act, which had been alluded to by the hon. Leader of the Opposition, he was of opinion that very many who signed them did so without considering the matter. It was well known that there was a very large class in the community who would sign almost any petition which was presented to them, giving scarce a thought to the object, and this was perhaps the case with the petitions referred to. He believed that, had the clause not been repealed, good results would eventually have come from it. He was willing to see a Bankrupt Law in force here, and considered that its introduction would show that the Legislature were interested in the welfare of the Island.

Hon. ATTORNEY GENERAL could corroborate what the hon. Leader of the Opposition had stated regarding the clause which had been inserted in the small debt Act. So many numerous signed petitions were presented against that clause that it was struck out. He would be in favor of introducing a properly framed Bankrupt Law, and as it would perhaps be impossible to bring in a Bill this session, he would be willing to form one of a committee to prepare a draft that might be submitted at the next meeting of the Legislature.

Hon. Mr. KELLY said that the petitions against the amendment to the small debt Act had, he believed, been got up by the flour dealers and others in Charlottetown, who had induced people to sign by persuading them that trade would be completely broken up if the Act as amended remained in force. He would be willing to extend the Jail limits to the County if any alteration were to be made in the Bill before the Committee.

Mr. KICKHAM observed that if the limits were extended to the bounds of the County even, it would be productive of much injury to the merchants. A dishonest man could then purchase goods, and by making his property over to his friends and taking the limits could prevent his creditor from collecting his just debt. He would therefore support those gentlemen who were disposed to allow the law to remain as at present.

Mr. BRECKEN agreed with what the hon. member from Tignish (Mr. Howlan) had said regarding the injustice of compelling an honest though unfortunate man to spend his whole life with an incubus of debt pressing him down. The framing of bankrupt laws was however one of the most difficult things in Legislation. In Britain Lord Brougham had taken the matter in hand, and after him Lord Westmorland, till finally their Bankrupt Law was considered perfect. But it was now found not to work satisfactorily. In New Brunswick they had had several such laws, but they were repealed in turn, and in 1852 there was none in force in that Province. This was also the case he believed at present. They found the Acts so difficult to carry out that they were compelled to repeal them. If a properly framed Bill were brought in he would be willing to support it, but he thought that

the necessity for it might perhaps be obviated by making some addition to the Insolvent Debtor Act at present in force. Under that Act an insolvent debtor by giving notice as required therein, and going before a Judge could be made free from arrest, if he did not possess property worth more than £15; but any property he might afterwards acquire would be liable for his previous debts. He (Mr. Brecken) did not see why some alteration might not be made in this Act so that a debtor could not only be discharged personally, but might get a certificate freeing him from all his prior debts. Under the present Act the debtor was not discharged at once, for the creditor had the power of detaining him for three months by paying a certain weekly allowance. Some alteration might, as he had said, be made in this Act which would perhaps do away with the necessity for a Bankrupt Law.

Hon. LEADER OF THE OPPOSITION could see great difficulties in working the law as proposed by the last speaker. When a debtor was imprisoned by any creditor, and wished to take the benefit of the Insolvent Act, he was first obliged to make over any property he might possess entirely to the creditor at whose suit he was arrested, while under a Bankrupt Law, it would be divided equally among all. He therefore thought that no amendment to the present Act would supply the place of a Bankrupt Law. The hon. Committee would bear in mind, however, that if such a law were passed here, it would discharge a debtor only from debts contracted in the Colony, not from those contracted in any other country.

Mr. BRECKEN remembered a case that had come under his own notice, which showed the effect of a Bankrupt Law over debts contracted in the country in which it was in force. A gentleman from this Island had gone to New Brunswick and taken a note of hand from a person there. The note matured when the person who had given it was on this Island, and on his failing to pay, he was arrested. He obtained a certificate from the New Brunswick Bankrupt Court, and as the note had been given in that country, he was by that certificate freed from liability on it. This showed that when a Bankrupt Law was in force in a country, the provisions of the law were incorporated in every contract made there, though they might not have been specified at the time. He acknowledged the justice of the objections urged by the hon. the Leader of the Opposition to his (Mr. Brecken's) suggestion of changing the Insolvent Debtor Act. The great principle in Bankrupt Laws was an equal division among the different creditors, and therefore he thought, upon consideration, that the amendments which he had suggested could not be carried out, and that a new Act would require to be introduced. The matter would require much consideration, for Bankrupt Laws were very difficult to frame.

Hon. Mr. DAVIES did not think that any satisfactory reasons had been given why his suggestion should not be followed. He merely wished to protect persons who went security for debtors, on their taking the limits. It was the practice of the hon. member for Charlottetown to attempt to lessen the force of anything which he (Mr. Davies) might say, by pretending to doubt his sincerity. He would tell that hon. member that he had too much respect for the hon. Committee to introduce any matter in which he was not perfectly sincere.

Mr. BRECKEN said that he was not serious when he spoke of the hon. member's being insincere.

Hon. Mr. DAVIES could never tell when the hon. member was in earnest. He was serious at one time, and at another not so. Returning to the subject, he remarked that the Insolvent Act at present in force gave a grasping creditor an opportunity to take everything a debtor might possess, and leave other creditors with nothing, and it was only after all had been taken that he could go before the Judge and be released.

Mr. BRECKEN would correct the hon. member who had last spoken. It was perfectly right for a debtor to make an equal assignment to all his creditors, and after that to go before the Court. He had a case of that kind at present in hand. As regarded a creditor's taking the whole of his claim when he could obtain it, he could only say, from his knowledge of human nature, that there were few who would not do so. When he asked if the hon. member was serious, he did not wish to insinuate that he was trifling with the hon. Committee.

Hon. Mr. HOWLAN thought, from the remarks of hon. members, that there was a disposition on the part of the Committee to entertain favorably the idea of a Bankrupt Law. He would therefore suggest that the hon. member for Belfast should withdraw his proposition, in order to enable a committee to report upon the subject at the next meeting of the Legislature.

Hon. LEADER OF THE OPPOSITION remarked that much had been said on the previous day about the discounts of the Banks being curtailed; but he thought that nothing would tend more to produce that result, than the suggestion of the hon. member for Belfast, if carried out. In many instances, the Banks cashed paper, because they knew that they had the power of exercising the authority which the law gave them, and imprisoning defaulters.

Mr. P. SINCLAIR thought that the suggestion of the hon. member, which had given rise to the discussion, was intended to benefit the persons who had gone security for the debtor, rather than the debtor himself; but he considered that, in many cases, a debtor was as liable to leave the Island as the limits of the town. There was much truth in what the hon. the Leader of the Opposition had said concerning the Bank discounts, and therefore it would not probably be expedient to entertain the amendment suggested.

Hon. Mr. DAVIES said that there would be no danger of a person's accidentally overstepping the limits of the Island, while one who was confined to the town merely might, while intoxicated perhaps, step into a steamboat, and his sureties would immediately be held liable for his debt. As, however, it was the wish of the Committee, he would withdraw his suggestion, though he did not believe that a Bankrupt Law would ever be passed here.

The Bill as introduced was then reported agreed to.

Hon. ATTORNEY GENERAL presented the Public Accounts, as classified by the Auditors, for the year ending January 31st, 1867.

Ordered that said Accounts be referred to the special Committee appointed to examine and report thereon.

Hon. ATTORNEY GENERAL submitted the Blue Book for the year 1865. Also several Banks' Returns for the past year.

House adjourned for one hour.

AFTERNOON SESSION.

On motion of the Hon. Mr. DAVIES, a supply was granted to Her Majesty.

Hon. ATTORNEY GENERAL delivered a message from His Excellency, transmitting Correspondence and Despatches relating to the purchase of the Estate of the late Sir Samuel Cunard, the issue of Fishing Licenses, expenses in connection with Troops, and Despatches on the subject of the Union of the British North American Provinces.

Said documents, having been received and read, were ordered to be laid on the table.

Additional Small Debt Courts.

Mr OWEN presented a petition from inhabitants of Lots 51 and 56, praying for the establishment of a Small Debt Court in their vicinity.

Petition received and read.

Mr. OWEN then moved that the petition be referred to a select committee, to report thereon by Bill or otherwise.

Hon. LEADER OF THE OPPOSITION observed that he did not intend to oppose the petition which had been presented; but he would call the attention of the House to the fact that, if they referred the petition to a select committee, they were acknowledging the object thereof,—acknowledging that more small debt courts were required. The Executive could not at present create any new courts, as a special Act of the Assembly would be necessary for that purpose. If hon. members considered that more small debt courts were needed, they should grant the committee; otherwise they should refuse it.

Hon. Mr. HOWLAN was opposed to increasing the number of small debt courts. During the first session in which he had sat in the House, petitions had been presented, similar to that under discussion, and at that time he did not see why more small debt courts should not be granted if the people wished them. He had since changed his mind. It was important to know whether the court petitioned for was really required; and as he was not acquainted with that part of the country, he would leave the decision of that point to hon. members who knew more about the matter. If, however, as the petition stated, there were courts within three miles of each other, surely nothing more was required.

Mr. P. SINCLAIR understood from the petition that the nearest courts were at a distance on the one side of twelve, and on the other of fifteen miles, from the district from which the petition was presented. He therefore thought that a Court was necessary, and that the persons resident there should have the advantage, if any, which might be derived from one in their vicinity.

Hon. Mr. HOWLAN thought that the hon. member who had presented the petition should give the House some opinion on the matter.

Mr. OWEN said that the petition was for the benefit of the inhabitants of the district mentioned in it. That district was thickly populated, and the nearest court was at Georgetown, about twelve miles distant, while in other parts of the country, there were courts within

three miles of each other. He was not, as a rule, in favor of increasing the number of small debt courts; but if another were to be granted for that part of the County, he considered that it should be placed at Montague Bridge.

Hon. Mr. HOWLAN was glad to hear the opinion of the hon. member for Cardigan. Since he could not recommend that the Court should be granted, it was probably unnecessary. An additional court would, he thought, be of no real benefit, for the merchants at Georgetown would still sue the people of that district in the Georgetown court, and they would retaliate by suing the merchants in the country court. He would therefore move, as an amendment to the motion of the hon. member for Cardigan, that the petition do lie on the table.

Amendment put and carried.

The Bill relating to the rules and limits of Jails was then read a third time and passed.

House adjourned.

THURSDAY, April 25.

House again in Committee on the report of the Committee on expiring laws. Mr. G. SINCLAIR in the chair.

Several resolutions were reported agreed to.

Hon. ATTORNEY GENERAL presented to the House the estimates of the Expenditure of the Government for the current year, which were read and laid on the table.

The following are some of the items in the estimates, viz:—

| | | | |
|--|--------|---|---|
| Roads and Bridges, | £5,000 | 0 | 0 |
| Special Grants for Roads and Bridges, | 4,000 | 0 | 0 |
| Special Grants for Macadamizing part of Main | | | |
| Post Roads within Charlottetown and Royalty, | 250 | 0 | 0 |
| Ditto for Georgetown and Summerside, | 200 | 0 | 0 |

The House then went into Committee of Supply, Mr. Bell in the chair. A resolution granting £8,007 10s. to pay the salaries and allowances provided for by Statute, was agreed to and reported.

On motion of the Hon. ATTORNEY GENERAL, it was resolved that the House would to-morrow go into Committee of the whole to consider of Ways and Means:

Hon. ATTORNEY GENERAL presented a Bill to diminish the delay and expense of proceedings in the Court of Chaucery in this Island.

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

House adjourned for one hour.

AFTERNOON SESSION.

Hon. ATTORNEY GENERAL delivered a message from his Excellency the Lieut. Governor transmitting a copy of the Report of the Inspecting Field Officer of Militia for the past year, which, with an accompanying abstract of Military estimates for the current year, was ordered to be laid on the table.

Supply---Road Service.

House again in Committee of Supply.

Hon. ATTORNEY GENERAL moved the following Resolution and observed that the grant, though less than last year's appropriation for the Road Service, was rather in excess of ordinary allowances:—

Resolved, That the sum of Five Thousand Pounds be granted for the service of Roads, Bridges, and

Wharfs, 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 County, | 1429 | 0 | 0 |
| Prince County, | 1429 | 0 | 0 |
| Road Compensation Act, | 100 | 0 | 0 |
| Contingent expenses of Roads, Bridges and Wharfs, to be equally divided between the three Counties, | 300 | 0 | 0 |
| | £5000 | 0 | 0 |

Hon. LEADER OF THE OPPOSITION would wish, before the Resolution was put to the Committee, to ask the hon. Attorney General whether the sum mentioned in the Resolution was to be the entire sum disbursed this year.

Hon. ATTORNEY GENERAL said it was not.

Hon. LEADER OF THE OPPOSITION was under the impression, as our highways had been honored with a special paragraph in the Speech from the throne, that the Government intended to introduce some new system of management. The amount of money required for the Road Service would be greater every year, for with increased traffic the wear and tear would be greater. He thought the amount in the Resolution rather small.

Hon. ATTORNEY GENERAL replied that the Government estimates included the further sum of £3000 for special grants for Roads and Bridges, and £1000 to meet the expenditure on contracts let by the late Government and not yet completed. If the hon. the Leader of the Opposition would look at the paragraph in the Speech which referred to the highways, he would see that it advised enquiry into the matter, and the collection of information with a view to future Legislation. This would be done. It should not be expected that the Government could mature such a matter at once, and it was therefore their intention to have a committee appointed to enquire into the subject and report at the next session, if not prepared during the present one. The present system of putting the highways under the control of commissioners was bad. These men received only £10 per annum, and when they had to inspect roads at a distance from their residences this small sum could not compensate them, nor would they be willing for such a pittance to take any pains in acquiring knowledge upon road making. It was his opinion that a special superintendent should be appointed for each County with a salary sufficient to induce him to acquire a knowledge of scientific road making. This was the plan adopted in most countries which had emerged from infancy, and it would give more general satisfaction than that pursued here at present. There were many different opinions upon road making, as every man considered that he was able to make a road as well as, or better than his neighbor. He had not much faith in these would-be road makers, for there were many things connected with the making of a good road—macadamizing for instance—which required to be studied. Every one who looked at the state of the roads generally throughout the country, and considered how desirable was a rapid means of transit, must acknowledge that something was necessary before the highways could give that accommodation to the travelling public which they should. That macadamizing was a sound principle was shown by the good state of the roads near the City, which had been macadamized with Limestone, as compared with those generally throughout the country, though the traffic on the former was far greater than on the latter. It had been truly said by the hon. the Leader of the Opposition that our roads would require a larger expenditure every year; but as the Government were looking for-

ward to a change in the management of the roads, they did not feel themselves justified in recommending a larger grant than that in the Estimates.

The Resolution was then put to the Committee, and carried.

Volunteer and Militia Grant.

Hon. ATTORNEY GENERAL then submitted a resolution, placing at the disposal of the Commander-in-Chief a sum not exceeding £2,500, for expenses in maintaining the Volunteer and Militia forces in this Island. He remarked that, in last year's appropriation, no specific sum had been granted for this purpose; there was a general resolution passed, placing the entire revenue at the disposal of the Commander-in-Chief, for defences. In order to arrive at an idea of the amount which would be required during the current year for the purpose expressed in the resolution, it would be necessary to look at the amounts which had been expended during the last year, and at the Report which had been submitted by the Inspecting Field Officer of Militia. During the last year, a large sum had been expended in building drill sheds, under the general resolution which he had referred to. He did not intend, though there was some difference of opinion on the subject, to quarrel with the late Government on the question whether the building of those sheds came properly under the head of defence, nor did he know whether, when the grant was given, such an expenditure was contemplated under it. In estimating, then, the sum expended last year, as a means of arriving at the amount which would now have to be granted, the cost of the sheds would have to be deducted from the gross expenditure, and thus a balance of £3373 would remain, representing the sum expended on the other matters connected with the militia and volunteers. In the Report of the Inspecting Field Officer of Militia, which had been submitted to the House, £3,800 was the sum which, under the present organization, that officer recommended the Government to provide. They had, however, after looking at all the circumstances of the case, concluded that a larger sum than £2500 the Colony could not afford. They had examined the estimates, and thought that all that was necessary could perhaps be done within that sum. Besides the amount referred to as the expenditure of last year, there was an item of £1648 7s. 11d for the Victoria Barracks; but this did not come under the resolution before hon. members.

Hon LEADER OF THE OPPOSITION observed that the Supply Bills were passing through committee entirely too harmoniously; but, though it was as a rule the duty of an Opposition to oppose every measure brought in by the Government, he did not intend to bring the weight of his side of the House to bear against the grant which had been proposed. As a loyal subject of Her Gracious Majesty, enjoying the liberty to be found only under the flag which had "braved a thousand years the battle and the breeze," he did not intend to oppose the resolution moved by the hon. Attorney General. He was, however, surprised at one observation made by that hon. gentleman. He had appeared to throw some doubt upon the legality of the construction of the drill sheds under the Resolution of last Session, which had placed the whole revenue at the disposal of the Government for the defence of the Colony. He (Mr. Haviland) thought that, if the hon. member would read the Resolution, he would see that the building of the sheds was quite within its spirit. The clause read as follows:—

"Resolved, That in consequence of the threatened invasion of the British Colonies by bands of Fenian marauders, this House pledges itself to place the whole of the revenues of this Island at the disposal of the Government, for the purpose of organizing

the militia and volunteers, and for such other military purposes as may be deemed expedient for the protection and defence of the Colony."

If, then, it was considered necessary by the Commander-in-chief, acting under the advice of the Major General of the forces in the Lower Provinces, to have the sheds built, it was perfectly within the meaning of that resolution. He did not, however, wish to justify the Government upon this clause only, but would prove the legality of their conduct by reference to the sixty-third clause in the Militia Act of last session, for which the hon. Attorney General voted. That clause expressly provided that the Commander-in-Chief could cause "drill sheds" to be erected at Charlottetown, Georgetown, and Summerside; and the Government was therefore perfectly justified in having them built, if necessary. The amount expended on these was a mere bagatelle; they only cost £2819 5s. 5d. In some of the county towns of Nova Scotia, there were better and more expensive drill sheds than that in our capital. In Montreal, too, the civic authorities had lately voted \$50,000 for the erection of such buildings. There had not been one dissenting voice to the passage of the clause in the Bill of last session, and he therefore considered that no censure should be thrown upon the Government for acting as they had done.

Hon. Mr. DAVIES, although a member of the Government, was not fully acquainted with the object of organizing the militia and volunteer forces. He would ask the hon. Leader of the Opposition whether they were liable to be sent abroad.

Hon. LEADER OF THE OPPOSITION replied that the hon. member had better apply to the hon. Attorney General for legal advice. It was absolutely necessary that the militia and volunteers should be organized in this Island.

Hon. Mr. DAVIES was of opinion that it was little use to expend so much money in giving these forces a military training, if they were to be of no real service. He would like to see Her Majesty, or the local Government, have the power of sending them to Canada in case of a disturbance on the frontier, that they might thereby be of some service, and that their training might not go for nothing. He was sure that there would be no unwillingness on the part of the volunteers to perform such duty. He himself would not, though no longer a young man, have any objections to serving in that way. He had many years ago been ordered to Belfast on a somewhat similar mission. But the question which he had risen to ask was whether to the Bill organizing those forces, any condition had been attached making them liable to be called into any of the other Provinces. If they were liable to be so summoned, it would prove to the Home Government that we were sincere in the military movement, whereas if the only use to which they were to be put was parading the streets of Charlottetown; and if the military had to be brought from Halifax when any real service was required, a very large sum of money was, he considered, being spent to no purpose.

Hon. LEADER OF THE OPPOSITION had heard many extraordinary speeches since he had first sat in the House of Assembly, and he had thought that the speech or recantation of the hon. member for Belfast delivered a few days before, was one of the most extraordinary. He must, however, say that at no time, either under the old regime, or since the privileges of Responsible Government had been granted to the Colony, was a member of the Government ever known to ask one of the Opposition the object of a Government grant of money. The Chairman might well smile. We had an unparalleled Government in the Island at present. It was composed of most ex-

traordinary materials. They had one view of a subject in Council and another on the floor of the House. How could the business of the country be carried on by a Government one of whose members put such a question to a member of the Opposition as that which had just been put by the hon. member for Belfast? If that gentleman believed that the volunteer organization of the Colony was useless, he must have believed that the Government were throwing away the money of the country in making the grant, and as an honest man he was bound to come out from among them and let them carry on their vicious acts without his countenance or support. He (Mr. Haviland) had never seen a member of a Government in such a position. When the question of this grant had come before the Council it was his duty to have asked the Attorney General what was the extent of the power which could be exercised over the volunteers and militia,—whether they could be called away for service in any other Colony or not. As, however, he had preferred coming to the Opposition for information, he would tell him that under the Law as it at present stood, they could not be compelled to go for service one mile from the Colony. He (Mr. H.) had last Session advocated making our Militia liable to be called out for service in Canada, but a number of hon. members, who held Anti-confederate views, had over-ruled him.

Hon. Mr. DUNCAN was not an old politician, but if ever he had heard a Confederate speech on the floor of the House, that of his hon. colleague was one. He was filled with military ardor from the recollection of his campaign long ago in Belfast, but in the late contest he had sought his election from the very persons whom he had formerly gone down to suppress. He (Mr. Davies) certainly held a very strange position in the House, the position of a member of the Government finding fault with the actions of that Government. Why had he not resigned? Hon. members had spoken of his (Mr. Duncan's) not resigning when the late Government acted contrary to his opinions, but while a member of that body he had never said anything against their acts, while his hon. colleague now came forward and virtually invited the Opposition to go against the Government. Had ever such a thing been known?

Hon. Mr. HOWLAN did not intend to take part in the debate, but he would tell the hon. member for Belfast (Mr. Duncan) that he need give himself no uneasiness about members of the Government, as they were perfectly able to take care of themselves. The Resolution before the Committee had been sufficiently explained. A large amount had been expended last year, but as a great part of that had been spent in building Drill Sheds, not nearly so much would be required for the current year. The Government had also taken into consideration the fact that the Island would not be in the same position this year as last. Would any hon. member venture to say that the Revenue during 1867 would be equal to that during 1866? Under these circumstances, then, it behoved the Government to spend no more money than was really necessary, or than the country could afford. They did not wish to destroy the military organization of the Colony. There had not been one dissenting voice to the Resolution of last Session which had been referred to, and that fact showed that they were not open to any charge of disloyalty. The members of the Government considered that £2,500 was as much as in the present state of the country, any Government (even were the hon. gentleman, Mr. Duncan, a member of it) would be justified in granting for the purpose named in the Resolution. He (Mr. Howlan) did not know any reason why the hon. member for Belfast, in the Government, should be so severely condemn-

ed for asking the question which he had, nor was there any reason for the Government's giving up the reins of power on that account. His hon. friend (Mr. Duncan) was very fond of alluding to his (Mr. Howlan's) Colonelcy, but he would tell that hon. gentleman that when the battle came he would not find him far behind. That gentleman was also continually taunting his hon. colleague, but he further hoped that for the future he would adhere to parliamentary rule.

Hon. Mr. DUNCAN had kept within the Resolution before the hon. Committee, and was ready to be corrected when he departed from it. If his hon. colleague required the assistance of the hon. Attorney General and the gallant Colonel to defend him, he (Mr. Duncan) was not to be blamed for it. He had never charged that gentleman with disloyalty.

Hon. Mr. HOWLAN had made no such statement.

Hon. Mr. DUNCAN.—The hon. member for Tignish had no right to interrupt him while he held the floor, as he would have an opportunity to speak afterwards. That hon. member should himself adhere more strictly to parliamentary rule. He (Mr. Howlan) had asserted that the Island was not in a prosperous state financially, but the truth of this statement he (Mr. D.) was not willing to admit. He could not see that the country was not financially prosperous. The Treasury warrants were not now hawked round the Island and sold at a ruinous discount as they were at the time the Liberals held the reins of power nine years ago, when he recollected having bought warrants at twenty-five per cent discount, and paid them into the Treasury for duties at the face. Though he did not acknowledge the force of the hon. gentleman's reasoning, he was, however, willing to support the grant proposed by the Government.

Hon. Mr. HOWLAN did not expect the revenue this year to equal that of last year, therefore he thought that £2,500 was quite as much as the Colony could afford for the Volunteer and Militia service.

Hon. Mr. HENDERSON was at loss to understand what principle ruled in this House. When he spoke to hon. members outside, they were all desirous to proceed rapidly with the public business; but when he observed a member of the Executive who ought to be informed on what was laid down in the Statutes of the Colony, rise here and ask a question respecting the Volunteers in such a form as to provoke useless discussion, he (Mr. H.) doubted very much whether the Government was really anxious to bring the Session to an early close. One would suppose that after the range which had been given that hon. member the other day, to go back to the years of his youth, and over the history of escheat, he might now be prepared to go into business. He (Mr. H.) thought that the conduct of the late Government last year with respect to voting the whole revenue for defence, and the hearty support the Opposition of that day gave them on the question, was really what the great Napoleon would have called "sublime." But we are told that there is only a step between the sublime and the ridiculous, and of that, he thought, we had an example here this evening. He believed the hon. member for Belfast was an Anti-confederate as well as himself, and it was rather surprising that he should object to defensive measures, for to talk of our little Colony being

independent was absurd; and unless we showed a disposition to contribute something to military purposes, we could not expect that the Mother Country would pay the same deference to our wishes respecting Confederation. This Island could not be fortified, nor own a navy, therefore it was necessary that we should have a well trained militia, that might take advantage of every stump in case of invasion. In proportion as our population was intelligent, would they be prepared to defend their country with their life's blood. He would support the grant for military purposes, and felt assured that the people of the Colony, if they valued their institutions, as he believed they did, would comply with the moderate requirements of the Militia Act.

Hon. ATTORNEY GENERAL thought that hon. members opposite had taken up the remarks of his hon. colleague (Mr. Davies) rather too hastily. It was not to be supposed that he did not understand the nature of the Act relating to the Volunteer organization though he asked the question which he did. He (Atty. Gen.) felt confident that his colleague would be just as ready to fight for our flag in case of danger as would the hon. members of the Opposition, however loudly they might talk. But as the custodians of the people's money, and those who had to answer for every farthing which was appropriated, the Government had a right to say that the military arrangements of the Colony had been more expensive than they ought to have been. As regards Confederation he was not at all alarmed on the subject. We had just as good a right now to judge of what we were able to appropriate towards our Militia and Volunteers as we ever had. He would not hesitate to express the opinion that the sum which the Resolution before the Committee proposed to place at the disposal of His Excellency the Commander-in-Chief for military purposes was quite sufficient. The annual grant now had got far beyond what it ever was. Two years ago the sum voted was £1000, and here this year, when the Government proposed £2500, they were almost told that they were disloyal. There had been a great deal of travelling out of the record in this debate; and among other irrelevant matter, the hon. member for Belfast (Mr. Duncan) had stated that he had bought warrants at 25 per cent. discount when the Liberals were formerly in power; but he did not state—perhaps he did not know—that the rate of interest then was about 25 per cent.

Mr. BRECKEN maintained that it was improper that our Statutes should provide that the volunteers should not be called away from the Colony in case of an emergency. We had heard a great deal about loyalty, but he thought it was no great evidence of our desire to support the national flag, if our forces were prevented from being called to the frontier when an invasion was threatened or attempted. He was inclined to the opinion, however, that in the event of a war breaking out in which these Provinces were involved, we would be more likely to require assistance than afford it to others, consequently he believed that, though the clause in the Act, limiting the services of the volunteers to this Colony was repealed, yet they would never be summoned away from the Island. He was an anti-Confederate—that was, he did not think that fair terms had been offered to this Colony; still he considered it would be very selfish for us to retain all

our small military force to ourselves. To hear of our young volunteers going to the Canadian frontier would afford him little or no satisfaction; but to say that they should not go was discreditable. Such action on the part of this House, instead of strengthening, weakened our anti-Confederate position. He thought if the people of the other Provinces knew that there was a clause in our Statutes, providing that our volunteers should not be called away from the Island, they would be disposed to ridicule us. The Government, therefore, ought to come forward and repeal the clause, that it might no longer be a discredit to the Colony.

Hon. Mr. HENDERSON thought he had probably been misunderstood. He had not entered into the question of Confederation. On that subject, as we had Responsible Government, the best course was to allow both sides of the question to be laid before the people, and let them decide. He had never denied that terms of union might be obtained that were just; but he would be an anti-Confederate until good terms were proposed. In connection with this question, however, he believed it would be for the interest of the Colony to keep up its volunteer organization, and not to say that the men should on no account be called to service abroad; at least, if they volunteered to go, the law should not prevent them. This, he believed, was the principle on which the volunteer organization was based in the neighboring Provinces.

Mr. BRECKEN had not alluded to the hon. member for Murray Harbor, but to the clause in the Act relating to volunteers, which prevented them from being called to service off the Island. He thought that part of the law was an injury to the anti-Confederate cause. He considered that the grant for military purposes was put down at a very low figure; but he agreed with the hon. member for Tignish, that the revenue this year would probably be a small one, and therefore perhaps the Government were wise in not naming a large sum in the resolution now before the Committee.

Hon. Mr. DUNCAN was decidedly in favor of keeping up the Militia and Volunteer organization, as the money was spent on the Island. They had heard the sum of £2500 named; but he thought the grant ought to have been for £3500.

Hon. Mr. HOWLAN said the estimate was for the amount required for this year's service. Besides this grant, a sum would be required to meet the accounts for some articles ordered last year, such as suits of clothing; and when these were paid for, the outlay this year would be nearly £4000.

Hon. Mr. DUNCAN.—The sum for clothing came out of the Volunteers' pay.

Hon. Mr. HOWLAN.—This was a specimen of the hon. member's reasoning; though the late Government expended money, and this Government had to pay their bills, it made no difference as long as there was a credit of so much to the Government on the first of April.

Hon. Mr. LAIRD said that a great deal of the money expended last year under the vote placing the whole revenue at the disposal of the Government, in case of a threatened Fenian invasion, had been laid out in erecting drill sheds, and these sheds were built after the Fenian danger was over.

Hon. LEADER OF THE OPPOSITION.—There was a Statute authorizing them to be built.

Hon. Mr. LAIRD.—True, but this House held the purse strings; and though there was a Statute authorizing the erection of drill sheds, the Government should not have taken money for that purpose without an express vote of the Legislature. Some hon. members on this side of the House had advanced the idea that the volunteers should be allowed to do service abroad, and the suggestion seemed to be warmly taken up by the Opposition, though they themselves had introduced the clause into the Act, which they now wished to be repealed. He was glad to find that they were progressing in their views.

Hon. LEADER OF THE OPPOSITION said he supported striking out that clause last session.

Hon. Mr. LAIRD thought the hon. member ought to have made his influence felt. According to the present law our volunteers are not allowed to go across the Straits to aid our neighbors in case of an invasion. But this was a fair specimen of the acts of the Conservative Government. He (Mr. Laird) had great doubts as to the utility of drilling Militia in this Island every year. We saw that in the United States during the late war, men who came out of workshops and were drilled about six days, made good soldiers, and won battles; and might not our men do the same without the inconvenience of an annual drill of several days? But he believed that most of those who were now being drilled in this Colony, would go to their long home before their services would be required on the field of battle.

Mr. BRECKEN remarked that the Volunteer Bill, when first introduced by the hon. member for Georgetown (Mr. Haviland) did not contain the home service clause to which so frequent reference had been made in this debate. The clause was inserted in the Bill at the suggestion of the hon. Leader of the Opposition of that day, the hon. Leader of the present Government. This was one point which the hon. Leader of the Opposition yielded to the hon. gentleman now the Leader of the Government of which the hon. member for Bedeque was a member, and yet he said it was a fair specimen of the acts of the Conservative party.

Hon. Mr. LAIRD had heard the hon. Leader of the Opposition state the other day that it was the duty of an Opposition to oppose every measure introduced by the Government. He (Mr. Laird) supposed that the Leader of the Opposition of that day held the same doctrine, and was carrying it out when he suggested the clause in question. It was certainly weak on the part of the late Government to yield to the then Leader of the Opposition.

Mr. BRECKEN.—Would the hon. member say that he himself had not yielded in many things?

Hon. Mr. LAIRD.—The Government had no time even to improve or amend the Act on the Statute Book, from the mismanagement of the late Government in having delayed the Election so long.

Hon. Mr. DUNCAN.—Why could not the Legislature have been called earlier? He was of opinion, from the remarks of some hon. gentlemen, that the

present Leader of the Government found it rather difficult to manage his supporters.

Mr HOWAT remarked that, so far as he could recollect there was nothing in the Act to prevent a volunteer from going anywhere he chose. Supposing that an attempt were made to compel a volunteer to go to Canada for instance, he had the privilege of resigning and leaving the organization entirely; and thus a new Act would have to be passed, if it were considered desirable to make volunteers liable to serve in other countries.

Hon. LEADER OF THE OPPOSITION observed that volunteers could not resign when in active service, and even when not in service, they were unable to resign without giving certain notice.

Mr. HOWAT thought that if such coercive laws were enacted, the volunteers would not enrol themselves, but considered that they possessed patriotism enough to serve, of their own free will, in Canada and elsewhere, when necessary; and added that when men were pressed into service, very little could be expected from them. He did not see much danger threatening the Colony at present. Danger threatened last year, and the whole revenue was voted; but there was no necessity for keeping up a continual agitation. The resolution presented by the Government recommended what he considered a reasonable amount, when the state of the Colony was taken into consideration. He was sure the Government were willing to do everything in their power to protect the Island.

Hon. Mr. DUNCAN had omitted to answer one remark of the hon. member for Bedeque (Mr. Laird). That gentleman had alluded to the American soldiers in the late war, and had told the hon. Committee that they were ready for the field in six days. Did he mean to assert that they had never drilled previously? If so, he would beg to correct him. But allowing that, without knowing anything of military tactics, they had been prepared for the field in six days, the people of this Island, if previously drilled, could be equally ready in one day—five days sooner. The Americans, however ready they might have been to go into the field, did not display any great amount of valor at "Bull's Run;" and it was a very long time before they could successfully compete with the South. He could tell the hon. member that he had seen companies of militia in different sections of the Northern States, that could go through their drill well. It was not the work of a day to make men fit for soldiers,—the truth of which statement the hon. and gallant Colonel from Tignish could probably vouch for. It must have taken him a considerable time to become acquainted with drill and military tactics. (Hear Hear.)

Mr. P. SINCLAIR thought that it was not right to compel the volunteers to do duty out of the Colony, as it was quite enough to expect them to serve at home. Large numbers of them were farmers and others, who would be much inconvenienced by being so drafted from the Island. If there was anything wrong in the law, it should have been amended by the late Government.

Mr. PROWSE said that there was one question which he would like to hear answered, and that was, to what purpose the grant of £2500 was to be applied?

Hon. ATTORNEY GENERAL replied that the resolution stated the object of the grant. He could not now go into the details of the matter. The grant was intended to carry out the present arrangements of the militia system, so far as that sum could do it.

The Resolution, as submitted, was then agreed to.

Hon. ATTORNEY GENERAL then moved a resolution granting the sum of £500—£200 for Queen's, and £150 each for King's and Prince Counties—for the relief of Paupers, which passed without comment.

Steam Communication for King's County.

Hon. ATTORNEY GENERAL then moved a Resolution granting the sum of £600 for Steam Communication to King's County, which was seconded by Mr Kick-happ.

Hon Mr DUNCAN did not think that the sum voted was sufficient. He was of opinion that the Steam communication contemplated could not be carried out for the sum of £600.

Hon. ATTORNEY GENERAL was surprised to hear the hon. member speak in such a manner, since he had last year voted for a sum of £300 for the same purpose.

Mr. HOWAT did not rise to oppose the Resolution, for he was in favor of anything which would benefit the Island. His district, however, and a large portion of the country in that direction, had not been fairly dealt with. Last year some proposal for having steam communication established with that section of the Island had been brought forward, but it had been stated that the wharves were not sufficiently extended to afford a depth of water which would allow a steamer to ply regularly. He did not expect that anything would be done during the present Session, but trusted that some improvement would shortly be made in the Crapaud harbour, and then steam communication might be expected. He hoped that the hon. members from that part of the country would interest themselves in the matter.

Hon. Mr DUNCAN thought that the hon. member from Tryon, since he had brought up the subject of steam communication to Crapaud, should give the hon. Committee some further particulars as to the depth of water in that harbor. He (Mr. Duncan) knew something about steam navigation, and knew that it was impossible for steamers to call at any port which they could not enter at low tide.

Mr. HOWAT explained that it was contemplated to run a wharf to the outside of the bar, in order to afford a sufficient depth of water. He had merely wished at present to call the attention of the Government to the matter.

Mr. PROWSE had heard that it was not probable that steam communication would be established with King's County during the present year, and he was not at all surprised at it. He expected this would be the case when he read the advertisement for steamers to run twice a week. That was making rather large promises, and he would not be surprised at their not being fulfilled.

Hon. ATTORNEY GENERAL said that the Government had advertised for tenders to run a steamer either once or twice a week.

Mr. PROWSE was aware of that, but thought that if once or twice a fortnight had been mentioned in the advertisement, there would have been more probability of the scheme being carried out, as that was quite

often enough for a steamer to run to Souris and Murray Harbor. It was strange that so small a grant should have been recommended, when there was a Company in the Island who could give every information.

Hon. Mr. DUNCAN took an interest in the matter, not only from the fact that he represented a District which would be very much benefited by it indirectly, but from having formerly represented Murray Harbor, one point to which it was proposed to run the steamer. He was, however, of opinion, that there was not a wharf at that Port which would give a sufficient depth of water to permit of a steamer calling there at any time.

Mr. KICKHAM would differ with the hon. member for Murray Harbor, (Mr. Prowse) when he stated that once a fortnight was quite often enough for a steamer to call at Souris. If a steamer were to ply once a week to Souris, from the first of July till autumn, she would have a full freight every trip.

Hon. Mr. DUNCAN would like to know what depth of water there was at Souris. He had always thought that it was in the same state as Crapaud.

Mr. KICKHAM could inform the hon. member upon that point. Alex. Leslie, Esq., one of his sons and he (Mr. Kickham) had a few weeks ago, during spring tides sounded the bar at low water, and found the depth five feet six inches. They had the same day sounded at high water, and found the depth eleven feet nine inches. He considered that any ordinary vessel could enter the harbor with safety.

Hon. Mr. HOWLAN considered it the duty of the Government to open up all the lines of steam communication possible. If £500 or £600 would open the line proposed, it would be money well expended. The hon. member for Belfast considered the amount mentioned in the Resolution too small, but it should be remembered that there were other people beside that hon. gentleman, who knew something about steamers. The steamers plying between this Island and Boston received nothing from our Government, they were trying to build up a trade without any subsidy. In a Colony such as this, where we had to depend upon agriculture and fisheries, it was the duty of a government to bring forward every measure in their power, which would open up trade and encourage industry. He was glad to hear the hon. member from Tryon speak as he had, and if it were possible to have a steamer call at Crapaud, he would be ready to support a grant for that purpose. He thought it strange that hon. members from that part of the country which would benefit by the grant, before the hon. committee, should throw obstacles in the way, when they must acknowledge the advantage of having steam communication. The fact that in some harbors the depth of water was not very great, should not, in his opinion, prevent steamers from plying thither. He had seen a Steamboat at Pictou which only drew two feet of water, and thought that one of that description would probably answer, where the water was not of sufficient depth to permit ordinary boats to run. The Government would ascertain when they received the tenders, whether the amount proposed was sufficient. They would, however, do everything in their power to benefit the trade in that part of the Island.

Mr. PROWSE would correct the statement made by the hon. member who had just spoken, that members from that part of the country were not in favor of the grant proposed. He (Mr. Prowse) was in favor of steam communication with the eastern part of the Island, but objected to having advertise-

ments for tenders inserted in the public papers, when there was really no intention of carrying the project out. He was almost surprised that advertisements had not been inserted for tenders to run a Railway to St. Peter's Bay in order to strengthen some of the friends of the Government in that part of the country. Although he would like to see a steamer running to Souris, Georgetown, and Murray Harbor, twice a week, he would, rather than not have her at all, be satisfied if she would ply once or twice a fortnight. Hon. members did not appear to understand him; but when he had spoken as often in the House as the hon. member for Tignish, he would be able to speak more intelligibly.

Hon. Mr. DUNCAN was in favor of the project, if it could be carried out. He thought, however, that there must have been some mistake made in the soundings given by the hon. member for Souris. A few years ago, there was very little water on the bar in that harbor.

Mr. KICKHAM explained, that a large breakwater had lately been built at Souris, which had very greatly increased the depth of water on the bar. A packet had run during the whole of last summer, without having been delayed one hour for the want of a sufficient depth of water. The breakwater spoken of had been very much extended during the past winter, and there was, therefore, far less bar this spring, than last autumn.

Mr. P. SINCLAIR was of opinion that in the present state of Crapaud Harbor, it would be impossible for a steamer to enter it regularly. He thought that the Superintendent of Public Works should visit that locality, in order to report upon the state of the harbor, and that a proper wharf should, if possible, be built there, so that the steamer might call on her way to Summerside. Some persons from that part of the country had told him that they did not intend to apply for a grant for steam communication this year, but purposed first building a wharf to afford a depth of water sufficient to enable a steamer to ply regularly.

Mr. OWEN, was in favor of having steam communication with the eastern sections of the Island, but thought that, as the amount in the resolution was small, it might be as well at first to have the steamers run once a week to Georgetown, and once a fortnight to Murray Harbor and Souris. Something would have to be done for the harbor at Souris, in order to deepen the water, as he did not think there was sufficient water on the bar to allow a steamer to enter at all tides; and any person at all acquainted with steam navigation knew that it was absurd to expect a steamer to wait outside the harbor for high tides.

Hon. ATTORNEY GENERAL considered the remarks of the hon. member for Cardigan very practical. They showed that he was well acquainted both with the localities in question, and with steam navigation. The resolution, however, did not specify the frequency of the steamer's visits, but left that matter in the hands of the Government.

Hon. Mr. DAVIES said that the remarks of the hon. member for Murray Harbor conveyed the idea that the bringing of the resolution before the Committee was a delusion. He (Mr. Prowse) appeared to be of opinion that the amount to be granted was too small, and the hon. member for Belfast thought so likewise. If those or other hon. members considered that it was not the intention of the Government to carry out the object expressed in the resolution, he would tell them that they were mistaken,—that the Government did intend to carry it out, and that they considered the sum named sufficient for the purpose. He would also remind

those gentlemen that the P. E. Island Steam Navigation Company had run a boat to Miramichi without the certainty of getting a subsidy from the New Brunswick Government.

Hon. Mr. DUNCAN would correct his hon. colleague; before the boat commenced running, the subsidy had been promised.

Hon. Mr. DAVIES admitted the truth of that statement. The boat had been put on the route for the purpose of getting a subsidy not greater probably than that proposed in the Resolution; and if the subsidy would pay in one case, it should in another.

Mr. MACNEILL agreed with the remarks which had been made by different hon. members relative to the importance of steam communication between the different harbours of this Island. It was perhaps too much to expect a grant to establish such communication with his part of the Island just at present; but, as a large trade was done there in fish, which was a very heavy article, he thought it would soon be the duty of the Government to take the matter into their consideration. The water in the harbours on the north side of the Island was not very deep, but, as had been remarked by the hon. member for Tignish, some steamboats were built especially for running in shallow water. He thought that, if a subsidy were granted, some American company would probably run a boat to the north side.

Hon. Mr. DUNCAN.—The boats which had been mentioned by the hon. member who had last spoken, as being built for running in shallow water, were very dangerous in a storm. That class of vessels was intended for rivers, and was very different from the class used in deep water.

Hon. Mr. HOWLAN supposed that the "Heather Belle" would do for the north side.

Hon. Mr. DUNCAN replied that the *Heather Belle* would not do, though her frame was strong—stronger than Lloyd's inspection required. No vessel with a house on deck would be safe in deep water during a storm. The hon. member from Tignish was rather fond of alluding to the "Heather Belle" in a slighting manner.

Mr. MACNEILL stated that it would not be necessary that the steamer should run the whole year, but only a few months in the summer, when storms did not prevail.

Hon. Mr. HOWLAN.—The charges of the hon. member for Belfast were not correct. He (Mr. Howlan) had never circulated reports about the *Heather Belle*. All that he had ever said was that she was not fit for the Gulf.

Hon. Mr. DUNCAN believed that the hon. member had stated all that he knew about the matter.

Mr. MACLENNAN thought that if such discussions were to be kept up on every resolution brought before the House, it would be impossible to get the Revenue Bill passed before the 1st of May.

Hon. Mr. HENDERSON would like to ask the hon. member for Tignish whether he considered the amount of £600 sufficient to procure steamers for the purpose proposed.

Hon. Mr. HOWLAN answered that the Government would be better able to inform the hon. member when the tenders were received.

Hon. LEADER OF THE OPPOSITION said that the Government would have had no opposition if they had worded the resolution differently, and had made it read "six hundred pounds, or a sum sufficient."

The resolution, as submitted, was then agreed to by the Committee. The Chairman reported progress, and the House adjourned.

FRIDAY, April 26.

Mr. BELL, from Committee of Supply, reported five resolutions of the said Committee, four of which were read and agreed to by the House. When the fifth resolution was read, granting £600 for steam communication to King's County and the question of concurrence was put thereon—

Hon. LEADER OF THE OPPOSITION moved in amendment, seconded by Mr. PROWSE that the "resolution be recommitted to a Committee of the whole House in supply, for the purpose of increasing the vote to a sum sufficient;"—and said that, in moving the resolution, he might remark that he had promised his constituents that he would use all his influence to endeavour to obtain steam communication for King's County. He fully concurred in the opinion advanced by the hon. member for Tignish, who last night had said that it was the duty of the Government for the time being, to exert every reasonable effort to extend and facilitate the intercourse between all parts of the Island and the capital, and also with the main land; and therefore he had moved that the resolution be referred back, to amend the same by voting a sum sufficient.

Hon. Mr. MACAULAY, in supporting the amendment, said that the sum named in the resolution was inadequate for the service to be performed; that King's County never had full justice done to her in the matter of steam communication; and he was sure that no hon. member from King's County would vote against the amendment.

Mr. HOWAT would be glad to see the sum increased, did the revenue admit of it, but wished to know in what position the carrying of this amendment would place the Government. The hon. the Leader of the Opposition was the first to move that the Government should have the power to initiate all money votes. That power had now been placed in the hands of the Government, and he did not see how the amendment could be carried, for if the Government were to stand or fall by their measures, their fate would depend upon carrying out the resolution as brought down. He would therefore vote for the resolution as submitted in the estimates.

Hon. LEADER OF THE OPPOSITION explained by saying that the hon. member need not be alarmed—that such was not the intention of the amendment at all. The hon. member, he said, should remember that his learned friend, the hon. Attorney General, had made similar motion last year, which resulted in doubling the amount submitted in the estimates brought down by the Government; and yet the Government was not defeated. The amendment was not a test at all. In the House of Commons, such resolutions were often carried in opposition to the Government, without effecting the position of the Ministry.

Mr. HOWAT.—Could this amendment be carried without defeating the Government?

Hon. LEADER OF THE OPPOSITION.—Yes.

Mr. HOWAT.—The initiation of money votes was a farce.

Hon. ATTORNEY GENERAL said that the amendment referred to by the hon. the Leader of the Opposition, which was brought in by himself last year, was a case exactly parallel, and resulted in having the question referred back to the Committee of Supply, when the sum was raised from £150 to £300; but the carry-

ing of that resolution did not break up the Government. No one could desire more than he did the extension of steam communication to King's County; but, after giving the matter a careful consideration, the Government felt that, in the embarrassed state in which they found the country on coming into power, they would not be justified in voting a larger sum for the object specified in the resolution this year; but he hoped the Government would soon be in a position to do more for steam communication.

Hon. Mr DAVIES said that, besides the reason given by his learned and hon. friend on his right (the Atty. General), he might mention that the Steamboat Company were under an agreement to run their boats three times a week to Shediac. Last year, the Government relieved the company of one trip to Shediac, on condition of their running one trip a week to Miramichi; and if an arrangement could be made this year to relieve the company of one trip to Shediac, it would enable them to give that time to King's County. The sum voted was small, but at the same time it was double that which had been voted last year, and he hoped that the interests of King's County would increase in the same ratio. He was sure that the Government were desirous of extending steam communication to King's County, to the full extent that the resources of the country would warrant them in doing.

The question was then put on the amendment, which was negatived on the following division:—

For the amendment—Hon. Messrs. Haviland, Macaulay, Henderson; Messrs. Brecken, Kickham, Green, Ramsay, McLennan, Owen, Prowse—(10).

Against it—Hon. Messrs. Attorney General, Kelly, Laird, Callbeck, Davies, Howlan; Messrs. Jenkins, Howat, Macneill, P. Sinclair, G. Sinclair, Arsenault, Cameron, Bell—(14).

HON. ATTORNEY GENERAL presented to the House the Impost and Excise Accounts, also Returns of Light and Anchorage dues for the past year.

Ordered that said Accounts do lie on the table.

HON LEADER OF THE OPPOSITION said it would be very desirable to include in the estimates some small sum for the protection of our fisheries, a branch of industry which he believed would yet prove an invaluable inheritance to the people of this Island. The Americans having denied the Colonies free trade, we should be prepared, in common with the rest of British America, to defend our rights.

Ways and Means.

On motion of the Hon. ATTORNEY GENERAL, the House went into the order of the day, viz:—

Committee of the whole on the consideration of Ways and Means, Mr. G. SINCLAIR in the Chair.

Hon. Mr. HOWLAN said that in view of the lateness of the Session, and the necessity for having the Revenue Bill passed with as little delay as possible, the Government thought it better not to make any material alteration in the Tariff of last year. He had noticed that in Nova Scotia and New Brunswick they had pursued a similar course. The only alteration the Government therefore proposed to make this year was to increase the duty on Rum and Whiskey six pence per gallon, which it was thought would raise an extra revenue of two or three thousand pounds. He would submit the following—

Resolved, That the several rates and duties imposed and levied by, and under the Act 19th Victoria, Chapter 1, as amended by the Act 28th Victoria, Chapter 3, and 29th Victoria, Chapter 1, be continued from and after the pass-

ing hereof and until the First day of May, A. D. 1868, and amended as follow:

Spirits, namely—Gin, Cordials, and Whiskey, imported into this Island at any other Ports, for every gallon thereof of any strength under and not exceeding the strength of proof, 4s per gallon.

And for every bubble below 28 in number, by the bubble, an additional Threepence halfpenny per Gallon.

Rum, or other distilled spirituous Liquors imported into this Island not exceeding the strength of proof by Syke's Hydrometer, and so in proportion for any greater strength than the strength of proof, and landed at the Ports of Charlottetown, Georgetown, Summerside, and Souris, per Gallon, two shillings.

Rum, or other distilled Spirituous Liquors imported into this Island at any other Ports, for every Gallon thereof, of any strength, under and not exceeding the strength of proof, 2s by the bubble, Two Shillings per Gallon.

And for every bubble below 28 in number, by the bubble, an additional two pence per Gallon.

Saving and excepting all exemptions reserved and contained in and by the Eighth Section of the Act 19th Victoria, Chapter 1.

Mr. OWEN thought that the duty on Kerosene oil should be reduced to sixpence.

Hon. Mr. HOWLAN said, that as oil was a product of Canada, and as we did not know what alterations that Province contemplated making in its tariff, the Government thought that it was better not to change the duty on that article this year.

Mr. PROWSE remarked that it was well known that the people in the country depended more upon this oil for light than did those in the City, and he thought that if the duty was kept at its present rate there ought to be a duty levied upon the gas used in Charlottetown.

Mr. OWEN considered that the duty on Canadian flour, coming by the United States, should be taken off. It appeared to him as unreasonable and unfair to be compelled to pay a duty upon flour bought in Canada when it came *via* Portland.

Hon. Mr. HOWLAN was of the opinion that the construction which had been put upon the Law in that matter was not correct. He said that flour coming from Canada *via* U. S. was put into locked apartments in the cars, and was intended to come through as parcels; and flour so coming through, he believed, was not intended by the Act to be liable to duty. He thought, therefore, that the construction put upon the law was not correct. If the flour had been bought in the United States it would be different.

Mr. OWEN believed that flour from Canada *via* the United States could not come here free of duty on the principle explained by the hon. member from Tignish.

Mr. HOWAT said that as they had all voted for the duty last year, and no complaints had been laid before the House respecting it, he thought there could be no harm in voting for it now, especially as there was not time this Session to enter fully into the matter.

The resolution, as submitted, was then reported agreed to, and having been again read at the Clerk's table, and the question of concurrence put to the House—

Mr. OWEN moved in amendment to the question, seconded by Mr. Prowse, that the words—"but that flour, the product of Canada, be received free of duty, when brought here *viz* the United States," be added at the end thereof.

Hon. Mr. HOWLAN then moved that Mr. OWEN have leave to withdraw his amendment.

For Mr. HOWLAN'S motion—Hon. Messrs. Howlan, Callbeck, Attorney General, Kelly, Laird; Messrs. Arsenault, Cameron, Kickham, Ramsay, Jenkins, P. Sinclair, G. Sinclair, Bell—(15).

Against it—Messrs. Owen, Howat, Prowse, Maclellan; Hon. Messrs. Macaulay, Henderson—(6).

The original resolution was then agreed to, and a Committee appointed to bring in a Bill in accordance therewith.

Revenue Bill.

Hon. ATTORNEY GENERAL, from the last preceding Committee appointed, presented to the House a Bill for Raising a Revenue, which was received and read a first time. The rule of the House against reading a Bill twice in the same day, was then suspended, and the Bill read a second time.

Hon. ATTORNEY GENERAL then moved that the House resolve itself into a Committee of the whole, to take the Bill into consideration. He was aware that this was not the usual course, but he had spoken to his learned friend (the Leader of the Opposition), who said that no objection would be taken to the motion.

Hon. Mr. HOWLAN seconded the motion, when the House resolved itself into the said Committee,—Mr. G. SINCLAIR in the Chair.

Mr. OWEN was still of opinion that the duty should be taken off Canadian flour, coming by way of the United States; and also that it was the duty of the House to reduce the tax on kerosene oil.

When the clause on patent medicines was read—

Mr. PROWSE said that the duty on these medicines should be reduced. He thought that there were many persons in the country, who probably would employ medical gentlemen if they were near to them, while there were many others who could not, on account of the cost; and in both these cases patent medicines were of great service. He was of opinion that the duty upon this class of medicines was not merely a duty upon the poor man, but a duty upon the poor sick man. He would therefore recommend that it be reduced to—say twelve per cent.

Hon. Mr. HOWLAN thought that patent medicines should be taxed high. He showed that a great deal of imposition had been practised, and many false entries had been made with these medicines,—so much so, that in order to protect dealers in pure drugs, and the revenue from fraud, a high duty had to be imposed upon this class of medicines. He had no doubt, however, but that the hon. and learned member for Charlottetown could afford them some information on this subject.

Mr. OWEN fully concurred in the opinion of the hon. member for the first district of Prince County (Mr. Howlan). He considered that a high duty should be levied on patent medicines.

Mr. PROWSE thought that high duties were no protection against false entries of any kind.

Hon. Mr. HENDERSON considered that the only way we had of protecting ourselves was by levying a high duty, and believed it necessary to do so.

Dr. JENKINS said that, as he had been referred to, he would say that his opinion was that the less of this class of medicines were used, the better. He considered them useless as medicines, and thought they should be highly taxed, for, in following this course, if they did no good to those who used them, those who imported them would increase the revenue by the duty they would have to pay. He thought that the higher the duty was raised the better.

After some further discussion, the Committee rose, the Chairman reported progress, and the House adjourned for one hour.

AFTERNOON SESSION.

House again in Committee on Revenue Bill. Reported agreed to, and ordered to be engrossed.

Hon. ATTORNEY GENERAL, a member of Her Majesty's Executive Council, presented to the House the Accounts of the Commissioners of Public Lands for the year ending 31st January, 1867, which were referred to the Committee on Public Accounts.

On motion of the Hon. ATTORNEY GENERAL, the House resolved itself into a Committee of the whole, for the further consideration of supply.

Hon. ATTORNEY GENERAL submitted a resolution, placing at the disposal of the Government the sums usually granted for Public Printing, &c., &c., which was agreed to.

Grant for Elections, &c.

Hon. ATTORNEY GENERAL submitted the following resolution :—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services :—

| | |
|--|----------|
| Insurance and contingent expenses of Victoria | |
| Barracks..... | £200 0 0 |
| Protection of the Revenue, if required..... | 200 0 0 |
| Steamboat Inspector..... | 60 0 0 |
| Public Surveys in connection with Land Office, | 300 0 0 |
| Ferries..... | 30 0 0 |
| Hospital..... | 50 0 0 |
| Assessors under Education Act..... | 25 0 0 |
| Deaf and Dumb Institution at Halifax..... | 50 0 0 |
| St. Paul's and Scattarie Lights..... | 45 0 0 |
| Government House Committee..... | 350 0 0 |
| Repairs to Colonial Building, and improve- | |
| ments of Square..... | 150 0 0 |
| Elections..... | 150 0 0 |

He observed that the last item (£150), to provide for Elections, was much smaller than the grant of last year for that purpose. He did not know whether there would be a dissolution of the House before next winter or not; but, if an election were necessary before that time, the amount named in the resolution would probably be too small. The first item was the sum necessary to keep the Barracks insured and in repair. The £350 to the Government House Committee was the sum required to keep Government House in repair. Last year £3000 had been granted for the protection of the Fisheries, but as it was impossible to tell what course would be pursued in the matter this year, the sum of £200 had been inserted in the resolution for the protection of the revenue, if required. The other items were very nearly those granted every year.

Hon. LEADER OF THE OPPOSITION did not know whether the remarks of the Hon. Atty. General illustrated the truth that "coming events cast their shadows before," when he said that possibly a larger sum than £150 might be required for Elections. It was rather too soon, he thought, after hon. members had come fresh from their constituents, to think of a General Election. The hon. gentlemen who had brought in the resolution, need not take any credit to themselves because the amount for elections was less

than that granted last year, for the Government then knew that before another financial year, a General Election would necessarily take place, and they granted accordingly, while the sum in the resolution now before the Committee (£150) would be too small if a General Election took place, and too large if it did not.

Hon. ATTORNEY GENERAL would explain the reason for making the grant. Several elections had taken place since the close of the last financial year, which had not been paid for, and the expenses of which were to come out of the grant. If the Government, too, on looking into the state of the Colony, should think it desirable that a larger number of their members should take office, it would be but right that money should be provided to meet the expenses of the elections. It had been prophesied also by the Opposition that the Government would break up before three months, and if that were the case, some provision should be made for an election. He would, however, jesting aside, assure the hon. Leader of the Opposition that the Government would not spend one penny more for elections than was really necessary.

Hon. LEADER OF THE OPPOSITION thought that there should have been an amount in the Estimates, whether used or not, for the protection of the fisheries. Last year, the very best feeling did not exist between the United States and England, and there was danger that the Fenian element might cause a rupture between the countries. The Imperial Government, therefore, ordered the Colonies not to take very active measures to insist upon their rights. He did not know what course would be adopted during the coming summer, but thought that the Government should have had an item such as he had recommended among their Estimates, if they were to have no supplementary supplies. The grant might be necessary to enable the Island to act in concert with the other Colonies in the protection of—he was about to say—the most valuable mine of wealth we had; for fishing was the source of more wealth with less labor than perhaps any other branch of industry. He thought that, if the United States would not give us the privilege of the coasting trade, we should exercise all our powers, and keep their vessels outside the marine league of the treaty of 1818. He therefore thought that some grant for this purpose should have been brought in.

The resolution as submitted was then carried.

Lighthouses, &c.

Hon. ATTORNEY GENERAL then moved the sub-jorned resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services:—

| | | | |
|--|------|---|---|
| Keeper of Bonded Warehouse, Charlottetown... | £45 | 0 | 0 |
| Gas Company, for gas..... | 100 | 0 | 0 |
| Fuel for Public Offices..... | 90 | 0 | 0 |
| Expenses of Lighthouses..... | 1400 | 0 | 0 |
| Cottage for keeper at East Point..... | 200 | 0 | 0 |

He explained that, though £200 was the sum named in the resolution for the cottage at East Point, the Government intended to let it by contract, and hoped to get it built for £180, but as more might be required, £200 had been inserted.

Resolution agreed to.

Special Road Grants.

Hon. ATTORNEY GENERAL then submitted this resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services:—

| | | | |
|---|------|---|---|
| Special grant for Macadamizing part of Main Post Roads in Royalty and Common of Charlottetown (the same to be expended under the direction of the members for the said City of Charlottetown),* | £250 | 0 | 0 |
| Special grant for Georgetown and Royalty, and Summerside, as above, each £100..... | 200 | 0 | 0 |
| To be expended by the Government in improving Main Post Road between Southport and Lot 48 Cross Roads..... | 50 | 0 | 0 |
| | £500 | 0 | 0 |

* Clause within parenthesis not in original resolution.

Mr. MACLENNAN regretted that the Government had thought fit to grant so small a sum to macadamize the roads near Summerside,—£150 less than was granted last year. He did not rise to oppose the Government, for he knew that, since the initiation of money votes was vested in the Executive, the supporters of the Government were as much to blame as they were; nor did he intend to move a resolution to increase the grant, as it would not be carried, but thought that the matter, perhaps, might be reconsidered. The Government were not to be condemned for trying to curtail the expenditure as far as possible, but it was surely better policy to grant money for roads than for volunteers.

Hon. ATTORNEY GENERAL.—The hon. member who had last spoken appeared to think that the grant of last year should be given every year. The hon. Committee would bear in mind, however, that last year's grant was a special one, and that that did not found a claim for an annual vote. The Government, however, after considering the matter, had resolved to vote the sums specified in the resolution,—not feeling themselves justified in making them larger. With respect to the grant given last year for Charlottetown, he was of opinion that no stone had been put upon the roads, and that they would therefore have the benefit of last year's grant and the present one together. The hon. member for Charlottetown could inform the hon. Committee as to the truth of that statement, as he was one of those under whose control the money was to have been expended. He (Mr. Hensley) believed that the sums granted for Georgetown and Summerside had been laid out. He had himself seen the hon. member (Mr. Macaulay) superintending the macadamizing of the roads near Georgetown, and was glad to find that he took so much interest in the matter. He could testify to the improvement which the hon. member had made in the roads, for he had found those where the stone had been placed in a very much better state than those which were repaired with clay. He trusted the hon. member would pardon him for speaking so freely.

Mr. BRECKEN.—With respect to the money granted last year for roads near Charlottetown he would inform the hon. Committee that his late colleague had taken the matter in hand. Only half the grant had as yet been expended, as material could not be obtained in time to be laid down last year. A little over £200 had been laid out leaving about £250 beside

the grant before the Committee, and he trusted that in a very short time the public would reap the advantage of the outlay. It was to be regretted that a larger sum was not to be voted this year, but there were probably good reasons to be given for the course pursued. It was however not good policy to give a special grant for a purpose such as this, one year, and to withhold or decrease it the next. The system which had been introduced would, he hoped, be carried out by the Government, for though expensive in the first instance, it was profitable in the end.

Dr. JENKINS thought the subject before the Committee a very important one. We were an agricultural community, and as such it was very necessary that everything should be done which could facilitate the transport of our produce to market. If the country could afford to go in debt to build Barracks, it could surely afford to spend money in road making. He would not say that the building of the Barracks was not justifiable, but considered good roads of far more importance to the Island. The subject of road-making should be met fairly, and should be properly entered into by the Legislature. There was no prospect of accomplishing any real good with the small pittances granted; the Government should make up their minds to lay out a considerable sum especially for the roads near the city. With small sums dribbled out year after year no permanent improvement could be made in the Roads. He would recommend that the amounts granted should be applied under the superintendence of the resident Representatives, as the people generally looked upon them as accountable. He had some experience in road-making, and knew that different systems would have to be followed in different localities. Some roads would have to be macadamized while others could be left almost as they were, according to the nature of the soil. In most cases a central drain would be desirable, forming two tracks, one to be used by the vehicles passing in one direction, the other by those passing in the other. Our roads were generally so wide that macadamizing them across their full width would entail a very great expense, and it would perhaps be better to have only part macadamized. This mode of proceeding would secure both a soft and a hard track, and as our horses' feet had become tender from having been so long accustomed to soft roads, this would be a great advantage. The manner in which the roads were macadamized near the city was, though strong, very rough. People would not travel on them unless compelled, as was shown on the St. Peter's Road, where, rather than break their horses' feet upon the rough stone, many preferred travelling in the ditch. If only part of the width of the road was macadamized a saving would be effected as less stone would be required. The expenditure of the grant in the resolution should, he thought, be placed under the management of the members for the city.

Hon. Mr. LAIRD, as member of the Government, rose to defend the votes in the Resolution. The hon. member for Summerside had spoken of the grant for macadamizing the roads near that town being so small, but he and other hon. members should recollect that it was the intention of the Government, as shown in the address in answer to His Excellency's Speech, to obtain reliable information on the management of highways with a view to future legislation.

Such being the case it would not have been advisable to give a large grant this year when there would probably be a better road system established next. It was admitted that our roads were not properly made—that the system of road management pursued at present was behind the age. As soon as a better system was obtained the Government would probably be prepared to give liberal grants. Those acquainted with road-making knew that good roads could not be made by heaping up clay upon them. This was the course generally pursued throughout the Island, and therefore, in the autumn when it was so necessary that the roads should be good, they were in most cases almost unfit to travel upon. Near Charlottetown, it was true, stone had been used, but good road-makers allowed that those roads were not properly macadamized—that the stone was not placed on them after the most approved plan. The reasons he had given were, he believed, those which had induced the Government not to make the grants larger this year.

Mr. HOWAT agreed with what the hon. member for Charlottetown (Dr. Jenkins) had said regarding our road system. He did not, however, think that there would be any advantage gained by getting information from other countries, as the best engineer we could get would only be able to tell us what we knew before—that nothing but stone would make good roads; and he did not see that much information was required in order to apply the stone properly. In New Brunswick they used small stone, laid on eighteen inches deep in the centre, with a gradual fall to the sides, and this was probably all that was wanted here. The hon. member for Summerside had spoken of the grant for that town as being too small, but he must remember that he was one of those who vested the initiation of money votes in the Executive, and now the Government could bring in any votes they chose. He (Mr. Howat) thought that perhaps they had acted wisely in granting no more at present.

Mr. MACLENNAN blamed the Government in the first place, their supporters in the next, but the independent members most of all.

Mr. MACNEILL considered it most important that the roads near the towns should be made as well as possible. He could not agree, however, with the hon. member for Tryon when he said that stone was absolutely necessary before good roads could be made in this Island. If made at the proper season and in the proper manner there was no difficulty, in most cases, in having good roads, even with the common soil. In April or May the roads should be well ploughed and the earth packed down, so that when they became dry a hard surface would be formed, which could never be the case if holes were allowed to form in the spring, and they were then filled up with loose earth. By adopting the plan proposed he thought that we might have as good roads as in the other Provinces. It would probably be necessary to use stone on the thoroughfares near the towns, where the traffic was greatest, but in most parts the simpler and less expensive plan would answer very well.

Mr. P. SINCLAIR.—The present system of road management in this Island was not a good one. The way in which the highways were neglected after the

statute labor or contracts had been completed, was especially to be condemned. He knew of no country in which the roads were thus allowed to remain without any care being taken of them after they were repaired, and so long as that was the case here, we could never expect them to be good. The roads should be made when the earth was soft, as it would then pack closely, which it would never do if allowed to dry first. Some years ago, it had been thought necessary to sell the roads earlier than usual, in order to enable the people to procure seed; and that year our highways were in a better state, and remained good longer than ever before. Money expended in that manner would be of far greater benefit than if expended later in the season, as at present.

Hon. Mr. HENDERSON agreed with the hon. member who had last spoken, for he thought that nothing tended so much to make our roads impassable, as neglect after they were made. Another cause of the general bad state of the highways was the fact that the farmers did not, as a rule, make any use of the subsoil on the sides of the roads. That subsoil was almost like manure, and would retain moisture for a far longer time than the soil under it, therefore when placed on the roads by those who performed the *statute labour*, it made them worse rather than better. If, however, it were used by the farmers to make compost, the benefit to them would be very great, the lower soil could be used to make the roads, and as the sides gradually became smooth, a substitute for three tracks would be made. No hard surface coating could be of any use upon a soft foundation. The system followed in Britain—and with which he was practically acquainted—was to give the roads a hard rock bottom. A certain number of inches of stone was first placed on, and above that a coating of gravel, so that the whole would pack together and form one solid mass. A person was appointed also, whose duty it was to look after a certain number of miles of road, and when any repairs were needed, to superintend them. Unless some system of that kind were adopted here, we would always be spending money and working at a disadvantage.

Hon. Mr. MACAULAY.—The hon. member for Charlottetown (Dr. Jenkins) had recommended having our roads divided by a central drain into two tracks. That idea was not new. In Holland, a country very like our own in some respects, the roads were made in the manner described, and two tracks were formed with a waterway between. The great principle in road making was that the ground should be highest in the centre of the track, with a regular descent to the drains. When that principle was not observed, ruts would always be formed in the centre of the road, from the fact that the water would always run in the direction of the greatest declivity. His name had been mentioned in connection with the expenditure of the special grant for Georgetown last year. He had taken much interest in the matter, and had now cause to pride himself upon what he had done. He had not imported stone, as had been done in Charlottetown, for he had found a quarry in the neighborhood,—the stone from which answered very well, and with this stone he had macadamized two miles of road, laying on large stones at first, then filling in with smaller ones and gravel, and pounding all well together. This had

not been done over the full width of the road, for he knew that, in that case, the money granted would soon be expended. It was known by all that people usually hurried over their statute labor, and he had therefore preferred employing men by the day, and by this means the work was better done, and more satisfactory. The special grant which he had thus expended last year had done more good than had the grants for many years previous. He thought that, if the plan of employing men by the day were generally adopted, it would be far more beneficial to the country than the present statute labor system. As regarded the placing of the special grants under the control of the representatives, though he was not particularly anxious that that should be done, still if the Committee thought proper that they should be so granted, he would be ready to do all in his power with his part of the money.

Hon. ATTORNEY GENERAL moved that an addition be made to the clause before the Committee, providing that the grants should be expended under the direction of the members for Charlottetown, Georgetown and Summerside. One of the hon. members for the City had wished it should be so, and he had no objection. It was, of course, matter of opinion whether the hon. members should have the power of expending money in that way. They might be very good Road Commissioners, but difficulties and disputes might arise between them and the Commissioners of the district. He moved the addition as an independent member, not as a member of the Government, and therefore if the hon. Committee wished to expend the money in the ordinary way, under the superintendence of the regular Commissioners, he did not wish to press his amendment. He would like to hear the opinions of hon. members on the subject.

DR. JENKINS did not wish to give no credit to the present Commissioner for the city, for in matters of detail he might do very well, but it was only necessary to go as far from Town as the residence of the hon. Attorney General to see that he did not make roads properly. He had on that road heaped up clay to a considerable depth, and during summer this would dry up and make a tolerably good road, but a little wet weather in the autumn, and some heavy carting would make it almost impassible. Mr. Williams, too, would never acknowledge himself in the wrong in any way, even if he was shown to be so. The roads near the city were in a worse state now than they were years ago, and if the present system were carried out the people's money would be thrown away to no purpose, as the roads would be better left as nature made them. Attempting to make roads by heaping clay on them, especially in large quantities, was useless. It might be better if a small quantity were placed on at a time, but he (the hon. member) objected to making roads of soft materials. The plan generally adopted here in filling holes with stone was also very bad, though if properly carried out it was an excellent system. The holes were usually over-filled with stone, and thus every vehicle which passed over cut a rut on each side of the heap, and very shortly there were two ruts instead of one. The Statute Labor system was also to be condemned. It led people to cheat the public out of their road work, and if they would do that they would cheat in other ways. If in-

stead of working three days men were to pay three shillings more, better work would be performed. It was well enough when the country was poorer, but now the statute labor system should be done away with. In the meantime, however, the best system should be carried out. He was glad to hear that the plan of having a central drain was recognized as a good one. Until he had been told by the hon. member for Georgetown, he was not aware that that plan was followed in Holland. That it was good, however, was shown by the fact that wherever a gutter has been out by the water in the centre of the road the track on both sides is good. He would have no objection to placing the grant in the hands of the Commissioner for the city, if he believed he was capable, but since this was not the case, he thought he should not have the management of the money.

Mr. BRECKEN would confess that he had not much confidence in himself as a road-maker for he might be imposed upon before his face, but as his colleague knew more than he about the matter he would be perfectly willing that the grant should be expended under his direction. Mr. Williams was a better road-maker than he (Mr. Brecken), but probably not so good as his hon. colleague. He thought the money had better be placed in the hands of the Commissioner with the understanding that in its expenditure he was to follow the suggestions of his colleague (Dr. Jenkins.)

Hon. Mr. LAIRD thought that when Commissioners were appointed by the Government they should be competent men, and able to expend money properly. With all due respect to professional men he did not think that they were the proper persons to superintend road making. Efficient commissioners should be appointed. The hon. members for Ch'town being of different professions might have different opinions regarding good road making, and besides it might be thought rather degrading for a representative for the city to turn Road Commissioner. He had heard too that grave charges of political jobbery were made against some of the hon. members who had expended the grants last year.

Mr. GREEN would wish the hon. member to state plainly to whom he alluded when he spoke of political jobbery. He (Mr. Green) had had something to do with the expenditure of the grant for Summerside last year, and perhaps he meant him. There were six hon. members under whose direction the special grants for macadamizing were expended, but no one in particular had been mentioned as having been concerned in the jobbery.

Hon. LEADER OF THE OPPOSITION having been one of the six members under whose control the grants were placed last year, wished to clear his skirts of any charge of political jobbery, and would therefore inform the hon. Committee that, on account of not living in Georgetown, he had delegated his power to the resident magistrate.

Hon. Mr. DAVIES did not wonder at the remarks of the hon. member for Bedeque, concerning the placing of the money under the control of the Representatives, for the point was that nothing had been done last year on the roads near the city. If a good system of road-making was agreed upon, and instructions given by the Government to carry out the views of the House upon the matter, then good roads might be made. He did not wish to say anything against the hon. members for the city, for he believed that they had been buying stone, and would, ere long, be prepared to make some improvements in the roads;

but when nothing had yet been done, people might well wonder.

Mr. BRECKEN said that he had left the whole matter in the hands of his colleague (Mr. Davies), who, he since found, had been acting under the supposition that only £250 had been granted. As stone came in very slowly, he preferred at first buying it up and preparing it, and he had kept four or five men at work all winter in breaking stone. Rather more than £200 had already been thus expended in material and labour, leaving a balance of over £250 yet to be paid by the Government, in addition to the grant now proposed. He hoped that in a few days the work on the road would be commenced.

Hon. Mr. HOWLAN.—As the grant was a special one, it was very right to put it under the control of the representatives, and he could see no reason why the Commissioner should object to such an arrangement, for the expenditure of this money would only give him additional trouble. If the hon. members for the city were competent, he saw no reason why they should not have the management of the grant. If they expended it improperly, the House would have, next Session, an opportunity to find fault with them. It was said last year that if the grant for Charlottetown were allowed to pass, there would perhaps be some similar one given for Alberton, and if so he would like to have it under his control.

Dr. JENKINS was astonished to hear the hon. member from Bedeque say that perhaps he and his colleague might differ about the expenditure of the grant, when a few minutes before that hon. member had stated that he was willing to trust in him. Though perfectly willing to take the responsibility, he considered that the money should be placed under the control of both members. He was ready to do the work, for his profession necessitated his travelling a great deal. The statement that this would be degrading to a professional man had not much force, as he thought that working for the public good would not degrade any man. He was willing to break stones himself, if necessary. If the present Road Commissioner were competent, no objection would have been made to his having the management of the grant, but he (Dr. Jenkins) thought it absolutely necessary that there should be some check upon him.

Mr. MACLENNAN was one of the six members who had been alluded to, but he valued the privilege of expending the money very little, and did not feel very desirous of having it placed in his hand this year. He was one of the class, too, who thought they could make good roads, and he contended that he had done so last year—that he had made as good a road as any in the Colony. To show that there could have been no political jobbery in the matter, he would state that he had sold the road at so much per chain, and that those who performed the work were parties who would not do anything to support him in politics.

Hon. Mr. HENDERSON could corroborate what the hon. member for the city had stated as to the evil of putting soft clay upon the roads, and in fact could attest to the truth of all that gentleman's statements regarding road-making.

Mr. CAMERON would support placing the grants under the control of the members. As he saw that the hon. member for the city (Dr. Jenkins) was extensively skilled in road-making, he thought he should have the power to control the Commissioner in the expenditure of the money, and was certain that the inhabitants of both town and country would be much benefitted by his supervision of the roads. The system

might be extended to the whole Island, but without making it compulsory; and the members and commissioners could go hand in hand in the matter.

Hon. ATTORNEY GENERAL.—Although he had submitted the amendment, he wished to leave the matter to the decision of the hon. Committee. There might be many doubts as to which course was the better one to pursue? Because hon. members were good representatives, it did not necessarily follow that they must be good road makers; and if the system of giving them the control of the grants were generally carried out, a gentleman, before he could be elected, would have to prove himself a competent road commissioner as well as a good legislator; and some over-particular persons might consider hon. members' seats vacated by their accepting the superintendence of roads where special grants were to be expended. A difficulty, too, might arise in making the returns. He did not know that any return had been made of the expenditure last year.

Mr. GREEN said that such a return would be made.

Hon. ATTORNEY GENERAL.—There was still this objection, that there was no law to compel them to make their returns. He had not much faith in the capacity of every man for road-making, and would rather trust Mr. Williams than either of the hon. members for the city, notwithstanding the good ideas advanced by them. Mr. Holl long ago said a great deal about the proper method of road-making, and one of the commissioners, thinking it wrong not to afford him an opportunity to display his skill, made him overseer of one mile of road, and the result was that he made an exceedingly bad road—so bad that it was afterwards called by his name. Perhaps the hon. member for the city (Dr. Jenkins) thought he could make pretty good roads, and so did he (Hon. Attorney General), but the safest plan was to leave the matter in the hands of the road commissioners. He acknowledged that it was rather inconsistent in him to speak so after moving the amendment, but in moving it he had merely wished to take the sense of the hon. Committee on the matter.

Mr. BRECKEN was almost disposed to vote against the amendment, for he felt the truth of the remarks of the last speaker. Why could not the grants be placed in the hands of the Commissioner, so that the members should have the direction of its expenditure to a certain extent? His hon. colleague thought that the present Commissioner was not competent, but he (Mr. Brecken) would not think himself justified in undertaking what he could not perform, though, as he had before stated, he was willing to place the matter in the hands of his colleague.

Dr. JENKINS said if his colleague had travelled the roads as much as he had, he could not have any doubt regarding Mr. Williams' incompetency. The anecdote of Mr. Holl, related by the hon. Attorney General, only proved the correctness of what he had stated, for Mr. Williams and Mr. Holl made roads upon the same system. The former, when he held the office of city scavenger, as it was called, subverted the first principles of Macadam by placing stone upon a soft foundation, into which it would be crushed by the first heavy load that might pass over, and the road be in as bad a state as ever. He (Dr. Jenkins) did not wish to take the entire control of the money, but wished it to be so granted that the members might be able to see that it was laid out properly, and that the Commissioner might take their suggestion in expending it to the best advantage.

The resolution, as amended, was then agreed to.

Salary of Private Secretary, &c.

Hon. ATTORNEY GENERAL then moved a resolution voting the following sums:—

| | | | |
|--|------|---|---|
| His Excellency's Private Secretary..... | £100 | 0 | 0 |
| Wharfage of Mail Steamers at Charlottetown | | | |
| for the present year..... | 60 | 0 | 0 |
| Rent of Bonded Warehouse..... | 35 | 0 | 0 |
| Contingencies of the Government..... | 600 | 0 | 0 |
| Legislative Library..... | 50 | 0 | 0 |

Hon. LEADER OF THE OPPOSITION observed that the first item in the Resolution was a new one—one which had not been granted for many years. A majority of the Conservative party had been for the last eight years opposed to it; but, though voting with the party, he had always been in favor of giving the grant, and would therefore now support it. A large amount of work not done in the public offices, was performed by the Private Secretary, and it was not right that the Governor should have to pay him.

Hon. ATTORNEY GENERAL agreed with the hon. Leader of the Opposition. His Excellency's Secretary performed a great deal of work, for which it was but right that the Government should pay. Every despatch which came before the House was copied by him, and all the despatches to the Home Government were copied also. In Nova Scotia £300 was granted for the salary of the Governor's Secretary, therefore the sum in the resolution was very small. It was not voted as a permanent thing, and it would be optional with the House to withdraw it at any future time.

The resolution was agreed to.

Stock Farm, &c.

Hon. ATTORNEY GENERAL moved the subjoined resolution:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services:—

| | | | |
|---|------|---|---|
| Model and Stock Farm..... | £500 | 0 | 0 |
| Buoys and Beacons..... | 300 | 0 | 0 |
| High Sheriffs for three Counties..... | 60 | 0 | 0 |
| Messenger of Executive Council..... | 20 | 0 | 0 |
| Encouragement of agricultural and local industry..... | 200 | 0 | 0 |

He remarked that he would not say very much on this resolution, as there were other members of the Government—the hon. member from Bedeque in particular—who were more competent than himself to discuss the question of agriculture. The amount allowed for the Stock Farm was not so large as the grant of some former years, but the resolution contained an item of £200 for the encouragement of agricultural and local industry, which was intended for exhibitions of the productions of the Colony.

Hon. Mr. LAIRD, since he had been alluded to by the hon. Attorney General, might say a few words in explanation of the resolution. Possibly the grant for the Stock Farm was too small, but when it was considered that the revenue of this year would probably not equal that of 1866, the sum named was about as much as the Colony could afford. He was opposed to the principle on which that Farm was worked, still as it had been established by the late Government, he was willing to give it a fair trial. An arrangement somewhat on the principle that a subsidy was given to a steamer, he thought would be more economical than for the Government to hold a farm and employ parties to manage it. As a general rule, those who worked for the Government on wages expected double pay, and he believed that if a subsidy were given to a good farmer

to keep the stock, it would answer all the purposes of the present arrangement, and cost the country much less. The Government did not own mail or trading steamers, but only gave a grant to encourage private enterprise. No doubt there was a Committee to take charge of the Stock Farm, but they were not on the ground all the time to look after it; he therefore maintained that it would be much better to have the stock placed under the sole management of one individual. He would, however, support the resolution before the Committee, though as yet very little benefit had resulted to the country from the establishment of the Farm. In time it might prove itself to be a success.

Dr. JENKINS admitted there was a great deal of truth in the remarks of the hon. member for Bodeque. The Stock Farm had not yet done as much good as it might accomplish. The land had been exhausted before it came into the hands of the Government, and it took considerable labor and expense to bring it into heart. The farm had also been used as a shooting ground; trenches had been dug in it, barricades thrown up, and the dogs of parties thus admitted on the premises had worried some of the young of the flocks. The principle on which it was established could not be called the best, for it was an old saying that what was everybody's business was nobody's business. He thought it ought to have a manager thoroughly competent to take charge of the whole affair. In his opinion, likewise, it should not be simply a stock farm, but also a model farm, where experiments could be made in agriculture, and if they failed, it would not prove such a loss, comparatively speaking, as it would in the case of individual enterprise. Flax culture, for example, might be experimented upon, as he thought it would be a great benefit to the Island if a linen manufactory could be established here. It had been admitted by a person fully competent to judge of the article, that flax grown here was equal to any raised in Ireland. He (Dr. J.) therefore held it to be a matter of regret that this subject was not taken up more warmly by the country. The Government ought to be empowered to send to Ireland, where there were institutions to train young men in the art of agriculture, and procure the services of a person capable of taking charge of a model farm and making experiments. They ought also to be empowered to import a machine for breaking flax, as some farmers last year had grown flax which had gone to waste for want of machinery to prepare it for market. He hoped the people of the country might soon see the value of a model and stock farm, and would not readily consent to its being abolished.

Mr. HOWAT had serious doubts about the expediency of establishing a model farm, as it would not be a great model to farmers, if it took £400 or £500 a-year to keep it up.

Mr. PROWSE was not opposed to the grant for the Stock Farm, but he contended that there should be a fair division of the stock not only for every county but for every district. Every river in the Island was not so well provided with steamboats as the Hillsborough; for example, the people of Murray Harbor could not attend a sale of stock at Georgetown with the same convenience as those in the south part of Queen's County could come to Charlottetown, because there was no steam communication to connect the opposite sides of the river at Georgetown. If a share of the

stock were sent to every electoral district, it would in a great measure obviate this difficulty.

Dr. JENKINS.—Surely the hon. member did not expect pigs and the like to be taken to every man's door. (Laughter.) The Government, however, might buy up stock which had been imported, and farm them out in the different Counties.

Hon. Mr. HOWLAN believed that Prince County had not been fairly dealt with in regard to the distribution of stock. The farmers in his part of the country were very much dissatisfied, for they received no benefit from the Agricultural Societies and Farms about Charlottetown, which cost the country so much. They had a small society of their own for some time, towards the funds of which the late Sir Samuel Cunard, through his agent Mr. DeBlois, had given a liberal annual contribution. They at one time received seeds from the Society in Town, but found at length that they were no better than those which could be purchased elsewhere. He (Mr. H.) hoped that hereafter, when horses were imported to be sold, or stock was distributed, full justice would be done to Prince County.

Hon. Mr. DUNCAN was astonished to hear hon. members express so much disappointment about the Stock Farm, as if full-bred horses and cattle could be raised and distributed in one year. The whole affair had been in operation very little over a year, and it was absurd to condemn it because very little stock had been as yet sent to the other Counties. The party in power were only finding fault with what had been done by the late Government, but how were they going to mend the matter? Time must be given for the stock to be raised, before the farm was pronounced a failure.

Hon. Mr. HENDERSON thought something ought to be done to make up for the local disadvantages of the two outlying Counties. Perhaps a Stock Farm might be established in each County; but if this was too expensive at present, some other consideration ought to be allowed King's and Prince Counties to counterbalance the advantages which Queen's County enjoyed from being in the centre of the Island. The great Napoleon, referring to the States of Europe, said that those which were much greater in length than in breadth were more liable to revolution. He (Mr. H.) did not anticipate anything of the kind in this Colony; but he thought the remark would tend to show the necessity of not neglecting the interests of the Counties forming the two extremities of the Island.

Hon. Mr. LAIRD considered that the great value of a model or stock farm was to give people an opportunity of seeing better things than they produced themselves. The reason that a people did not progress was in a great measure owing to their ignorance of the improvements of the day. This being the case, he maintained that if the money expended on the Stock Farm, which was scarcely seen by any person, had been laid out in encouraging cattle shows and the like, where the people generally could have seen that stock much superior to their own was raised, it would have been much more profitably employed. The principle of imitation was one of the strongest in the human mind, and therefore, though it was well to afford facilities to obtain improved stock, these facilities were really of very little avail, unless the people by Shows were taught

what they required. Another advantage of Exhibitions was that they stimulated competition. He thought, then, that the Government, by including £200 in the resolution to encourage agricultural and manufacturing industry, had compensated to a great extent for the reduced grant to the Stock Farm.

Dr. JENKINS perfectly agreed with the hon. member for Beaufort with respect to the utility of Exhibitions. Shows had been got up in Charlottetown for the last two or three years chiefly through private exertions, and he (Dr. J.) had had his share of the trouble and the expense connected therewith. The one held last autumn was about the best that ever came off in the city. He thought it would perhaps be desirable to apportion the £200 for an exhibition in each County. A good deal had been said about the Stock Farm, but hon. members should remember that it had been in operation very little over a year.

Mr. MACLENNAN was surprised to hear so much from hon. members opposite reflecting upon the Stock Farm, as no improvement had been suggested by the Government. He could state that all the stock sent from it to Prince County sold at a higher rate than that disposed of at Charlottetown.

Mr. P. SINCLAIR had paid a visit to the Stock Farm not long ago, and though he saw good stock there, it was very little better than could be seen anywhere in the country. If it were not that the Farm was established, he would oppose the grant altogether; the money in his opinion would be much better laid out in premiums.

The resolution was then agreed to, when the Committee arose, and reported those passed during the evening, after which the House adjourned.

SATURDAY, April 27.

Hon. Mr. DAVIES presented a petition of John Compton, and others, relating to changing the time for the randing at large of Rums.

Ordered that the said petition be referred to a Committee to report thereon.

According to order, six resolutions, passed in Committee of Supply yesterday, were then reported severally agreed to.

Chancery Bill.

The Bill to diminish the delay and expense of proceedings in the Court of Chancery in this Island was read and committed to a Committee of the whole House.

Hon. Mr. CALBECK in the chair.

Hon. ATTORNEY GENERAL in explaining the principles of the Bill said, that as the law now stood, there were many difficulties which presented themselves, and the intention of this Bill was to obviate these. At present the Court could not call a jury, and hence if a difficulty should occur and the Court be unable to decide, this Bill provided that a jury might be empannelled; but this was not compulsory; it was left to the discretion of the parties themselves. When both parties could agree to it, the Court would have power to summon a jury. Difficulties often occurred in

making arrangements for the just distribution of an Estate, hence by this Bill parties having claims upon an estate, were allowed twelve months to send them in; and if they were not sent in within that time, the Judge had power to make such distribution of the property among the different creditors as might be proper and right. The intention of the Bill was to facilitate proceedings in the Court of Chancery, and prevent delay, and was a copy of the Imperial Act.

House adjourned for one hour.

AFTERNOON SESSION.

Motion to Recommit Revenue Bill.

Hon. LEADER OF THE OPPOSITION was sorry that he had not been in his place at the second reading of the Revenue Bill, but not having been in the House at the time, he would now move that the order for engrossing the Bill be discharged, that it might be recommitted to a Committee of the whole House, in order that the sum of sixpence per gallon of additional duty on Rum, Gin, Cordials and Whiskey might be struck out. He believed that if that duty were imposed the result would be to crush a trade which was just springing up, and one which was of great advantage to the Island; he alluded to the trade with the West Indies. From information which he had received from parties who had a large amount of capital invested in that trade, he believed that the imposition of the high duty proposed would completely crush it. No class of people in the community profited more by the opening of the West India market than the farmers, for since the trade with these Islands had sprung up the value of their produce had been greatly enhanced. The rise in price of the single article of hay—not to mention others—was a proof of this, for the West India exporters were now always prepared to pay £3 per ton for it, while before the trade commenced the farmers were sometimes compelled to sell it for forty shillings. There was also a large export of horses, lumber, and in short of nearly every product of the Island, and the return cargoes consisted mainly of sugar, molasses, and rum. Levying this extra sixpence per gallon was in reality imposing a protective duty for the benefit of the home distiller. If a similar tax was placed upon home manufactured liquor it would be more just, but as the Bill stood, the manufacturer had an advantage of sixpence per gallon over the importer, and thus would certainly lead to the breaking up of the trade. He was no apostle of temperance, and no advocate of intemperance, but would say that, if people were determined to drink liquor it was much better for them to drink good rum than liquor manufactured in the Island from molasses. It was no use to assert that the high duty would encourage the manufacture of liquor from barley, and that the farmers would thereby be benefited, for they could find a better market for their barley for export than for home distilling. If the traffic with the West Indies were not crushed he believed that in a few years this Island would become the centre and emporium for the trade, and therefore as a public man and one who desired the welfare of the Island, he would like to see the business prosper, though he had no pecuniary interest in it. He could not then remain silent and allow the Bill to pass without endeavoring to amend it, and would therefore move that it be recommitted.

Mr. OWEN seconded the motion of the hon. Leader of the Opposition.

Hon. ATTORNEY GENERAL would give the hon. Leader of the Opposition credit for the explanation which he had made, for he believed that he was not actuated by any motive but a desire for the public good. He was not disposed, however, to give way to the motion, for he had yet to learn that the West India trade depended upon the duty on rum remaining as at present. In 1862, when the hon. Leader of the Opposition was in the Government, the duty levied on Rum was the same as proposed in the Bill, and he therefore should not object to it now. Although the trade in hay, cattle, and other produce might be of much advantage, yet if the trade depended upon getting cheap rum he did not know how the Island could benefit very greatly by it. Since it was deemed necessary that the duties on some articles should be raised during the coming year, the Government had considered that the articles which were more properly luxuries should be those to be taxed, and as the liquors named were luxuries, not necessities, they had raised the duties on them in preference to doing so on other articles. In 1865, 20,000 gallons of Rum, Gin, and Whiskey, were imported, and sixpence additional duty would then have added £1,750 to the revenue. It was the opinion of some that the extra duty would encourage smuggling, but it did not appear to have either done so or injured the trade in 1852. Merchants always made a great outcry against any additional duties, but he believed that in this case the trade would not suffer, and if it depended upon rum so much that it would be injured by the duty, he could not think that it was of any real benefit to the Colony.

Hon. LEADER OF THE OPPOSITION would admit that rum was a luxury, but for the same reason whisky manufactured on the Island was also a luxury; and why should it be allowed to remain without any additional tax, when so heavy a duty was placed upon imported liquors. It was an undue preference given to the distiller, who benefitted the trade of the country very slightly when compared with the importer. The distiller purchased his few puncheons of molasses for distillation, while the importer helped the commerce of the Island, affording employment for sailors and ship-builders, and opening a market for our agricultural produce. It was not rum alone which built up the trade, for large quantities of molasses and sugar were also imported; but it was necessary that rum should form part of the return cargoes. The hon. Attorney General had alluded to the duty of 1862. He always seemed to fall back upon the acts of the Conservatives, and to consider them a sufficient justification for anything which the present Government might do. He (Mr. Haviland) had expected that when the new Government was organized, with the infusion of Conservative, Tenant League, and old Liberal blood, it would be perfectly immaculate,—that it would never have to fall back for justification upon the acts of the Conservatives; but he had found his mistake. The principles of free trade were becoming recognized throughout the world, and it was wrong to adopt a protective policy. The duty proposed was an unfair and unjust tax, and he would protest against it as long as he had a voice to do so.

Hon. Mr. MACAULAY could not understand the reasons for putting on this duty. It was not a question which affected temperance or intemperance, but one which affected the trade of the country. No trade could prosper without both imports and exports; and if an advance of sixpence on rum would injure the former, the whole trade would suffer, and for the sake of a few pounds of additional revenue, the Island would be the loser to the extent of many thousands. Sailors, ship-builders, and agriculturists would feel the effect as well as the merchants. If the duty was imposed because rum was a luxury, why was not a duty placed on every luxury? It was a step in the wrong direction. Free trade policy was becoming recognized by all, and the imposition of this duty was the very reverse of that policy. He felt bound, therefore, to support the motion of the hon. the Leader of the Opposition.

Mr. BRECKEN.—It could not be said that the duty proposed would lessen the consumption of rum, gin, and whisky, since the quantity manufactured from molasses would greatly increase; and therefore the whole quantity consumed would be no less, while the quality would be far inferior. The imposition of such a high duty would also increase smuggling, as it would be an inducement to run the risk; and thus the revenue would not be greater, while people still consumed as much as before. He agreed with the principle enunciated by the hon. Attorney General, that it was right that the Government should, if they wished to increase the revenue, do so by putting a duty upon luxuries, but thought that when similar luxuries were manufactured at home, they should also be taxed, especially since almost no encouragement was given to our farmers by the home manufacture, the quantity of barley used being very small. That the farmers were benefitted by the West India trade was evident, for almost every article produced by them went to form part of the varied cargoes which were exported. When we looked at the duties which had been placed on our products by the United States, and at the fact that, when the other Colonies were confederated, the Lower Provinces would be supplied with Canadian produce, leaving us dependent on the Mother Country for a market, we must acknowledge the importance of a West India trade. Sixpence per gallon on rum might not crush that trade, but it would crush it in part. If the hon. Attorney General could show that by that duty the liquor traffic would be crushed entirely, he would support him in imposing it, but such a result would not follow while the home distiller was not taxed; and thus, though no reform was effected, the trade of the country would be paralyzed. He knew that there were members in the House who were strong advocates of temperance, and a worthy cause it was, but until it had been shown that that cause would be benefitted by the duty proposed, he would support the motion of the hon. the Leader of the Opposition.

Hon. Mr. LAIRD had always been of opinion that the hon. the Leader of the Opposition was well informed on the policy pursued by other civilized nations, and was therefore the more surprised at hearing him make the assertion (and in which he was supported by his hon. colleague, Mr. Macaulay) that the principles of free trade were acknowledged throughout the world. Had these gentlemen forgotten the United States, one

of the most prosperous nations on the face of the globe, where there was anything but a free trade policy at present? Even if this duty was, as had been stated, a protective one, it should not be condemned on that account, for it was the duty of every new country to encourage home manufacture. The trade would not be injured by such encouragement, for, as the greater part of the liquor manufactured on the Island was made from molasses, a large trade would spring up in that article, which would supply the place of rum. There would then be a prosperous foreign trade, as well as home manufacture, and, though he would be happy to see the liquor traffic at an end, yet while people were determined to drink liquor, it was but right to favor our home producer as far as possible.

Mr. BRECKEN could not see that any advantage would result from the encouragement of distilleries in the Island.

Hon. Mr. LAIRD would ask what advantage the hon. member could see in the importation of rum.

Mr. BRECKEN could see none in the importation of rum itself. He had only said that it was useless to discourage that importation when home manufacture was encouraged. It would serve no good purpose, — moral or financial.

Hon. Mr. HOWLAN.—The importance of the West India trade had, he thought, been overestimated, as the exports to those Islands were always less than the imports; and while that was the case, no real benefit to this country could result. In 1865, the value of the exports to the West Indies was £1995, and of the imports £2792 sterling; therefore £800 must have been sent away in exchange. In 1866, the exports were £3081 and the imports £6581, which showed that the trade was increasing against the Colony, and such being the case, no lasting good could flow from it. The same duty as that now proposed had been levied some years ago, and it did not appear to have seriously injured the business done with the West Indies. The value of the rum imported was small when compared with that of molasses and sugar, and when the same additional duty was placed upon gin, he did not understand how it could be called invidious.

Mr. BELL would heartily endorse the opinions which some hon. members had expressed when they said that no good could result to this Island from the manufacture or importation of rum. Any prosperity which had rum for its basis would be poor indeed. He was one of those who had been alluded to by the hon. member for the city (Mr. Brecken), as being strong advocates of temperance, and therefore, though he would be willing to encourage legitimate trade, he would oppose any measure which tended to increase the manufacture or importation of rum. He had seen countless evils result from the liquor traffic, and, believing as he did that it was productive of injury to the Colony, he thought that the sooner it was done away with the better. It had been said that, by raising the duty, the West India trade would be crushed, and also that it was a preferential tax in favor of home manufacturers. He did not, however, believe that the Government had any intention of injuring the trade or fostering the business of home distillers, when they proposed to raise the duties on rum, gin, and whisky. They had seen the necessity of increasing the duties on some

articles during the coming year, and finding that those liquors had formerly paid the rate which they now proposed, they considered it best to raise an additional revenue from them. He (Mr. Bell) would always advocate placing the highest possible duties upon liquor, in order to decrease the traffic, and did not believe the West India trade would be injured by so doing. If we had an export of dry fish to those Islands, and depots throughout this country for the sale of their products, a large trade would spring up independent of liquor.

Hon. Mr. HENDERSON.—The question was not quite so simple as it at first sight appeared. He wished that temperance advocates were as numerous as the inhabitants of this Island, for there would then be less difficulty in dealing with this matter, but as a general rule those people simply described the disease without prescribing a proper remedy. They seemed to think that the Government had the whole matter in their hands, and could, if they chose, put an end to the liquor traffic entirely. Suppose that every distillery and every tavern in the country was put down, the result would only be to encourage smuggling, and intemperance would not be prevented in any great degree. The objections of the hon. the Leader of the Opposition to the raising of the duties were not prompted by any desire to see the liquor traffic increased, but by a desire that the West India trade, which he thought depended in a great measure upon rum, might be sustained. As regarded the encouragement which would be afforded to the home producer by increased duties, he did not think that the policy, though sound in ordinary cases, was so in this. In most manufactures the value of the labor was added to the value of the raw material, but would any one say that the raw material from which liquors were made was not of more real value when in the crude state than when manufactured into rum, whisky, &c.; or that the real man was not worth more than the manufactured drunkard? The home distillation of ardent spirits should be discouraged, even if it was productive of no greater injury than that to the persons immediately engaged in it. Probably twenty-five per cent. of those connected with distilleries descended into drunkards' graves. He did not suppose that it was the intention of the Government to encourage drunkenness when they proposed raising the duties on liquor; but that did not secure us against such a result; and if the encouragement was given directly or indirectly, it was still wrong. He would therefore support the motion of the hon. the Leader of the Opposition.

Dr. JENKINS gave credit for sincerity to the hon. the Leader of the Opposition and those who supported him in the motion which he had just made, but thought that they had very much magnified the importance of the West India trade. He was willing to foster it, but considered that it was hanging upon a thread, if a duty of sixpence additional per gallon on rum would injure it so seriously as had been stated. The encouragement which would be given to home distillation would be very small, as the duty on molasses, from which a large quantity of the home manufactured liquor was made, had been, not very long ago, raised one hundred per cent. He agreed with the sentiments expressed by the hon. member from Cascumpec (Mr. Bell), and would be willing to impose six shillings duty, if it would stop the liquor traffic. It would not, however, do this, for people, if they wanted rum, would get it; and, until their ministers and teachers had instilled better ideas into their minds, it was useless to attempt to prevent them from drinking. No one knew better than he did the evil effects of drinking bad liquor; and, in order that as good liquor as possible might be drunk, he thought that the duty on wine

should be lowered, and that on rum and other liquors raised. In Canada, the duty on rum amounted almost to a prohibition; and why could not we levy a similar one? By raising the duty sixpence per gallon, as contemplated, the tavern-keeper, not the importer, would suffer—for the former, though his rum would cost him more than before, would have to sell it at about the same price. As regarded home distillation, he knew that the farmers, for the last few years, would not have obtained so high a price for their barley had there been no distilleries in operation.

Hon. Mr. DUNCAN.—If the Government wished to raise the revenue, they should have placed a higher tax on home manufactured liquor. The revenue derived from this source last year was only £126—£45 on whisky distilled from molasses, and £81 on that distilled from barley. He could not understand why the sum was so small, and would advocate increasing the tax, and having an efficient staff of officers to collect both it and the impost duty. To raise the duty, however, without providing a better system for collecting it, would not increase the revenue. It was unjust to raise the duty without levying an additional tax on the home manufactured liquor,—in fact it amounted to giving a bounty to home distillation and smuggling.

Mr. G. SINCLAIR did not understand why hon. members should object to raising the revenue by an additional duty on liquor. A very small sum would be raised by taxing the home distillers, for the quantity manufactured was not large.

Hon. LEADER OF THE OPPOSITION had not been converted to the views of hon. members who differed with him, by the arguments which they had brought forward, and would therefore insist that the House should divide upon his resolution. The hon. member for Tignish (Mr. Howlan) had stated that the West India trade was injurious to the Island. He (Mr. Haviland), not having examined the statistics of the Colony, was not in a position to join issue with him, but believed that his statement was not correct, and that the trade was really of great value to the community at large. That the balance of trade was against the Colony, he was not willing to admit. Any one who had studied works upon political economy knew that statistics like those which had been cited by the hon. member for Tignish did not show the relative value of imports and exports correctly. The amount given as the value of the exports was what they were worth when they left here, while the imports were valued at what they were worth when landed here. Suppose £500 worth of produce was exported, it might sell in the West Indies for £2000; and the sugar, rum, &c., purchased with that £2000, might be worth, when landed here, £4000; and thus in the statistics the imports would appear eight times as large as the exports. In fact, the amount of exchange sent to the West Indies was very small. He contended, notwithstanding what the hon. member for Bedouque had said, that the principles of free trade were recognized throughout the civilized world, for he considered that a country which went back to the old ideas of protection did not deserve to be classed with civilized communities. Much as he respected the United States for its enterprise in mercantile transactions, he considered that, in the matter of free trade, it was far behind Great Britain, or even despotic France, and believed that in a few years, it would see its error, and abandon its present Japanese policy.

Mr. P. SINCLAIR.—If the West India trade was sustained by rum, he could not see that any real benefit could flow from it. Raising the duty would, he considered, promote the morality of the country.

Mr. PROWSE believed that the intention of the Government in raising the duty was a good one, but

thought that, in not raising the tax on home distillation, they showed a short-sighted policy and a want of judgment—for they thus imposed a protective duty in favor of home manufacture, and that he would strongly condemn. Though speaking in this way, it was his intention to oppose the motion of the hon. the Leader of the Opposition, because he believed that the revenue should not be raised from articles which were of real benefit to the country. It was strange that so small a sum was raised from the tax on home distilleries. He could not believe that the returns were honestly made.

Mr. MACNEILL would be sorry to see the West India trade crippled, for he believed that it was beneficial to the Colony. He did not think that the raising of the duty would seriously affect it, for those who drank the rum would have to pay the difference. If it was found that the duty proposed would be injurious, it could be altered next year, and perhaps some change made in the amount paid by home distillers. In the meantime, the trade could not be much injured.

Mr. CAMERON could not understand why hon. members should be opposed to an additional duty on liquor. Why could not those engaged in the West India trade import molasses, sugar, &c., instead of rum, and thus keep up the trade? He believed that very nearly the same quantity of liquor would be manufactured here, whether the duty was raised or allowed to remain as at present.

Hon. Mr. CALLBECK.—If the carrying trade to the West Indies would suffer so seriously by placing the extra duty on rum, why had it not been affected when the duty on molasses was raised by the late Government? There was three times as much molasses as rum imported; and if the hon. Leader of the Opposition was so anxious to foster the trade, it was strange that the Government of which he was a member should have placed such a high duty on the former. Molasses, too, was an article which was largely consumed by poor people, and should not, therefore, be subject to so high a duty. He would favor increasing the tax upon both home and foreign liquors.

The motion of the Hon. LEADER OF THE OPPOSITION having been then put, the House divided as follows:—

Yeas—Hons. Haviland, Macaulay, Henderson, Duncan; Messrs. Ramsay, Owen, Green, Maclellan, Brecken—(9.)

Nays—Hons. Howlan, Hensley, Kelly, Laird, Callbeck; Messrs. Cameron, Jenkins, P. Sinclair, G. Sinclair, Arsenault, Macneill, Bell, Howat, Kickham, Prowse—(15.)

On motion of the Hon. ATTORNEY GENERAL, the Bill was read a third time and passed.

House adjourned.

MONDAY, April 29.

Petitions.

Hon. ATTORNEY GENERAL asked leave to present a petition from Mr. G. C. Stiles, of Salisbury, Westmorland County, New Brunswick, praying for the passing of a Patent Act for the exclusive making and vending of a new Spinning Wheel, on the principle of a Spinning Jennie.

The said petition was read, and referred to a Committee to examine and report thereon.

Committee—Hons. the Attorney General, Mr. Haviland; and Mr. P. Sinclair.

Mr. BELL presented a petition of Benjamin Rogers and others, Shareholders in the "Alberton Masonic Hall Company," praying for an Act of Incorporation.

Hon. Mr. HOWLAN expected that the Bill would come in as a private one, and supposed that the fees would be secured.

Hon. LEADER OF THE OPPOSITION thought the House should make a distinction between Bills that came under the designation of private Bills. Bills for the Incorporation of Churches and Temperance Organizations came under the head of private Bills, but were, on account of their object, not charged as such, inasmuch as they were for the public good. Here was a Bill praying for an Act of Incorporation for an organization of a higher nature than that of a Temperance organization, and it was also very different from the one presented this morning, asking for a patent for a new invention,—asking leave to make money out of the people of this Island. He said that, if this Mr. Stiles was a citizen of this Island, he would have to pay money before he could obtain his patent, and hoped that, if the prayer of his petition was granted, the sum usually charged on such Bills would be secured.

Hon. ATTORNEY GENERAL said that, as a general rule, when Bills of this nature were prayed for by persons out of the Island, the Ten pounds usually charged were secured before the petition was presented. The petition had been sent to Mr. Longworth. He had spoken to that gentleman, and when the amount was required, it would be forthcoming.

The Petition was then received, read, and referred to a Committee to examine the same, and report thereon by Bill or otherwise.

Committee—Mr. Bell, Hon. Mr. Laird, and Mr. Brecken.

Mr. BELL, from last named Committee, presented a Bill prepared by said Committee to incorporate the Alberton Masonic Hall Company, which was ordered to be referred to the special Committee to report on every Private Bill, to examine and report thereon.

Hon. ATTORNEY GENERAL, as a member of the Government, asked leave to present the Petitions relating to new Post Offices, and other matters relating to the Inland Mail Service, which, being granted, they were, on motion, referred to a special committee appointed to report on all matters relating to the establishment of new Post Offices, and all matters relating to the Inland Mail Service—to examine the same and report thereon.

Committee—Hon. Mr. Kelly; Messrs. Howat and Kickham.

On motion of the Hon. Attorney General, seconded by Mr. G. Sinclair, it was

Resolved, That no new matter on which a Bill can be founded be introduced to this House after Monday, the 6th day of May next.

Hon. ATTORNEY GENERAL, as a member of Her Majesty's Executive Council, laid before the House various petitions, praying aid to Paupers, which were ordered to lie on the table.

Expiring Laws.

The House then resolved itself into a Committee of the whole, to take into further consideration the Report of the special committee appointed to examine and report on Expiring Laws.—Mr. G. SINCLAIR in the Chair.

Hon. ATTORNEY GENERAL submitted the following Resolution:—

Resolved, That it is expedient to continue the Act of the 8th Vic., cap. 20, intituled "An Act for the regulation of the Mackerel Fishery."

Hon. ATTORNEY GENERAL, after explaining the nature of the Law, said that he was not sufficiently acquainted with the matter to know whether it would be well to continue the Act or not, but several hon. members had told him that it was desirable to continue it. If any hon. member thought there should be alterations made in the Act, he would be happy to hear his suggestions.

The Resolution was agreed to.

On motion of the Hon. ATTORNEY GENERAL, the following Resolution was agreed to:—

Resolved, That the Act of the 19th Victoria, cap. 14, intituled "An Act to repeal the Act relating to light and anchorage duties, and to make other provisions in lieu thereof," be continued.

Hon. ATTORNEY GENERAL then moved the third Resolution:—

Resolved, That it is expedient to continue the Act of the 15th Victoria, cap. 33, intituled "An Act authorizing the Harbour and Ballast Masters of the various harbours and rivers in this Island, to superintend the laying down, erection and maintenance of buoys and beacons therein."

Hon. Mr. HOWLAN thought that the Act, before it was renewed, should be looked into. As the law stood at present, it gave too wide a latitude to Harbor Masters. He had just received a letter from Princetown, informing him that laying down and keeping the buoys in repair at that place, for the present season, had just been sold for £68, which was, he believed, four times what it sold for last year. He had also received a letter from Cascumpec, which stated that the contract had been sold there for £13, and observed that there was a considerable difference in the two sums, though there was not much difference between the work to be performed. He thought the Act should be made more explicit.

Hon. ATTORNEY GENERAL said that the Act was sufficiently strict, and was very well guarded. He thought, if the Harbour Masters would abide closely by the Act, that no such case as that mentioned by the hon. member from Cascumpec could occur. By the provisions of the Act, when a work was to be performed, it was the duty of the Harbour Master to acquaint the Government, and also to give ten days' notice before the work was sold. This gave time to the Government to check any unnecessary proceedings which might be adopted. He thought it was very wrong in any Harbor Master to act otherwise than was provided for by the Act, unless under some special emergency. The Act he considered a very good one.

Hon. Mr. HOWLAN said that, so far as he was aware, these sales were made without any notice being given to the Government. At Cascumpec, the work had been sold lower than it was last year, while at Malpeque the excess was such, he believed, as did not warrant the Harbor Master in letting it.

Mr. BELL thought it would be well to have some person on whom the Government could depend, entrusted with a sum sufficient for this service. Where there

were bar harbors, great care was required in laying out the buoys, as the bars frequently shifted.

The Resolution was then carried, when the Speaker took the Chair, and the Chairman reported the Resolution agreed to; when it was ordered that the Hon. the Attorney General, Mr. Haviland, and Mr. Sinclair be a Committee to bring in Bills in accordance therewith.

Hon. ATTORNEY GENERAL, a member of Her Majesty's Executive Council, laid on the table the Writ of Election, issued for the election of a member for the Third Electoral District of Queen's County, in the place of the Hon. G. COLES, who had accepted the office of Colonial Secretary, and the Sheriff's return thereon, which return was read by the Clerk, and showed that the Hon. G. COLES was elected; and he (Hon. Mr. Coles), having been led into the body of the House, and introduced to the House by the Hon. Mr. KELLY and the Hon. Mr. DAVIES, two of the members, he took the oaths and his seat.

House adjourned for one hour.

AFTERNOON SESSION.

Hon. Mr. DAVIES, Chairman of the Committee on the petition of John Compton and others, relative to the advisability of altering the Act restricting the running at large of Rams, reported that, after a careful consideration of the question, a majority of the said Committee had come to the conclusion that it was inexpedient to alter or amend the law relative to that subject. He (Hon. Mr. Davies), at the same time, expressed his own views differing from the majority of said Committee, believing, as he did, that the allegations of the petitioners were well founded; he, however, being in the minority, had, as Chairman, to present the report of the Committee.

Hon. COLONIAL SECRETARY presented various petitions praying for the opening of new lines of roads; which petitions had been laid before His Excellency the Lieutenant Governor, and referred to the House.

Ordered that a Committee be appointed, to whom shall be referred all such petitions.

Hon. Mr. Kelly, Mr. G. Sinclair and Mr. Owen were then appointed said Committee.

Hon. COLONIAL SECRETARY presented to the House the Report of T. Stewart, Esq., Indian Commissioner, together with his detailed account of expenditure, in connection with his office, for the past year.

Ordered to be laid on the table.

Hon. COLONIAL SECRETARY presented a petition from John Scott and others, setting forth their invention of a horse-power machine for raising Mussel mud from beds of rivers, and praying the House for such encouragement, either by patent or premium, as might be deemed expedient.

As the law authorizes the Government to grant patents for such inventions as may be considered of sufficient importance and value, it was ordered that said petition be withdrawn.

The House then resolved itself into a Committee of the whole, to consider further of a Supply.

Packet to Cascumpec.

Hon. Mr. HOWLAN, in moving that a grant of £100 be appropriated for a sailing packet to run between Charlottetown and Cascumpec, said that he thought no objection would be taken to the grant. There was, he said, a large amount of fish caught off that part of the Island, and, for the last few years, a large portion of these had been sent on to market by steamers from Charlottetown; and it was of the utmost importance to Cascumpec, which was improving as fast as any other part of the country, that it should have direct communication during the season with the capital. When King's County had a grant of £600, hon. members, he thought, from that County, would not raise any objection to the motion now made. It was true that steam communication was already extended to Summerside, which was in Prince County; but Summerside was as remote, and more so, from Cascumpec, as Summerside was from Charlottetown; and it was of importance to extend the communication to the north side of the Island.

The Resolution was agreed to.

Board of Health.

When the sum named for this service was read—

Mr. HOWAT said that he had heard that vessels had been allowed to come to the wharf before they were boarded and examined by the Health Officer, and remarked that, if such was the case, it was not right or proper. If ships were permitted to come to the wharf in this manner, as was allowed the other day, when a vessel arrived with a case of smallpox on board, diseases the most dangerous might spread among us before we were aware of it. He thought a medical gentleman should be appointed to give proper attention to this matter. For his part, he did not feel safe as these matters were attended to now.

Dr. JENKINS.—Did the hon. member for Tryon allude to vessels coming into Charlottetown?

Mr. HOWAT alluded to the steamer which came to one of the wharfs of this City a few days ago, with a case of smallpox on board.

Dr. JENKINS said that he had the honor of being appointed Health Officer for this port, and he could assure the hon. member that, if vessels were allowed to come to the wharf, it need not occasion any alarm. The arrangements were that two policemen should be placed on the wharf to prevent any person from going on board or coming ashore from the vessel, until she was examined by the Health Officer. As to the case in hospital, to which reference had been made, it was an exceedingly mild one, and the man would soon recover. The hon. member should have more confidence in the medical gentlemen of this City, than to suppose that they would not use every precaution in their power to prevent infectious diseases from spreading in the community. They had as much regard for the health of the community, and that of their own families, as any other class; and he felt assured that all proper precautions would be taken.

Crown Lands Office.

Mr. PROWSE wished to know how the amount voted for this service was to be appropriated.

Hon. ATTORNEY GENERAL stated that the arrangement under the old system was—

| | | | |
|---------------------------------|------|---|---|
| Land Commissioner's salary..... | £350 | 0 | 0 |
| 1st Assistant..... | 150 | 0 | 0 |
| 2d "..... | 80 | 0 | 0 |
| | £580 | 0 | 0 |

Under the arrangement now proposed—

| | | | |
|---|------|---|---|
| The salary of the Land Commissioner was put at..... | £200 | 0 | 0 |
| 1st Assistant, viz., Surveyor General..... | 150 | 0 | 0 |
| 2d Assistant..... | 150 | 0 | 0 |
| 3d "..... | 80 | 0 | 0 |
| | £580 | 0 | 0 |

This amount was similar to what was paid under the old arrangement, while it gave an additional hand in the office, without putting the country to any more expense.

The Resolution was agreed to.

The Committee then arose, and reported.

Military Training in Schools.

A letter from the Board of Education, enclosing a communication from Col. Smith, Inspecting Field Officer of Militia, on the propriety of introducing military training into the Normal School, &c., being taken up and read,—

Hon. LEADER OF THE OPPOSITION thought it would be well to allow the communication to lie on the table.

Hon. ATTORNEY GENERAL was of opinion that, as there were so many military men in this House, it would be well if they would favor hon. members with some remarks upon the subject matter of that communication, as he had not the slightest doubt that the military experience of those hon. gentlemen would be of great service in enabling the House to decide a matter of this kind.

Dr. JENKINS would also like to hear remarks from military members on the subject, for, doubtless, they could afford useful information on the advantages to be derived from military training. He was himself convinced of the necessity there was for physical, as well as mental training, and of the advantage of such training to young persons. The ordinary pursuits of the great body of the people of this country were such as would prevent them from devoting a sufficient time to the subject to enable them to acquire a knowledge of military evolutions; therefore he thought it would be an advantage if school teachers were instructed in the drill, so that they might be capable of training in military exercise the boys committed to their charge. Judging from recollections of his own schoolboy days, he was certain that a portion of the time now allotted for teaching might be profitably spent in drilling the scholars, as physical exercise invigorated both mind and body; and the pupils so trained would, he believed, attain greater proficiency in their studies, than if they were confined in school during the whole time. By adopting this system, boys would grow up soldiers, and no time need be lost in imparting a knowledge of military duties, as was the case at present, in drilling men of mature age, who went to muster with great reluctance, and who made very little progress in the drill.

Hon. LEADER OF THE GOVERNMENT thought the object might be accomplished at a trifling expense to the country, if those military inspectors were engaged to impart this instruction, and believed some arrangement might be entered into, by which it could be accomplished. Such training improved the appearance of boys, physically and otherwise. How often were boys to be seen very careless in their walk; and those careless habits were injurious to them in after years, while, on the contrary, training of the nature referred to by Col. Smith would be beneficial to them when they became men. He would go for allowing the communication to lie on the table.

Mr. MACNEILL said that he was not much of a military man, yet he fully concurred in the spirit of the communication, and would even go further, and make military training a qualification of the teacher; and as the intention was to pay them better than they had been lately, which he thought would be only right, he would be willing also that they should have a little more to do. He held a commission in the Militia; and when the drill inspector was visiting his company, he (Mr. Macneill) took him to one of the district schools, where he put the boys through the exercise of drill; and the inspector was delighted with the aptness of the boys, and also with the earnestness and spirit with which they entered into the exercise, and said that he could learn the boys more in a day than men would learn in a week.

Hon. Mr. HENDERSON believed that, in so far as the general principle of military training in connection with schools and higher educational institutions was concerned, no person could raise a valid objection. In the Normal Schools and other institutions of learning in Scotland, a modified degree of such training and gymnastic exercises constituted a part of the general training; and the latter was extended for the benefit of girls as well as boys, and had a decidedly beneficial effect upon their general health and the development of their muscular system. He would therefore heartily support Col. Smith's recommendations, as he believed they would, if adopted, prove very beneficial to the rising generation.

Mr. HOWAT did not know very well what to say on the subject. The hon. member for Cavendish thought it should be adopted in all our common schools; but it ought to be remembered that there were but a few hours a-day in which teachers were engaged with their pupils. He believed the hours of tuition were only about five, and thought that, if this portion of the time was encroached upon for the purpose of drilling the boys in military exercises and evolutions, the time left for learning to read, write, &c., would be very limited; and as he considered the latter branches of instruction were the most important, he was unwilling to see the time taken up with the other. If the House were desirous of carrying out the recommendation, he supposed it would be expected that the Government would employ a properly qualified instructor to impart this instruction in the Normal School. For his part, he did not think it was called for at the present time. If the people of Charlottetown were anxious for it, he had no objection; but if so, he thought that, in all fairness, they should pay for it themselves, because he felt satisfied that the country did not require it.

Hon. Mr. LAIRD said that, to carry out fully the recommendation of Col. Smith, it would be found to cost a much larger amount than perhaps many hon. members were aware of; and much more, he believed, than they would be willing to grant for that purpose. It was supposed that we were living in an enlightened age; but this movement appeared to him as a retrograde one, and to his mind bore a striking resemblance to the practices of savages. His opinion was that, if we cultivated a love for military display and practices in our children when they were young, it would in after life have a tendency to draw off their attention from pursuits and objects of a more useful nature. He believed that it would be far better to train them up in the practical pursuits of industry, which would be of more service to them in after years. In Prussia, every child received a military training and education, and as a result they had lately become a nation of warriors; and although they had recently won some splendid victories, still he much doubted if such training would ultimately tend to the real prosperity of that nation. No doubt it was very well to see persons, and especially young people, with a fine figure, and walking erect; but if we believed in what we had been taught was to take place, that the time would soon come when men should not learn the art of war any more, then he held that it was our duty to teach our children to look forward for this time of peace, and to train up the youth of the Colony in such pursuits of useful and practical industry, as would be sure to be useful to them throughout life, rather than in the cultivation of habits which could only have a tendency to create a love for military duties and fame.

Mr. BRECKEN.—If the time had arrived when men would turn their swords into ploughshares, &c., he would agree with the hon. member (Mr. Laird); but it appeared that, in the present day, military defences engaged the attention of statesmen of every country. He was of opinion that physical training was overlooked. It was essential to the health of the hard student to have the recreative exercises peculiar to military evolutions, and he would therefore support the adoption to a limited extent of military training at schools.

Hon. Mr. DAVIES would, in the main, support the views of the Hon. Mr. Laird, on the subject of military training at schools; but if teachers were competent to impart such instructions, he would not oppose the setting apart a small portion of school hours for that purpose. He would not, however, favor the employment of military officers for whom that House would be called upon to make provision.

Hon. LEADER OF THE OPPOSITION said it were better that people should direct their attention to agriculture, science, art and commercial pursuits than to war and the sword; but as long as the present dispensation lasted, war with all its concomitants would have to be endured. It was, therefore, better always to be found in a state of preparation. Youth was the proper time to acquire a knowledge of military evolutions as well as other branches of learning. It was now the policy of all civilized countries to combine gymnastic and military exercises with other branches of learning. The exercise and strengthening of the physical system was essential to health of body and mind, and by the adoption of military train-

ing, mental progress would be by no means retarded. In reply to the hon. member for Bedeque (Mr. Laird,) he might say that though Prussia was a nation of soldiers, her people were also lovers of literature. Some of the ablest scholars mentioned in history were citizens of that kingdom. They also were skilled in the mechanical arts and in agriculture, and their military training did no harm to civilization as evidenced by their recent celebrated military triumphs. He also alluded to Canada as a country where military training was taught in colleges and schools, and said that, among those who shed their blood in defence of their country during the Fenian invasions of last summer, were students from the university of Toronto.

The Letter of Col. Smith, Field Inspector of Militia, under consideration, was then ordered to be laid on the table.

A message from the hon. the Legislative Council, announced that the Council had passed the Revenue Bill without any amendment; after which, a message from his Excellency commanded the attendance of the House at the Bar of the Council Chamber. On the return of the House to its own Chamber his honor the Speaker reported that His Excellency was pleased to give his assent to the Revenue Bill, and also to the Act relating to limits and rules of Jails on this Island.

On motion of the Hon. COLONIAL SECRETARY, it was ordered that the several papers and petitions now on the table, which had been before His Excellency in Council, and referred to the House, be now read:

The prayer of the petition from divers inhabitants of Lots 11 and 12 was supported by Mr. Ramsay, who explained that the opening of the road prayed for, leading from D. Milligan's to the shore of J. Carr, would be of great benefit, not only to the petitioners, but to the public generally.

The said several petitions and documents were then ordered to be referred to Committee; after which the House adjourned.

TUESDAY, April 30.

Hon. COLONIAL SECRETARY laid on the table the Sheriff's Return to the Writ of Election, issued for the return of two members for the Second District of King's County, in room of Hon. E. Whelan, Queen's Printer, and W. E. Clarke, Esquire, Collector of Excise, whose acceptance of office vacated their seats.

EDWARD REILLY and ANTHONY McCORMACK, Esquires, elected members of said District, appeared at the Bar, and having been introduced, took the usual oaths and their seats.

Mr. BELL, from Committee of Supply, reported several Resolutions agreed to; upon which the question of concurrence was severally put and carried.

The Bill to incorporate the Masonic Hall Company of Alberton was read a second time and committed to Committee of the whole House,—Mr. P. STICHLAIR in the Chair.

The Bill was then read by the Chairman, in Committee, clause by clause, and reported agreed to without any amendment, and ordered to be engrossed.

Mr. OWEN presented a petition from divers inhabitants of Cardigan, against the opening of a new road through certain lands North of Cardigan River.

Referred to Committee on new Roads.

Dr. JENKINS presented petitions from certain Fire Engine Companies in Charlottetown, praying exemption from Militia duty. In explaining the prayer of the petitions, he remarked that in other countries Fire Companies were exempt, not only from Militia duty, but also from the payment of taxes, and from serving as Jurors. It was, therefore, but fair to place petitioners on a similar footing with their fellow-Colonists of New Brunswick, Nova Scotia and other places. It must be plain to all that it would be impossible for the members of Fire Engine Companies to attend Drill, as by law specified, and alluded to in the petitions, and at the same time attend properly to their Engine Rooms, and be ready at a moment's notice in case of an alarm of fire. He, therefore, would strongly urge the claims of the petitioners to the exemption prayed for.

Ordered that said petitions be laid on the table.

Hon. ATTORNEY GENERAL presented several petitions on Roads, Bridges, and Wharfs; all of which were read and ordered to be referred to the members of the several Districts.

On motion of the Hon. COLONIAL SECRETARY, the petitions relating to the opening of new Roads were severally read, and ordered to be laid on the table.

The petition of divers inhabitants of Cardigan, concerning the opening of a new road through the lands of John Parker, and others, was ordered to be withdrawn, on the ground that the prayer of said petition could not be entertained by the House, the remedy, according to Statute, being in an appeal to the Supreme Court.

Hillsborough River Ferry.

Hon. Mr. DUNCAN gave notice that, to-morrow, he would ask the Government if they intended to make any alterations relative to the manner in which the Hillsborough Ferry was conducted, and if they contemplated any improvements in the running of the Ferry Boat.

Hon. LEADER OF THE GOVERNMENT, in reply, asked what improvements were expected? No petitions being before the House, the Government, as such, had not been made aware of what improvements were required. In order, therefore, to answer the questions of the Hon. Mr. Duncan, it would be necessary to inform the Government of what alterations or improvements were sought for.

Hon. Mr. DUNCAN alluded to the unnecessary delay at breakfast and dinner hours, and also frequently at low tide. He had expected that the Leader of the Government, or his colleague, would have some complaints made to them about the matter. He might also state that the Contractor had informed him of his willingness to give up his contract, at a loss, owing to the many complaints that had been made against him.

Hon. Mr. DAVIES said that, in regard to information respecting the Ferry, the constituents whom he had the honor to represent had so frequently petitioned the Legislature touching their grievances on that subject, that they almost despaired of redress. It was strange that his hon. colleague should now expect improvements to be made that had been neglected by the late Government, of which that hon. gentleman had been a member. It was not his constituency alone that were interested in the Ferry accommodation; other sections of that portion of the Island were also affected, for as great a quantity of agricultural products were brought to the market by that Ferry, as came on any of the other thoroughfares leading to Charlottetown.

Hon. LEADER OF THE OPPOSITION said it was time to put a stop to the discussion, which was quite irregular, and contrary to Parliamentary rule. The proper time to discuss the question would be when it was regularly submitted to the House.

Hon. LEADER OF THE GOVERNMENT did not object to the irregularity of the proceeding, on the ground that he was anxious to obtain information relative to the grievances complained of. The late Government had the matter before them last session, and went to some trouble collecting information on the point. It appeared that one boat was not sufficient for the work required from the increased traffic. The Government would do all in their power consistent with justice to the contractors.

Hon. Mr. DAVIES congratulated the House on the unanimity which had prevailed up to this period of the Session, no counter resolutions having been submitted in opposition to any question of importance.

Hon. LEADER OF THE GOVERNMENT supposed that matters had been so well conducted that no room was left for censure.

Hon. LEADER OF THE OPPOSITION would correct the hon. member (Mr. Davies), and inform him that two counter resolutions had been submitted, of considerable importance, the one being to recommit the Revenue Bill, with the view of lowering the duties on certain liquors imported to this Colony—the other relative to the grant for steam communication with Souris, &c. How such resolutions could have escaped the notice of the Hon. Mr. Davies, if he were in his seat, he was at a loss to know.

Hon. ATTORNEY GENERAL said that the matter must have escaped the memory of his hon. colleague in the Government.

House adjourned.

WEDNESDAY, May 1.

Hon. ATTORNEY GENERAL presented to the House a Bill for the continuance of certain expiring laws, which was received, and committed to a Committee of the whole. Hon. Mr. Laird in the chair.

Reported agreed to.

On motion of the Hon. ATTORNEY GENERAL the time limited for the reception of new matter was extended to Wednesday next, the 8th inst., in so far as related to matters of a public nature.

Hon. COLONIAL SECRETARY presented to the House a memorandum of the Stock now on the Government Stock Farm.

Hon. ATTORNEY GENERAL presented a Bill to enable George C. Stiles, of Westmorland County, New Brunswick, to obtain Letters Patent for the invention of a new and useful improvement in the construction of Spinning Wheels.

The said Bill was received, read, and ordered to be referred to the Special Committee to report thereon.

House adjourned for one hour.

AFTERNOON SESSION.

The Bill to diminish the delay and expense of proceedings in the Court of Chancery in this Island, was read a third time and passed.

School Visitors' Reports.

Hon. ATTORNEY GENERAL presented to the House the Reports of the Visitors of Schools for the Eastern and Western Sections of this Island, for the past year.

Received and read.

Hon. LEADER OF THE GOVERNMENT said that much of the reports was compiled from information received indirectly from others. Last year, they had not been published; but since they were considered of sufficient importance, by the Board of Education, to be submitted to the House, it would perhaps be right to publish at least part of them in the Journals.

Mr. REILLY remarked that, in his opinion, the money expended during the last few years for the visiting of schools in this Island had been literally wasted. The information given in the reports really amounted to nothing, and this he did not wonder at when he considered that the sum paid to both the Visitors was not sufficient for one,—not so much, in fact, as had been paid for the travelling expenses of the Superintendent of Public Works during the past year. So long, too, as those offices were given to political favorites rather than persons of real merit, the duties would never be properly performed. This would, he hoped, be remedied. The most important portions of the reports were the statistics of the number of scholars in attendance at the schools, but these were in general furnished by the teachers themselves. He defied the House to tell from the Reports who were the really meritorious teachers. He understood that the Education Act would be before the House in a few days, and trusted that, when so large an amount of the public money was expended under it, hon. members would see that it was not frittered away by the appointment of useless School Visitors.

Hon. LEADER OF THE OPPOSITION would correct the hon. the Leader of the Government. The Reports were published in the Journals of last year.

Hon. ATTORNEY GENERAL said that they were published last year, but not the year before. The then Leader of the Government had stated that they were not worthy of publication. He (hon. Atty. General) agreed with much that had been said by the hon. member for St. Peter's, especially as regarded the insufficiency of the salary now paid to School Visitors. When their expenses were taken into consideration, it was absurd to suppose that £150 per annum could compensate them. Making the offices non-political, too, would much increase the efficiency of the Visitors.

Hon. LEADER OF THE OPPOSITION had always been of opinion that the School Visitors' salaries were not sufficient to remunerate them. Clerks in mercantile establishments frequently received as much or more. He agreed with the principle that those offices should be non-political. In Upper Canada, which had the most perfect school system in the Colonies, the Superintendent of Education, Dr. Ryerson, had held his office for many years, notwithstanding changes in the government. He (Mr. Haviland) had, though a supporter of the late Government, never approved of the appointment of two Visitors for the Island. One, he thought, could discharge the duties, if properly remunerated. He hoped that the present Government would appoint but one, and pay him well, and that they would have a clause in the Act providing that he should retain his office during good behavior, so long as he did not meddle with politics.

Mr. P. SINCLAIR was glad to hear hon. members say that these officers should not take part in politics. He thought that a School Visitor should be appointed for each of the three counties, and would be willing that they should hold their situations during good behaviour.

Hon. Mr. HOWLAN considered it rather strange that, after spending so large an amount on education annually, and being accustomed to make a boast of

our system, that the Reports of the School Visitors should be regarded as not worth publishing. The year before last, the Leader of the then Government opposed the publication of them, saying that it was wrong to spend the revenue in printing so much trash. As a proof that in many cases the statistics given in the Reports were unreliable, he would mention that he knew of one district in which the Visitor had requested that they might be furnished to him, as he was too busy to obtain them himself. Information regarding our schools could only be obtained from these statistics, and if they could not be depended upon, of what use were they? With all respect to the Visitors, we had not obtained value for the money expended. He hoped that hon. members would agree in raising the salaries of the Visitors, so that men of talent might be induced to take upon themselves the duties of the office. We had young men among us who were perfectly competent to do so, and we should not then be compelled to come to the conclusion that the reports were not fit to be published.

Mr. ARSENAULT knew that the Reports were in many cases not to be relied upon. As an instance he would mention that the Visitor for the western section, in his last report, stated that on Lot 15 there were six or seven schools vacant, and that the people showed apathy on the subject of education. He knew that this was not the case, for he was well acquainted with that locality. There were some schools in the district which were vacant for a short time, owing to the difficulty of procuring licensed teachers to take the place of the Acadian teachers who had before occupied them; but at no time were six or seven unoccupied, and the fact that there were so many schoolhouses there, proved that the people took an interest in education. He might mention that some time ago, the School Visitor during three years never inspected his (Mr. Arsenault's) school, in Lot 15, but applied to him for the statistics. He did not allude to the present Visitor for the western section, nor to a person who stood high in the estimation of the House. Both Visitor and teacher would have to be better paid, before any great improvement could be expected.

Mr. CAMERON would like to see School Visitors non-political. In their appointment merit, rather than political bias, should be regarded. They were not sufficiently paid for the services which they had to perform, and the difficulties which they encountered in travelling, especially in winter. He could state from his own knowledge, that the Visitor for the western section, was a very efficient officer. The statistics which he had given of those districts with which he (Mr. Cameron) was acquainted, were correct, and were obtained not from others, but by visiting the schools regularly twice a year.

Mr. BELL.—As regarded the Visitor for the western part of the Island, he could say that he did not know a more diligent official, and believed that anything which appeared in his report was perfectly reliable, as he personally inspected every school. What had been stated by the hon. member from Egmont Bay (Mr. A.) might be true, but it must be recollected that the Visitor was not bound to visit schools which, like those alluded to, were not under his control. Each County should, he thought, have a Board of Education of its own, composed of the clergymen of the County. These Boards might all be under the control of a central one, but it was good policy to bring the working machinery as near as possible to the work. The education system should undergo a complete and thorough investigation, that it might be based upon the best principles.

Hon. Mr. MACAULAY thought it rather irregular that after the Reports had been read, a discussion should take place as to whether a School Visitor might interfere or not in politics. Did hon. members suppose that they could prevent him from having political opinions, or did they purpose restricting a man's freedom of thought, or restraining him from expressing his views, simply because he held a certain position in the Colony under the Government? He really could not tell what was before the House with so irregular a discussion.

Hon. Mr. DAVIES could never see that anything was to be gained from the School Visitors' Reports, unless perhaps a few statistics of the number of schools and scholars. He believed that parents throughout the Island were just as capable of judging of their children's progress at school as the very best Visitor who paid a hurried visit of perhaps three quarters of an hour in length. That was the usual extent of the visit when made, and sometimes it was not made at all, for at a public meeting which he had attended in the country it was stated that the schools in the district had not been visited for a year before. No information could be gained from those Reports to assist in framing a new Education Bill. Indeed the Bill which had been brought forward at first required very few amendments. The school houses in some parts of the country were too close together; closer than the law regulated. He had himself seen five within a distance of five and one quarter miles. This was wrong, and yet not one word was said about it in the Report. It would be well to call the attention of the Visitors to this, that such irregularities might be prevented. The people in the country had begun to believe that they were to be educated to such a degree that it would be almost unnecessary for them to perform any kind of manual labor; that the young men were to get such a style of education as to enable them to obtain situations in offices in town at £150 per annum without any trouble. He was in favor of giving children in the country a good general education such as would be required by mechanics, but thought that if a man wished his child to have a classical education, he should pay for it, and not have it provided for him out of the Revenue. There was much unnecessary machinery connected with the present education system which might be dispensed with. The Master of the College could, he thought, discharge all the duties which were now discharged by the Board. He would favor having Grammar schools established similar to that in Belfast, which he had had the pleasure of visiting not long ago. If he had the opportunity of sending his children to that school, he would have no desire that they should attend an Academy, for they could there obtain an excellent education—far better than he could forty years ago. There should be accomplished men to preside over these schools, while the common ones could be conducted by teachers of a lower class.

Hon. Mr. HENDERSON was pleased to hear some remarks which had been made by hon. members, and surprised at others. The Visitor for the western section of the Island appeared to be favorably reported of by all, while he heard nothing said in favor of the Visitor for the eastern section. There would seem to be spies who watched his movements, that they might detect him if he did not do his duty strictly. He doubted, however, if all the statements made about him were reliable. The complaints against him rose principally, he thought, from the fact that he was a gentleman who could not be prevented from expressing his political views. It was acknowledged that the salary which he received was too small, and when this was taken into consideration, in connection with his advanced years and past services, some allowance should be made if he did not discharge his duty as

well as might be wished. If more reserved in politics he would, however, get less blame, and more praise. He was astonished at some remarks which had been made by the hon. member for Belfast, when he affirmed that the parents in the country were just as capable of judging of a child's progress as the School Visitor. This he did not admit. Hon. members were well aware, that there were many people throughout the country who cared little or nothing about education. He found that in his district, though it was equal to any in the Island, that there were many of that class. He was not, as the hon. member for Belfast appeared to be, afraid of the higher order of education. What education he had obtained had cost him much effort, but he never thought that he had too much. Education was of benefit to every one, from the herdsman to the Prime Minister. If our teachers were not thoroughly educated, they could never be efficient, and he was at a loss to understand how they were to be educated, if we acted as the hon. member for Belfast appeared to wish, and repudiated Academies.

Hon. LEADER OF THE GOVERNMENT remarked that the experiment which had been tried by the late Government, in having two Visitors for the Island, did not appear to give any greater satisfaction than the plan adopted by the Liberals when first in power. Unless parents took a greater interest in education, than appeared to be the case from the Reports of the Visitors, the inspection of schools must be comparatively worthless. The Reports had better be laid on the table for the present, and at the close of the session, when the matter for the Journals was revised, it might be decided whether or not they were worth printing in full in the records of the House. It was unsatisfactory to be paying so much for Visitors' salaries, and printing reports, unless we had some statistical information regarding the state of education in the Colony. The first Report under the operation of the Free Education Act was productive of no little benefit, for it was given by a gentleman who was competent to examine schools, and one who was no partizan. A Visitor should endeavour to give a faithful report, rather than attempt to please the teachers. This Island expended about one-third of its revenue for educational purposes; but this House could not be expected to continue granting such a large sum every year for that object, unless instruction was really imparted to the youth of the Colony in a fair proportion to the outlay.

Mr. MACNEILL thought the House could scarcely judge of the state of education in the Colony from the Reports just presented. In his opinion, the schools of the Island were not so well conducted as they were some 15 years ago. This might be the fault of the parents to some extent, who, no doubt, did not take sufficient interest in the education of their children; but he believed also that teachers were not so careful and painstaking as they used to be formerly. He was of opinion that if local Boards, composed of some of the teachers, were appointed, subordinate to the Board in Charlottetown, to examine the schools in certain sections of the country, it would be a better system of inspection than the present one.

The Reports were then laid on the table.

The House again resolved itself into Committee of Supply, when the Resolutions granting the pay of hon. members, &c., were agreed to and reported.

Hillsborough River Ferry.

Hon. Mr. DUNCAN, according to notice, asked what alterations or arrangements, if any, the Government contemplated making relative to the Hillsborough Ferry—and at the same time, he would correct a remark made by him yesterday, with respect to the Ferry Steamer stopping at four o'clock in the Fall of the year. He was since informed that she always ran till five o'clock in the afternoon.

Hon. LEADER OF THE GOVERNMENT said, in reply, that there was no time since notice was given, for the Government to investigate the matter. If any material change was required, it was better for the House to consider it in Committee, and come to some resolution on the subject. The Government was prepared to give every possible facility to the public, relative to that Ferry, and he would be willing to hear the subject debated by the House in Committee of the whole.

House adjourned.

THURSDAY, May 2.

Hon Mr. HOWLAN presented a petition from Augustine Calaghan and others, merchants and other inhabitants of Cascumpec, praying for an amendment to the Small Debt Act. He explained that petitioners prayed for an amendment to the law relating to the recovery of Small Debts, by providing, in cases of appeal, that the Respondent as well as the Appellant should be required to give security for the costs of the appeal. It was alleged that cases frequently occurred where parties having unfounded claims went to law, anticipating that, rather than incur the costs of defence the defendant would compromise such claims. If characters of that class were compelled to give security, there would be less litigation in the Courts. He, therefore, hoped that the prayer of the petition would receive the careful consideration of the House.

Ordered, that said petition be referred to a Committee of the whole House to-morrow.

Mr. RAMSAY presented a petition from divers inhabitants of Lots 10 and 11, praying for the establishment of a new Post Office; the prayer of which could not be entertained as it had not been forwarded to the Government according to the rule of the House.

Hon. ATTORNEY GENERAL presented to the House several petitions, all praying for the establishment of Small Debt Courts, as follows:—

Petition of M. Rowe and other inhabitants of Montague Bridge.

Patrick Doyle, and others, of South-west Settlements, Townships, Nos. 26 and 27.

Thomas Caine, and other inhabitants of Georgetown Road, Baldwin's Road, Sparrow's Road, and the Barrens, King's County.

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

Hon LEADER OF THE GOVERNMENT presented to the House the Detailed Public Accounts for the past year.

Ordered, that the said Accounts be referred to the Special Committee appointed to examine the same, and report thereon.

Amendments to the Education Act.

Hon. ATTORNEY GENERAL moved that the House go into Committee, to take into consideration the expediency of amending the law relating to Education.

Motion agreed to.

Hon. LEADER OF THE GOVERNMENT laid on the table several petitions from School Teachers, setting forth numerous grievances with which they are oppressed under the existing Education Law, and praying the attention of the House to the defects of the said law, and for a remedy of such grievances.

Ordered, that said petitions be referred to the Committee of the whole House, on the expediency of amending the Education Law.

The House then resolved itself into the said Committee. Mr. G. SINCLAIR in the Chair.

The following Resolutions were moved by the hon. ATTORNEY GENERAL:—

1. RESOLVED, That the Salaries of the Teachers be paid in full out of the Treasury, on the basis of the salaries allowed by 26th Victoria, Chapter 5, instead of partly by Treasury, and partly by the people; but all Teachers of each class shall, until they have actually taught for a period of three years, and been engaged as Teachers under the Act for that period, receive Five pounds per annum less salary than those who have taught for that or a longer period; and only after such three years' service shall a Teacher be entitled to the full salary as above, and that the Act be amended to carry out this Resolution.

2. RESOLVED, That the payment in full, of the Salary of each Teacher out of the Treasury, shall commence from the end now current quarter of a year of his engagement.

3. RESOLVED, That the average attendance of Scholars shall be calculated in each case, at the end of each half year, instead of at the end of each quarter as now required under the said Act.

Hon. ATTORNEY GENERAL, in moving the Resolutions, said that the principal object contemplated this year was to raise the teachers' salaries, which he thought was required. The last amendment to the Act had not given general satisfaction, and the repeal of that clause now became a necessity. It was not the intention of the Government to go into the whole Act this year,—for the lateness of the session and the short time the Government had at their disposal, rendered it impossible to do so. The intention, therefore, was to introduce an amendment which would do away with the amount required to be raised in a school district, and make the whole payable from the Treasury. The amount now required for the service was £13,000, and the additional amount required to be made up by the School districts, was about £4000. This latter amount the Government proposed to pay from the Treasury, while it would not prevent districts supplementing their Teachers, if they saw fit to do so. By this contemplated arrangement, the sum required would be about £17,000 a-year. The Government also considered it advisable not to grant full allowance to teachers until they served three years; but that they should for that period be subject to a reduction of £5 per annum, which, he believed, was an arrangement that would meet the views of experienced teachers themselves, for it was not considered fair that young men, who had just received a license to teach, should be put upon a level with old and experienced teachers. It was also contemplated that this arrangement should not come into operation until the

end of the present quarter, when five months of the present financial year would have expired,—which would increase the usual allowance to the extent of about £2800, an amount which he thought would not very materially affect the general expenditure; and when the House met next year, we should be in a better position to know if our educational system could be carried on without an additional tax, than we were at present. There were various items of expenditure, such as the amounts required for the Victoria Barracks, the Light House at the North Cape, &c., which we had to grant last year, that we should not be called upon for this year; and these amounts could go to the education of the youth of the Island; so he thought that, with due economy, we would not materially feel the additional allowance. No doubt the Act required to be amended in several parts, and probably next year it might be advisable to review the whole affair. Care had been taken not to increase unnecessarily the number of school districts, so that no uncalled-for expenditure might take place. The alterations to which he alluded were the only ones contemplated to be made this session. The revenue this year would probably be £15,000 less than it was last year, yet he did hope that, if the decrease should be this much, and an additional tax should be required to keep up our system of education, no objection would be taken to it; but for the present the Government did not deem it necessary to resort to anything of the kind. As the Law now stood, school districts had to tax themselves; and should it be found necessary hereafter to resort to an additional Government tax, he agreed in opinion with many, that it would be much less objectionable than the law as at present. As a member of the Board of Education, and as a professional man, he had noticed that a good deal of contention had arisen out of this matter. He knew of many lawsuits that had taken place, and of parties who, not having professional advice, had appealed from judgments given below, some of which had been reversed, and others confirmed; but in either case putting the party to loss, and creating a great deal of ill-will. He felt convinced in his own mind that, if we wished to preserve the credit of our school system, the teachers must be paid wholly from the Treasury. Teachers were a highly respectable and useful class, and the difficulties which they had to undergo, as the law was at present, placed them in a very unhappy position; and he did not know of a solitary instance where, in any part of the country, an objection would be taken to the change now proposed to be made. The fact was, the people had to bear the burden, take it which way you would. The mode now proposed would prevent litigation. He believed that, the ill-feelings caused by the difficulties connected with raising this extra amount had been the means of closing the schools in several districts.

Hon. LEADER OF THE GOVERNMENT, in rising to second the motion, said that, although the question might be regarded as a Government measure, yet he did not anticipate that it was going to be approached in a party spirit. The late and preceding Governments had made, at different times, alterations in the Act; but he believed that the different amendments had not met with general approval. The amendment made by the late Government, which reduced the allowance to the teachers, had given a

great deal of dissatisfaction. The people had, for some years, enjoyed the privilege of having the teachers wholly paid from the Treasury; and, no doubt, any attempt to alter that arrangement would present difficulties. The first addition made to the original sum allowed by the Act to the teachers was £5, and then it was raised a further sum of £5. After the last addition which was made by the late Government, they no doubt felt that the sum for education bore heavily upon the Colony, and thought that a reduction in the allowance from the Treasury would relieve the Colony of the payment of a considerable sum; but notwithstanding this object was gained, the amendment had not given anything like general satisfaction. It was not the amount to be raised by the people that was so much complained of, as the difficulties attending its collection; and his opinion was that it would be well to put the teachers in a better position than they were at present. He believed the proposed arrangement would give more general satisfaction. Certainly it was not a very pleasant matter for School Trustees to have to tax their neighbors, and sometimes be required to sue them.—Rather than undergo the great unpleasantness which too often attended these matters, he was sure it would be better for the people to submit to a more general tax, in whatever way it could be imposed. Doubtless they would yet have to submit to be taxed higher for this object; and he believed that they would cheerfully submit to it for the cause of education. Some were of opinion that it would be better to add only £10 to the legislative allowance this year; but on considering the matter over, the Government thought it would give more general satisfaction to add the £15. There were many who believed that they should have more than was now contemplated to be given; and that the people ought to make up a portion as at present; but he thought that it would be far better to pay the whole amount out of the Treasury. A superior teacher would, he had no doubt, in every intelligent district, be supplemented to some extent voluntarily by the people. As had been said by his hon. friend the Atty. General, it was thought by the Government, and also by the people that it was unfair that a young man, just entering his profession, without any experience as a teacher, should be placed upon a level with the man who had devoted years to teaching. Hence, until he had taught three years, he was not to receive the same amount. This view of the matter would, he believed, meet the views of the teachers themselves.

Mr. BRECKEN remarked that, although it was not his intention to offer any opposition to the resolution of the hon. the Attorney General, yet he contended that the alterations made in the Education Act by the late Government in 1863, by providing that £15, currency of the teacher's salary should be raised by local assessment on the inhabitants of each district, was based upon a sound principle. The principle of local assessments to augment the salaries of the teachers was, he understood, recognized in most public systems of education. It prevailed in Scotland, Prussia, many of the States in the American Union, and also, he believed, in Canada. In Nova Scotia, they had passed a new Education Act, which, he understood, although at first unpopular, was giving general satisfaction; and under its operation schools were increasing and education fast improving. That Act, after providing a certain por-

tion of the teacher's salary should be paid out of the Provincial chest, imposed an assessment on the inhabitants of the several school districts to make up the remainder. The late Government here had been charged with having destroyed Free Education by imposing a local assessment. This, he contended, was a delusion; the fact was, the system could not strictly be termed free, inasmuch as its cost was defrayed from the pockets of the people. He thought it was immaterial whether the £15 was raised by local assessment, or by an additional land tax. It certainly argued a want of appreciation of the advantages of education on the part of the people, if they considered it a hardship to contribute a small sum, annually, toward the education of their children. Privileges and advantages, when free, were not always, as a rule, valued as highly as when they cost something. Under what was called the free system, parents were careless about the attendance of their children at school. The law, as it now stood, would have worked better had the teachers been true to themselves. They should have had a common understanding not to enter into any engagements unless the Act was carried out in its integrity, and the amount to be raised by the district really paid. Had they not been underbidding each other, they would have had the remedy in their own hands. However, as the amendments made by the late Government did not appear to be well received by the people, and did not work well, he was not disposed to oppose the amendments now sought to be made. The proposal on the part of the Government to make a difference of £5 between the salaries of teachers who had served more than three years, and of those who had not served for that period, was perhaps right.

Hon. Mr. HENDERSON.—The Leader of the Government had furnished the key to the people's general dissatisfaction with the present state of our Laws relating to education, when he said that the people greatly disliked the withdrawal of any favor that they had for a time enjoyed. This principle lay at the root of their present discontent. He believed that both political parties contributed their due share to the state of things which necessitated the amendment of 1863. For the Liberal Government, when they introduced the free system of education, greatly underestimated its cost to the Colony; and their successors raised the teachers' salaries, but made no additional provision to meet the increased outlay. He believed that our teachers had not been overpaid at any time, or the standard of our education too high, and the hon. Committee would probably admit the fact; still, as a general rule, our expenditure should not exceed our revenue. He readily admitted that the late amendment was very unpopular (Hear! hear! from several hon. members), for his own experience as a School Trustee was sufficient to convince him of this; but to the credit of the school district in which he lived, it should be stated that no case of litigation had occurred among them for school taxes during the last ten years; and yet he believed their teacher received annually £20 or £25, through the voluntary contributions of those in the district who could best afford to pay it. He would give to the Government on this question his general support, reserving particular remarks until the matter came before them in another shape. He could not endorse the views of the hon. and learned member for Charlottetown (Mr. Brecken), with respect to the difference between a direct and an indirect tax. When the tax was direct, as it was in the case of the

£15 which the people had to make up of the teacher's salary, there was no escape for the poor man from paying his due share of it, unless it was through the generosity of his neighbors; but when it was indirect, which it was when levied on articles of consumption, the poor man might, and often did, deny himself in these, and thereby his taxes might be much lighter than they could be in the former instance.

Hon. ATTORNEY GENERAL.—It was unnecessary for him to say more on the resolution now. He knew that the subject was one which deserved more attention than it was possible to give it this year; and indeed the resolution only contemplated that the amendment should be for one year, when he hoped the matter would be entered into more fully. He knew that there was an important class of teachers, whose claims had not received sufficient attention; but he hoped that the Government would yet be able to make that provision for them, to which they were justly entitled.

Mr. HOWAT thought that he might be allowed to make a remark or two. He believed that some small blame had been laid to the charge of the Hon. Mr. Laird, Senior, and himself, by the Hon. Mr. McEachen, in his address to the electors previous to the late general election, in which he had stated that the amendment now proposed would have been carried out last session by the late Government, had it not been for the opposition of Hon. Mr. Laird and himself; but as there were members of the late Government present, and also some of their supporters, he would be happy if any of them would shew when or where he had opposed the measure.

Hon. LEADER OF THE OPPOSITION.—Perhaps it was in caucus!

Mr. HOWAT was not aware that the question had been brought up in caucus, or anywhere else. He had never thrown any obstacles in the way of an amendment, nor had he ever any desire to do so. The present proposed amendment he would cheerfully support. With respect to the reduction intended to be made in the allowance to teachers for the first three years, he was not so certain that it would give general satisfaction. As they had to undergo a training in the Normal School, he was unable to see why they should not receive the same pay, if equally qualified for the discharge of their duties.

Hon. ATTORNEY GENERAL was glad that the hon. member for Tryon had had an opportunity of explaining his position, for certainly, he (the hon. Attorney General) had been under the impression that, only for the hon. member, the amendment would have been brought forward last year. While he thought it would have been invidious and improper to bring forward in public anything which had taken place in private, he was glad that the hon. member had been able to explain the matter so satisfactorily.

Mr. REILLY was sorry that there was not time to go more fully into the question now before this hon. Committee. With respect to the amendment of the late Government, there could be no doubt that the step was an injudicious one. The present Government, in now taking upon themselves the responsibility of again raising the allowance to what it was formerly, felt that they were doing right. He thought that the late Government, in lowering the teachers' salaries, effected anything but an amendment in the Education Act. In nine cases out of ten, the teachers had to depend almost altogether upon what they received out of the Treasury. He was of the opinion that the scale proposed should be further extended so as to comprise three classes. It was hardly fair to

place old and experienced teachers on a footing with young men without experience. There ought to be three classes of teachers, the first of whom should have, say £45, for the first three years; after the three first years the salaries should be raised £5, and afterwards to the maximum sum. This would induce young men to confine themselves to the profession, and enter it with the intention of making a life occupation. At present, there was a constant stream of teachers coming in, and a stream going out of the employment; still we could not expect to see efficient teachers remaining as instructors of youth, unless a change was made in the system. These remarks might be somewhat out of place, as he understood that the Government would not permit any further amendment at present; but he thought that the whole question would soon have to be grappled with so as to adjust our educational laws to the requirements of the age, and in conformity with the designs of Christian society in providing instruction for the benefit of both sexes.— He believed that a class of young men had grown up under the Education Law of this Island, who, for their opportunities, would compare favorably with those of the neighboring Provinces, or even of the United States. This fact they had proved already. (Applause.) In the matter of education, our country was improving. He thought also that an amendment should be introduced respecting female teachers. Their salaries should not be so far below those of the males as they were. He found that, in many of the New England States, two-thirds of the teachers were females, and many of them had charge of superior schools. He had read of one young lady who was a successful candidate as a teacher for one of the highest schools in New York; and he did not see why it was, when they had to undergo an examination precisely the same as male teachers, that they were not entitled to receive the same pay. The hon. member for Charlotetown said that the Free Education Act was a delusion; but surely the hon. member did not wish to go back to the old system. There were many who would never take the education of their children into their own hands, and the question was, should the young be allowed to grow up in ignorance? He certainly did think that the amendment made by the late Government, with a view to improve the matter of education, had, to a certain extent, crippled the Act it was intended to amend. He would add that he purposed to support the resolution.

Hon. Mr. DUNCAN, in reply to the hon. member for Saint Peters, would say that, in the United States, no part of the teachers' salaries was taken out of the general revenue at all. The amendment to the Act by the late Government was very well, and had been introduced with a view of causing the people to take more interest in the education of their children; but the people did not seem to be satisfied with it. He thought there was one error in that amendment; before the sum granted was paid out of the Treasury, it should have been made imperative on the district to pay the amount required of them by law. Had this been done, he believed there would not have been so much dissatisfaction. In the United States, they never thought of going to the general revenue for the support of their schools; and he thought it was the right principle. It was true, however, that it was raised by assessment; but it was reasonable to suppose that parents would pay more attention to the education of their children, if they had to pay a portion directly themselves. The last amendment might have been the means of preventing too many schools being established, for his opinion was that in many cases they were too close together. It was hard to keep them down, for, even under the last amendment, too many were in operation. There was more paid for education out of our revenue, in proportion to our

receipts at the Treasury, than in any other country in the world. But he would support any measure calculated to perfect the school system. The hon. member for Saint Peters had referred to the United States, but there the people taxed themselves.

Mr. REILLY did not quote the United States as an example.

Mr. P. SINCLAIR would not say that the late Government, in passing the last amendment, were actuated by other than good intentions. Their object was, he believed, to make those who directly received the benefit pay more than those who indirectly received a benefit; and in that arrangement there was apparently some wisdom. The proposed amendment did not increase the salary of the teachers; it merely changed the mode of paying it. The amount paid to teachers was nothing like an equivalent for the qualifications required. School teachers and road commissioners received nothing like remunerative salaries for the service demanded of them. £60 was the lowest that an experienced school teacher ought to receive; but as the revenue at the present time would not afford it, it was better to pay them according to the means at the disposal of the Government, than to lay on an extra tax. The clause in the Education Act compelling teachers to attest on oath to their quarterly returns, he considered entirely too stringent, and thought it should be repealed.

Hon. LEADER OF THE OPPOSITION had not intended to speak on the subject of education until the second reading of the Bill which was to be brought in; but as hon. members appeared inclined to express their opinions on the Resolution before the hon. Committee, it would not become him to remain silent on this most important and vital question. He had held a seat in the House in 1852, when the Free Education Act, as it was commonly termed, was introduced, and was, in fact, a member of the special committee which was that year appointed to examine into the matter.— It was not looked upon as a party question, but as one in which members on both sides of the House had a deep interest; and he therefore did all in his power to aid the then Government and their leader, the present hon. Colonial Secretary, in introducing as perfect a measure as possible. The course which he had then taken he never regretted, for he believed that, whatever the politics of the Government and Opposition might be, and however they might quarrel on mere party questions, this matter should be approached in the spirit of patriotism. A country well educated was far more easily governed than an uneducated one, since the people in the former were able to judge for themselves on great questions and subjects, whether mechanical, scientific, political, or otherwise, and were less liable to be led astray by political demagogues, or by fallacies in political economy or commercial matters. Some hon. members appeared to think that the late Government, when they altered the Act in 1863, did so for the purpose of crippling the measure. This he did not believe, although he could not speak as a member of the Government, for in that year he had sat in the Speaker's Chair. He would, however, confess that the principle introduced in 1863, of compelling the inhabitants to provide directly a certain portion of the teacher's salary, he had always considered a sound one, since it led or should lead the people to take a greater interest in the welfare of the schools, and in seeing that all the rules and regulations connected with them were properly carried out, and that their children duly

attended. It was well known that what a man got for nothing he seldom prized, while he attached greater value to that for which he had to pay; and therefore, when people had to contribute a certain sum directly to the support of their schools, they would take more interest in seeing that they were well conducted. The Act, therefore, if carried out in its integrity, would have been productive of more good than would the payment of the whole salaries from the public purse. The people and the schoolmasters, however, did not think so, and therefore it was not advisable that the amendment should remain on the Statute Book, for a law not laid hold of by the people, the country was better without. The fault was in the first instance in granting the whole salaries from the Treasury,—for when this was done away with after so many years, and the people compelled to pay a portion, they felt like a man who was charged toll on a bridge which had always before been free. By the Bill which was passed in 1852, the teachers' salaries were fixed at £45 and £50. In 1854, they were raised to £50 and £55, and in 1861 the Palmer and Gray Government increased them to £55 and £60. In 1863, the Act compelling the people to provide a portion of the salaries was passed. One reason why that Act did not work satisfactorily to the teacher, was that it allowed the money to be raised either by assessment or subscription. There should, also have been a clause inserted, requiring that, before a teacher could receive his allowance from the Government, he should make an affidavit that he had received the additional sum from the people. That was the plan adopted in Nova Scotia, but since the people of this Colony had not appreciated that system, the original one would have to be reverted to. He considered that, before teachers could hold the independent position which they should, the Government would have to pay them a larger salary than £55 or £60; and even if they were compelled to decrease the number of teachers in order to do so, it would be well to adopt that course. In Upper Canada, male teachers received \$400, and female teachers \$200; and thus an inducement was afforded to young men of talent to devote themselves to that honorable profession. He condemned, however, the principle of giving a larger salary to males than to females, for, if females were equally competent, they should, he thought, be paid equally. He was surprised at hearing the hon. member for Belfast (Mr. Davies) a few days ago, lay down the principle that the people of this Colony were too highly educated; that they only required a little learning sufficient to enable them to become mechanics or tradesmen; in short, that we were going mad on the subject of education, and that it did more harm than good. This was not the case. In any and every position which a man could occupy, education was a benefit to him. If the hon. member's ideas were carried out, we would be from generation to generation hewers of wood and drawers of water, for none would rise from the position in which they were born. In England and America, education had raised men from the humblest ranks of life, to fill the highest positions. What but education had exalted Abraham Lincoln, the rail-splitter, to the presidency of the United States? In England, too, one of the greatest lawyers of the age, Lord St. Leonards, was the son of a poor barber. Lord Tenterden, another renowned member of the bar, was the son of a barber in Canterbury. An anecdote was

related of him, which showed how he rose from a poor boy. When only ten years of age, he was a candidate for an appointment as chorister in a certain Church, but failed in obtaining it, and another was appointed in his stead. Many years after, when raised to the dignity of a Judge, he visited the same church, and, pointing to a man singing, he said to a friend, "I was once a candidate for the position which that man holds, and when I lost it I thought myself ruined." Dr. Livingston's life was another instance of what education could do for a man. He had commenced life as a boy in a Glasgow factory, and by perseverance had become a Doctor of Medicine, and a distinguished scholar and explorer. Hugh Miller, too, was another example. He might continue naming instances, but it was unnecessary. He had said enough to show that education was of benefit to all. Such a principle as that advanced by the hon. member for Belfast, he had never expected to hear from a member of the Government in any country where the English language was spoken.

Hon. Mr. DAVIES remarked that the present Opposition were always ready to take credit to themselves for every good act of the Liberals, and as they only were good acts done. They had acknowledged, however, that their attempt to amend the Education Act had been a signal failure, and he admitted persons who were willing, when they were in the wrong, to acknowledge it. The whole Opposition were opposed to the Free Education Act, when introduced, though they afterwards gave it their support.

Hon. LEADER OF THE OPPOSITION.—The hon. member meant that he had acted in the wrong; he was stating what was not correct.

Hon. Mr. DAVIES replied that the Conservatives, at a time when the taxes were double what they formerly were, cut down the teachers' salaries, and he did not wonder that the people were dissatisfied at having to contribute directly towards education, when their indirect taxes had been so much raised. After all the faults which had been found with the original Education Bill, he would like to see any one of the Opposition improve it in any material point. Much had been said about the remarks which he had a few days ago made upon education. What he had said was that education should be given to the people sufficient to enable them to discharge their ordinary duties in life. It was mere claptrap to bring forward such things as the hon. the Leader of the Opposition had done. What we wanted was a practical education, to enable the people to fulfil the duties of that sphere in which they were placed, and not the duties of a philosopher, &c. Every man of common sense knew that the latter was absurd. To encourage people to such things was holding out expectations that could never be realized,—expectations like those of a gambler. The gambler had about the same chance of succeeding, as the people had of rising to the position to which the six or seven, out of twenty millions in England, had attained. Though in favor of a good plain education in our free schools, he thought it a farce to hold out to poor people the idea that the very best thing they could do was to give their children a classical education. It was leading them from the vocation which they were required to discharge. It was enough if the Government provided schools where reading,

writing, arithmetic, and perhaps navigation, were taught; if more were wanted, the people should provide it themselves. Those were his opinions, and he was surprised that he was misunderstood. The best policy for the Opposition would be to remain quiet on the subject of education.

Hon. Mr. DUNCAN had always felt the want of education himself, and would therefore favor anything to promote it among the people. If the amendment introduced by the Conservatives had not worked satisfactorily, he would be ready to support a better measure.

The Committee then rose and reported progress, when the House adjourned for one hour.

AFTERNOON SESSION.

House in Committee of the whole resumed debate on the expediency of amending the Education Act.

Mr. BELL agreed with the remarks which had been made by the hon. member for New London, (Mr. Sinclair) in reference to the hardship in requiring the teachers to attest on oath to the correctness of their returns. Nor was it sufficient to go merely before a magistrate; the law required the teacher to have three trustees with him, in whose presence he must attest to his documents before they were forwarded to the Board of Education. This was a great inconvenience to both teacher and trustees, for it was sometimes almost impossible to get so many together before a magistrate. Other remarks might be made on the general subject under discussion, but he (Mr. Bell) was not disposed to occupy the time of the Committee. No doubt, education in this Colony was far from being what it should. A great deal of its backwardness was attributable to the carelessness of parents, and part of it to insufficient strictness on the part of the visitors. In some rear settlements the people did not send their children regularly to school, and he thought coercive means might not improperly be adopted to bring them up to their duty in this respect. He felt that the Free Education Act was a credit to the Colony; still he was not inclined to attach so much blame to the late Government for their amendment as some parties did. Many contended that direct taxation was the best system of supporting education; it was, however, unfair that the teachers should lose through the neglect of the people. The last amendment to the Act was unjust in that it refused the teacher his allowance from the Treasury, until the £15 was made up by the people. He was of opinion that the best method would be to pay the teachers wholly from the Treasury, and impose a direct tax especially for education. A subordinate Board of Education in each County, with a superior one in Charlottetown, would, he also thought, be an improvement. But it was too late this session to take up these matters. He however hoped that a resolution would be introduced to do away with the clause requiring a teacher with three trustees to go before a magistrate.

Hon. Mr. LAIRD remarked that the resolutions did not contain all the amendments which he would like to see carried out in connection with the Education Act. The great objection in the country, however, to the law as it at present stood was, that it did not provide for the payment of the teacher's whole salary from the Treasury. This cause of complaint

the amendment would remedy. But he was disposed to maintain that our present educational system was based upon an unsound principle. The Government was compelled to pay the teachers' salaries, but the people were not compelled to send their children to school. Unless parents availed themselves more generally of the privilege of obtaining an education for their children, placed by the Act within their reach, than they appeared to do at present, he thought the system of compulsory attendance at school, though unpopular, would have to be introduced. It was not right that only some 10 or 12 children should be taught for the sum allowed to a teacher by the Government. But notwithstanding the defects in our system of education, he (Mr. L.) believed it was as good as that of any of the other Colonies, excepting perhaps Canada. He contended that education was necessary to every person whether rich or poor; it was useful to laborers as well as to those belonging to the higher classes. It enabled them to manage machinery, as in his opinion it was next to impossible for an uneducated man to work machinery to advantage. Another reason why education should be general was, that preferment might go according to merit. It should be said of no person that he was denied an office simply because he was unfitted for it by want of education.

Mr. CAMERON thought that it was much to be regretted that the shortness of the session prevented the House from going more fully into the amendments required in the Education Act. There were several clauses in the Act which did not work satisfactorily, and which should be taken up did time permit. One of the greatest grievances under which the teachers labored was their having to certify upon oath to the correctness of their journals. This he considered most unjust, for an error might occur in the teacher's returns when he was not aware of the fact. Another hardship to the teacher under the operation of the law was, that he was made to suffer when the attendance at school fell below a certain average. He (Mr. C.) agreed with the hon. member for St. Peter's, that female teachers should be more highly remunerated, as they required the same qualifications as male teachers, and very often gave quite as good satisfaction. Other defects in the law might be pointed out; but as the Government thought there was not sufficient time to go fully into the matter this session, he would support the resolutions before the Committee.

Hon. Mr. HENDERSON did not altogether see it was unjust to require teachers to attest to the correctness of their journals. Officers of the Government, such as Road Commissioners and their overseers had to do the same thing. The hon. member for Strathalbyn appeared to think that it was a hardship to put the teacher upon oath, as he might not be certain as to the accuracy of his returns. The teacher, however, like others, had only to attest to the correctness of his papers, according to the best of his knowledge. He (Hon. Mr. H.) would gladly advocate doing away with oaths altogether, if the state of public morality would admit of it. The present strictness of the Education Act arose from previous evils—from the advantage taken of the Government by parties drawing salaries where very little work was performed. The Act was made more stringent in order that the benefits under it might bear a greater proportion to the outlay.

Education did not appear to be sufficiently prized by the people, as was seen by their indifference about sending their children to school. It was thought, that if they had to pay directly a small proportion of the teachers' salaries, they would be more likely to take an interest in securing the benefits of their services. These were some of the reasons which influenced him to support the last amendments to the Education Act, which were introduced by the late Government. He had believed that by them two points would be gained; first, that parents would be induced to send their children more regularly to school, and secondly, that teachers would be made to their duty. The fact of the measure being unpopular did not alter the matter. Its unpopularity, in his opinion, was owing to the former looseness and leniency of the Act. He could not admit that the teachers had any just ground of complaint in being required to take an oath respecting the correctness of their journals, for this was the practice in the case of nearly all returns where money was concerned, both in the civil and military service.

Dr. JENKINS felt he was scarcely competent to discuss such an important subject as that which was under consideration. Education was one of the highest objects which could engage the attention of mortal man, especially when it was viewed in its two-fold aspect, that of training a person to be a good citizen and a good Christian. He believed that the late Government were actuated by good motives when they introduced the amendment requiring parents to pay a part of the teacher's salary; but it had not given satisfaction, and the best course for the House now to pursue was to repeal the obnoxious provision. He was not in his place yesterday when the School Visitors' Reports were laid on the table: he had, however, been looking over them, and he was compelled to say that one of them was not a very creditable production. If it was a fair specimen of the education throughout the Island, truly it was in a backward state. It was loose in its composition, its spelling was bad, and its punctuation made it simply ridiculous.

Hon. ATTORNEY GENERAL.—To which Report did he refer?

Dr. JENKINS.—To the one signed, "John Arbuckle." He (Dr. J.) then read an extract as a specimen, and remarked that he did not know what the salaries of the Visitors were, but he thought the amount, whatever it might be, was money absolutely thrown away.

Mr. PROWSE was pleased to find that the Government had taken up the question of education, and to learn that they intended to amend the Act even to the extent of the resolutions. But he was disappointed that they had not gone further. Much had been said respecting the amendment passed by the late Government some years ago; he thought, however, that those who were loudest in their complaints were parties about town. He had been in favor of that amendment, as it appeared there was great carelessness in the country in regard to education. As a general rule, that which cost a person nothing he did not value. He was prepared to admit that the amendment had not given satisfaction, but not so much from the amount of money the people of a district were required to raise, as from the trouble the trustees had

in collecting that money. With respect to the objections urged against that part of the Act which provided that the teachers should attest on oath to the correctness of their returns, he thought they were of no force; on the contrary, he regarded that clause of the Act as necessary to prevent the public money from being squandered. But he did not see that there was any occasion to have the papers signed before a magistrate by a majority of the trustees in the presence of each other. This was rather a hardship, and he hoped the Act would be amended, so as to remove the inconvenience. An idea had been thrown out by one hon. member in reference to compelling the attendance of children at school. That was a feature of the education question which he thought this House ought to approach very carefully. It was well known that some parents were unable to provide respectable clothing for their children, especially in the winter season, in which case it would be hard to resort to compulsory attendance at school. In regard to the School Visitors' reports, he was inclined to believe that the strictures on one of them would be less severe, were its author more reserved in expressing his political opinions.

Mr. MCNEILL considered that the alterations in the school law since the Free Education Act was first passed, had, generally speaking, not worked well, though he did not doubt they were made by the late party in power with good intentions. In most of the school districts, anything which had been raised towards the teacher's salary, had been contributed by two or three individuals. If the system of requiring the people to make up a small part of the salary had been adopted at first, it might perhaps have worked satisfactorily; but to fall back upon it after paying the whole from the Treasury, was considered a greater hardship than supporting schools was felt to be under the old system, prior to the introduction of free education. It was now difficult to get people to act as trustees, owing to the unpleasant duties imposed upon them. The hon. member for Cascumpec, Mr. Bell, had referred to the inconvenience of at least three trustees being required to sign the teacher's certificate before a magistrate. He (Mr. McNeill) thought the signature of one trustee would be just as good. In his opinion the House could not very well resort to direct taxation for the support of education; it would be better to take the whole of the amount out of the Treasury. As to compelling parents to send their children to school, he, for one, would be against it. If the people could be stirred up to take a greater interest in education, it would do away with the necessity for legislation to enforce attendance at school.

Mr. ARSENAULT would not altogether give a silent vote on so important a question as that of education. The resolutions before the Committee provided that teachers for the first three years they were engaged in teaching should get £5 less than those of the same class who might be longer in the profession. He thought this was not exactly fair: teachers of the same class ought to receive the same pay. Very frequently young teachers, in conducting their first school, gave just as good satisfaction, as those who had been teaching for some years. In regard to the irregular attendance of children at school, he believed it was in a great measure owing to the teachers them-

selves. If the teacher was active, the attendance was generally good. A diligent teacher, in his opinion, was not over-paid at £60; in fact, scarcely any class of persons was so inadequately paid as the teacher who only received £60 per annum.

Hon. Mr. LAIRD did not wish to be misunderstood with respect to his remarks on compulsory education. He had stated that the Government had to pay money for the education of all the children in the Colony, and it ought to be seen that the money was not misappropriated. He would be sorry to say that parents who were poor should be compelled to send their children to school in the winter; still he maintained that this House should see that no children grew up neglected.

Hon. Mr. HENDERSON remarked that the last time the Education Act had been before the Legislature for amendment, he had moved that the law should place a discretionary amount of power in the hands of the trustees, in order that if they saw parents and guardians, who were able to clothe their children, so indifferent about sending them to school, as to allow the average to fall below the requisite number, they might inflict a fine upon such parents or guardians. The amendment was carried in the other branch of the Legislature, but when it was brought down here this House ignored it. Of course its enforcement would depend very much on the necessity that would arise for it in a district. There should be a distinction made between those who were willing and not able, and those who were able and not willing to send their children to school. In regard to the idea which had been put forth by an hon. member that education was being too freely extended to the people, he (Hon. Mr. H.) thought there was very little danger to be apprehended on that ground. No education within the bounds of our Act, between the ages of 5 and 15, which could be given, in this country, where a part of the children's time was required for agricultural pursuits, was likely to prove injurious from its excess.

Hon. ATTORNEY GENERAL would merely say that it was not the intention to make any alteration, further than was suggested in the resolutions. Hon. members had referred to the certificates which had to be signed under oath before a magistrate. The same question came up some few years ago in connection with the mode of obtaining tavern licences. We knew very well that it was easier to have a petition signed by going round from house to house than it was if the people were collected together. In all departments of the public service a protection against imposition was required, and he did not see why the same principle ought not to apply to teachers. If they were required to make return on oath, it was no more than others had to do, and he could not see anything that was hard or wrong in so doing. They were only asked, on oath, to certify to the correctness of their Register. Notwithstanding all the precautions which had been taken, there had been cases before the Board of Education, which showed that in some instances the law had been evaded. It might be met by bringing the matter before the Trustees, and if they would guarantee that the returns were correct, it might obviate the necessity of the present arrangement. Unless this was done he would not like to repeal the present provision in the Act. In Nova Scotia the teachers were divided into two classes, and received \$120 and \$90, which was less than the amounts paid

here. So far, he thought the proposed amendment would meet the requirements of the case.

Hon. Mr. CALLBECK said that he had been perusing the statistics of some of the Canadian schools, and would read an extract from their statistics. In one County he found, there were in 1859, 72 common schools in operation; 73 teachers, and 10 vacant schools. That the number of children in the County between the ages of five and sixteen years was 5009, and that of these, 4241 were attending school. That the average annual salary of male teachers, who were boarded, was \$174; without board \$248. Female teachers, when boarded received \$97; without board, \$211. The highest salary paid to a male teacher was \$460, and the lowest \$120. Of the teachers 43 were males and 30 females; ten held a first class certificate, 52 a second class, and 11 a third class certificate. This was from the Report of the County of Dundas, and it would appear from this, that the teachers in Canada were paid something like our own. Being a native of the Island, and having some little natives to educate, he felt a deep interest in the subject of education. He believed that a people were raised in intelligence and morality in proportion as they were educated. With respect to the higher branches of education, referred to by hon. members, he was not prepared to say how far it would be well to advance in that direction. If more superior schools and increased facilities were afforded, than we had at present, there were but few who could avail themselves of such advantages. He considered it the chief duty of legislators to legislate for the whole people in the matter of education, as in every other case, and not for the few who could take time to qualify themselves for the higher walks of life. While he would be willing to aid institutions, where men could qualify themselves for any position in society, yet one aim at present was to legislate in this matter for the great body of the people who could not avail themselves of the advantages which those higher institutions might impart. He considered it the duty of the State to provide means for all the people obtaining an education that would qualify them for filling with credit all the ordinary walks of life, and felt it to be his duty as one of their representatives, to aid in extending facilities for obtaining a useful and practical education. No man, no matter what his position in society might be, whether as a legislator, merchant, farmer or mechanic, could discharge with honor and credit the duties of that position, without education. The parent who educated his child gave him a good legacy,—one that was of more value than gold and silver. He had read of an eminent man who said that work upon marble, in time, would perish; that the finest inscription on brass would also become effaced; that the noblest temple ever reared had crumbled into dust; but engrave upon the immortal mind, and you made an inscription which would last through-out eternity. Education raised a man physically, intellectually, and morally; therefore he would support its general diffusion among all the people, and would give his cheerful support to the resolutions.

Hon. Mr. HOWLAN had listened to the hon. member for the third district of Queen's County, who had just sat down, with a great deal of pleasure. In the course of this debate reference had been made to the United States, and to the system of education in that country. He had before him a report of the schools in the Town of Woburn, Massachusetts. He found from this Report that in Massachusetts there was a State law which had to do with education. There were four grades of schools, and the salaries were \$150, \$290, \$460, and \$600. The town was assessed for what was required, and the schools were supplied thus: If any scholar was not furnished by his parent, master or guardian, with the requisite

books, he should be supplied therewith by the school committee at the expense of the town. The next paragraph provided the school committee should give notice in writing to the assessors of the town of the names of the scholars supplied with books, under the provisions of the preceding section, of the books so furnished, the price thereof, and the name of the parent, master, or guardian who ought to have supplied the same. The assessor should add the price of the books to the next annual tax of such parents, masters or guardians, and the amount so added, should be levied, collected and paid into the Treasury, in the same manner as the town taxes. If the assessors, were of the opinion that any parent, master, or guardian, was unable to pay the whole expense of the books so supplied on his account, they should omit to add the price of such books, or should add only a part thereof to his annual tax, according to their opinion of his ability to pay. This was a system of education which provided for the teaching of every child in a school district, and it was altogether different from our system. We had but two grades of schools; they had four; and many of them, chiefly the primary, were under the charge of young ladies. He found, too, that in the superior schools, ladies were employed as assistants, and in such situations their salaries were raised. The system of education in Massachusetts was looked upon as the model system in the United States. In some States the system was different, but experienced gentlemen gave the preference to the system in Massachusetts. Neither the amendment now proposed, nor any other part of our Act, would prevent any district from supplementing the allowance to the teacher. In this Island there were none very rich, nor any who were very poor. There was a good deal of equality, and he did not see why a man living at Alberton should not have as good an opportunity of educating his child at the expense of the general Revenue, as those had who lived in Charlottetown. He thought we should have four grades of schools, and that more encouragement should be given to female teachers. He believed that ladies were as competent to teach as men; and he believed also that the man who made teaching the business of his life should receive more encouragement than he who only made it a stepping-stone to something else; and thought that until a change was made in the whole system, we would not have a staff of duly qualified and efficient teachers. He knew teachers in the country who had received a license from the Board of Education, and who had to go to some neighbor to write out their certificate for them. He would be glad to see four grades of schools established, and as teachers passed an examination, and qualified themselves, they could rise from one grade to another, and with each advancement their salaries should increase, which would prove an incentive to competency. As it was at present, we had many inefficient teachers.

The Resolutions were then agreed to.

Mr. SPEAKER then took the Chair, when the CHAIRMAN reported three Resolutions agreed to, which were again severally read, and on the question being separately put thereon, agreed to by the House: and the hon. the Attorney General, Calbeck, and Davies, were appointed a Committee to bring in a Bill in accordance therewith.

Mr. PROWSE, in accordance with a notice in the Order Book, asked the Government if it was their intention to make any arrangements for the building of a wharf at Murray Harbor this year.

Hon. LEADER OF THE GOVERNMENT replied that there was a sum given for special grants, and the members of the Districts had that amount at their

disposal, but he thought it would be impossible for the Government to undertake the building of the wharf this year.

Hon. Mr. KELLY, Chairman of the Committee to whom were referred petitions, praying for the establishment of new Post Offices, asked leave to present the Report, which was read.

Hon. LEADER OF THE GOVERNMENT said that he was afraid that the Committee had not used sufficient discretion. The Report recommended the establishment of about twenty new Post Offices, and this would entail a large additional expenditure.

Hon. Mr. KELLY said, that all that had been recommended were required. The Committee had carefully considered the matter, and had enquired of the members from the different districts. Education had been spoken of to-day, and its advantages were glowingly set forth by hon. members; and he believed that it was only carrying out the idea to extend facilities to enable the people to obtain information.

The House then adjourned.

FRIDAY, May 3.

House spent some time in Committee of Supply and reported several Resolutions agreed to.

Hon. ATTORNEY GENERAL presented a bill to amend the Act relating to Land Assessment. Received and read, and ordered to be read a second time to-morrow.

Hon. ATTORNEY GENERAL also presented a Bill in accordance with the Resolutions adopted from the Committee of the whole House yesterday—to continue and amend certain Acts therein mentioned, relating to Education, and the same was received, read, and ordered to be read a second time to-morrow.

The greater portion of the day was occupied by hon members preparing the Road Scales for their respective districts.

House adjourned.

SATURDAY, May 4.

House again in Committee of Supply.

On motion of the Hon. ATTORNEY GENERAL the third order of the day for the second reading of the Bill to amend the Act relating to Land Assessment was read, and the House resolved itself accordingly, the Hon. Mr. Calbeck in the Chair.

Hon. ATTORNEY GENERAL moved that a clause be inserted in the Bill, to make the land, that was formerly the Barrack Square, liable to the same regulations as other Lots in Charlottetown, which was agreed to.

When Mr. SPEAKER took the chair, and the Bill was reported agreed to with an amendment.

On motion of Hon. ATTORNEY GENERAL, seconded by Mr. Ramsay, the House resolved itself into a committee of the whole House to take into consideration all matters relating to Roads, Bridges, and Wharfs.

Progress reported.

Mr. CAMERON presented a petition from Donald McSwain and other inhabitants of Lots 65, and 30, praying for the adoption of means by the House, to compel the removal of a gate obstructing a road, or

right of way, from the Settlement road of Argyle, to the shore on the boundary between Lots 30 and 65.

Hon. LEADER OF THE GOVERNMENT remarked that if this gate had been placed there for a number of years, he did not see how it could be removed, but by a commission as provided for in the Statute.

Mr. CAMERON said that the people agreed to let the gate be there for one year, on condition that it would be then removed, which condition had not been attended to.

Hon. LEADER OF THE GOVERNMENT presumed the remedy was elsewhere, but had no objections to refer the matter to a committee to report thereon, viz:— Mr. Cameron, Hon. Attorney General, and Mr. P. Sinclair.

House adjourned for one hour.

AFTERNOON SESSION.

Bill Relating to Practice and Pleading in the Supreme Court.

Hon. LEADER OF THE OPPOSITION introduced a Bill relating to practice and pleading in the Supreme Court. He explained that the Bill was intended to alter and amend the present practice in several very important particulars. As the law at present stood the Sheriff had no power, under an execution against goods and chattels, to seize gold and silver coins, or securities representing money, such as notes, treasury warrants, or debentures. The Bill before the House provided that those could be seized, and that the creditor should have the privilege of taking them at their par value in payment of the debt, or, if he were unwilling to take them, they could be sold by the Sheriff like other personal property. In a distraint for rent under the present law, the tools and instruments belonging to the debtor were exempt from seizure, and this Bill placed an execution upon the same footing and exempted the bedding, tools, and last coin of a debtor being seized. There was another amendment contained in the Bill, to which, he thought the Hon. Attorney General, as representing the rights of the Crown, might object. Under the present law executions issued by the Crown for duties, &c., bound the property of persons against whom they were issued, not from the time they were placed in the Sheriff's hands, but from the teste of the writs or the last day of the previous term, and they could thus supersede a private execution, though the latter had been issued and placed in the Sheriff's hands previously. Cases of that kind frequently occurred. He had himself on one occasion attached the property of a person in King's County at the suit of a Halifax creditor, and after having, as he thought, every thing secured, an execution at the suit of the Crown was issued, and the goods previously seized were taken under it, by virtue of its retrospective power. Another case of the same sort had occurred in Prince County very recently. There was a clause in the Bill to do away with this power, which he considered unjust to private individuals, and providing that an execution should bind only from the time at which it was placed in the Sheriff's hands. The Bill also abolished the rights and immunities which Lawyers possessed with regard to suing and being sued, and placed them upon the same footing

as other subjects of Her Majesty. They had at present the right of suing and being sued in their own courts, and bailable writs could not be issued against them, since they were always supposed to be in Court, and thus it would be a case of supererogation to issue a writ to bring them there. These privileges would be abolished by the Bill before the House. An amendment too would be made in the practice of the Court as regarded the addresses of counsels to the Jury. Under the present practice, the Counsel who opened the case made his address and then examined his evidence. The defendant's counsel then stated his case and called in his witnesses, after which the opening counsel had the privilege of replying, while the other had the power of making only one address, and that before his evidence had been brought forward. The Bill remedied this, and made the practice in that respect like that of Britain. It also provided that a Judge could in case of emergency, as from the illness of a witness, adjourn a case either to some other day in the same term, or to the next one, and that interlocutory costs could be received by an ordinary execution, instead of as at present by attachment. Also that a Judge could grant an order in vacation alterable at the sitting of the Court, and that the Court itself could make a rule returnable at Chambers. A provision was also made that when a rule was given at the close of the term, the decision of the case might be given in vacation, without having it stand over till the next term as at present, occasioning sometimes serious delay. As the law now stood, evidence could in some cases be brought into court in the form of written affidavits. This practice did not in all cases work satisfactorily, since a very great deal sometimes depended upon the demeanour of a witness when under examination. Affidavits could be drawn, too, in such a manner, as, by the omission of a word perhaps, to give a very different color to the testimony of a witness from that which he intended, and uneducated persons could easily be imposed upon in this way. The Bill to remedy this provided that the Court could, if it chose, have the witness before it in person. Another amendment was contemplated in proceedings against absent debtors. As the law at present stood the only mode of action against such parties was by attachment under the Absent Debtor Act, which was not always either convenient or speedy, and the Bill therefore gave the Court the same power as exercised by the Queen's Bench in England, and the courts in the other Colonies, that of issuing writs against absent debtors, whether resident in the British dominions or foreign countries, upon which, after their service had been duly sworn to, proceedings could be taken as if the defendant were resident in the Country, and when judgment was recovered his property could be levied upon. That course of procedure was found very advantageous in other countries, and it frequently happened that parties here were thus served with writs. These were the amendments made by the Bill, and they were, in his opinion, law reforms which were much needed in this country. He would therefore move that the Bill be received and read a first time.

Hon. ATTORNEY GENERAL in rising to second the motion of the Hon. Leader of the Opposition, observed that he did so because he approved of the Bill as a whole, though there was one clause in it

which he intended to oppose when it came up for debate, — that regarding executions issued by the Crown. The law at present in force here, making Crown executions take precedence of those issued by private individuals, was similar to that in England and the other British Colonies, and he considered it a very just one. The Crown was the representative of every individual in the community, and when it issued an execution it did so to secure the public revenue. Everyone received the benefit of this, and, therefore, private interests should not be allowed to stand in the way. In the case which had been alluded to as having taken place recently in Prince County, the execution had been issued for unpaid duties, and the goods seized under it were the very goods the duties on which the bond was given to secure. If a creditor had had the power of taking those goods under a private execution, the Revenue law would have been evaded, and that would not have been just to the community at large. Though seconding the motion of the hon. Leader of the Opposition, he reserved to himself the right of taking exception to this clause when the Bill went into committee.

The Bill was then received, read and ordered to be read a second time on Monday next.

Hon. Mr. KELLY presented a petition from divers inhabitants of Lots Nos. 35, 36, 37, and 48, praying that the Act passed in the year 1776, for regulating the fees of certain officers, and others connected with the administration of justice in this Island, and also the Act 20th, George III., cap. 13, be re-enacted, amended, revised and consolidated.

Ordered that the said Petition be referred to a committee to examine the same, and report thereon next Session by Bill or otherwise.

Said Committee appointed as follows:—Hon. Mr. Kelly, Mr. Reilly, Hon. Attorney General, Mr. Brecken, Mr. Howat.

Question Respecting State of the Colony.

Hon. LEADER OF THE OPPOSITION, according to notice in the Order Book, asked the Government whether a person named Benjamin Balderston, jun., had been recently appointed Registrar of Deeds for the Colony, and if so, whether he was the same person whose name figured in the Journals of the House for the Session of 1866, as a Secretary of a Branch meeting of the Tenant Union Association. He would not have put the question but for the fact that, although it was stated in the public press that such an appointment had been made, no official announcement had appeared in the Royal Gazette.

Hon. LEADER OF THE GOVERNMENT replied that a person of that name had been appointed, but the Government had no proof before them that he was the person whose name was signed to the Report of a Tenant Union Meeting which appeared in the Journals.

Hon. LEADER OF THE OPPOSITION then gave notice that on Monday next he would move that the House go into committee of the whole, to consider the state of the Colony.

New Post Offices.

The order of the day for the House in committee, on the consideration of the report of the committee appointed to report on all petitions praying for the establishment of new Post Offices, and all matters relating to the inland mail service, to examine the same and report thereon, being read,

The House accordingly resolved itself into said committee.

Mr. G. Sinclair in the chair.

Hon. LEADER OF THE GOVERNMENT very much doubted the propriety of establishing as many New Post Offices as were recommended in the Report. He did not know where to begin to strike them off, unless they would begin at the East Point. He would like to do what was right, but thought that the committee should have been a little more cautious.

Hon. ATTORNEY GENERAL would not consent that his hon. friend should commence to prune at the East Point, for he believed that a Post Office was much required at that place. The fact of it being the extreme end of the Island, was no argument against establishing one there. The members of the late Government voted against each other on the question of Post Offices, and he supposed it would be so now.

Hon. Mr. KELLY said that every settlement in the country had a right to have a Post Office within a reasonable distance. In this city they had Telegraph offices, and every other facility for obtaining information, and the people, although taxed for these facilities, did not complain, and he did not see why any should object to grant postal communication to settlements which required them. The hon. member then instanced many places where Post Offices were required, and hoped that the committee would do them justice.

Mr. PROWSE remarked that the question was one in the consideration of which hon. members could lay aside party feelings. Those who lived in the Town, had a great advantage over those who lived in the country. He believed that every settlement had a right to postal accommodation, and was sorry to hear the Leader of the Government express himself as he had done.

Hon. LEADER OF THE GOVERNMENT said that some of the offices prayed for, and recommended in the Report, were in the vicinity of the city, and he knew that many of the people in those localities preferred having their letters and papers addressed to Charlottetown. On market days these people were at market and carried home their letters and papers with them, so that he did not think that any office would be of much service to them. He did not take exception to any office in particular, he was looking at the extra work it would entail upon the General Post Office, and, also, at the annual expense the establishment of so many new offices would occasion. He merely took exception to the number. He was also very well aware that it was easy for a few interested persons to prepare a petition, and get people to sign it, when, perhaps, the great body of the petitioners cared very little about the matter. He thought that in future the Government would have to take this matter into their own hands.

Mr. PROWSE hoped that hon. members from the country would take the hint, for if they did not get these Post Offices established now, they might never have such an opportunity again.

Hon. Mr. HENDERSON fully concurred in the remarks of his hon. colleague, while at the same time he was well aware of the correctness of the remarks of the hon. the Leader of the Government, that many persons residing in the vicinity of Charlottetown might find it quite convenient to have their letters addressed to the Post Office in the city; but the same remark did not hold good with regard to those in remote country districts, into many of which it was very difficult to get a paper or a letter. He was sure that the country members would agree with him, that when they considered the many hardships under which many of the country people labored in this respect, they would be willing that they should have Post Offices nearer than seven miles.

Hon. Mr. HOWLAN knew that one of the greatest difficulties he had to contend with last year was about a new Post Office, and the reason there were so many petitions before the House this year was, that the late Government gave all such petitions the go by. He was in conversation with a gentleman from the East Point a few days ago, and he made enquiries of him about the Post Office which was petitioned for at that place, and he fully convinced him (Mr. Howlan) that the prayer of the petition should be granted. It was true that establishing these offices would entail an additional expense, but he believed that it was an expenditure they were justified in making, and as a member of the Government he was fully prepared to take his share of the responsibility. "When a sum of money was required for military and other purposes, no objection was offered, but when remote settlements in the country asked for reasonable postal accommodation, a good many objections were raised. One of the petitions for a new Post Office was from a part of his district. The petitioners had an office some years ago, but as the receipts did not meet the expenditure, it was closed. The people in the country cheerfully submitted to every grant for bringing speedy intelligence to the Capital, and if some of these offices did not pay the working expenses, others more than paid, and he hoped that the report would be adopted.

Hon. LEADER OF THE GOVERNMENT.—As the late Post Master General was a member of this House, he might perhaps be able to afford some information. Probably bags might be left in some places where it would not be necessary to establish new Post Offices. To establish an office at any place where the mail courier passed, would not entail much additional expense on the country. As to what his hon. friend on his right said about the difficulty respecting the office in his district, he would only say that he did not refer to any office in particular, only that he really thought that the matter had not been sufficiently considered by the committee.

Mr. PROWSE.—Six petitions from Murray Harbor in regard to Post Offices had been presented, while the committee only entertained two. The committee who brought in that report were supporters of the Government, and ought to be looked upon as impartial. (Hear. Hear.)

Mr. OWEN considered that the committee ought to have thought the matter over carefully, before they recommended the establishment of so many new offices. Post Offices had been established, which had cost from £6 to £12, and returned from six to twelve shillings each.

Hon. Mr. KELLY said that if the Government would not comply with the prayer of James Wisener, Post Master, and others on Lot 48, the people had resolved to pay the courier themselves.

Hon. LEADER OF THE OPPOSITION.—Coming events cast their shadows before them, and judging from the hints thrown out, he thought this was the last time that hon. members would vote to establish new post offices recommended in this way. In all fairness he thought the matter should be submitted to the Executive, for if a Government was to be held responsible for all expenditure, he thought the sooner they entered into the exercise of all their functions the better.

Mr. OWEN said there were ninety-five offices in the country when he was Postmaster General.

Mr. PROWSE would make one remark more; he thought persons in a remote settlement had more need of a post office than those living beside the main post Road, for the carrier often dropped letters and papers as he passed along. The hon. member for Cardigan had spoken of offices costing some £6 or £12 and returning only as many shillings. Well, he thought that was a poor objection. These people paid their taxes and were entitled to the convenience of a post office.

Mr. CAMERON was of the opinion that it would be an act of injustice to deny any portion of the community the privilege of a post office merely because they were not fortunate enough to have a main Post Road leading through that settlement. He was of opinion that in that case there was much more demand for one, inasmuch as they were entirely excluded from postal communication; and although these cases might incur a little extra expense they were few in number compared with the many that had been petitioned for; and as several of them were near to the main post road, the additional expense for mail carriers would not be great. He thought that this hon. Committee would be justified in agreeing to the Report, as it was an expenditure that would tend very much to enlighten the people.

Mr. P. SINCLAIR considered the question before the Committee one of great importance to settlers who were not receiving the same accommodation from the postal arrangements of the country as were others more favorably situated. We, however, knew that when taxes were to be levied the want of these accommodations was not taken into consideration. He would like to see all the new settlers, as far as it was practicable, receiving the same privileges that the older and more favorably situated of their fellow colonists enjoyed.

Mr. MACNEILL would observe in regard to the post office at Nine Mile Creek that that was a very populous settlement, and being an enlightened and intelligent community, they were anxious to obtain information by newspapers; but as there was no mode of obtaining them now, except by means of boats crossing from Charlottetown, which, in stormy weather, was very irregular; and as the second district had only petitioned for one post office, he hoped that the Committee would not overlook them in this matter.

Mr. P. SINCLAIR would take the opportunity of saying, that he thought the prayer of the people of Lot 20 should receive the attention of the Committee. The inhabitants of French River, according to present arrangements, did not receive their letters till late at night, on account of their mail being carried by the couriers *via* Malpeque. A better arrangement he considered, would be to take the French River mail from Kensington, and the same courier could carry the mail bag intended for the office petitioned for at Joseph Davison's, on his way to French River, and it would enable the inhabitants of French River to have their letters much earlier, while it would save the sum paid for carrying it from Park Corner.

Hon Mr. COLES moved that the prayer of the petitioners from Winsloe Road be complied with, which, after some remarks from Mr. Prowse, Hon. Mr. Henderson and others, was agreed to.

Mr. SPEAKER took the Chair, and the Chairman reported the Report agreed to with an amendment. The Report is as follows:—

Your Committee to whom were referred the several petitions relating to Post Offices have to report that they have examined the various petitions referred to them, and recommend as follows:

1. That a Post Office be established at or near Donald McKinnon's, Pisquid Bridge, Lot 37.
2. That a Post Office be established at or near Patrick Gromley's, Johnston's River Bridge, Lot 35.
3. That a Post Office be established at or near Mr. Philip Hughes', Corran Ban Bridge, Grand Tracadie.
4. That a Post Office be established at or near William Callaghan's, Montague Cross Roads.
5. That a Post Office be established at Belle Creek, Township No. 62.
6. That a Post Office be established at or near Malcolm Campbell's, Wood Island Road.
7. That a Post Office be established at or near William McKay's, Marie bridge, Lot 40.
8. That a Post Office be established at or near James Donnelly's, on the road from Tryon to Bedeque.
9. That a Post Office be established at or near John Walsh's, Township No. 27.
10. That a Post Office be established at or near Patrick Traynor's, old Tryon Road, Township No. 30.
11. That a Post Office be established at Darnley, Township No. 18.
12. That a Post Office be established at the Cross Roads, Lower Freetown.
13. That a Post Office be established at James Doyle's, Skinner's Pond.
14. That a Post Office be established at or near Alexander Benton's, East Point.
15. That a Post Office be established at or near Joseph Davison's, Irish Town, Township No. 20.
16. That a Post Office be established at or near Roderick McLennan's, north end of west line road.
17. That a Post Office be established at or near George Foster's, Nine Mile Creek.
18. That a Post Office be established at Peter's Road, Township No. 63.
19. That a Post Office be established at or near Hugh McLean's, DeGros Marsh.
20. That a Post Office be established at or near Edmonds', Township No. 66.
21. That a Post Office be established at or near Angus McDonald's, Scotchfort, Lot 36.

22. That a Post Office be established at or near James Curtis', Winsloe Road.

That as regards the Petition of James Wisener, Postmaster, and others in Lot 48, setting forth that the said Postmaster has to pay one shilling and sixpence per week for a Courier to take the Mails weekly, to and from his said Post Office to the Georgetown Road, your Committee recommend that the said weekly allowance be paid by the Government, the same as is done with other Postmasters.

Your Committee cannot recommend the prayer of the following Petitions, viz:—

1. The petition from Township No. 51.
2. The petition of the Inhabitants of Murray Harbor Road (south), St. Mary's Road, &c.
3. The petition of the Inhabitants of Townships Nos. 29 and 30.
4. The petition of the Inhabitants of Lots 42, 43, and 45.
5. The petition of the Inhabitants of Lots 26, 27, 29, and 67.
5. The petition of the Inhabitants of Whim Road.

On motion of the hon. Leader of the Government, the House went into Committee to consider the subdivision of the grants for the relief of paupers.

After some time spent in Committee, progress was reported and the House adjourned.

MONDAY, May 6.

Mr. KICKHAM read in his place, a petition of Alexander Leslie setting forth that on the tenth of May last he (the petitioner) had mailed at Souris two unregistered letters—one containing money in Bank and Treasury notes, both addressed to William Cundall, Esquire, Banking Office, Charlottetown, and which letters never reached their destination; that he had petitioned the Lieutenant Governor in Council for a strict investigation of the matter, but that the reference of the case by the Executive to the Postmaster General, had led to no satisfactory result, and praying the House to grant relief by instituting a strict investigation into the cause of the loss of those missing letters with a view to prevent in future, the commission of such frauds on the public, and to vote to the petitioner, if the House consistently can, the sum of £11 17s 6d lost to him, as he believes about the Post Office in Charlottetown, through or by the carelessness of the Post Office officials.

Hon. ATTORNEY GENERAL did not think that the petition could be received by the Government; the time had expired for receiving petitions relating to money grants.

Hon. Mr. MACAULAY thought if it could be shown that the money was put into the letter and duly sent, and if this could be sworn to, as he understood it could, he considered it a very hard case, indeed, if Mr. Leslie should not obtain redress from the Government.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker would have to say that the petition could not be received. He would admit that it was very hard that Mr. Leslie could not get his money; and it would be equally hard to make the Postmaster General pay for it. It should be remembered that the Postmaster

General was not responsible for any of his deputies, as they were appointed by the Government and not by him. This matter was referred to the late Government, but they felt that the petitioner should have protected himself, as he might have done, had he registered his letter. He said that he was not aware of the regulation respecting the registering of money letters, but almost every gentleman who did business, or sent money through the Post Office, was aware of the rule, and availed himself of it when he transmitted money in a letter. He (Mr. Haviland) might send through the post office a letter with a gold ring in it, and if he neglected to register it, and the letter should be lost, it would be hard to make the Postmaster General pay for it. Under the peculiar circumstances of the case, he would go for the suggestion of his hon. and learned friend, the Attorney General, and support the proposition that it cannot now be received. But as Mr. Leslie, he had no doubt, was one of his hon. friend's particular political friends, he might bring in a special grant for that purpose, and thus get rid of the difficulty.

Hon. ATTORNEY GENERAL.—The statement made in the petition might be correct, as also what had been said by the hon. member for Georgetown (Mr. McAulay), but still the petitioner should have protected himself by registering his letter. Had he done so, it could have been traced.

Mr. OWEN.—All he knew about the letter was that he received a communication from the late Government about it. Two or three letters had gone astray, and they were all addressed to the Bank. The Bank letters were all put into the Bank box, and one of these Bank letters was seen by one of the clerks in that box; but when it was again looked for, it was gone. Mr. Cundall had spoken to him about the matter, but he could not account for the loss of the letter unless some one had a false key, and extracted the letter from the Bank box.

Mr. KICKHAM said that the Regulation for registering money letters should be published in the *Royal Gazette*.

Mr. OWEN.—The advantage of registering a letter was, that if it were lost, it could be traced, and in this there was safety.

Hon. Mr. HOWLAN understood that a money letter had gone astray in his district. He believed that one of the couriers in Tignish had money sent to him by the Government, but did not receive it. He understood that he had applied to the late Government to be paid, and he was now renewing his claim upon this one. He thought it would be well to investigate the whole affair.

Mr. OWEN.—Name the party.

Hon. Mr. HOWLAN.—The name of the gentleman to whom the money was sent, was Haywood.

Hon. LEADER OF THE OPPOSITION.—This discussion was not in order. The matter was not now before the House. The subject really under consideration was Mr. Leslie's petition.

Hon. Mr. MACAULAY.—Properly speaking there was nothing before the House.

Hon. LEADER OF THE OPPOSITION was not aware of this. He was not in this place when the discussion commenced.

Mr. SPEAKER then declined entertaining the motion, stating as his reason that the prayer of the said petition conflicted with the 25th standing Rule of the House relating to the initiation of money grants.

Hospital for Seamen.

Dr. Jenkins moved, seconded by Mr. P. Sinclair, that the House now go into a committee of the whole House, to take into consideration the propriety of establishing an hospital, and of bringing in a Bill to authorise the levying of hospital dues. House resolved itself accordingly into said committee.

Mr. P. SINCLAIR in the chair.

Dr. JENKINS then moved the following Resolution:—

Resolved, That provision be made for the establishment of a Hospital for the admission of seamen and other destitute persons suffering from accidents and ordinary diseases, not of a malignant infectious character; and that a scale of Hospital dues be levied upon all vessels entering the Port of Charlottetown, to be applied towards the maintenance of the establishment.

He said that his object was to levy a small rate upon vessels coming in here for hospital dues. In the United States it was so, and he could not see any reason why it should not be so here too. An American vessel brought the small pox here, and it put this Colony to a cost of £200 or £300, and he thought that it was only fair that we should levy a certain rate on all vessels coming into our harbor. This would enable us to establish a Hospital. And now that our commerce was increasing to so great an extent, an hospital was absolutely necessary. He thought that it was quite right that vessels should contribute their share towards the object set forth in the Resolution.

Mr. REILLY had much pleasure in rising to second the resolution, and thought from the remarks of the learned member for Charlottetown, that such an institution was necessary. He recollected of reading a despatch some time ago, in which we were censured very much because we had no hospital. When a vessel came in, as happened a few days ago, with a case of small pox on board, a difficulty was experienced at once in knowing what was best to do with it. He agreed with the hon. and learned member that the time had arrived when this matter should be attended to. He did not consider it creditable to this Colony that there was no hospital. He did not know of any place, with the same population, without one or an institution similar to the one referred to in the resolution. He did not think that it was fair to leave these matters to be attended to by the aid of the charitable. It was the duty of this House to tax the shipping that frequented our harbor for the support of such an institution. He thought that the time had arrived when a protective sense of duty should lead us to establish a hospital.

Hon. Mr. HOWLAN would like to ask the hon. member for Charlottetown how he expected to meet the requirements contemplated. There was a pretty stringent law already on our Statute Book, which provided that vessels bringing any contagious disease to our ports should be held liable for the cost, unless the requirements of the law were fully complied with. The American law was also similarly well guarded. Before he would go further he would like to take time to consider the matter.

Dr. JENKINS was glad to have an opportunity of giving the explanations asked for by the hon. member from Tignish. He thought that for the present a house could be rented which would answer the purpose, and when the matter became self-sustaining, they might proceed to build an hospital. In the meantime, if the Government would give £150 or £200 for a commencement, it would be all that would be required. He felt satisfied

that if the matter was once started the citizens would come to its aid and cheerfully support it. The necessity for such an institution was becoming every day more apparent. As illustrating this he would mention a case in point:—A poor man in the city the other day fell and hurt his back, and when he (Dr. Jenkins) came to examine him he found that his spine had been injured; and this person had to be taken care of by a very poor man. He merely referred to this case to show how unreasonable it was to suppose that this poor man should go to all this trouble and expense for nothing. He believed that in the end it would not cost the country so much as it did at present; for doubtless the Government would have to make provision for such costs. If the Government would grant the amount he mentioned he would undertake to get a house. The question was one that ought not to be approached in a party spirit.

Hon. Mr. MACAULAY.—Before the House resolved to act upon the suggestion contained in the resolution, there were two things to be considered: first, was such an institution necessary? If so, then followed the enquiry: where were the funds to come from to keep it up? Seamen sailed in many waters and visited many countries, and were liable to many diseases, hence care and caution were required to be exercised with vessels coming into any of our harbors. The next matter to be considered was whether the funds for the support of this institution should be derived from those who might be received into hospital, or from other sources. It was an acknowledged principle that those who received the benefits should pay for them. His own opinion was that we should provide such an asylum for the sick.

Hon. Mr. HOWLAN.—This was an incorporated city, and he did not see that there would be anything wrong in their taxing themselves for this object; but he did not think that it should come out of the general Revenue. If a vessel went into Cascumpec, or into Malpec, this hospital would be of no advantage to the people of those places. He was not in favor of putting an invidious tax upon vessels from the sister Provinces. There were no such taxes in their ports, and he was opposed to levying them here.

Dr. JENKINS.—The institution would be for vessels belonging to this port.

Hon. Mr. HOWLAN.—Then the City Council was the place to go to.

Hon. LEADER OF THE GOVERNMENT supposed vessels could be sent here from other parts of the Island.

Hon. Mr. HENDERSON was in favor of the general principle, and although he was anxious in so far as it was possible to do so, to keep our expenditure within our income, yet he did think that the subject now before the committee should receive due attention. He admitted that it would require some money to establish such an institution; but seamen travelled the mighty deep, and were confined for a long time to small quarters on board their vessels, and when they come ashore they ought not to be so often stigmatized drunken sailors as they were, not that he would justify these excesses; but when all things were considered due allowance should be made. The kindly hand should be held out to them, and when sickness overtook them provision should be made for their wants, as would seem when we thought of the many men who traversed the mighty deep, to the many widows whose only son was tossed upon the mighty ocean, and who in the storm and in the tempest could only lift up a cry to Him who holds the winds in His fists. Some misfortune, disease, or accident might happen to many a seaman, and when such come here there was no hospital to receive them. He thought every man should aid in supporting such an institution. He was aware that many

such cases occurred as the one referred to by the hon. member for Charlottetown. He saw many of them in the army when it took five men to turn the sick in their beds. Such cases were calculated to arouse our sympathies, and he would be glad to see the Government aid the City by any law that was necessary.

Hon. Mr. DUNCAN was very much pleased to hear such sentiments expressed as those to which he had just listened. He believed that such an institution was much required, but he knew that in Sir Alexander Bannerman's time, an hospital had been erected, and he would like to know what had become of it. If he mistook not, he thought that the hon. member who now brought up this matter had had something to do with its removal.

Hon. LEADER OF THE OPPOSITION said that the hon. member for Belfast was astray. Surely he did not think that the hon. member for Charlottetown destroyed the institution. The hon. member was also astray about the manner of its erection. It had been put up in Lieutenant Governor Bannerman's time as a temporary convenience to meet an emergency which then occurred, and it was placed upon a portion of the Government Farm, where, of course, it was not to be expected that it should be allowed to remain.

Hon. Mr. DUNCAN.—What became of it.

Dr. JENKINS.—The hospital alluded to was put in a very unsuitable place. Persons who ought not were in the habit of using it; in fact it became a nuisance and he recommended its removal.

Mr. HOWAT contended that it was unfair to be introducing new matter. The question should be allowed to lie over until next year.

Dr. JENKINS did not believe that there was another hon. member from the country who would endorse the sentiments of the hon. member for Tryou. The Act would be a very short one, and would not take up much time. He believed that there was good sense and humanity enough in this House to induce this hon. Committee to take the matter into consideration now.

Mr. MACNEILL was convinced that such institutions were required in all the ports of this Island. Seamen were exposed to many diseases through no fault of their own, and especially infectious diseases, and it was but right that an hospital for seamen should now be established. Our vessels were taxed in the United States, and he thought that it was but fair that a small rate should be levied on vessels coming into Charlottetown. He was willing to grant that favor.

Hon. LEADER OF THE GOVERNMENT enquired how the hon. member for Charlottetown purposed raising funds to support the institution?

Dr. JENKINS.—By dues levied on vessels coming into this port.

Hon. ATTORNEY GENERAL said that he was not present when the question came up for discussion. The intention was not to ask the Government to build a house this year, and that being the case it was quite unnecessary to be going into the matter very fully now, as it would come up in another form. In its present form it would meet his support, whatever it might do afterwards. He heard it asked why it would not apply to other ports of this Island also? If the hon. member who put the question wished that it should, he could put in his proposition, when the matter came up for further discussion; and if it was desired, other ports could have the benefit of the hospital also. If such an institution should be erected, it would be proper that they who received the benefits it would confer, should pay for them; but at present, anything that was said was merely an expression of opinion.

Mr. G. SINCLAIR.—However desirable it might be to have a marine hospital established in Charlottetown, he was of opinion that such an institution should be under the control of the city authorities, and if a tax were imposed upon shipping entering the port of Charlottetown, such tax should be paid into the city corporation. He did not think it would be good policy for the general Government to establish such an institution, and to have the tax paid into the general revenue.

Dr. JENKINS thought that it did not matter much which way it was.

Hon. LEADER OF THE OPPOSITION.—The city could not interfere with the customs, unless there was a provision made in the law to that effect. When the matter came up in another form, it was his intention to ask the hon. and learned member for Charlottetown, how he thought the House was going to allow his measure to pass, when it was an admitted and acknowledged principle, that no bill asking for a grant of money, or contemplating the laying out of money, could come before this House unless it had been first laid before the Government who were held responsible for all expenditures of public money.

Dr. JENKINS said it was explained in the Resolution which stated that dues should be levied upon all vessels entering the port of Charlottetown.

The Resolution was then agreed to and reported, when a Committee was appointed to bring in a Bill in accordance therewith.

Bill Relating to Practice and Pleading in the Supreme Court.

House in Committee on the Bill relating to the practice and pleading in the Supreme Court. **Mr. G. Sinclair** in the chair.

The clause relating to the seizure of money having been read by the chairman—

Hon. Mr. DAVIES asked whether a Sheriff under that clause would be justified in seizing money which a man might have in his possession, but which did not belong to him. It often happened that a person against whom an execution was issued, had boarders living with him, and he wished to know whether the Sheriff could seize their money.

Hon. LEADER OF THE OPPOSITION could not see that any greater difficulty would arise under this clause, than under the present law. A Sheriff seizing property which did not belong to the debtor, would be obliged to pay it back. Where an execution was issued against a person who had boarders living with him, the Sheriff had to distinguish between the property of each, and if he took the boarders' property for the landlord's debt he was bound to refund it.

Hon. Mr. HOWLAN.—The more he considered the clause before the hon. committee, the more inclined was he to oppose it, since he thought that it gave the Sheriff too great power.

Hon. Mr. DAVIES would second the motion of the hon. member from Tignish, for he considered that the clause would work for the rich against the poor. In England the principle might be carried out, because they had a Bankrupt Law in force, but here it was different. Suppose a man had a Treasury Warrant in his possession, and was indebted to ten credi-

tors. To nine of them he owed amounts between £5 and £10, and to the tenth £50. The rich creditor might seize the Warrant and thus sweep everything away, leaving the other smaller creditors with nothing. Under a Bankrupt law this would not, of course, be the case.

Hon. Mr. DUNCAN would remind his hon. colleague that a debtor could at any time assign his property to his creditors equally. He would of course feel the judgment coming, and by making such an assignment, could shut out the rich man from obtaining all.

Hon. LEADER OF THE OPPOSITION hoped that the hon. committee would well consider the matter before they were guilty of such a retrograde movement, for he could term it nothing else, as to strike this clause out of the Bill. The clause when carried out would not have the effect anticipated by some, since it would place the poor and rich man upon the same footing. As the law now stood, a rich man might have thousands of pounds in coin or securities, and could defy his creditors to touch them; while the poor debtor who only owed a few pounds could, under the Small Debt Act, have the little money which he had saved—to send his son to College perhaps—taken from him. If the committee decided upon striking out the clause, they would be, in his opinion, legislating to protect the property of the man who owed a large amount, while he who owed a trifle only was unprotected.

Hon. Mr. HOWLAN.—If he had been in the House when the clause which had been referred to was inserted in the Small Debt Act, he would have opposed it. Such a principle as that which was contained in the clause before the committee was never in force in England, unless a Bankrupt Act was also in operation to prevent its evil effects, and until we had such a law he would oppose the clause. No protection was afforded an honest debtor. True, his last cow and his working tools were exempt from seizure, but he would be left without sufficient money to buy a loaf of bread.

Hon. Mr. DUNCAN thought that hon. members, when they opposed the clause in question, appeared desirous of giving merchants the power of retaining their money in their possession to the injury of their creditors. This power he did not think any man should possess.

Hon. Mr. DAVIES was of opinion that his hon. colleague did not understand the working of the clause. It would when it became law give a creditor the power of pouncing down upon a debtor and sweeping everything away. This was in direct opposition to the principles of a bankrupt law.

Hon. Mr. McAULAY thought that the remarks of the hon. member for Tignish, if he had understood them aright, amounted only to this—that a creditor should not have the power to seize money which a debtor might have fraudulently taken from his business, and stored up to be used as required, or, perhaps, to be made the basis for commencing new business operations. He (Mr. McAulay) could see no justice or honesty in that.

Hon. Mr. HOWLAN.—The hon. member who had last spoken, did not understand the matter. He (Mr Howlan) objected to the clause because, unless a Bankrupt Law was in force, it gave one person the power of taking everything which a debtor possessed. The wealthiest and most honest man in the country might become unable to pay his debts, and it was, he thought, unjust that he should have everything taken from him. It was a serious injury to the community to prevent honest and enterprising men from ever doing business for themselves after they had once become involved. As regarded what the hon. member for Georgetown (Mr. MacAulay) had said, he was of opinion that if it could be shown that a man had acted honestly, he should have the benefit of the law, while if he had abstracted money from his business for other purposes, he could be placed in such a position that he would never again obtain credit. He knew one gentleman of high standing as a merchant, who, a few years ago, by an accidental collision of vessels, lost some £5000. If he had not been in a remarkably good position he would have been ruined, and if he had been, would any hon. member say that it was just or right to take everything which he possessed from him. Hon. members knew perfectly well to what gentleman he referred.

Hon. LEADER OF THE OPPOSITION could not help expressing his surprise at the confusion in the minds of some hon. members regarding the principle of the clause before the committee, and those of a bankrupt law. The principles of such a law were that when a man had made over everything to his creditors, he could be freed from his debts. If he had any money it would have to be made over with the rest, and therefore, the arguments of some hon. members did not at all bear upon the matter. If the clause were struck out, the result would be the very one which a bankrupt law was intended to prevent; for if a man possessed money which his creditors could not seize, they would throw him into prison and keep him there until he had surrendered. He did not see what connection the clause had with a bankrupt law. In Nova Scotia they had no such law, and yet money could be taken in execution. The hon. member from Tignish had said that he would have opposed the introduction of the principle in the Small Debt Act, had he been in the House at the time. He would wish to know what evil effects had resulted from it, and would challenge the hon. member to show any. That the Bill before the hon. committee was not intended to oppress the poor man, was shown by the other clauses contained in it, which were many of them most beneficial to him. Hon. members were, perhaps, very zealous for the good of the country, but he must say that they had wonderfully mixed up the principles of a bankrupt law, with those of the clause, before them. He would not state that they knew nothing of the matter, but they had discovered connections which did not really exist. His reason for introducing the principle, was, that he considered it a just one, and one which would be of positive benefit to the poor man.

House adjourned for one hour.

AFTERNOON SESSION.

Education Bill.

ON motion of the Hon. ATTORNEY GENERAL, the Education Act amendment Bill was read a second time and committed to a Committee of the whole House. He explained that the Bill was based on the resolutions passed the other day, and therefore it was unnecessary to discuss the subject over again.

When the clause was read relating to the sum allowed to the Female Teacher at Georgetown,

Hon. LEADER OF THE OPPOSITION asked why there was so much difference between the salary of the Female teacher of Georgetown and those of Charlottetown.

Hon. ATTORNEY GENERAL said, that the object of the Bill before the Committee was not to alter the sum allowed to the teachers; but to provide that the whole of the salaries should be paid from the Treasury. He could see no reason why the Female School at Georgetown was allowed £37 10s. instead of £45 as in Charlottetown; but this was the scale fixed in the Act introduced by the party to which the hon. member for Georgetown himself belonged.

Hon. LEADER OF THE OPPOSITION moved that the sum allowed to the Female teacher at Georgetown be £45.

Hon. Mr. MACAULAY seconded the motion. If there had been any oversight in the former measure, now was the time to make the correction.

Hon. LEADER OF THE GOVERNMENT thought the reason given for fixing the salary of the teacher of the Female school at Georgetown lower than the rate allowed in Charlottetown, was that the expense of living was less at Georgetown. He considered the Committee ought to adhere to the amendments set forth in the resolutions already passed by the House. If the salary of the Female teacher at Georgetown was altered, in the same way might all the salaries under the statute be raised.

Hon. Mr. MACAULAY was willing to give the hon. member all the credit respecting the Free Education Act, to which he was entitled; but it would require a great many alterations before it was perfect. The teachers at present might be said to be a class of persons without a local habitation or a name. He hoped the Government would not press the Opposition to a division on the motion.

Hon. ATTORNEY GENERAL would not object to the amendment, were it not that if they commenced changing the scale of salaries, there was no saying where it might end.

Hon. Mr. MACAULAY could not but admire the forensic reasoning of the Hon. Attorney General, but justice demanded that the Female teacher at Georgetown should be placed on the same footing as those in Charlottetown. Notwithstanding it been said that the expense of living was less in Georgetown, he contended that £45 was no more in Georgetown than in Charlottetown.

Mr. PROUSE.—The hon. leader of the Government seemed anxious that the Bill should make no change in the scale of salaries allowed under the present Act;

but he himself broke ground when he proposed an increase in the salary of the Grammar School Teacher in Charlottetown. He (Mr. Prowse) had always been of opinion that Charlottetown received the lion's share of the grants. The amendment proposed by the hon. leader of the Opposition was quite just.

The amendment was then put and lost on the following division :—

YEAS.—Hons. Haviland, Macaulay, Henderson, the Speaker; Messrs. Brecken, Ramsay, Green, Macdonnan, Owen, Prowse.—10.

NAYS.—Hons. Coles, Attorney General, Laird, Callbeck, Davies, Howlan, Kelly; Messrs. Bell, Arsenault, G. Sinclair, P. Sinclair, Howat, Cameron, McNeill, Reilly, McCormack.—16.

Hon. LEADER OF THE OPPOSITION said there was nothing like perseverance. It had been contended that living in Charlottetown was more expensive than in Georgetown; but surely no person would maintain that it cost less to live at Georgetown than in the country districts. He would then ask why it was that the female teacher at Georgetown only received £37 10s., while those of the same sex teaching in the country districts were allowed £38? He was surprised that the hon. leader of the Government should object to the last motion on the plea of not wishing to break ground, when he himself proposed to raise the salary of the grammar school teacher in Charlottetown.

Hon. ATTORNEY GENERAL could not answer the question of the hon. leader of the Opposition in any other way than state that the salaries were so arranged by the late government. But he (Hon. Atty. G.) did not wish to be factious, and would therefore move that the salary of the female teacher at Georgetown be £38.

Motion agreed to.

Mr. PROWSE moved that so much of the Education Act as had reference to trustees' signing the teacher's certificate in the presence of each other before a Magistrate, be repealed. This would cause a great saving of time, as trustees frequently lived a considerable distance apart, and when they went to see a magistrate they might not find him at home.

Hon. ATTORNEY GENERAL submitted an amendment which he thought would meet the difficulty alluded to by the hon. member for Murray Harbor. His amendment was to the effect that trustees should only be required to sign a teacher's certificate, individually, and not in the presence of each other.

This amendment was carried, and the whole Bill reported agreed to, and ordered to be engrossed.

State of the Colony.

Hon. LEADER OF THE OPPOSITION—On Saturday evening, I gave notice that I would to-day move the House into Committee on the state of the Colony. My object in doing so, is to take into consideration two very extraordinary appointments which have been recently made by the Executive Government of the Colony, viz :—the appointment of Benjamin Balderston, jun., to the office of Registrar of Deeds and Keeper of Plans, and of Charles Dickieson to that of Road Commissioner. It may be thought extraordinary that I, as leader of the Opposition, should

make the motion which I intend regarding these appointments, but though they appear at first sight very simple and ordinary ones, there is yet in the background something so politically immoral that, were I to allow it to pass without expressing my opinion upon it, I would be recreant to my duty as a representative of the people. This Benjamin Balderston, jun., who has been appointed Registrar of Deeds, figured, but two years ago, in neither a very honorable nor very loyal position as Secretary of a disloyal association known as the "Tenant League,"—an association which almost brought this Island into a state of rebellion. Heaven only knows in what position we would be to-day were it not for the prompt action of the then Administrator of the Government, the Hon. Robert Hodgson, who, seeing the peril in which the Colony was placed, called in a detachment of Her Majesty's troops to maintain law and order. When I consider the large amount of the public money which was expended in bringing these troops here, in building barracks for them and in paying for the services of special constables to aid in serving writs; and consider too, that the body called the Tenant League was the cause, and the only cause of that expenditure, I cannot but express my surprise at the action of the present Government, in the appointment of Mr. Balderston, in the very face of the Proclamation issued on the 22nd day of March, 1865, in which that association was declared to be an illegal one. I find, too, that this man on the 17th of June in the same year, figured as Secretary of a public meeting held by the League in Lot 31, at which meeting improper resolutions were passed. A Report of the meeting, signed by Benjamin Balderston, jun., appears in the Journals of this House for last session, among the correspondence which passed between the Government of this Island and the Colonial Office in England relative to the Tenant League, and the necessity for calling in the troops, and I find that Mr. Balderston, not content with giving a simple report of the meeting, closes by enunciating his own views regarding the collection of rent. In that report, among other resolutions there is one to this effect :

"Moved by Mr. William Large, seconded by Mr. John Deacon :

RESOLVED, That we will not traffic with any person who does not cordially sympathize with the Tenant Union, even though we should suffer loss thereby, except in cases where it is absolutely unavoidable."

What more tyrannical or more despotic resolution could be passed than this—resolving not to hold commercial or social relations with inhabitants of this Colony, unless they joined this illegal association! I myself would scarcely have believed that any body of men in this Island, living under the ægis of Great Britain, would have so acted, had the fact not been placed beyond doubt by the report which I have quoted from. Then this Mr. Balderston, in his zeal for the prosperity of the League, and not satisfied with reporting these resolutions as a mere secretary of the meeting, gives his own views on the matter thus :—

"A large number of both tenants and freeholders then came forward to sign the pledge and subscribe to the funds. The subscriptions ranged as high as five pounds, and the people are willing to pay the same amount ten times over if required, rather than let the Tenant Union fail for want of funds. Rent paying has ceased in Lot

31, and I would take this opportunity of letting any person know, who might be disposed to come after any, that they need not take the trouble, *for they will not get any rent.*"

This, Mr. Speaker, I find in the Journals of this Hon. House for last session, the Report having been first published in the recognized organ of the Tenant League. When we consider the sentiments expressed in this Report, it must be evident that the present Government in appointing its author to the highly important office of Registrar of Deeds and Keeper of Plans, have shown the utmost contempt for the rights of property in this Island. I would not, Mr. Speaker, have regarded it as being of so much importance had they appointed him Provincial Secretary; but they have placed him in one of the most important offices in their gift,—in the very one in which the title deeds of land are recorded. When, Sir, a man is placed in that office who considers that our proprietors have no title, what security or guarantee have we that these records will be properly kept. It may be hard that I should say anything to impeach the honesty of Mr. Balderston, but I must confess that I would place little confidence in the records of that office in case of his appointment. Then, Mr. Speaker, look at the case of Mr. Dickieson. Is not his appointment as Road Commissioner an insult to the Colony, when we remember that only some eighteen months ago he was tried in the Supreme Court for resisting the Sheriff of the County in the execution of the duties of his office, and convicted? But these two men, Mr. Speaker,—Benjamin Balderston, junior, and Charles Dickieson—are the very two whom, of all others, our new Government have delighted to honor and place in high positions in the Colony. When this fact is known how will we rank in the eyes of Great Britain and the civilized world? I have heard many hon. members say that, owing to our peculiar financial position at present, a loan from abroad is desirable, but what probability is there, I would ask, that capitalists in Great Britain will lend money to this Island when they find that men who have repudiated the law of contracts are appointed to important public offices. This will, I think, put a quietus upon the matter. Capitalists will be cautious of investing in our securities, for they will see that our present Government have appointed these men to office—men who joined an association which repudiated contracts and which was declared by proclamation to be illegal—and they will see no guarantee that, when the time comes, the contracts made with them will not be repudiated as well. The Government cannot give, as a reason for the appointment of Mr. Balderston, that no other man could be found to fill the office, for it is well known that there were many applicants. Nor can they have appointed him because of his devotion to the Liberal cause; for, aside from his connection with the illegal Tenant League, I am not aware that he has in any wonderful manner aided the Liberal party. An improper influence has, I believe, been brought to bear upon the Government of this Island. We know that they are placed in an extraordinary position, that they cannot take one step of the least importance without calling a caucus, and that it then takes them hours to come to any conclusion. They hold much the same position as did the French Government when under the influence of the Jacobin Club, for they are as much bound to obey the decrees and behests of this

illegal association as was that government to obey those of the Club. These appointments cannot add to our credit as a colony, but will surely lower us and prejudice our interests in both Britain and the other Colonies. I might say, as an advocate of confederation, that I am glad our Government have acted as they have, for nothing will more surely drive us into union with the other Colonies. I do not, however, wish to be driven in by the outrageous acts of the Government. I wish to enter confederation because I think it better for the interests of the Colony to do so—because I believe that it would prosper better commercially, socially, and politically, when united with its sisters. Such means as these are, however, not those which I wish to see employed. Viewing these appointments as I do I will therefore move that this House do now resolve itself into a Committee of the whole upon the state of the Colony to take into consideration the recent appointment by the Lieutenant Governor in Council of Mr. Benjamin Balderston, junior, to the highly important and responsible office of Registrar of Deeds and Keeper of Plans; the said Benjamin Balderston having taken an active part as Secretary of an illegal combination called "the Tenant Union Meeting" held at Mr. Fowle's Saw Mill, Lot 31, on the 7th day of June, 1865 contrary to the Proclamation issued on that subject by Governor Dundas, on the 22d day of March, 1865, the proceedings of which meeting appear in the Appendix of the Journals of this House for the year 1866. And also to take into consideration the recent appointment of Mr. Charles Dickieson to the office of Road Commissioner for the Third District of Queen's County; the said Charles Dickieson having been tried in Hilary Term, 1866, for assaulting the Deputy Sheriff of Queen's County in the execution of his duty, and sentenced by the Supreme Court to 18 months' imprisonment and a fine of £50 for the said offence.

Hon. Mr. MACAULAY.—It is to be regretted that the circumstances of the country are such as to call for the motion which has just been made by my hon. and learned friend the leader of the Opposition. Any man who is truly interested in the welfare of the Colony, must regret the appointment to offices of trust and emolument of these two men; one of whom was incarcerated for a crime and the other charged with seditious conduct. It appears, Mr. Speaker, like a premium for insubordination. The matter is one which calls for investigation by this honorable House, and I will therefore second the motion of the hon. the leader of the Opposition.

Hon. LEADER OF THE GOVERNMENT.—I consider, Mr. Speaker, that the motion which has been made by the hon. the leader of the Opposition, is a Resolution, and as such, must according to the Rules of the House, be tabled twenty-four hours before the House can take it into consideration. It is a resolution setting forth the reason why the House is moved into committee, and stating that upon which the House is to decide. It is a resolution censuring the Government and, therefore it should, I contend, have been tabled twenty-four hours. I would then, perhaps, have been prepared to go into the arguments of the hon. Leader of the Opposition, though I must confess that objections to the appointment of Mr. Balderston come with a bad grace from a member of the late Government, who, ever since that act of his to which they

now so strongly object, have been granting him his warrants as a schoolmaster. We know that other teachers have had to make very humble apologies, and some have been dismissed, while this man has been allowed to remain a teacher, in a district in which one of the "pets" of the Government was interested. They thought that any censure on him might operate against the Government, and the result proved that they were right, for he canvassed and did much against the return of that "pet." How inconsistent, then, to overlook all his acts while he held the office of schoolmaster, and now censure the Government for merely appointing him from one office to another. I do not intend to justify the acts of Mr. Balderston, but think it strange conduct that a member of the late Government, after the manner in which they have acted towards him should now object to his appointment as Registrar of Deeds. Had they dismissed him or refused to grant his warrants, they might now come forward with clean hands, but they did no such thing. I would not exonerate Mr. Balderston from blame at the time he attended the meeting at which he was Secretary. (Hear, hear,) but is it just that, when these Tenant Leaguers have returned to their loyalty, they should be prevented from ever holding office under the Government? The hon. the Leader of the Opposition has also stated that the appointments of Messrs. Balderston and Dickieson will drive us into confederation. I cannot see why this effect should follow, for in Canada some of perhaps the greatest rebels that ever were on British soil have been acknowledged as eligible for office. The present Minister of Agriculture in Canada was a rebel, and now fills one of the highest offices in the Colony. It seems, indeed, strange that for the appointment of a man who was formerly a Tenant Leaguer to the comparatively unimportant office of Registrar of Deeds, we should be driven into confederation. The Government was not, however, aware that this man, Benj. Balderston, junior, was the one who took part with the Tenant League. No mention was made about the matter, and I myself thought that it was the Hon. John Balderston, who I knew was dismissed from the magistracy. The idea of this young man's making any resistance to the law never entered my mind. He might almost be said to be incapable of doing so, for he is so crippled as to be compelled to use crutches. He was recommended as a proper person to be appointed Registrar of Deeds, and was therefore appointed, though I will not hesitate to say that, had the Government been aware of all the facts of the case, some other person might have been found for the office. This appointment is not, in my opinion, of sufficient importance to warrant this House in going into Committee upon the state of the Colony, nor do I believe that those persons who belonged to the Tenant League should be regarded as for ever incapacitated from holding office. We know that the Registrar of Deeds under the late Government gave more assistance to the League than perhaps any man in the Island. It was his money which purchased the press from which "Ross's Weekly," the organ of the League, was issued. Why then is Mr. Balderston considered worthy of greater condemnation than this public officer? But it was not, perhaps, pleasant for the Government to interfere with the late Registrar, and his conduct was therefore overlooked. That same man at the last Election used his influence over John Ross, the proprietor of the *Weekly*, and induced him to go to Georgetown and record his vote for the Conservatives, telling him that unless he did so he (Mr. Crawford) was in danger of losing his office, since the party knew that it was his money which supported the *Weekly*. The hon. Leader of Opposition was one of the gentlemen for whom Mr. Ross voted, and such being the case, he did not, I suppose, consider Mr. Crawford's conduct worthy of so great censure as that of Mr. Balderston. Respecting Mr. Dickieson's appointment, I may say that many of the Government were not aware that he was the same person who had been tried for re-

sisting the Sheriff. His family is very respectable, and one of the most numerous signed petitions which I ever saw was presented to his Excellency in his favor. The Tenant League has seen that resistance to the law was both wrong and useless, and what no honest man could justify, and this young man was, I believe, penitent. My own election is a proof that the League does not now influence the people, for the foremost man of the body was brought out to oppose me, and he polled only 25 votes against my 851.

Mr. BRECKEN.—Who brought him out?

HON. LEADER OF THE GOVERNMENT.—That is the question. The League, if it was determined to carry out their principles, would surely not have allowed Mr. Ross to poll only 25 votes in a district in which its influence was, a short time ago, greater, perhaps, than in any other on the Island. I believe that the League has seen the errors of its ways, and it has shown in my election that, as a body, it is not determined to carry out those extreme views entertained by some of its members. This opposition was brought against me on account of Mr. Whelan's having been appointed Queen's Printer, and it was favored by many opposed to the Government, but notwithstanding this, the result was a poll of 25 votes against 851. This is sufficient to show that the members of the League have seen their errors, and when this is the case they should not be debarred from holding office. They should be placed in the same position as before, without however having any preference shown them. The mere fact that a few appointments were given them, would show that they were not forgotten. We know that a certain gentleman was, many years ago, tried for sedition, and afterwards appointed to office by the Conservatives.

HON. LEADER OF THE OPPOSITION.—He was never found guilty.

HON. LEADER OF THE GOVERNMENT.—Mr. Balderston was never even tried. I do not, however, now intend to justify his appointment. I wish to be understood in this. Had I known all the circumstances of the case earlier, I might perhaps have remonstrated. The motion that the House go into Committee on the matter, I will, however, oppose, since according to the 14th Rule of the House, a Resolution to be submitted to a committee of the whole upon the state of the Colony should be tabled twenty-four hours previously.

HON. LEADER OF THE OPPOSITION.—I rise to a point of order. What I have submitted is a question not a resolution. I contend that that is not a resolution which merely states the reasons for going into Committee, without an expression of opinion.

HON. ATTORNEY GENERAL.—The motion of the hon. Leader of the Opposition, in my opinion, is contrary to the Rule of the House referred to. If, however, the motion which he has made did not require to be tabled twenty-four hours before it was put to the House, then the resolution which he intends to submit in Committee ought to have been tabled according to the Rule of the House, in order that hon. members might clearly understand the object which he has in view in moving the House into Committee on the state of the Colony.

HON. LEADER OF THE OPPOSITION.—The resolution which I intend to submit, should the House go into Committee on the subject, I have conveniently at hand. The course for the Government to pursue, providing they do not wish the House to agree to the motion which I have submitted, is to vote directly against it, or move that the House go into Committee on the state of the Colony this day three months. The question is, whether it is a rule that a member in moving the House into Committee on the state of the Colony, should state the

object he has in view. I contend that it is possible to go into Committee on such a matter without the object being expressed. I, however, stated my reasons for making this motion yesterday, when the hon. Leader of the Government gave me the answer which he did respecting the appointments of Messrs. Balderston and Dickieson.

Hon. ATTORNEY GENERAL.—I quite understand the hon. member; but I contend that he ought to have tabled his resolution in order that this House might understand why it should be dragged into Committee on the state of the Colony. Much valuable time may be lost by going into such a Committee without having some definite grievance and its remedy in view. Unless some particular object be stated, when once in Committee on the state of the Colony, we may discuss anything and everything from the East Point to the West Cape. To prevent a debate of this kind appears to be the object of the 14th Rule of the House cited by my hon. friend the Leader of the Government. Of course we might waive our objections to the motion and go into Committee on the state of the Colony, and discuss marine hospitals, lighthouses, and the like, and have a stroke at everybody, taking up the time of the House for three months or so, without any practical benefit. The Government have no hesitation in entering upon a review of those matters referred to by the hon. Leader of the Opposition. With respect to the appointment of Mr. Charles Dickieson to the office of Road Commissioner, I think there must have been some mistake. I did not know that it was the same person who was convicted in the Supreme Court; I was under the impression that it was his brother. Still, I do not hold that his appointment is a sufficient reason for the House going into Committee on the State of the Colony. In regard to Mr. Balderston's appointment, all I have to say is, that if he had been guilty of any crime or misdemeanor sufficient to render him unfit for office, the late Government ought to have had him brought up and tried for the offence. It will not do for persons to be proscribed on account of private reports or opposition. We know that many men who are brought to the bar of the Court with grave charges against them are uncondemned; and perhaps if this person, whose name has been prominently brought up in discussion to-night, were arraigned before the highest tribunal in the land, he would be honorably acquitted. British law regards every man as innocent until he is proved guilty. I was one of the Counsel for the tenantry concerned in the Tenant Union disturbances; some of them who were tried answered the charges brought against them, and others were threatened to be prosecuted, but the matter was allowed to drop. It was thought, I suppose, that the agitation had run its course; or perhaps there was some object to serve in not pursuing the cases further,—probably an election was coming on. If the late Government party would not bring those connected with the Tenant Union before a jury of their countrymen and have them tried, they should not be bringing up charges in this House. If this Mr. Balderston was not tried, the presumption is that he was not guilty. It is not sufficient to take up the Journals of the House, and say that this person or that person was connected with an illegal association, and that therefore he should be proscribed from office. No doubt some of the tenantry acted in violation of the law; and the conduct of the League, I consider, was

very reprehensible; still I would not like to live in a country where, when a matter has passed away, those who took a part in it are to be continually held up for proscription. If the members of that association are to be tried at the bar of this House, let it be so, and with the decision of this hon. body there let the matter rest. I remember that a person in this Island was brought up and tried for sedition some years ago, for writing something to the effect that the Government of that day were a parcel of land-robbers. I believe he went a great deal further and brought a bill into the House of Assembly to transfer the lands of the proprietors back to the Crown without allowing them any compensation. This was going further than the members of the Tenant Union, when they would pay no rent; yet the very person who was prosecuted for sedition by the Conservatives was afterwards by them appointed to office. We know also that D'Arcy McGee, the present Canadian Minister of Agriculture, is said to have been one of the actors in the famous Cabbage Garden affair in Ireland, and yet he now occupies the high position in that Province of being one of the Governor General's responsible advisers. I believe also that Cartier was one of those who took an active part in the Canadian rebellion; but after he and his co-adjutors had shown their regret for the share they had in that insurrectionary movement, they were restored to favour. Mr. Balderston, whose appointment to the office of Registrar of Deeds seems to be the principal cause of the motion before the House, has seen the error of his ways so far as to give his hearty support to the Government. The Opposition, instead of asking the House to go into Committee on the state of the Colony and pass a vote of want of confidence in the Government, should come forward and declare their confidence in the governing abilities of the party in power. Since the present Government came into office the country has been quiet; and when it is in such a state, to stir up this question again will have a very injurious effect. It would be as much as to say to every one who had anything to do with the League, you shall never have peace and contentment in the Colony. I would advise the hon. Leader of the Opposition to withdraw his motion, if he desires the welfare of the Island. If such a vote were passed, I could only pity the Government that would then have to take charge of the country. We should rather endeavor not to tear up old sores. I do not charge the hon. member with the desire of stirring up strife in the country; I believe, on the contrary, that he spoke sincerely, under the impression that the appointments in question would throw discredit upon the Colony. But perhaps he did not see that this motion would have the effect which I have pointed out. When the Liberals are in power the Conservatives all think that the country is going to ruin. If we only appoint a Tenant Leaguer as Registrar of Deeds, the records in that office will be all wrong, and the Island will lose its credit abroad. I would like to know what would have the most favorable effect upon the British public, the quiet state of the country, or the appointment to office of persons who had been connected with the Tenant League. There are hon. members on this side of the House who are not at all disposed to rake up old matters that should be allowed to drop, but to carry out the different branches of the public service efficiently. I have no fears but the majority of this

House will take the view that if the resolution which has been proposed be agreed to, it will throw this Colony back into the state which it was some two or three years ago.

Mr. BRECKEN.—I was surprised at the answer given by the hon. Leader of the Government on Saturday—for he generally defends his position manfully—when he said there was no evidence that the Mr. Benjamin Balderston, whose name figured on the Journals of this House, was the same person who was appointed to the office of Registrar of Deeds. He probably thought of this matter all Saturday evening, and perhaps Sunday too, and he and his colleagues have come to the conclusion, that it is safer for them not to allow the House to go into Committee on the state of the Colony. The motion made by my hon. friend the leader of the Opposition, they declare to be out of order, though it says nothing about an address to Her Majesty on any subject. The person whose name has been dragged before this House I do not know, but I am aware that he belongs to a respectable family, and any reference I may make to him will be simply on the ground of political expediency. Until this matter came up, I must confess that I was not aware that such a person's name was on the Journals of the House. The hon. leader of the Government tried to console himself with the idea that because Mr. Balderston happened to be a school teacher, and as such had received the warrants for his salary through the late Government, therefore the present Executive were justified in appointing him to office. But there is a marked difference between the two situations. Is a school teacher appointed by the Government? No, he is selected by the people themselves. And does not this fact show that Mr. Benjamin Balderston was employed as the teacher in a particular district, because he suited the tastes of its people? Was it probable that they would choose a person to preside over their school, who was a reflex of proprietary opinions? Mr. Balderston may have been a good teacher, but I presume that his views harmonized with those who secured his services? In the same manner may we not reason that if the Government appointed him to office, they must to some extent sympathise with his opinions? The hon. leader of the Government next referred to some of the politicians of Canada; they had taken part in rebellions, and were now in the Government of that Province. But allow me to tell him this, that there were circumstances connected with the revolution in Lower Canada which almost justified rebellion. The people there, whether on account of their nationality or not, I am not prepared to say, were at that time under a ban. This was admitted by the British Government, for they redressed the grievances complained of, after which the chief actors in the rebellion came out as loyal men. We had no grievances here, however, such as they had at that time in Canada, to justify the disturbances occasioned by the Tenant League agitation. Then the hon. Colonial Secretary made an allusion to the Hon. Mr. McGee. Did not the hon member associate with that gentleman, and others in Canada to whom he has referred, a few years ago at the time of the Union Conferences? I am surprised that he should do so, and now come forward to stigmatize them as rebels.

Hon. LEADER OF THE GOVERNMENT.—I did not stigmatize them, I only compared them to Mr. Balderston.

Mr. BRECKEN.—That is all very well, but it does not alter the fact that the hon. member associated with these gentlemen and admired them.

Hon. LEADER OF THE GOVERNMENT.—So did you.

Mr. BRECKEN.—I? Oh no, I was too small a figure for them! My consistency was too much to subserve their purposes. I did not, like the hon. member, compare the Confederation scheme to a marriage settlement. (Applause.) So much for his allusions to Canadian statesmen. But, Mr. Speaker, what has made this Mr. Balderston an officer of the Government? I believe he was once a Conservative, and what turned him against his party? Was it not because the Conservative Government did its duty in checking the Tenant Union association? I can scarcely believe that the hon. Leader of the Government was not aware of the political position of the person whom he and his colleagues have appointed to the office of Registrar of Deeds.

Hon. LEADER OF THE GOVERNMENT.—I did not know that he was connected with the League; I simply thought that he had used his influence at the general election to defeat a member of the late Government.

Mr. BRECKEN.—Did Mr. Balderston not receive his appointment because he was connected with the Tenant League? How many applications were there for the office to which he has been named? (Hear, hear.) Some six or seven, they say, and how comes it that he was the one chosen?

Hon. LEADER OF THE OPPOSITION.—By the ballot.

Mr. BRECKEN.—Yes, yes, by the ballot, I suppose,—that principle for which the hon. Attorney General had such a horror the other day. Perhaps the hon. leader of the Government may excuse his ignorance on this ground, but it will not do. It was scarcely straightforward in him to say that he did not know of Mr. Balderston's connection with the League, when, had it not been for that circumstance, his appointment would never have taken place. This is the way business is conducted by the present composite Government. The hon. Attorney General says let the man be tried by the House of Assembly, before his appointment is condemned. When a person published over his own name a most restrictive principle, to the effect that the members of the Tenant Union would not trade with any except those who favored their views; and of his own accord declared that rent-paying was done on Lot 31, and shortly afterwards—as if it were granting a premium on such extraordinary conduct—the same individual is raised to one of the most important offices in the Colony, is it not time for this House to take action in order to save the credit of the country? Mr. Balderston may not have been punished although he used hard language; but, Sir, where is the reason for elevating him to a responsible position? Simply, I believe, because he had supported two gentlemen who have seats in this House,

and their influence could not be overlooked by the Government. I do not know much about the principles of one of these gentlemen although he resides in Charlottetown; but the other, I understand, was a member of the Tenant League, and one of its paid travelling agents. The worst feature connected with the appointment is, that it looks like giving a premium upon lawlessness. What will be thought of this Colony in the Mother Country, if one year it sends home a statement respecting Tenant disturbances, and cites this Mr. Balderston's letter as an evidence of the necessity of applying to Halifax for troops, and the next year it transmits a notice of the very same person's being appointed to one of the most responsible offices in the gift of the Government? The question of Confederation has also been introduced into this debate. The Government could scarcely have taken surer steps to forward that measure than they have done by the appointments in question. We say that we are a law-giving and law-abiding people, and contend that we should not be deprived of our rights. This may be our position, but the Government have weakened it very materially by the course which they have pursued. Looking at the appointment of Tenant Leaguers to office, the Home Government will probably say that the state of the Island must be such that others could not be found. The hon. Attorney General has told us that he will oppose the motion, because it leads to a vote of want of confidence in the Government. It might put this composite Government into a fix, and therefore the majority of the House must come forward to prevent so disastrous a result—it would have such an injurious effect upon the peace and contentment of the country! And one of the pieces of sophistry which he uses to support his case is, that as the Conservatives did not try Mr. Balderston, therefore, he might safely be appointed by the Liberals to the office of Registrar of Deeds. Two or three members of the League had been brought to the bar of Justice, but the excitement having somewhat cooled down, the late Government thought it might be as well to let the people reflect upon their conduct. Because they extended their clemency to the Leaguers, this Government must go and elevate some of them to office! I was astonished, as I listened to the reasoning of the hon. Attorney General on this point. Notwithstanding his remarks, I believe Mr. Balderston was made Registrar of Deeds because he supported the League and two members in this House who represent that element. This, I do not say, because I think the Government have any fixed principles, for they appear to have little or no principle at all. Perhaps their object was to get aid in the other end of the Building, or the upper branch of the Legislature. Whatever may have been their motive, the minority would not have discharged their duty had they not brought up this question; but I do not expect we shall be allowed to go into it, for Liberal as the party call themselves, we can scarcely suppose they are liberal enough to permit the Opposition to carry the motion before the House. The safety of the dominant party, however, does not weigh much with me; I consider that the honor of the country is of far more consequence than the existence of this composite Government. (Applause.) I believe that any change could scarcely be a change for the worse. In regard to Mr. Balderston, personally, I do not wish to say anything to his prejudice.

Hon. LEADER OF THE GOVERNMENT.—He was a good Conservative.

Mr. BRECKEN.—He was a good Conservative until he was misguided. The Government party he has only supported for a few months; still he was appointed to office in preference to others who have had claims on the Liberals as supporters of their cause for the last 15 or 20 years. What other conclusion, therefore, can we come to than this, that he was rewarded with office solely on account of his Tenant League principles?

Hon. the LEADER OF THE GOVERNMENT: Mr. Speaker, a motion to go into the state of the Colony must lie upon the table of this House twenty-four hours before it can be considered, and sir, you will have to decide whether the question is in order or not.

Mr. SPEAKER.—The question cannot be gone into, until the motion has been twenty-four hours upon the table of this House.

Hon. LEADER OF THE GOVERNMENT then moved that this House do now adjourn, which being seconded by Hon. Mr. Howlan, Mr. Speaker was putting the motion of adjournment, when

Hon. Mr. DUNCAN rose and said:—Mr. Speaker, I do not think that they need be so anxious about an adjournment. No doubt they feel their present position rather disagreeable, and wish to get out of it by closing up this discussion with an adjournment. There can be no doubt but that they wish to get clear of it as soon as possible. What surprises me most is, that those hon. members who have come in here by means of Tenant League influences cannot rise up like men and defend the cause of those who sent them here. Why, there are some hon. members in this House who ought to rise and defend the action of the Government in this matter.

Hon. LEADER OF THE GOVERNMENT.—The Speaker has put the question of adjournment.

Hon. Mr. DUNCAN.—I am astonished that there are so many hon. members here who, though they ought to rise and defend the Government in this matter, do not. There they sit; but there were some of them who could rise and travel, from south to north, and from north to south, in aid of the cause, and yet they cannot get up and defend the men who sent them here, although they received ten shillings a day from the League. (Applause.)

Hon. Mr. HOWLAN.—Who does the hon. member mean?

Cries of "adjourn, adjourn."

Hon. Mr. DUNCAN.—These interruptions are out of place. Hon. members ought to keep cool.

Hon. LEADER OF THE OPPOSITION.—Mr. Speaker, I rise to a point of order, and to say that although the question of adjournment is before this House, the hon. member can speak to the motion on any irrelevant matter as long as the question is not put.

Hon. Mr. DUNCAN.—I do not wish to give the hon. the leader of the Government much opposition,

for I am aware that he is not in the position he formerly was. He, perhaps, is unable to do what he would wish; for he cannot act with the party to which he is now attached, as if it was his party. Why, sir, there are so many of them who belong to no party! No less than five members were put in by the Tenant League party. But where are they now? They are silent! Was it only that they might get into power that they supported the League? Why do they not rise and show something like an interest in those who supported them? I heard of one of them who in some parts of the district for which he was returned, knew all about the League, and in others, oh, he knew nothing at all about them! Some of these men said that the League would get them free land without the aid of the Government. There are five of them here, and yet they will not rise and defend their friends. Well it is too bad. (Laughter) The Liberals have got all they wanted out of them. I wish to know if they are ashamed of the party, when they cannot say a word in their favor. But then perhaps they could not avoid this appointment. It may not be right to refer to the other branch of the Legislature, but it appears that there was one member there who stood master of the situation. He had to be bought, and he would not sell himself very cheaply. He would not sell himself for the office of a Road Commissioner. There was one member there, however, who had to be won over.

Hon. Mr. HOWLAN.—Was there?

Hon. Mr. DUNCAN.—I did not hear what the hon. member said.

Hon. Mr. HOWLAN.—Was there? (Laughter).

Hon. Mr. DUNCAN.—I did not hear the hon. member yet. (Laughter). I suppose he is ashamed to speak out. (Laughter). Well, there are so many interruptions. (Roars of Laughter). Now, I do not think they ought to be so anxious to get clear of the discussion in this manner. If they would only agree to go into committee on this subject to-morrow, then we could discuss the matter. Why, even to their own friends they do not seem willing to do justice, when they say they cannot tell who this Dickieson is. Is it not a wonder to see them so ignorant? I think that there are among them those who heard of him, and who knew him too. But I have just now come to my recollection. Those middle men have to be bought, and the spoils divided among them. It does not say much for their independence, if they have to be bought. I do not know exactly what to call them. I am very much disappointed. I would like to hear the Tenant League men get up and say something. Perhaps one of them may get up yet. I think we will hear something from him now, for I see him rising. I will sit down.

Hon. Mr. HOWLAN.—Oh, go on, they will not say a word. (Laughter).

Hon. Mr. DUNCAN.—Well, now, how they have got him under; they have kept him down. (Laughter).

Hon. Mr. HOWLAN.—Does the hon. member refer to me?

Hon. Mr. DUNCAN.—Oh, is that hon. member the person. (Laughter). It is so strange how the same remark suits two hon. members at the same time. There is nothing like going forward in an honest straightforward manner. But this appointment is rewarding a man for violating the laws of the land. Hereafter, let a man get up a noisy organization, and he will obtain a good office. Why, some of those travelling agents of the League received ten shillings a-day, and I heard one of them admit it.

Mr. McNEILL.—Will the hon. member listen to me?

Hon. Mr. DUNCAN.—Oh, have I stung one of them at last? Will he get up now? (Roars of Laughter). They could travel from Cavendish to Murray Harbor, earn their ten shillings a-day, and then in their hearts turn round upon the people and say, "What fools you have made of yourselves!" Will the hon. member get up now? (Loud Laughter.)

Hon. Mr. HOWLAN.—Don't stop him. (Renewed Laughter.)

Hon. Mr. DUNCAN.—Is this the Leaguer? Well, some of them may break their bonds yet. I suppose that notwithstanding the Lieutenant Governor's proclamation, this person who violated the law is to get an office. But it is strange they do not say one word about the Barracks now. This Mr. Balderston was once a Conservative, but a good office brought him over.

Mr. McNEILL.—There have been a good many insinuations thrown out—

Mr. SPEAKER.—This House stands adjourned until 10 o'clock to-morrow.

TUESDAY, May 7.

The names of the Members present were taken down as follow:—

Hon. Mr. Haviland, Hon. Mr. Henderson, Mr. G. Sinclair, Mr. P. Sinclair, Mr. Arsenault, Mr. Cameron, Mr. Kickham, Mr. Green, Mr. Prowse and Mr. Ramsay.

And at 5 o'clock, Mr. Speaker adjourned the House for want of a Quorum until to-morrow at 10 o'clock.

WEDNESDAY, May 8.

On motion of the Hon. the ATTORNEY GENERAL, seconded by Mr. P. Sinclair, the House resolved itself into a Committee of the whole House, to take into further consideration all matters relating to Roads, Bridges, and Wharfs.

The Committee having agreed to a Resolution, reported progress. The House then resolved itself into a Committee of the whole House, to consider further of a supply.

Hon. ATTY. GENERAL submitted a resolution appropriating the sum of £400 to the persons therein named, and said that £30 or £40 were yet required to meet all the demands made upon the Government for destitute persons. The Resolution was agreed to and reported.

Hon. Mr. HOWLAN presented a petition of Florence McCarthy, and other inhabitants of Kildare Capes, praying for the opening of a new line of Road, and moved that it be referred to the Committee on New Roads.

Several hon. Members objected to the petition's being received, as the time for admitting petitions of this nature had expired. But when the hon. Member explained that the petition had been received at the proper time by the Government, and by some means or other had been mislaid, and had only now turned up, the motion was agreed to.

Hon. Mr. DAVIES said that he was one of the representatives for the fourth Electoral district of Queen's County, and he was opposed to the manner in which, in his absence, the money for the Road service had been divided. His district was as large and populous as any in the County, but it had not received as much as some other districts which were not so large and populous. The sum granted for Queen's County was £1742. He would therefore move that this sum be equally divided between the five districts of the County.

Hon. Mr. KELLY said that the members of the County had all met, except Mr. Davies, and had agreed upon the division which had been made, and he would object to any alteration now.

Hon. LEADER OF THE GOVERNMENT thought that the hon. Member ought to have brought the subject up when the House was sitting in Committee. For his part, he thought the matter had been agreed to.

Hon. Mr. KELLY.—All the Members had agreed to it except the hon. member for Belfast.

Hon. Mr. DAVIES.—The division should not remain as it was. Several hon. members knew that a part of the road leading to Tea Hill was in the hon. member's (Mr. Kelly's) district, which it was well known he did not keep in proper repair, and it was unreasonable for the hon. member to expect or ask him (hon. Mr. Davies) to do it. All he asked was an equal allowance.

Dr. JENKINS said he believed the hon. member for Belfast was right; he only wished to do what was proper and fair. It was well known that some of the worst parts of Mr. Kelly's roads were repaired by the City.

Mr. GREEN.—The proper time to have brought this matter up, was when the House was sitting in Committee.

Hon. Mr. KELLY had appropriated £30 of his money to the hon. member's district. He was not going to allow the hon. member to come into his district and tell him where he was to lay out the money.

Hon. Mr. DAVIES did not want any of the hon. member's money. All he wanted the hon. member to do, was to keep those parts of the road in his district in proper repair, which was travelled by his (Mr. Davies') constituents.

Mr. G. SINCLAIR.—The hon. Mr. Davies merely wished the money to be equally divided among the five districts of the County, and when the House was in Committee of the whole, this matter could be then brought up.

Dr. JENKINS presented to the House a petition of Thomas Dodd and others, setting forth the insufficiency of a circulating medium in this Island, and praying for a further issue of Treasury notes; and moved that the House go into Committee on the petition to-morrow. It was then ordered accordingly.

On motion, leave was granted the hon. Attorney General to bring in a Bill to amend the Act of the 29th Vic., Cap. 29, relating to trustees, and the said Bill being read a first time, was ordered to be read a second time to-morrow.

Prince of Wales College.

On motion of the Hon. the ATTORNEY GENERAL, the 13th Rule of the House was suspended to enable the hon. member to bring in a Bill in addition to and to amend the Act for establishing the Prince of Wales College. The Hon. Attorney General said, that the objects contemplated by the Bill were to place the supervision of the College in the hands of the Principal or head Professor, and thus to enable him to extend an oversight over the other departments. Much had been said, and various plans spoken of, for improving the usefulness of the Grammar School; and to meet these demands, the Head Professor, by this Act, would be held responsible for that department also, by making him responsible for the Trustees or Governors of the College. Next year, he thought it would be necessary to go through the whole Bill, for it was evident that some alterations were required, even absolutely necessary in order to give more general satisfaction than had of late been given in that Institution.

Hon. LEADER OF THE GOVERNMENT in seconding the motion said, that it was high time some alteration was made in that College; but more especially in the Grammar School in connection with it. The manner in which it had for some time been conducted, had given a great deal of dissatisfaction. Lately the practice had been, to have a student from the Normal School, placed in the Grammar School to teach, and when he had been there a short time, and had made the acquaintance of the scholars, and become consequently better able to discharge his duties, he received his licence and went to the country to teach, hence a new teacher was coming in every little while. An Assistant Teacher was required for that department, for it was unreasonable to suppose that one Master could do justice to seventy scholars. The changes to which that department had lately been subjected, were injurious to the efficiency of the institution. The other departments were also in need of improvements in order to their efficiency; but for this year he was willing to give the power contemplated by the Bill, as it was asked for by the Trustees.

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

Charlottetown Ferry.

Hon. Mr. DAVIES moved for a Committee to enquire into the Charlottetown Ferry.

Hon. Mr. HOWLAN thought, that if such a committee was appointed, it would be better to give it full powers.

Hon. Mr. MACAULAY doubted if the House could take up that question. There was a contract entered into, and unless a complaint had been lodged, he did not think the Government could interfere.

Hon. Mr. HOWLAN.—There were many complaints stating that the accommodation was not sufficient to meet the requirements of the public, and he believed the contractors were willing to leave it to the House.

Hon. Mr. DAVIES said, that the matter had been before this House last year, and had been referred to a committee to report thereon, who recommended the House to make arrangements for the redress of the grievances complained of, but nothing had been done. He was surprised to hear the hon. member for Georgetown object to the matter being taken up. The people of Georgetown were much interested in this Ferry, and he was sorry to think that the hon. member would not come forward to give his cordial support to the motion. The public had as much right to travel over this Ferry as they had over any of the other roads leading into the city; but the people were not asking for this, they were only asking for better accommodations. Sometimes they had to wait two hours before they could get over, and it was to ob-

viate these difficulties, that the matter was now brought forward. He would move that the House resolve itself into a committee of the whole on the Charlottetown Ferry this afternoon.

Hon. Mr. MACAULAY.—This contract had been entered into for several years, but the increase of traffic had risen above the requirements provided for by that contract. It was no use now debating the matter.

Hon. Mr. DUNCAN.—The people also complained of the hour allowed for dinner, and wished the Boat to run the whole time.

It was ordered that the House do, at the afternoon's sitting, take into consideration the state of the Charlottetown Ferry.

Road Scales.

On motion of the Hon. Mr. Davies, seconded by the Hon. Mr. Macaulay, the House resolved itself into a committee of the whole, on the further consideration of all matters relating to Roads, Bridges and Wharfs.

Mr. G. Sinclair took the chair of said committee.

Hon. Mr. DAVIES said, that according to the scale handed in by the hon. member for the third district of Queen's County, (Hon. Mr. Kelly), the money was not equally divided among the districts of the County. He would therefore move that the amount granted be equally divided among the different districts.

Mr. P. SINCLAIR.—As one of those who had agreed to the division which had taken place, did not now care about altering it. Mr. Davies had not consented to it, but Dr. Jenkins had. He (Mr. S.) found that the alteration would only make a difference of £2 8s. in some districts, and for this year, as the division had been made, he thought it was not worth while altering it.

Hon. Mr. DUNCAN would like to know why the third district should have more money than any other? The Hon. Mr. Kelly had got more money for his district than any other, and yet his part of the road across the Ferry was always out of repair. He thought it was an unfair division, and he would second the motion of his hon. colleague.

Hon. Mr. KELLY, did not think members were thus to be insulted. They were accountable to their constituents for how they spent the money in their district, and were not to be dictated to by other members on the subject.

Mr. McNEILL had more reason to complain than any other, as there were four post roads running through his district. But honor bright; he had agreed to the division, and would not now draw back.

Hon. Mr. DAVIES, would not have moved in the matter, only he thought that the hon. members for the third district were not dealing fairly with the others; and believing, as he did, that his district was not fairly treated, he considered it the duty of this hon. committee to see that the money was properly laid out,—to see especially that the principal post roads were kept in proper repair, which was not the case with the road across the Ferry. As his hon. colleague (Mr. Duncan) had said, a large amount was required for the road from Tea Hill to the Ferry, and the part of that road which run through the third district had not been kept in proper repair by the hon. member. He hoped this hon. committee would see that a fair allotment was made for this road.

Hon. Mr. KELLY.—The members of the third district would do their duty to the satisfaction of their constituents. They would not agree to be dictated to by other members, and he was sure he was giving as much satisfaction in his district, as any other member in this House.

Hon. Mr. DUNCAN.—The hon. member who had last spoken, seemed to think that he was only responsible to those who voted for him. He thought when an hon. member took a seat in this House, his duty was to regard himself as returned to represent the whole Island. At the head of the river, at St. Peter's, there was a piece of road that the hon. member for Fort Augustus was like not to get through at all.

Hon. Mr. KELLY.—This affair seemed to be like that which made friends of Herod and Pilate, for it was one that had brought the two hon. members for the fourth district to agree together. If the hon. member looked he would find that the roads of which he complained were fully provided for.

HON. LEADER OF THE GOVERNMENT said that some of the streets in Charlottetown were as muddy and difficult at times to travel, as many of the roads in the country. As to that piece of road across the Ferry, leading to Tea Hill, He did not know that it was much worse than other roads in some parts of the country. But these were matters to which he did not give much attention, as he left them to his hon. colleague, who, he believed, always gave very general satisfaction to his constituents in these matters. Let any person travel the Malpeque or St. Peter's roads and he believed they would be found to be in no better condition than the road across the Ferry. It ought to be borne in mind, that a good deal of our money went to keep our wharfs and bridges in repair. He thought the matter of two pounds or so, was not a cause why the House should be detained in committee. He certainly was of the opinion that this small sum was not worth contending for, and as the rest of the members had agreed to it, and as the committee had brought it down he thought it was better to let it pass as it was, as his hon. colleague had expended £5 of his money in the hon. member's district already.

Hon. Mr. DAVIES did not want the hon. member's money. They would provide for the wants of their own district.

After some further debate Mr. Speaker resumed the chair, and progress was reported.

House adjourned for one hour.

AFTERNOON SESSION.

Hon. ATTORNEY GENERAL obtained leave to bring in a Bill to add to and amend the Act for the regulation of the Militia and Volunteer Forces. Hon. Attorney General said, that under the provisions of the old Act, when the Militia were called out, and they neglected to attend muster, as the law required, they were to be fined two pounds, which he considered exorbitant, and out of proportion to the offence. Under the Bill which he was about to introduce, the fine would be reduced to five shillings, which he thought was a more reasonable one than that of forty shillings. There were other clauses introduced which he thought were necessary. It did not increase the requirements

of the service, but altered the Act so as to render the Service more efficient. It did not interfere with the present arrangements of the Volunteer forces to which he belonged. The Militia was very different from the Volunteers, but although this Act would not interfere with the present arrangements of the Volunteer forces, yet it was a question with him, whether there should be an Act to say, when and how the Militia should be called out, and another of the same nature for the regulation of the Volunteers. Some were opposed to calling out every Militia man in the country. He was of opinion that it would be better to have a rotation in each county, of say two hundred, or three hundred, who should be called out and drilled efficiently, which would in his opinion, be preferable to calling out every militia man for a period of sixteen days. Every one knew that sixteen days' drilling could never make the persons subjected to it efficient soldiers. He hoped the hon. member for Murray Harbor would favor the committee with his opinion upon the matter, for it was of importance that those who had to guide in these affairs, should avail themselves of all the information they could obtain. He was more in favor of a specified number being drilled efficiently, in each County, than he was to the present system of calling all the people out, and subjecting them to a drill that would not qualify them for the duties of soldiers. He merely made these remarks to elicit some new ideas from hon. members. The Bill did not introduce any new matter.

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

DR. JENKINS said, when it was remembered that Fire Companies were liable to be called out so often, he thought they should not be subjected to militia drill. If Volunteers were to be called out in case of an invasion there would be more need than, probably, for the firemen than at any other time. In Nova Scotia they were relieved from serving on Juries, and other exemptions were also made in their favor. He therefore considered it but fair that the case should be so here also.

On motion of Mr. Brecken, seconded by the Hon. Attorney General, it was ordered that the time for the introduction of new matter be extended, so as to embrace this day and to-morrow.

Mr. BRECKEN submitted a petition from John Ings and others, setting forth that they had subscribed a large sum of money, and were about forming themselves into a company, for the purpose of erecting in Charlottetown a first class Hotel, and praying for an Act to incorporate them as the "Charlottetown Hotel Company."

Referred to a Special Committee.

City Incorporation Act Amendment Bill.

Mr. BRECKEN asked and obtained leave to bring in a Bill in further addition to, and amendment of the Act to incorporate the Town of Charlottetown. He briefly explained the principles of the measure, which he said, had been prepared by the City Recorder. It had a clause for the better regulation of the system of granting licenses; and also one to empower the City Council to grant leases of a certain portion of the shores opposite Charlottetown,—a favor which had been asked for in a former House but not acceded

to. There was also a provision to enable the Council to levy taxes on the moveable property of citizens, such as the stock of merchants, &c., on the ground that from the greatly increased expense of the Fire Department, those who had large interests at stake should bear a proportionate share of the burden. If, however, it would necessitate the merchant to take stock, it would cause a great deal of inconvenience. While he was not quite prepared to support the clause as it stood in regard to taxing moveable property, still it might be amended in Committee, and he would move that the Bill be now read a first time.

Hon. ATTORNEY GENERAL said it appeared to be chronic with the City Fathers always to have their Bills brought in on the very last day of the Session in which they could be received. He did not blame the hon. member who introduced the measure, as he did not seem to be altogether in favor of it himself. Perhaps it would be well for the House, before more time was taken up with the matter, to ascertain whether the other member for the city was disposed to support the Bill.

Hon. LEADER OF THE OPPOSITION.—The remarks of the Hon. Attorney General were rather out of place, as the motion for the first reading of a Bill was not the time to test its principles. The Bill could not be considered as before the House, until it was read by an officer of the House. Still, the hon. members for the City had no right to introduce a measure, if they were not prepared to support it.

Mr. HOWAT agreed with the hon. Attorney General, that the City had always brought in their Bills at the 11th hour. They would have no reason to complain if this one should be set aside, for last Session they had one which passed through all its stages safely.

Mr. BRECKEN said the reason the Bill was not presented before to-day was, that on Monday evening the House was adjourned somewhat abruptly, and yesterday it did not sit. Some of the provisions of the Bill, he believed, would work well, and those which were objectionable could be amended in Committee.

The Bill was then read a first time:

Mr. Brecken then moved that the Bill be read a second time to-morrow, which was seconded by Dr. Jenkins.

Mr. Howat moved in amendment, that the word "to-morrow," at the end of the resolution, be struck out, and "this day three months," inserted in lieu thereof.

DR. JENKINS would like to know what interest the hon. member had in Charlottetown. The only interest the hon. member for Tryon seemed to manifest any anxiety for, was to get back to his farm.

Mr. BELL.—Perhaps the hon. member for Tryon wished to sell some goods to Charlottetown to sell, and and if he would have some interest in the Bill proposed to be brought in by the hon. member for Charlottetown. There were so many objections to the Bill, that he thought the House ought not to be delayed in discussing such new matter now.

DR. JENKINS would like to know what the objections were?

Mr. BELL believed that Charlottetown had got her full share from this House already. A large sum had been voted for their Market House; yes, they had received more than their share.

Mr. BRECKEN hoped that the hon. member for Tryon would not press his motion. The City was under large and heavy expenses, and had recently met with great losses. The City had not an expensive Fire Department, which had cost a great deal of money. This Bill need not detain the House long. He would admit that it ought to have been presented earlier, but certainly he did think that it was treating Charlottetown somewhat unfairly, thus summarily to dispose of their Bill. It was due to hon. members themselves, that they should award a little courtesy and consideration to the capital of the Colony. As to what his hon. friend from Cascumpec had said about the new market house, why the amount voted for the erection of that building was no more than the City had a perfect right to. That market house was as much used by, and afforded as much accommodation to the people from the country, as it did to those of the City. He did not think that Charlottetown and Royalty were indebted to this House, or to the country, for any favors. He would admit that there were several clauses in the Bill which might require consideration, but that was no plea for dealing with the Bill as summarily as the hon. member proposed. The citizens of Charlottetown were not wealthy, and the streets in the City and roads in the Royalty were cut up and injured more by the people of the country, than by the citizens; and if powers were asked to enable the city to keep these in better repair, he failed to perceive why so much objection should be taken. He did not wish to interfere, or throw obstacles in the way of trade, but it was well known, and should be remembered, that large quantities of goods were imported here and sold, which did not add one penny to the revenue of the City, while it affected and interfered with the trade of our merchants. If the House had been convened earlier, hon. members would have had such a depth of mud to wade through in our streets as probably, would have induced them to think more about the necessity of enabling the Corporation to put them in better repair.

Hon. Mr. DAVIES had had the honor of having a seat at the City Council Board, and found then, and was well aware now, from experience, that the powers of the City Corporation were too limited. They could not raise funds to carry out, and do, all that the City required and expected of them. The ordinary Revenue of the City, did not exceed the expenses of the Corporation, and if the House had time it would be well to go into the Bill. But it should have been brought in last year when the Tories were in power; yet although the City did not bring the matter forward when their Tory friends were in office, he was willing to do what was fair in the matter. In every other place of any importance, when an Act of Incorporation was granted to a City, the general government almost invariably endowed it with something handsome to begin with; but here, the government did not grant anything. This Bill was not asking for anything now,

it only asked for power to enable the Corporation to do their duty more efficiently to the citizens. Although there were some parts of it to which he would not give his assent, yet he thought the Bill should receive due consideration.

Hon. LEADER OF THE OPPOSITION would readily admit, that some parts of the Bill required consideration, and doubted if the House would pass it in its present shape; but he was amazed at the reasons given by the hon. member for Belfast why it should have been brought in last year; because, he says the views of the late party in power were in harmony with those of the City. No doubt, the chief reason why the Bill would not pass in its present shape was, that there was so many members here from the country who were opposed to it; but on the other hand, as this was the first House to which the City had sent a member whose views coincided with the present Government, it was a good opportunity for them to make him popular with his constituents, and therefore this was one reason why the Charlottetown Bill had been brought in at the right time, as it would afford the Government an opportunity to do honor to the Bill and the hon. member at the same time. As long as he had been in the House he never knew a Session to wind up until Charlottetown matters were brought in, which was always a sure sign, that the business was drawing to a close; and perhaps this might induce his learned and hon. friend, the Attorney General, to give the Bill the go-by, for its discussion might keep us here a week longer. But this was not a proper time to go into the Bill.

Hon. LEADER OF THE GOVERNMENT would not pledge himself to go for all the clauses of the Bill. The clause relating to the letting of shore lots in front of a person's property who held it down to the water, was contrary to a Despatch from the Home Government on that subject.

Hon. LEADER OF THE OPPOSITION.—We had on the back of that despatch a Statute, providing that a man should not have his front taken up without his own consent.

Hon. LEADER OF THE GOVERNMENT.—The City must be aware that we, as the representatives of the people, must see that the city did not obtain power to tax the people. If they did, petitions would come pouring in here for the repeal of those laws, and thus break up the corporation altogether. Several hon. members lived in the city, and perhaps had as much interest in these matters as anyone; but this House would have to be very cautious how it increased the powers of the city. His belief was, that the taxes already levied were sufficient, if properly managed, to procure better streets than the citizens now had. He did not think the money was properly expended, or the interests of the city rightly attended to by the civic authorities. Pigs were allowed to run about the streets of Charlottetown more freely than they were in the country. The policemen went strutting about so consequentially with their brass buttons, that they could not condescend to look after a poor pig. In the lower part of this town, people were unable to keep animals off their premises. The city authorities did not enforce the Laws which they already had, or even observe their own regulations. Look at the Main Street; they macadamized it, and as that did not please them, they next covered it with coal ashes, until it became so black and miry that he did not know what to compare it to. A proper system was required,

and it would be impossible that public works could be attended to as they ought, until those in authority would discharge their duty, and see that public work was properly performed. He would not oppose the Bill being brought before the House.

Mr. REILLY.—The city met with a severe loss last year, and he much doubted if the corporation, even with the additional power they sought, could raise much more than they did now; but he would be for allowing the Bill to go through the usual form.

Mr. Howat's amendment was then put, and negatived, on the following division.

Yeas—Hons. Messrs. Kelly and Laird, Messrs. Howat, Kirkham, McNeill, Cameron, McCormack, Ramsay, G. Sinclair, Bell, P. Sinclair and Arseneault—12.

Nays—Hon Messrs. Duncan, Henderson, Haviland, McAulay, Calbeck, Coles and Davies; Messrs. Brecken, Jenkins, Prowse, Green, McLellan and Reilly—13.

The main question was then put and carried in the affirmative. When it was ordered that the Bill be read a second time to-morrow.

Bill Relating to Practice and Pleading in the Supreme Court.

The House again resolved itself into Committee on the Bill relating to practice and pleading in the Supreme Court.

Hon LEADER OF THE OPPOSITION.—When this Bill was before the Committee the other day, some hon. members seemed to imagine, that as his learned and hon. friend the Attorney General and himself agreed upon the Bill, dangers were to be apprehended. In fact, that there was danger, or Lawyers on opposite sides of this House would not agree; and they accordingly, before the adjournment, moved a reconsideration. But he had since understood that had his learned friend and himself disagreed about the Bill, it would have been taken for granted at once that the craft had not combined to do injustice to any class. The clause in the Bill authorizing the taking and seizing of coin, debentures, &c., which seemed to have given so much alarm, was nevertheless an honest one. It carried in it a principle of sound legislation, and he was convinced would, if it should become law, be found of great service. We had heard a good deal about what a grasping creditor could do under the provisions of such a law as this—that he could come down upon a poor man and take all he had; but judging from some speeches, the clause would have been well enough, and a perfectly good one, provided we had a Bankrupt Law. But those hon. members who argued thus, should remember that a Bankruptcy Law did not affect the whole community. It did not affect the farmer, the mechanic, the fisherman, or several others in the community. A Bankrupt Law affected none but those engaged in mercantile transactions. The hon. member for Belfast (Mr. Davies) made the objection that we should not have such a law as this one, until we had a Bankrupt Law; and said that this Bill was being introduced too soon, and that in Nova Scotia and New Brunswick they had Bankrupt Laws. But he (Mr. B.) found that in New Brunswick and Nova Scotia their law was as hard as our own. He did not like to argue the other day, be-

cause he always wished to be correct; but in Nova Scotia and New Brunswick they had no Bankrupt Law. They had one some years ago, but it was found so impracticable that it had been repealed. They had now no Bankrupt Law, but a Law of insolvency. The only relief a man could get there was the relief of his person,—all his other property would be taken; and it was the same in England, as my learned and hon. friend the Attorney General would tell hon. members. This clause would protect those engaged in trading, but it would not put money into the pockets of professional men; and it was a clause which ought not to be struck out of the Bill. In the other Colonies, this measure was considered quite an improvement in their jurisprudence, and he had yet to learn that it was not a good law. The clap-trap arguments which had been brought forward to the effect that a man's pockets could be rifled if this law went into effect, he must repudiate, for he had looked into the common Statute Law and found that the same arguments would apply to it, under the same circumstances, but the fact was that no man's pockets could be searched by an officer of the Law.

Hon. Mr. DAVIES knew that some of his constituents found fault with many of the existing laws, and considered them grievances. One of these was that which related to the service of writs, by simply throwing them into the house. This was, he thought, rather a strange mode of service. As an instance of the want of a Bankrupt Law, he would mention that a firm of shipbuilders in New London, who had carried on a large business for many years, last summer fell behind and became indebted to some ten or twelve creditors in Charlottetown. Some were willing to commute their claims, but others were not and pounced down upon them. They were thus compelled to leave the Island in order to avoid imprisonment, though he believed that had a bankrupt law been in force, they might have remained and retrieved their losses. The loss of honest industrious men, as they were, was an injury to the country. He did not consider it just that, without having a bankrupt law in force, money could be taken in execution.

Hon. LEADER OF THE OPPOSITION was not opposed to having a Bankrupt Law. He did not consider it right or just that an honest man, who had been unfortunate in his business transactions, should be compelled to spend the rest of his life with a millstone of debts about his neck. If the hon. member was really anxious to have a bankrupt law in operation, and would introduce one upon a proper basis, he (Hon. Mr. Haviland) would offer no factious opposition. If the hon. member pursued this course, posterity would erect a monument to his memory. All the power was in his side of the House, and now was the proper time to pledge the Government to introduce the measure. The matter was not by any means unimportant, and should not originate in a mere committee of the House, but be introduced in the speech from the Throne. Allusions had been made to the change in the law regarding the service of Common Processes. That amendment merely introduced what had been tested and considered an improvement in Britain and New Brunswick. It was not a fact that it was specially directed against the Tenant League, nor was any march stolen in its introduction; for its principles were fully canvassed in the House. He could only say that, if any person had ob-

tained judgment on a writ which had been merely thrown into the door of the defendant's house, that judgment had been obtained illegally, and was void. The law was the same as in England and other countries. Hon. members seemed determined to connect the Bill before them with a bankrupt law, but there was, as he had before stated, no connection between them.

Hon. Mr. DAVIES.—If a mercantile man were to introduce a bankrupt law, people would at once say that he looked forward to requiring it himself; but it was strange that the hon. leader of the Opposition, while he acknowledged that such a law was of great importance, should occupy the time of the House with the Bill now before them.

Mr. HOWAT thought that the question before the House was, whether money could be taken in execution and not the necessity of a bankrupt law. The Bill could not do much harm, for after it was passed, any man who dreaded the seizure of his money would place it where the Sheriff would be unable to find it.

Mr. BRECKEN remarked that the Bill, when it became law, would not authorize the seizure of any amount which might be to the credit of a debtor in the Bank. It was merely intended for cases where money was exposed.

Hon. ATTORNEY GENERAL.—The danger that a man's pockets might be rifled to obtain money which he had placed in them, was obviated by the fact that, under the *Fi. Fa.* execution, a man's person could not be touched, much less detained. The clause under discussion was a very reasonable one, and the objections of some hon. members quite unnecessary. Some seemed to think—and he was sorry they should—that when he and the hon. Leader of the Opposition agreed upon any measure it must necessarily be wrong. The Opposition appeared to have confidence in their leader, and the Government side of the House appeared to trust him (Atty. Gen.) until they happened to agree on any point, when their sincerity was immediately doubted. It proved quite the reverse of the axiom that "union was strength." The hon. leader of the Opposition had stated that a bankrupt law should be brought in by the Government, and that it was really a Government measure. This was not the case, for there was no Parliamentary practice or rule to show that it might not emanate from the Opposition. The hon. member for Belfast had alluded to the Messrs. Bell, of New London. These were men of that class who were the bone and sinew of the country, and they were obliged to leave the Island because they were harassed from time to time by their different creditors. A man might, under the existing law, be imprisoned by each of his creditors in turn, though he might previously have given up all his property, and be detained in jail for an indefinite period. This was a grievance and one which should be remedied. The great difficulty in bankrupt laws was in their administration, but he saw no reason why such a law could not be properly and honestly conducted in this Island. The time had arrived when one should be introduced, but he could not see that the Bill before the Committee bore upon the matter. As regarded the new law, for the service of a Common Process, he was of opinion that it was perfectly just, since it did not deprive the

defendant of the power of defending his case. If it did so, it might very justly be objected to; but, while a man had the tribunals of the country open to him, there was nothing to be complained of. If the debt sued for was honestly due he could confess it, if not due he could defend it; for since the writ must be served at his residence, it would necessarily come under his notice.

Mr. MACNEILL knew that the people looked upon law reforms—so called—with much suspicion. He himself was inclined to the same opinion. He was glad to hear the explanation of the amendment in the manner of serving Common Processes which had been given by the hon. the leader of the Opposition. The altering of the law at the time it was done looked, however, very ominous. What had been said by the hon. Attorney General was very true, but he (Mr. McNeill) had heard that writs had been thrown in at the doors of persons' houses, and judgments obtained on such service. He supposed that affidavits of due service had been made in these cases, and therefore did not wish to blame the Court.

Mr. P. SINCLAIR.—There was one difference between the clause under consideration and that in the Small Debt Act. The latter provided that money, when seized, should be deposited with the Clerk of the Court, unless the defendant took it at par. Some provision such as this should be made in the Bill before the Committee.

Hon. LEADER OF THE OPPOSITION had no objection to follow out the suggestion of the hon. member for New London, for he considered it a very just one. He would therefore move as an amendment to the clause, that the words "as other chattels" be struck out, and the words "after giving three calendar months' notice of the sale thereof in the *Royal Gazette* newspaper," inserted in lieu thereof. This would compel the Sheriff to give three months' notice of moneys or securities, and would prevent such sale from taking place without being generally known.

Mr. P. SINCLAIR would second the motion of the hon. leader of the Opposition.

Hon. LEADER OF THE GOVERNMENT.—Three months was too long a time to delay the settlement of an action—it would be just to neither debtor nor creditor.

Hon. ATTORNEY GENERAL thought the amendment proposed a good one, and the time—three months—he did not consider too long.

Hon. Mr. DAVIES.—There was at last some intention of doing debtors justice. He however thought that the plaintiff at whose suit an execution was issued should be compelled to take moneys and securities at their face.

Mr. GREEN wished to know how that suggestion would work if Warrants were seized, and they were at the time selling for £5 per cent discount.

Hon. ATTORNEY GENERAL.—Suppose the hon. member for Belfast were to seize debentures of the Crapaud Dredging Co., or even of the City, or the new Hotel Company, would he be willing to take them at their face.

Hon. Mr. DAVIES would be very glad to do so, in payment of some of his debts.

Hon. LEADER OF THE OPPOSITION was of opinion, that if the Bill came into operation with the provision that securities should be taken at par, its working would be rather unsatisfactory. A man might then contract a debt at the store of the hon. member for Belfast, and by purchasing stock in the Gas Company perhaps, compel him to take it at par value in payment. As some hon. members appeared to think three months' notice of the sale of moneys, &c., too long, he would before his amendment was put to vote, insert two months instead of three.

The amendment was then put and carried.

When the clause was read relating to the rights of the Crown—

Hon. LEADER OF THE OPPOSITION said he had introduced that clause because he thought that the law as it now stood gave the Crown an undue advantage over the private individual, as its claim on execution came in before that of any other creditor. The hon. Attorney General, however, when the Bill was introduced, had intimated his intention to oppose this clause for doing away with the priority of claim on the part of the Crown; he (hon. leader of Opp.) would therefore hear that hon. member's objections before he moved farther in the matter.

Hon. ATTORNEY GENERAL would certainly oppose the clause, as it was one which would introduce a state of law adverse to the rights of the Crown, which did not exist in any of the other Colonies so far as he was aware. At present, if the Crown took security, say on goods, and they had to be seized, then its claim took precedence of all others. The rights of the Crown were the rights of the public and had to be protected. There was no injustice in the law to the individual, for the Crown only took the duties that were owing on the goods to whomsoever they belonged. The Crown might, of course, come upon the security, but it would not be right for the Government to recover its dues by prosecuting a private individual, when it could secure them otherwise. He hoped that the hon. introducer of the Bill would not press this clause.

Hon. LEADER OF THE OPPOSITION had to do with a case, in which the application came on from Halifax for seizure, and after they thought it was all safe, the Crown came in asserting its prior claim. He had afterwards received an indignant letter from his client blaming him for collusion in the matter; and after he was satisfied that the law was against him, he procured, it was said, the insertion of an article in one of the Halifax papers, showing that this Colony was behind the age. He (hon. leader of Opp.) believed that a similar case had recently occurred in Prince County, and as he thought it hard that the subject should suffer when his execution was of an earlier date than that of the Crown, he was determined to test the question this session.

After a few brief remarks from two or three other hon. members, the clause was disagreed to.

Hon. Mr. DAVIES said he wished to submit a clause relating to land. As the law at present stood the proprietor might sue a settler on the land which

he claimed to Court, and after putting him to the expense of appearing there, on some pretext or other could have the case put off. The suit might be brought on at the next Court, and if the settler did not appear, on account of his former trouble and expense, judgment would be given against him by default. All law was supposed to be based on equitable principles, and no person should be allowed to deprive another of land, unless he could show that he had a superior right to it. When he (hon. Mr D.) was at the Commissioners Court at St. Eleanor's, he heard a person state there that he had been taken six times to the Supreme Court, and his case had never been brought on by the proprietor who had summoned him. He thought it was time such proceedings should be put a stop to, and he would therefore move that the following clause be inserted in the Bill:—

No person laying claim to the land of any settler on this Island in possession of said land, shall be allowed on any pretence, to summon such settler to appear before Court the second time, on the plea of rent or otherwise, after having appeared there to answer such plea previously.

Hon. LEADER OF THE OPPOSITION would be glad if the hon. member would submit a Bill of his own, for if this proposed clause was put in, the Bill would require a suspending clause; and therefore he thought the hon. member should bring in a measure of his own, for if the Bill went home with that clause in it, it would not receive the Royal allowance. This House could not go into class legislation at the present time. Why, you might as well say that a man ought not to sue a second time.

Hon. Mr. DAVIES.—Neither should he.

Hon. LEADER OF THE OPPOSITION.—That was strange. The law was this: when a jury had pronounced a verdict upon a case, you could not sue a second time; but in a case where a jury had not pronounced a verdict, you could. The Bill would be destroyed altogether if this amendment was introduced.

Hon. Mr. DAVIES.—It would be the only good thing in it.

Hon. LEADER OF THE OPPOSITION.—Thank goodness, this was only the opinion of the hon. member. Nine-tenths of the people of this Island, unless they were ignorant of the nature of the Bill, would be in favor of the measure.

Hon. Mr. DAVIES.—If a merchant sued a man, he must appear in Court to produce his claim. But those land claimants never did or would appear in Court and shew that they had an honest claim to the land, but if they sued a man, and could find him absent at any time, then they would come boldly enough into court, and obtain judgment against him by default. It was a monstrous thing to think of. If they had a proper and legal right to the land, why had they never entered court and openly established it?

Mr. HOWAT.—If an individual sued another, he believed that he should come into court and shew his claim. The defendant could bring in his claim also, and thus put an end to the matter. What the hon. member for Belfast was arguing for, was right and proper. Why should a man be allowed to pursue another in a court of law forever.

Hon. Mr. HENDERSON had the good fortune to be ignorant of the law, in so far as his own experience went; he never was sued or had occasion to sue any man. He would like to know from the hon. member the leader of the opposition, whether there were, or had been such cases as those referred to since the introduction of Responsible Government, or within his memory?

Hon. LEADER OF THE OPPOSITION.—The hon. member had referred to him. He had already said that when a case was once fairly brought before a court, and a jury passed a verdict upon it, that case could not come up again. Before a party could be non-suited he had to pay the whole cost of the proceedings. All he could say was, that if the clause was introduced, it would cause the Bill to be lost, because it would be putting one class in a different position from another. Such a course might be very popular, but it was only deluding the agricultural population of this Island.

Hon. Mr. DAVIES.—We had been told that such a clause as the one he proposed, would only deceive the people of this Island, but he would relate a case which would shew the necessity there was for the clause he had introduced. Elisha LePage, at one time of the firm of LePage and Company, a respectable mercantile establishment of this City, who, after experiencing the fortune attendant upon some of the earlier adventures of trade in this Colony, settled down as a farmer at Rustico. A plot of ground, held by a descendant of one of the French families, who had settled on the Island long before it had been ceded to the British, had been seized for debt, and was sold at Sheriff's sale in Charlottetown, and bought by LePage, who for some time continued to improve upon it. In the meantime, it would appear, that the proprietor of the Township, not satisfied with what he had in possession, proceeded by threats and persecutions to frighten the settlers, most of whom held their lands from father to son, for more than a century, and independently of this claim, the French settlers on the Island, at the time of the conquest, were guaranteed peaceable and quiet possession of their holdings, and under the faith of the Royal Treaty they remained satisfied and felt secure. At the time of which he spoke the people were illiterate, and were easily frightened, and he might add, were compelled to take leases for the very lands of which they were in right the freeholders. It was while these nefarious proceedings were being carried into effect, that LePage came in contact with the proprietary agent, who demanded rent from him for the piece of land which he had purchased at the Sheriff's sale. He ordered the agent off the farm, and soon after received a summons to court on an alleged plea for the recovery of arrears of rent. He did not appear in Court, and judgment was given against him by default, consequently LePage was committed to jail. Doubtless the object they had in view in committing LePage to prison, was for the purpose of coercing other settlers to take leases, and to acknowledge the supremacy of the land claimant to the Township. It had to a great extent the desired effect, for the French settlers, who refused to comply with the iniquitous demands previously made by this land claimant, were told that if they held out any longer against this demand, they would be placed in jail alongside of LePage! This man was well known in the country, and

supposed to have considerable influence in Town; they were therefore, led to see what their fate would be if they continued to resist the aggressor. Thus by terrorism skilfully kept up, the proprietor and his agent did succeed in consummating their villainous plans in wrenching from these poor people their freeholds; and every person in the country at the time, from the Lieutenant Governor down to the lowest bailiff, knew how unjust it was, and were aware of the means used to accomplish this base end. All this time poor LePage remained in jail. Offers had been made to him from time to time to restore him to liberty, on the condition that he would acknowledge himself a tenant and take a lease; and they graciously offered also, to release him from all arrears of rent. These terms he would not accept, and said he would die in jail before he would give up his land which he had honestly bought and to which they had no right. Thus LePage remained in jail for about seven years.

Hon. LEADER OF THE OPPOSITION:—He was in jail fifteen years.

Hon. Mr. DAVIES:—Yes, but not at this time. Well, he was released then on account of a general jail delivery, when all debtors at the time were discharged in consequence of certain Acts under which they had been committed having expired. LePage repaired to his estate and family, but was not left long to remain in his lawfully obtained home, for soon after he was again cited to appear at Court in an action for arrears of rent. He said that he had bought his land and paid for it, and would defy either the Court or the proprietor to take it from him; and with an extraordinary stubbornness refused to attend Court, and judgment was obtained against him, not only for the arrears that had accrued since his first commitment, but also for the first alleged debt which had been discharged, and poor LePage was again re-committed to prison. Such were the facts, and any person having doubts as to their correctness, would do well to satisfy himself by a reference to the records of the jail, where he would find the entries. Some few years since, he being on the Grand Jury, that body visited the jail. In surveying the apartments, he (Hon. Mr. Davies) was struck with the worn out and haggard appearance of one of the prisoners, and asked the jailer who he was, when he was told that it was LePage! Poor LePage had been forgotten by all his old acquaintances, himself among the number, several of whom held the first positions in the land; but they were of a class who had no feeling for any person who attempted to resist the proprietary claims, or for the man who would advise the descendants of the French settlers not to attorn to those imposters of land claimants. The Jury enquired how long he had been there? The jailer answered, "for over fourteen years, except during the short interval when a jail delivery took place, but he was soon sent back again, and," he added, (for obviously he sympathized with him) "the poor fellow is falling fast, his faculties are giving way, and a few more months' confinement will destroy his mind." The jurors all spoke to him; most of them knew his family and himself, and insisted on presenting his case to the Court. On their return to the Court the Jury presented this extreme case; but they did not get much for their pains. One of the gentlemen of the bar had the audacity to abuse the Jury before the Court, until the Court interfered and put him down. Some months after this, LePage was released from jail; but not before steps were taken, and a petition prepared, stating the whole case, which was to have been laid before this hon. House. He was released, but whether by an order of the Court, or from fear of public exposure in the House of Assembly, he had not learned. Yet, notwithstanding this and other

glaring cases of oppression, where hundreds of freemen's holdings were by coercion changed from freeholds into leaseholds, by a system of tyranny unparalleled, we still heard impatient men declare there had been few cases of oppression on the part of the so-called landlords. He was not a man who would screen any person from paying his just debts, but he would prevent men from imposing upon their fellow men. Yes, he would prevent those land claimants from ever again imposing on any man in this Colony. He would not allow one man to trample upon the private rights of another, as had been so often the case, when those land claimants were permitted as they pleased without the shadow of a right or just claim to impose upon the peaceful settler. He would not be satisfied until he got for the people every right to which they were entitled.

Hon. Mr. HENDERSON would not support a doubtful measure. He was not aware that such a case as that which had been referred to by the hon. member for Belfast, had occurred within the last ten or twelve years, or since we had had responsible Government. But if the hon. member was sincerely desirous to carry a measure for the relief of the tenantry—

Hon. Mr. DAVIES rose to a point of order. This amendment did not refer to the tenantry at all. It had nothing to do with them. It referred to those who had settled upon a piece of land, but who had not attorned to any one. If they were sued into Court by a person claiming the land, and when the case was called up in Court, and the plaintiff did not appear to show his claim, this amendment went to provide that he might not have the power to sue him again on the same case. It had nothing to do with the man who had taken a lease at all.

Hon. Mr. HENDERSON held that the tenantry were involved in it in one way or the other. But he was going to show the hon. member a foundation upon which a really useful measure might be based, and upon which the hon. member might frame a good Bill for the relief of the tenantry. It would be remembered that when the Royal Commissioners were about to commence their investigations, His Excellency the Lieutenant Governor received a despatch from the late Duke of Newcastle, in which the following occurred:—"I trust you will impress upon the Commissioners, if requisite, the necessity of avoiding, as far as possible, any steps calculated to excite unreasonable expectations, or to stimulate agitation. On the other hand, while assuring the proprietors that the award of the Commissioners will not be enforced by Her Majesty's Government against any persons who have not either personally, or by their representatives, consented to refer their claims to arbitration, I should wish you also to observe to them, that their refusal to concur frankly in a measure which was intended to compose existing differences, and which, so far as it had yet proceeded, had been assented to by a large portion of their body, might materially influence the conduct of Her Majesty's Government if called upon hereafter to support them in any future disputes with their tenants." This extract had been taken by many of the people to signify, that in the event of disputes arising between proprietors and tenants, the British Government would not allow troops to be sent here to uphold the law. On this point the Lieutenant Governor, under date 23d March, 1865, requested Mr. Cardwell's opinion, who replied:—"The meaning of His Grace" (the Duke of Newcastle) "evidently was, that the Home Government would not advise the Queen to exert Her Majesty's prerogative by disallowing Acts of the Legislature of P. E. Island, in deference to those who refused reasonable terms of accommodation when offered to them." There was, he held, in this extract a tacit admission that the British Government

would not refuse its sanction to any reasonable measure founded on the principle laid down in the despatch.

Mr. HOWAT. — The hon. member's remarks had nothing at all to do with the question under consideration. If a man sued another and dragged him into Court, and then refused to appear against him, ought he to be allowed to sue him into Court again? No. He would maintain that if he sued a man into Court, and had been afforded an opportunity for one fair trial, and did not appear in Court to produce his claim, he ought not to be allowed to sue again. The intention of the amendment was to prevent a repetition of law suits in one and the same case. If he understood the matter properly, as explained by hon. members of the legal profession, a man might bring a person into Court twenty times on one and the same case. He would ask, were men to be brought up to Court, from day to day, and from year to year, merely for the purpose of giving employment to Lawyers? He would maintain that if a man got an opportunity for one fair trial, he received all to which he was entitled; if he did not avail himself of the privilege, the fault was his own.

Hon. LEADER OF THE OPPOSITION had already twice told the hon. member, that when there had been a fair trial, and a jury had passed verdict upon a case there could not be a trial upon it again. If a person sued and neglected to attend, of course he was non-suited.

Mr. HOWAT:—Well, suppose that to be the case?

Hon. LEADER OF THE OPPOSITION.—Then he must pay the costs.

Mr. HOWAT.—That did not mend the matter. Money was no object to some men. A rich man might put off his case from time to time, until he worried out a poor man. It was not for justice, or to obtain it, that some men went to law, but it was that they might conquer the poor man, and thus get the better of an opponent. He would again maintain that the hon. member for Belfast (Mr. Davies) was right. Talk about paying the costs! What did some men care for that; their object was to follow up the poor man until they accomplished their end in mastering him. He believed the amendment of the hon. member was a proper one, and would support it.

Mr. BRECKEN had listened to the arguments of hon. members carefully, and would tell the hon. member for Belfast that his amendment was invading a principle of law, the soundness of which had been advocated by the ablest Jurists of the age. He was very sure that if the amendment was put into the Bill, that it would destroy it altogether. This was the amendment, and a precious one it was:—

No person laying claim to the land of any settler on this Island in possession of said land, shall be allowed on any pretence, to summon such settler to appear before Court the second time on the plea of rent or otherwise, after having appeared there to answer such plea previously.

It was a principle of Law, that when a case was once tried and judgment had been passed upon it, that it could not be taken up again. But there were, and might be cases, where the ends of justice and right would be sacrificed by the adoption of the principle embodied in this amendment. Suppose a man to have a case, who found just as he was coming into Court, that a material evidence was absent, would you prevent him from bringing on his case again, if under these circumstances he were to withdraw it? He could not regard some of the arguments which had been produced other than mere clap-trap. When he heard such, he felt disposed to question the sincerity of those who used them. According to this resolution, no matter what the peculiarities of a case might be, a man could not get a new trial. He had yet to learn that one principle was to be applied to

land, and another to other kinds of property. In the absence of evidence, a man might lose a case though it was an honest and just one; at a subsequent time the evidence might turn up, but a clause of this nature would prevent him from renewing his claim, and thus the legitimate ends of justice would be defeated. If the proprietors had not a proper claim to their lands, why did not the hon. member establish a court of escheat and take them from them. Until the Government did so, the proprietors were entitled to proper protection at their hands. The merchant, farmer, or mechanic, might come into court and find that he had a material evidence wanting. If so, he could by paying the costs withdraw his case, and when his witness was forthcoming, would you throw his case out of court? If it was their intention to carry this resolution, let the thing be done handsomely, and in an honorable and manly manner; but let not the jurisprudence of the Colony be disgraced. Admit this principle into the Bill, and you would be injuring the poor man, as well as the rich. The fact was, if the arguments of the hon. members who had supported the resolution were correct, then their ideas were in advance of the ablest jurists in England. He did not wish to act discreditably towards any hon. member, but he could not but say, that whilst such arguments might be popular with some in the House and in the country, yet, if the principle was once admitted, it would apply with equal force between all classes in the community; and he could assure the hon. member, that such a principle would apply very differently from what he anticipated. If adopted, it might apply in such a way, as would make the hon. member smart.

Mr. HOWAT could not agree with the doctrine laid down by the hon. member for Charlottetown. Judging from what the hon. member had said, he would infer that lawyers looked upon it as a crime to differ with them in opinion. The hon. member said that if a witness was absent, it would be an act of injustice to prevent a person from bringing on his case again. He (Mr. Howat) did not know much about law or lawyers, nor did he wish to, but if he understood the hon. member correctly, he argued that if a man went to court, and found when he got there, that an important witness was absent, that he could by paying the costs, withdraw his case; and when his witness returned, that he could renew it again. He would still maintain that this was wrong. Costs were not an object to some men. If he went to Court he should be prepared with his evidence before he went.

Mr. BRECKEN.—The hon. member had expressed an opinion upon a question, the principles and bearings of which he did not very well understand. You might have a case in Court, and your Counsel might regard it a very good one; but it might be that a point would quite unexpectedly turn up, and to sustain it might be of the highest importance to you, yet you found that the witness who could do so was absent. As the law now stood, you could make an affidavit to that effect, and defer or withdraw it. The Court might grant a new trial; it was not, however, in every case that it would do so. The clause sought to be introduced, referred to a certain class, and ought to be rejected. The day for class legislation had gone by.

Mr. HOWAT thought it unjust that a man should be liable to be sued in the same case every year in his life. The plaintiff should know beforehand whether his case was a good one or not, and act accordingly; and the defendant should not suffer for his neglect.

Mr. BRECKEN.—The hon. member for Tryon should not give an opinion when he knew nothing about the matter. Suppose an action were brought against him, and that the party bringing the action produced in Court, to aid his cause, a forged document—a deed for instance.

The hon. member not being prepared at the time with evidence to prove that the deed was not genuine, might lose his case, and, however direct evidence he might afterwards obtain, he could never have a new trial. The hon. member did not understand what he was contending for.

Hon. ATTORNEY GENERAL believed that the motives of the hon. member for Belfast in moving the amendment were good, but he was doubtful as to the working of that amendment. It frequently happened that an attorney did not at first understand the full bearings of a case, and found, when it came to trial and was discussed, that a material witness was wanting to complete the chain of evidence, or an important document was missing. For the want of either of these he might be nonsuited in the case; and the amendment proposed would prevent his ever bringing forward the witness or document and having the case fairly tried. The amendment did not bear upon township landlords only, but upon every one who might bring a suit about land, and he did not therefore see why any distinction should be made between these suits and actions for ordinary debt. He thought it rather premature to introduce this matter into the Bill before the Committee. Notice should at least have been given beforehand, that hon. members might have had time to consider it. Though he was willing to support any measure which would aid in doing justice to all, he would oppose the amendment, since he did not think it could ever come into operation, and because it would probably imperil the whole Bill. It had better be introduced as a separate measure.

Mr. BRECKEN on considering the matter saw even greater objections to the proposed amendment than he had at first noticed. A Judge might take an erroneous view of the law, or a jury might, as was often the case, give a perverse verdict, and there would, under the amendment be no remedy. He could cite cases from his own practice in which he had had a new trial on such grounds. A judge too, might be bribed by a proprietor, perhaps in a suit against a tenant, and no new trial could be obtained.

Mr. HOWAT.—It was possible, however, that the judge or jury might be right in the first case and wrong in the second.

Hon. Mr. DUNCAN thought that the fact that a party who brought a suit and was nonsuited had to pay the costs, was a pretty good guarantee that people would not often sue without a just claim. The cases cited by some hon. members might be reversed, and a poor man be compelled to sue a rich one for his land. If the amendment became law, and he were to fail in getting justice the first time he would have no second opportunity.

Mr. McNEILL.—Some hon. members seemed to doubt that cases of hardship had occurred as alluded to by the hon. member for Belfast (Mr. Davies). He could refer them to one—the case of Winslow vs. Doiron. In this case there were a great many old men as witnesses, and they were brought to court from time to time, for a number of years without the case being tried. Doiron at length obtained judgment, but his expenses were some hundreds of pounds. There was surely need of some remedy for such injustice.

Hon. M. DAVIES had been misunderstood by many hon. members. His object in bringing in his amendment, was to protect poor people from being constantly sued, and judgment perhaps obtained unjustly, because they happened to be absent once. People throughout the country would see who was anxious to promote their welfare and who

was not. In introducing the amendment, he was simply endeavoring to remedy a grievance which the people complained of, and which members on both sides of the House had promised to remedy. It was folly to talk of his bringing in a Bill embodying this reform. Hon. members knew very well that to-morrow was the last day for introducing Bills, and it was then impossible for him to bring forward one. There was nothing in the Bill which had been brought forward by the hon. leader of the Opposition that was really worth anything, except the amendment which he (Mr. Davies) had introduced. That amendment he intended to bear upon those cases in which a man brought an action for land to which he had no title. If the words did not express this clearly, hon. members were bound to correct them.

Hon. LEADER OF THE OPPOSITION was not aware that he was bound to correct the amendment of the hon. member for Belfast. He would do no such thing.

Hon. Mr. DUNCAN.—His hon. colleague should have thought of this matter in time to have brought in a Bill. Why might he not now ask the House to suspend the rule for a few days to enable him to do so?

Hon. Mr. DAVIES.—If the principle was a good one, why did not hon. members support it in the Bill before them.

Mr. PROWSE thought that another Election was probably approaching, for the hon. member for Belfast (Mr. Davies) appeared to bring forward this measure merely to gain popularity. It was strange that he did not bring in a Bill to do away with the rights of proprietors, and settle the quit rents, &c.

Hon. LEADER OF THE GOVERNMENT.—The cases which had been cited were of rare occurrence, and therefore did not require legislation. He doubted very much if the amendment would be of any real benefit should it become law.

Mr. REILLY would support the amendment if he believed that it would defeat the Bill before the committee, for he could see no good in it. When the time of the House was considered so precious, it should have been allowed to stand over.

Hon. ATTORNEY GENERAL differed with the hon. member who had last spoken, as regarded the importance of the Bill. He could not support the amendment of the hon. member for Belfast, for it would be considered unjust to very many in the Island. Small proprietors, or any one holding land, would be affected by it. A man might bring a just action, and from some error in date perhaps, be nonsuited, when he would be forever prevented from obtaining his rights. The principle did not, as some hon. members supposed, bear upon the case of Doiront.

Hon. Mr. HOWLAN alluded to the case of a man at the west end of the Island, who had been harassed by being summoned to court unjustly. Such matters should be remedied, and if the clause introduced by the hon. member for Belfast would not do so, it was the duty of hon. members to introduce some measure which would.

After some further remarks from hon. members, the amendment was put to vote and lost.—Hon. Mr. Howlan, Mr. Speaker, Messrs. Cameron, McNeill and Howat, voting with the hon. member for Belfast.

Progress was reported, after which the House adjourned.

THURSDAY, May 9.

Hon. ATTY. GENERAL moved that the Bill relating to Education be read a third time.

Hon. Mr. HENDERSON regretted he had not had an opportunity of expressing his opinion, at the second reading of the Bill, or he would have submitted an amendment respecting a third class of teachers. The amendment brought in, he admitted, was an important one. It was a step in the right direction, which would improve the position of both teachers and tax-payers; but he thought that the female teachers should have been exempted from the operation of the sliding scale of salaries, as it had been termed. To subject them to a probation of three years before they could claim the full amount of the low salaries allowed to them, he regarded as a great hardship. It could not be said of the female teachers, that they made a convenience of teaching, or that they used it as a stepping stone to some other employment, for they prosecuted it faithfully, until it became their lot to enter into another description of engagement which was honorable to all; and then they brought with them an experience in teaching and training to bear upon the very fountain-head of society, the happy effects of which upon our race it would be no easy matter to over-estimate. If the amendment in the Bill would not interfere with these present salaries, he would not complain, but if it did include the female teachers in its probationary clause, he trusted that the reduction would be proportionate to their salaries. When travelling through the Murray Harbor District, during the late canvass, he was struck with the apple-pie order in which some of the Schoolhouses were found; even in districts which labor under many disadvantages. First among those which he would mention, was Miss McPhail at Brooklyn, Lot 61, and Miss McLeod, Dalmany, Lot 69. He heard the School Visitor for the Eastern Section of the Island making very respectable mention of Miss McIntosh of Guernsey Cove; Miss Robertson of Little York; Miss Murray of Saint Peters, and many more besides. He trusted that justice would be done to so-deserving a class of teachers, believing as he did that if parents and trustees discharged their respective duties properly, female teachers would be readily obeyed by all classes of scholars.

The Bill was then agreed to, when it was ordered, "That the Hon. Attorney General do carry the said Bill to the Council and desire their concurrence."

Mr. McNEILL gave notice that he would to-morrow enquire of the Government if anything had been submitted to them with respect to the Indians of this Colony; and also, if it was intended to enquire into their hold upon the land of Lennox Island.

Hon. LEADER OF THE GOVERNMENT, as a member of Her Majesty's Executive Council, presented a petition praying for a bounty on mackerel, and moved that it do lie upon the table. Agreed to. He also pre-

presented several petitions which had been laid before His Excellency in Council, from different Road districts, praying that money might be provided for several places out of the Special Grants. The Government had provided for some of these, not for others, but it was necessary that the petitions be laid before this House. He would therefore move that they be laid upon the table of this House, which was ordered accordingly.

On motion of the hon. LEADER OF THE OPPOSITION, seconded by Mr. Brecken, the House resolved itself into a Committee of the whole to take into further consideration the Bill relating to Practice and Pleading in the Supreme Court.

The clause relating to evidence being read,—

Hon. LEADER OF THE OPPOSITION said, as the law now stood, when a motion was made for hearing evidence on a case upon which no verdict had been passed by a Jury, it was necessary that all the affidavits be in writing, and it was thought that it would be better to have the witnesses examined upon the stand.

The clause was agreed to.

The Section being read relating to the serving of Processes—

Hon. LEADER OF THE OPPOSITION remarked that he did not think that there would be any objection to this clause. The object of it was, that where parties had made contracts in this Colony and it was necessary to proceed against them, that processes might be served upon them no matter where they were. It was a transcript of the English Act. Many persons had lost their debts for want of such a law, and it was to prevent this that the clause was introduced.

Hon. ATTORNEY GENERAL then submitted a clause which he thought would be supported by the hon. member from Rustico, and the hon. member for Belfast (Mr. Davies). It was to the effect that an absentee's property should be liable for the expenses of any suit in Court, when the judgment went against him. This clause would meet similar cases to that referred to by the hon. member (Mr. McNeill), namely, that of Doiront, in which, though he gained the suit, yet as Mr. Winsloe did not live on the Island, the costs could not be recovered from him although he had property worth thousands in the Colony.

Hon. LEADER OF THE OPPOSITION had much pleasure in supporting the clause. He thought it was a very good one, and if it had been in existence some years ago, Doiront would not have been put to so much expense.

Mr. McNEILL was glad that such a clause had been introduced into the Bill by the hon. Attorney General, and was supported by the hon. leader of the Opposition. It could not, however, remedy Doiront's case now; he would not get over it as long as he lived. It was somewhat singular that though some ten or fifteen years had elapsed since that trial, no amendment in our laws to meet such a hardship had been introduced till now.

The clause was agreed to.

Hon. Mr. HOWLAN moved that the second clause of the Bill be reconsidered, in order that it might be

amended so that the debtor might be allowed £5 in cash, as well as his last cow. The poor man might have nothing but his money, and if that was all taken from him, his case would be bad indeed.

Dr. JENKINS moved that the sum be £10.

Mr. P. SINCLAIR thought the clause might almost as well remain as it was, because it was easy for a man to put money that was in his pocket out of the way.

Mr. Howlan's amendment was agreed to, and the whole Bill reported from Committee, and ordered to be engrossed.

The Prince of Wales College Act amendment Bill was committed to Committee, and agreed to.

House adjourned for one hour.

AFTERNOON SESSION.

Loan Bill.

Hon. ATTORNEY GENERAL, pursuant to notice, introduced a Bill to enable the Government of this Island to raise a loan. It was, he remarked, contended by some that a loan might be raised in the Island for the purpose of purchasing land and of paying off the debentures which had been given for that already purchased. Looking at the fact, however, that the instalments which would become due to the proprietors would have to be paid in gold or silver, or the equivalent—Bills of Exchange—he was of opinion that a loan from abroad would be of far greater benefit than one raised at home. If a loan of £40,000 or £50,000 were obtained on the Island, those persons who might have money in the Banks on deposit would withdraw that money to purchase the Government securities, and thus the financial pressure would not be relieved, but the Banks would, on the contrary, be in a worse position than before. A loan from England or elsewhere would therefore, he considered, be of greater advantage. The Bill which he was about to introduce, provided that the loan could be raised either at home or abroad—at home to the extent of £40,000 sterling, and abroad to the extent of £100,000 sterling, and that either a part or the whole could be obtained as the state of the country might require. He could see no reason why the Government could not negotiate a loan in England, Natal, New Zealand, and Queensland were able to obtain loans on favorable terms. The Corporation of Quebec had been similarly successful, and this Island was surely in as favorable a position for negotiating a loan as that body. Capitalists in purchasing the securities of a country did not regard its size as being of much importance, but looked more particularly at its resources and the relative amount of its increase and expenditure. Bonds of the Province of New Brunswick, bearing six per cent interest sold some time since at 95 and 96. When this depreciation was spread over twenty years it would make the interest which was really paid about $6\frac{1}{2}$ or $6\frac{1}{4}$ per cent. The Bill provided that the debentures given for the loan raised on the Island should be payable in ten years from their date, and those given for the loan raised abroad in twenty years. A sinking fund of five per cent on the amount borrowed would be laid aside every year for the purpose of providing a fund to meet the payment of the foreign de-

ventures at their maturity. As an individual member of the community, he believed that every purchase of land was a benefit to the Colony, and it was but just that all parts of the Island should participate equally in such benefit. Large tracts yet remained to be purchased, and the Bill had in view the double object of providing for the payment of debentures already given, and of placing in the hands of the Government such an amount in cash as would enable them to treat with proprietors to greater advantage. The owners of the Sullivan estate, for instance, would be inclined to sell out on far easier terms if the Government were prepared to pay them for their land on delivery. It was impossible for the Government in a small community like this to purchase large tracts of land without serious detriment to the commerce of the country, unless they had such a fund provided, and therefore the land purchase Bill could never be worked satisfactorily unless a loan was obtained. By extending, as contemplated by the Bill, the payment of the loan over a number of years, the pressure on the country would not be so great at any one time.

Bill received and read a first time.

On motion of the Hon. Mr. Davies, the House resolved itself into Committee of the whole to consider the Road Scales. After some discussion the Speaker took the Chair, and the Chairman reported progress.

Hon. ATTORNEY GENERAL moved that the 13th Rule of the House be suspended to enable him to introduce two Bills,—one to exempt property belonging to different departments of Her Majesty's Government from taxation and the other to repeal the Act compelling masters of vessels to exhibit a light when in harbor in the night time, and to make other provisions in lieu thereof.

Bill received and read.

Dr. JENKINS presented a petition of J. D. Haszard and others, praying for an Act of incorporation for the establishment of a Flax Company. Said petition was referred, on motion of Dr. Jenkins, to a committee to report thereon, by Bill or otherwise. Committee—Ds. Jenkins, Mr. Brecken, and Mr. P. Sinclair.

Mr. BRECKEN, from the special committee, to whom was referred the petition of John Ings and others, praying for an Act of incorporation for an Hotel Company, presented to the House a Bill as prepared, by said committee, which was read for the first time.

Hon. LEADER OF THE OPPOSITION said this appeared to be a private Bill, and therefore moved that it be referred to the committee on Private Bills. Ordered accordingly.

Dr. JENKINS presented a Bill from the committee to whom was referred the petition of J. D. Haszard and others, praying for an Act of incorporation for the establishment of a Flax Company in Prince Edward Island, and moved that the Bill be received and read a first time.

It was read accordingly, and referred to the committee on Private Bills.

Hon. Mr. KELLY, from the Special Committee, to whom was referred every petition praying for the opening of new roads, presented the Report of said

committee, which, being read at the Clerk's table, was, on motion of the Hon. Mr. Kelly, ordered to be committed to a committee of the whole House tomorrow.

Adjourned.

FRIDAY, May 10, 1867.

Small Debt Courts.

Hon. Mr. HOWLAN moved that the House do go into committee of the whole, on the first order of the day, namely, to take into consideration the petitions praying for an amendment in the Small Debt Act, and for the establishment of additional Small Debt Courts. The House resolved itself accordingly.

Hon. Mr. MACAULAY said, that before the committee could go into a question of this kind, as it was one that affected the whole Colony, it was necessary that there should be a full House; he would therefore suggest that absent members be sent for.

The Chairman then read the several petitions. When the Petition from the inhabitants of Montague Bridge was taken up—

Hon. Mr. HOWLAN said, he thought that the people of King's County seemed to want a great many Small Debt Courts. He was most decidedly of the opinion that too many of these Courts were not for the good of the people. He believed that where Courts were established, as a general rule, the people could too readily do each other injury. Take for instance, such a place as that on the Georgetown Road, where they had already a Court within eleven or twelve miles. He would not wish to deprive any settlement of a Court, where he considered there was really a necessity for one; but he did not think that this one, and others prayed for, were required.

Mr. SPEAKER thought that the people themselves knew best what their own wants were, and he did not consider they would ask for these Courts if they were not required. The inhabitants of that section of the country to which the hon. member last alluded, embraced a part of his and the hon. Attorney General's constituents, as their respective districts met in that locality. Some years ago these people applied for a Court but were not successful in obtaining one. True, it was not well to increase these Courts, or encourage in any way what might tend to increase litigation; but he knew that there was a good deal of business done there now, and he thought that the prayer of the petition should be agreed to; and so also should the one from Montague Bridge.

Hon. Mr. HENDERSON would be sorry to encourage litigation; but to do so was one thing, and to establish a Court in a certain locality was another. From what had been said by hon. the Speaker, it would appear the people did want a Court at Montague Bridge; and if their wishes were to be represented here, their wants, when asked for in a constitutional manner, ought to be attended to, though he could not speak with much confidence on the subject, yet considering the distance the people there were from other Courts, they seemed to deem it more advisable to have a Small Debt Court among themselves, than be under the necessity of going to Georgetown. He was not

afraid that the supply would increase the demand, and on that account he would give the prayer of the petition his support.

Hon. Mr. HOWLAN.—Montague Bridge was, no doubt, a growing place, for he had seen an advertisement of property to be sold there, from which he inferred that it was improving rapidly and assuming the proportions of a flourishing little village; but he failed to see the necessity of establishing a Small Debt Court in another place, ten or eleven miles from Georgetown on the Georgetown Road. He held the petition in his hand. It was very nicely written, but he observed that the signatures were all in the hand-writing of one person. If the people were really so anxious for a Court as was said, he thought this did not look much like it. When there was a necessity for one of these Courts—where the trade of the country required it—he had no objection to its establishment. He never saw that in such cases they did more to increase than diminish lawsuits. But this, he held, was not always a safe rule whereon to ground a prayer for such Courts. He had on one occasion voted for the establishing of a Small Debt Court, and had since learned that it was not an advantage to the people. He found a great difference between the petition from Montague Bridge and the one from the place ten or eleven miles from Georgetown, and he would vote against the latter.

Hon. Mr. LAIRD said, if it was the intention of the committee to establish some new courts, as he believed they should, he would urge the prayer of a petition for one at Somerset, Lot 27, which had not those objections pointed out by the hon. member from Cascumpec. He believed it to be the duty of this hon. committee to extend facilities for the people who had to attend Small Debt Courts. There was one thing certain, if an increased number of these courts did not lessen litigation, it lessened the expense of those who had to attend them. The petition which he held in his hand, was signed by a large and respectable number of people, and he hoped it would be favourably received by the committee. *

Mr. GREEN was opposed to establishing more of these Courts, wherever people might ask for them. He knew of a place in Prince County, where, before a Court was established, they never thought of going to law with each other. Now he found that in the same place as many as sixty and seventy cases would be entered for one Court. Unless it could be shown that the places praying for them were a long way from other Courts, they should not be established.

Mr. McNEILL agreed with what had fallen from the hon. member for Summerside. He had no doubt but that such Courts were used not unfrequently to induce people to go to law. Constables went about and prompted people to sue, when perhaps they would not think of it if these Courts were not so near. For his part, he thought Small Debt Courts were numerous enough already.

Mr. GREEN.—Would the hon. the Speaker inform this committee, what the distance was from Montague Bridge to Georgetown?

Mr. SPEAKER.—Six or seven miles. The people there prayed for this Court years ago, when the place

was not of that importance which it had since obtained. If persons were unfortunately brought into Court, it was well to lessen the expenses attending such cases. He believed it to be the duty of the committee to take the prayer of the petitions into favourable consideration.

Mr. GREEN.—The hon. the Speaker said it was but six or seven miles.

Mr. SPEAKER.—That was to go across the Ferry; to go round by the road would increase the distance to ten or twelve miles.

Hon. Mr. MACAULAY said, that though these Courts were thought to be required, yet if you could not prove that their increase would increase at the same time the welfare of the community in which they were to be placed, then you should oppose them. But if the Government should ultimately decide the matter by establishing more of these Courts, he would advise them to prepare themselves for a little work. If the people of Montague Bridge had a desire for one, and if the Government were satisfied that a Court was required there, he had no objection. He knew many of those whose names were to the petition; they were respectable men, but they were not the whole of that community. Every one knew how easy it was to get names to a petition; but in a case of this kind he thought it was best to proceed with caution. The duty of the Government was to proceed so that the results would promote the general welfare of the whole people.

A resolution was then agreed to declaring it expedient to establish a Small Debt Court at Montague Bridge; but the prayer of the petition of Thomas Cain and others, for a Small Debt Court at some central place on the Georgetown Road was not entertained.

Hon. Mr. LAIRD moved a resolution to the effect that it was expedient to establish a Small Debt Court at Somerset, Lot 27.

Mr. McLENNAN said that to all appearance it was not probable the country would suffer from the scarcity of Small Debt Courts. He was of opinion that a Court was not required at the locality named in the resolution just proposed. But another reason he had for opposing the petition was that it made a charge against the Commissioners at Summerside, that they were not competent to adjudicate to the interest of the petitioners. He believed the Commissioners at Summerside were just as good men as any whose signatures were attached to the petition.

Hon. Mr. LAIRD replied that there were men in South West Bedeque just as well qualified to perform the duties of Small Debt Commissioners as any in Summerside.

Mr. ARSENAULT thought that when the people of any locality prayed for a Small Debt Court, they should have it. One was required in his district, for which application would be made next year.

The resolution was then agreed to.

Some desultory discussion then arose on a petition from Prince County, praying that both defendant and appellant should give security for costs in cases taken from Small Debt Courts to the Supreme Court. Hon

Mr. Howlan supported the prayer of the petition; but it was opposed by Messrs. Green, Bell, Prowse, and the hon. Attorney General, on the ground that the evil it sought to remedy seldom ever occurred; and that it arose out of a mistaken idea of the law. The petition was therefore set aside.

Hon. Mr. HOWLAN moved a resolution to the effect that it was expedient to amend the Act relating to the recovery of Small Debts, so as to increase the number of Courts, and to authorize the Governor in Council to reconstruct the Courts established under the said Act.

Mr. PROWSE clearly saw that the object which the Government had in view in amending the Act, was not so much to increase the number of Courts as to give them power to appoint other Commissioners to these Courts. This was a political matter and required grave consideration. New appointments in some cases might be expedient, but he was decidedly of the opinion that a sweeping change was unnecessary.

Hon. Mr. HOWLAN said that they were following the same course as was pursued by the hon. member's own party when in power. He thought it was good for the body politic, that there should be a change in these offices occasionally; as the Commissioners became too well acquainted with the people.

Mr. PROWSE moved an amendment to the effect that all that part of the resolution which referred to reconstructing the Courts be struck out. He wished to know the meaning of the word "re-construct." He was in some respects no admirer of the late government; but he could say for them that they did not turn every Commissioner of the Small Debt Courts out of office. In his own district one who was all along a Liberal retained his seat in the Court. It might be very well that the Government should to some extent, place their friends in office; but when they attacked the Courts of justice—for the Small Debt Courts were of this nature—it was going too far.

Hon. LEADER OF THE GOVERNMENT thought it came with very bad grace from the supporters of the late government to complain about a change of Commissioners, for they swept these officers out of place as clean as if with a broom. He did not think it necessary to reconstruct these Courts entirely, but there were some grievances which should be remedied. Some Commissioners and Clerks after being in office eight years became too expert at their trade. In certain cases it was about as well for parties to strike debts out of their books altogether, as take them to Court, for it was just as difficult to get the money afterwards from the Clerk as it was before from the debtors. But to "reconstruct" the Courts did not necessarily imply that new Commissioners would be appointed; a name might be placed at the head of the list which was now at the bottom.

Hon. Mr. MACAULAY rose to make an observation, namely, that the Government should not make Courts of justice political courts. Justice should be blind; it should not see party. The only Court which he cared to see political was this House. The resolution said something to the effect that the Government was going to "reconstruct" the Commissioners. That would be dreadful! It would destroy them altogether.

Hon. Mr. HENDERSON agreed with his hon. colleague that as far as these Small Debt Courts were concerned it was very desirable, that they should if possible, be assimilated to the Supreme Court. He agreed with the hon. the leader of the Government that much which made them to differ was, after all, often but a very immaterial matter. The difference reminded him of the junction of two rivers in Canada; where they met the water was always dark and muddy. No doubt both parties in many of these cases were to blame, but which party was to blame the most he (hon Mr H.) was not prepared to say. In these courts, all parties should, as far as possible, be represented, so as to insure a due administration of justice to each party. When he could sustain his position, and act consistently with his principles, he had no wish to bring party politics into this House. The Government, however, were evidently introducing these resolutions with a view to the promotion of party purposes; but while he believed this to be the case, in all fairness he was bound to say, that the power for which the Government was asking was one that should be vested in the Executive. They should have power to make such alterations from time to time as might be required, and it would be an honor to them should they inaugurate a better system than had heretofore prevailed. Was it on account of our smallness as a colony, or the sparseness of our population, that with every change of party a change must necessarily follow in these Courts? He hoped that such sweeping changes as were made by the late Government would not be made by this one; not that he would be understood as begging a favor of them; he was asking nothing from them.

Hon. ATTORNEY GENERAL concurred in many of the sentiments expressed by the hon. member for Georgetown, (Hon. Mr. Macaulay) and would say to the hon. member, that he believed the principles alluded to by the hon. member were those by which the Government were, and would continue to be guided. He admired the sentiments of the hon. member, and was happy to hear him say that justice was blind and should not know party; but he, (hon. Attorney General) could not forget, that the hon. member and his party had been in power; and however zealous the hon. member might be to carry out these principles, he could well remember that they were not acted upon by the hon. member and his party, when they held the reins of government. When he (Atty General) looked to the part of the country which he represented, he could think of some Commissioners who were removed not only in his district, but in others also, as for instance at Mount Stewart. There were very efficient commissioners removed by the late government, as efficient as any in the County, and much more efficient, in some cases, than those who succeeded them. The hon. member should have exerted himself to establish those principles, when he had the power to give effect to them. To have done so would have been more creditable to him and his party, than voluntary advice now. The hon member (Mr. Macaulay) was a great grammarian, and when any resolution came down from the Government, the hon member was alarmed, lest the grammar or composition should not be correct, and his first care and chief concern, was to look after these matters; and if he happened to fancy that he had discovered an error, or a word, not in accordance with the hon.

member's ideas of correct composition, he labored with all possible diligence to set the Government right. No doubt the Government were very thankful to the hon. member for his solicitude and care, but he regretted to have to inform the hon. member, that this Government could undertake to correct their own resolutions. But they would say, that they should have power to reconstruct these courts.

Hon. Mr. McAULAY.—Did the hon. member say "reconstruct?"

Hon ATTORNEY GENERAL had prepared the resolution himself, and thought it was a good one. Nor did he hesitate to say, that the Government should have this power, and it was their duty to obtain it. It was a power that always had been exercised by the Government, and one they should always have. He agreed with what had been said by the hon. leader of the Government; but if the late Government made such a bad use of this power, the present Government was not bound to do as they had done, or to follow their example and make a clean sweep.

Hon Mr. McAULAY said, in reference to his criticism, that in so far as it was applicable to the Government, he had no objection to a reconstruction; he would rather say, of course, the Government should be reconstructed. The word "reconstruct" had reference to the word "turning"—a re-building, or new construction of the same material. The hon. member had not said that he would turn them out; perhaps he meant a surgical reconstruction. (Laughter.)

Hon Mr. CALLBECK said that hon. members opposite appeared very anxious to impress upon the committee the belief, that they were, and had been, opposed to political changes in the Small Debt Court and other departments; and from the venerable appearance, and dignified language and address of the hon. member for Georgetown, (Hon. Mr. McAulay) one would be disposed to admit his sincerity. But he had learned to judge of men by their acts, and not by their words. The acts of the Opposition when in power, showed the course they would again pursue if placed in the same position. When he heard the hon. leader of the Government say that the Conservatives had made a clean sweep when they came into power; it reminded him of a circular which came into his possession about four years ago. The circular was marked "private and confidential," and addressed to the candidates for the representation of the Electoral Districts. In this circular there were four or five tests. The candidate was requested to return an answer in writing, and by thus binding himself to a written agreement, he would secure the support of the body from whom the circular emanated. As near as he could recollect, the first query read thus:—"That you will insist upon all persons holding offices of emolument under the Government, rendering that Government a reasonable, moral, and material support by pecuniary contributions, as well as by their votes at the polls, and by using their influence in favor of the Government to whom they are indebted for their official positions and emoluments." He presumed that the funds thus drawn from the poor officials were to be expended at elections; and although this list did not include the Small Debt Commissioners, yet we

list, and making a general change of Small Debt Commissioners. And to show how tenaciously they had adhered to their engagement of proscription and removal, we found that a commissioner from the political alliance waited upon an honorable gentleman who had accepted office, and who was about to offer as a candidate, and threatened him with opposition, if he as a member of Government, did not remove from office a brother who had not voted at the previous election. That gentleman had continued to hold office during the administration of the Liberal party, although opposed to that party in politics. He, therefore, (Hon. Mr. Callbeck) judging the hon. members opposite, from the antecedents of their party, felt quite satisfied that if they again attained power, and occupied the position that the government side of the House now did, they would again make a clean sweep. He could not fail to perceive, that the change of opinion was in consequence of their change of position.

Mr. P. SINCLAIR said it could not be denied, there was much truth in the statements uttered by the hon. member who had last spoken. The remarks made by the hon. member, showed clearly that the sweeping changes made by the late government had to a very great extent necessitated the reconstruction contemplated by the present one—had actually made it a necessity. The principle of changing Commissioners of Small Debt Courts with every change of government, was one of which he entirely disapproved. There were Commissioners of Small Debts in the District which he had the honor to represent, who had not been removed by the change of parties; and he was happy to hear the Leader of the Government expressing his disapproval of the system of making an entire overthrow. His (Mr. S's.) opinion was, that efficient officers, who were giving general satisfaction; ought not to be removed on account of the manner in which they used the privilege of the franchise. The sooner Commissioners of Small Debts were appointed according to merit, and continued during efficient conduct, the better for the Colony. He hoped the Government would not follow the example set by their predecessors.

Mr. REILLY said that if he thought the amendment was going to introduce partisanship, and those sweeping changes, with which the late Government made the country so familiar, he would not support it. What was required was an infusion of new blood into the Courts. The fact was that many of the Small Debt Courts were, and had been, considered corrupt, and in many places a change was required, in order that people might have confidence in the integrity, ability, and good judgment of these Commissioners. He intended to support the amendment, but hoped that in these Courts both political parties would be represented.

Mr. McNEILL thought that it was not likely the Government would place Commissioners in these Courts in whom the people would not have confidence; and when a change was made, he hoped that it would be one that would give very general satisfaction. This was not the case when the changes were made by the late Government. When the Liberal party came into power, they did not remove all the old Commissioners; and if the late Government had left a few in as had been said, he supposed it must have been their old friends who were not removed by the Liberals. He knew that when the late Government came into power, they put in men for Commissioners, who were not as able and efficient as those were who had been removed to make room for them. He was opposed to a clean sweep; but felt that a change was required, and would support the amendment.

Mr. PROWSE failed to perceive the difference between the Supreme Court and these lower Courts. He believed the objects of the two Courts were similar. The only difference he could perceive was that as a general rule, the lower Courts had to deal with the poorer class of people. It had been said that the late Government made a clean sweep when they came into power; this he was not prepared to admit. He knew instances where some Commissioners were not removed. He was surprised to hear the hon. leader of the Government complain that justice could not be obtained in some of these Courts; and if such was the case, then it showed the necessity that existed for not making these Courts political. He would not agree with the statement that Commissioners of Small Debts had, as such, worked for their political friends.

Mr. McLENNAN thought that the hon. member for Belfast had given facts which showed the position of these Courts and of the Government. It was impossible to find every man of the same opinion; nor should they be sought after for such appointments as those of Commissioners of Small Debts. He could not concur in the explanations given by the hon. member from Tignish. He thought the hon. member had not sufficiently explained the matter of which he spoke.

Hon. Mr. LAIRD would, as a member of the Government endeavor to have men appointed for Commissioners of Small Debts, who would do justice between man and man. He regarded it as a matter of the highest importance to have the right men in the right place, and in so far as it was possible, he would endeavor to see that it should be so.

The amendment proposed by Mr. Prowse was lost, but the resolution was somewhat modified, and the whole reported agreed to.

The Prince of Wales College Act Amendment Bill was read a third time and passed.

The House then resolved itself into Committee of the whole to take into further consideration all matters relating to roads, bridges and wharfs, when the Road Scales were agreed to and reported accordingly.

House adjourned for one hour.

AFTERNOON SESSION.

On motion of the Hon. ATTORNEY GENERAL the Bill intituled "An Act to compel masters of vessels to exhibit a light while in harbour at night time, and to make other provisions in lieu thereof," was read a second time, and committed to a committee of the whole House.

Mr. CAMERON took the chair of the committee.

Hon. ATTORNEY GENERAL explained that in the Imperial Act there was a distinction made between vessels under way, and those in harbor. There were certain rules laid down for the observance of Masters of vessels while at sea; and others for their observance while in harbor. The only alteration intended by the Bill was merely to strike out of the present Act the words "under way" which would make it the same as the Imperial Act.

The Bill was then reported agreed to.

On motion of the Hon. Attorney General the House resolved itself into a committee of the whole, to take into consideration the Bill exempting the property of various departments of Her Majesty Government from taxation.

Hon. Mr. Henderson in the chair.

Hon. ATTORNEY GENERAL having explained that the Bill made technical alterations only in the Act which had hitherto been in force, it was read by the chairman and agreed to without amendment.

The Indians and Lennox Island.

Mr. MONTELL, pursuant to notice, brought the case of the Indians of Lennox Island to the notice of the Government. He had heard and believed that these people had been molested during last summer by a person who endeavored to make them attorn to him, and threatened that he would send troops to compel them to do so. Although the Government might not have the power of interfering in the matter, it was but right to bring it to their notice. The Indians here had always been hardly dealt with. They had no reserves especially set apart for them as in Canada. When the Land Commissioners were here they reported regarding the Indians as follows:—

"The Indian claims are limited to Lennox Island, and to grass lands around it, and as it appears by evidence that the Indians have been in uninterrupted occupancy of this property for more than half a century, and have built a chapel and several houses upon the same, the undersigned are of opinion that their title should be confirmed, and that this very small portion of the wide territory their forefathers formerly owned should be left in the undisputed possession of this last remnant of the race."

Their condition should therefore, he thought be taken into consideration by the House, and as he had understood that some correspondence concerning them had passed between the Aboriginal Society in England, and our Indian Commissioner, Theo. Stewart, Esq., he would suggest that Mr. Stewart might appear before the bar to give the House any information which he possessed on the subject.

After some discussion on the matter, several hon. members not appearing to think that Mr. Stewart's presence at the Bar was necessary, the House resolved itself into Committee to consider further of a

Supply,

and the Hon. Attorney General moved the following Resolution:—

Resolved that the following sums be granted and placed at the disposal of the Government for the following purposes:—

| | | | |
|--|------|---|---|
| Harbor Lights at Rustico Harbor, | £20 | 0 | 0 |
| Do. at Tracadie Harbor, | 20 | 0 | 0 |
| Do. at St. Peter's Harbor | 20 | 0 | 0 |
| Do. at St. Andrew's Point, Lot 59, | 10 | 0 | 0 |
| John Roper, to compensate him for unavoidable extra expense in building South Pinette Bridge, | 100 | 0 | 0 |
| John McGowan, Esq., Souris, late Road Commissioner, for superintendence of building Souris Breakwater, during years now past | 20 | 0 | 0 |
| Belfast Grammar School, | 30 | 0 | 0 |
| Archibald McNeill for daily Telegrams from England, United States, and the Colonies till end of 1867. | 20 | 0 | 0 |
| | £240 | 0 | 0 |

The principal item was, he observed, the grant to John Roper. This amount the Government were not perhaps legally bound to pay, but as it had been recommended by the late Superintendent of Public Works, they had thought it best to make the grant.

Resolution agreed to.

Hon. ATTORNEY GENERAL then moved the following Resolution:—

Resolved, That a sum sufficient be granted and placed at the disposal of the Government for the following purpose, that is to say:—To reprint the Statutes of this Island passed in the years 1863, 1864, 1865 and 1866, the same to be under the superintendence of two Commissioners

appointed by the Government for that purpose, who are hereby empowered to omit all expired Statutes as in former case of reprinting the Laws, the said re-printing to be let by tender, and Statutes of the present year, if possible, to be also bound up together with the above named Statutes of 1863, 1864, 1865, and 1866.

Hon. Attorney General explained that the copies of these Laws had been exhausted, and it was therefore very desirable that a new edition should be published in one volume, omitting those Laws which had expired or were executed.

Resolution agreed to.

Hon. ATTORNEY GENERAL then moved a Resolution granting several sums for the relief of destitute persons and Idiots, which was passed after it had been amended by making the grant for John Graham, Sturgeon, £5 instead of £2 10s.

Hon. ATTORNEY GENERAL then moved the following resolution which was agreed to:—

Resolved, That the following sums be granted and placed at the disposal of the Government for the following services, that is to say:—

| | | | |
|---|------|---|---|
| Southport Ferry Wharf for repairs, | £400 | 0 | 0 |
| To deepen outlet to Pond at Point DeRoche, | 10 | 0 | 0 |
| Lunatic Asylum, for fence surrounding and about the grounds, and additional Kitchen accommodation, | 300 | 0 | 0 |
| To Henry Lewellin, for loss sustained in draining his Mill Dam, and use of his Dam meanwhile, as a Public Road, in order to allow of the building of a new Public Bridge, | 20 | 0 | 0 |
| Cascumpec Agricultural Society, | 7 | 0 | 0 |
| | £737 | 0 | 0 |

Hon. ATTORNEY GENERAL submitted another:—

Resolved, That the following sums be granted and placed at the disposal of the Government, for the following services:

| | | | |
|---|-----|---|---|
| Stephen Gallant, Lot 2, for the keep of Susan Winsor, a blind woman, | £10 | 0 | 0 |
| William Clements, for the relief of three idiot children of Thomas Reynolds, Murray Harbor, | 5 | 0 | 0 |
| For amounts due on contracts relating to Roads, Bridges, and Wharfs, already let or performed, but not as yet specially provided for, a sum sufficient, | | | |
| Breastwork at Government House, | 150 | 0 | 0 |
| St. Ann's School Charlottetown, | 20 | 0 | 0 |
| To procure a survey and plans of Tignish Run, for the purpose of deepening the said Run, | 30 | 0 | 0 |

He explained in reference to the third grant, that many contracts had been let during the past year by the late Government, for which sufficient sums had not been granted during the last session of the House. As an instance of this he might mention that £500 had been granted by the late House for the Wharf at West Point and the Government had contracted to the extent of £900. Although he did not approve of the action of the late Government in this way, yet the present Administration did not think it right to refuse to pay such amounts. As regarded the Wharf at West Point, he looked for some explanation of the matter from the hon. member for that district (Mr. Ramsay.) He understood that blocks had been built at a distance from the stone, and that it would require an expendi-

ture of some £800 or £900 more before they could be made available. The hon. member from Tignish (Mr. Howlan) would have to explain the object of the grant for the Tignish Run, he (Atty. General) was not sufficiently acquainted with that part of the country. He knew that it was a great commercial district,—that an immense trade was done there. It was somewhat strange, however, that when the pauper scales came to be made out Tignish should appropriate to itself so large a share of the money granted to relieve that class of persons. Perhaps the "Run" was a run on the Bank at Alberton or a "run" of the paupers out of the country. If the latter, he would certainly support it as far as possible.

Mr. RAMSAY observed that the late Government had promised a further grant for the West Point Wharf, and though the present Government were not perhaps obliged to redeem their promises, they were, he thought, in honor bound to do so.

Mr. HOWLAN wished to explain the object of the grant for the Tignish Run. The amount in the Resolution was very small when compared with that expended for Breakwaters in the district represented by the hon. Attorney General; and, as if enough had not already been spent, there was in the Resolution before the House a grant of £20 to a person for superintending these Breakwaters. If parties residing in Souris had adopted the plan which he intended, and obtained the services of a competent Engineer to survey the harbor and to report as to cost, &c., such large sums of money need not have been expended. He was moderate and only asked for £30 to get an Engineer to survey the run and report as to what was the best course to pursue. Tignish was well entitled to a grant of money to improve this run. That part of the Island exported more fish than any other, and in order to make a better harbor for boats, the run required to be deepened. As it was at present, if a boat failed in getting out at high water, she was compelled to remain inside till the tide again rose, and thus sometimes large catches of fish were lost. The people at Tignish were willing to give £1000 in labor and timber if they received encouragement from the Government. The survey should, however, be first made. It was not right to grant money in the dark as had been done at Souris. He had even heard that one of the Breakwaters there was built upon the property of a private individual.

Mr. KICKHAM.—The money which was granted to the Souris Breakwater was money well expended, and if a few hundred pounds more were given, there would be additional revenue collected sufficient to pay it. It was not true that the Breakwater was on private property.

The Resolution submitted was then agreed to, and the Speaker having taken the Chair, the Committee rose, and reported.

On motion of the Hon. ATTORNEY GENERAL the House resolved itself into a Committee of the whole to take into consideration the "Bill to amend the Act of the 29th Vic. Cap. 29 relating to Trustees, and the Act relating to Judgments in the Supreme Court binding leaseholds."

Mr. CALLBECK in the Chair.

After some discussion on the clause relating to the sale under Judgment of the property of the Defendant after his death, some hon. members appearing to think that the law should remain as at present, the clause was struck out.

The Bill thus amended was then agreed to, and the Speaker having taken the Chair, it was read a third time and passed.

The House resolved itself into a Committee of the whole House, to take into further consideration the subdivision of the grant for the relief of paupers.

Mr. G. SINCLAIR took the chair of the Committee. On motion of the hon. Leader of the Government the several resolutions, as read, were agreed to, and reported accordingly.

New Roads.

The House then resolved itself into a committee of the whole, on the eleventh order of the day, viz: the report of the Special Committee on New Roads. Mr. Peter Sinclair in the chair.

After some desultory debate, in the course of which the report was subjected to severe criticism, it was agreed to with amendments, and is as follows:—

Your Committee to whom were referred the several Petitions for the opening of new lines of Roads, report as follows, and recommend that inquisitions be held under the Act 14 Vic. Cap. 1, in accordance with the several Petitions, viz:—

The Petition of certain inhabitants of Millcove and Black River settlements, praying that a new Road be opened out from the schoolhouse on the Black River Road along the southern boundary of James Dougan's farm and through John Flynn's farm, and to the Millcove road.

The Petition of certain inhabitants of Pisquid and Dromore settlements, Lot 37, praying a new line of Road to be opened from Patriek O'Hare's towards Pisquid new Bridge, and from Clark's Bridge to said new line of road, by avoiding Walker's Hill.

The Petition of certain of the inhabitants of Lots 37, 38, 49 and 86, praying for the opening of a new road from the Pisquid and Vernon River Road, at or near the farm of Donald McGilvray, to the road leading from Kenefics to Edmond's (the site most suitable, to be first run off by the Commissioners and approved of by the Government.)

The Petition of the inhabitants of Lots 11 and 12, praying for the opening of a new line of Road through the farm of David Milligan to Conway Inlet (£4 0 0 granted for compensation.)

The Petition of certain inhabitants of Greenvale, Township No. 46, praying for the opening of a new Road across the farms of Peter McInnis and Alexander McPhee as therein described.

The Petition of certain inhabitants of Lots 30 and 87, praying for the continuation of a new line of Road from Strathalbyn Manse, to old Tryon Road.

The Petition of Peter Connelly and others, setting forth that he has given up the site for a new Road to the Government, through his, the said Connelly's farm in Lot 85,—a distance of 80 chains—for which

your Committee recommend that he be paid the sum of £10.

The Petition of Thomas Clark and others, of Township No. 28, praying that a right of way be opened for a new Road across the farm of James Gamble;—Your Committee do also recommend the sum of £10 be paid as compensation for said right of way to said James Gamble.

The Petition of certain inhabitants of Lot 14 praying for the opening of a Road across the farm of Murdoch McKinnon, to the main road;—Your Committee recommend a sum of £5 be paid the said Murdoch McKinnon as compensation therefor.

The Petition of certain inhabitants of Lots 59, 61, 63 and 64 praying for the opening of a new line of Road from Montague Bridge to Murray River,—a distance of near ten miles, and the counter petition thereto, of the inhabitants of Peter's Road, praying a different and less expensive route for said road.—Your Committee recommend the Government to cause a Survey and examination of both of said lines, and report the result thereof to this House next year.

Also the Petition of certain inhabitants of Townships Nos. 20 and 21, praying for a survey to be made of a contemplated New Road from Johnston's Mill Road, out to the Shore. Your Committee recommend the making of said Survey, and plan thereof to be laid before the House next Session.

That a Commission be granted on the line of Road to connect the O'Rourke Road with the Kildare Cape Road, on Township No. 3, on the division line between the farms of George McRae and William Clark.

Your Committee have had Twenty other Petitions referred to them, all of them praying for grants of Money in aid of making New Roads, and which your Committee conceive do not come within the scope of their investigation or within their province, viz:

The Petition of certain inhabitants of Miminigash praying for £400, for deepening a harbor,

The Petition of certain inhabitants of Lot 66, praying a grant of Money for a Road.

The Petition of certain inhabitants of Lot 3, praying a sum sufficient to complete a Road.

The Petition of certain inhabitants of Cove Head praying a sum of £30 to open a new Road.

The Petition of Alexander Matheson and others, for a grant of money to continue a Road.

The Petition of certain inhabitants of Lot 26, praying aid to build a Bridge.

The Petition of certain inhabitants of North Be-deque, praying aid for a Wharf.

The Petition of certain inhabitants of Cascumpec, praying £200 in aid of a Wharf.

The Petition of certain inhabitants of Dundas, praying £60 and £10 to purchase a Wharf and road thereto.

The Petition of certain inhabitants of Lots 3 and 4, praying £200 in aid of a new Road.

The Petition of certain inhabitants of Matheson's Hill, praying a grant to open a new Road.

The Petition of certain inhabitants of Lots 55, praying £15 in aid of a new Road.

The Petition of certain inhabitants of Lots 55 and 56, praying a grant in aid of a new Road.

The Petition of certain inhabitants of Lots 55, 56, 42 and 61, praying £15 for opening a new Road.

The Petition of certain inhabitants of Lot 17, praying aid for a Wharf.

The Petition of certain inhabitants of Lots 30 and 67, praying a grant to complete a Road.

Petition of inhabitants of South West River, and Mill River, praying aid for a Road.

Petition of inhabitants of New London, praying aid for a Wharf.

Petition of inhabitants of Lot 22, praying a grant in aid of a new Road.

Petition of inhabitants of Lots 1, 2 and 3, praying aid for opening a new Road.

On motion of hon. Mr. Kelly, it was ordered that the same Committee be a Committee to prepare an address to His Excellency the Lieutenant Governor, praying His Excellency to direct that the recommendations contained in the last preceding report on the opening of new Roads, be carried into effect.

Dr. JENKINS from the Committee appointed to prepare a Bill to institute a Hospital in Charlottetown for sick and disabled seamen, and others, presented the said Bill to the House, which was read a first time, and ordered to be read a second time to-morrow. Adjourned.

SATURDAY, May 11.

Grant to St. Ann's School.

Mr. BELL from the committee of the whole House, on the further consideration of a supply, reported, according to order, six resolutions of the said committee, which resolutions were again read at the clerk's table. When the item "St. Ann's School, Charlottetown, £20," in the sixth resolution was read—

Hon. Mr. HENDERSON enquired, if St. Ann's School was a public or a sectarian school? If the latter, he on principle would oppose the grant.

Hon. ATTORNEY GENERAL said it was a collateral school, and if £20 were given for the Bog School, which was a religious school, he thought St. Ann's school was entitled to the same. Though both were religious they were not exclusively sectarian, but were open to all denominations. He, however, would like fuller information about this school.

Mr. BELL said, if the school was open to all denominations, it was money well spent, for it was educating the children of the poor, who in all likelihood, would have to go uneducated, unless they obtained instruction in this way.

Hon. LEADER OF THE GOVERNMENT.—No doubt this was one of those schools got up for the benefit of the children of the poor, and was conducted on the same principle as that of the Bog School. The one was taught by a Catholic, the other by an Epis-

copian lady. Such schools did not come under the same rule as other schools.

Hon. LEADER OF THE OPPOSITION was opposed to all sectarian schools. He had no objection to this grant, although it was conducted by a Catholic lady. If it was open to the children of all denominations he would support the grant; but if it was a school where none were taught but those of that particular denomination, he would oppose it.

Mr. REILLY.—This school was established a few years ago for the benefit of the poor in the east end of the city—for children whose parents were too careless to send them to school; and was to the east end of the town what the Bog School was to the west end. The Saint Joseph's and Saint Ann's Schools were open to all denominations.

Mr. PROWE.—Were these schools under the supervision of the Board of Education? If not; and religious tests were required of the teachers, they ought not to receive Government aid. He would oppose any grant to a school not subject to the control of the visitor of schools.

Hon. ATTORNEY GENERAL said, there was another school on the same footing which received a grant in the same way. He believed there were two, one in Georgetown and the other in St. Eleanor's. These schools were not under the control of the Board of Education. If they were, the parents of the children attending them would have been called upon to erect schools, &c., as in other districts.

Mr. REILLY had been told that the teachers of the two schools to which he had referred would be glad to see the School Visitor in their schools.

Hon. LEADER OF THE OPPOSITION, after the explanations made, was prepared to vote for the grant.

Mr. KICKHAM had made enquiry, and found that these two schools were open to all denominations, but had been got up with a view to clothe and educate destitute children.

Mr. P. SINCLAIR was of the opinion, that all schools receiving aid from the Treasury, should also be subject to the same regulations as other public district schools, and be under the control of the School Visitor. The country should know what was taught in every school receiving aid from the Government.

Hon. ATTORNEY GENERAL fully concurred in the opinions expressed by the hon. member for New London. Everything should be open to the public in all schools supplemented by the Legislature.

Hon. Mr. HENDERSON had no intention of taking a narrow or one-sided view of the question; but he held that the sectarianism of a school turned more upon the regulations of the school than upon the religious views of the teacher. The sectarianism of a school depended upon what was taught therein. On principle, he was opposed to endowing any school which was conducted upon purely sectarian principles; and if there was any test in these schools, they ought not to be supplemented. He believed there was one hon. member here who had been pledged to vote against all such grants.

Hon. Mr. HOWLAN thought this was fighting with a shadow. The question amounted to this:—In one portion of this city a school had been established and conducted by a Protestant lady which had been open to Protestant and Catholic children alike. This school had been for years receiving a grant from this House, and went by the name of the "Bog School," and was under the control of the Rev. Mr. Parnther, one of the Episcopal Ministers of the city. The other school was in the east end of the town, and went by the name of "St. Ann's School." If this school, which, like the other, was open to children of all denominations, did its duty in clothing and educating the naked and uneducated poor children, to the same extent as the Bog School did, it was entitled to the same support. This latter school was under the control of the ladies of the convent. He did not see any sectarianism in the matter at all. They might be called the east and west "Bog Schools." He thought that the hon. member would see it in this light, if he looked carefully into the matter. If it was a school where Roman Catholic books were used it would be different; but this was not the case.

Hon. Mr. LAIRD understood when this money was voted in Committee, that there was no sectarianism taught in the school in question. If it could be shown that sectarianism was taught there, he would oppose the grant.

Mr. PROWSE.—If it was the duty of the State to educate the children of the poor and of the rich, then all schools should be subject to the same regulations. If any undertook to establish a school for themselves, no one could object to it; but when they came and asked this House for aid, their school or schools should be put under the supervision of the Visitor of schools.

Hon. Mr. DAVIES was opposed to aiding sectarian schools by the legislature. It was admitted that schools so aided, should be placed under the supervision of the School Visitor. His views coincided entirely with those of the hon. member for Bedeque (Mr. Laird.) The public schools of Charlottetown would not accommodate all the children of the city, and if private schools were established, independent of the Government Schools, and sectarianism was taught in them, they ought not to come here for support.

Hon. Mr. HENDERSON was not yet satisfied that the school was unsectarian.

Hon. Mr. HOWLAN could assure the hon. member there were as many Protestant as Catholic children taught in that school.

Hon. Mr. LAIRD asked for proof that sectarianism was taught there. Let such be produced, and he would at once vote against the grant.

Hon. Mr. CALLBECK said that if he had supported the vote to the "Bog School," he would also support the grant to this one; and he did not see how, or with what show of consistency the hon. member (Mr. Henderson) could come forward now to oppose this grant when he had been in the Government that supported the other. He liked to see men act consistently. Both cases were alike and should be treated alike. If these two schools were not under the control of the Board of Education and of the visitor of public schools, then it

was wrong to give a grant to either of them. He would not for one moment think of supporting any sectarian school. If he, as a Protestant, voted public money for a Protestant school, on the same principle he would feel bound to support any other sectarian school. He considered it far better to have all our public schools free from purely sectarian teaching. In the other Provinces they did support such, and he had noticed that at general elections candidates would be asked to support this, that, and the other of them; and also asked how much they would be willing to give—which was, he considered, very injurious to their other interests. Since he had the honor of a seat in this House, he had been told that he would be tested on this question, and his reply was, "I will not support sectarianism at all." He said it now that it might go to the country. But at present, if the grant had been given to the "Bog School," he did not see how we could honestly refuse a grant to the other.

Mr. P. SINCLAIR said that there was one matter in connection with these schools which he wished to set at rest; and he would endeavor to do so by moving the following resolution: that after the item, "St. Ann's School, £20," the following be added:—Resolved, That all Schools receiving aid from the Treasury, whether under the name of poor schools or not, shall be under the supervision of the School Visitor, and be included in his Report to this House, the same as other schools taught by teachers that have to qualify before the Board of Education."

Hon. Mr. DAVIES moved in amendment "That the grant to the Bog and St. Ann's Schools of this city be disallowed." He moved this amendment because it was admitted that each of those schools was under the supervision of separate religious bodies, and the inference naturally was, that they were both sectarian.

Hon. ATTORNEY GENERAL disapproved of the amendment of the hon. member for Belfast, but would support the resolution of the hon. member for New London.

Mr. BRECKEN could not help saying, that if grants were given here and in Georgetown, to other educational schools, why not to St. Ann's School. He was opposed to grants to sectarian schools, but he was not going to favor one more than the other. If the House was going to vote upon the principle that sectarian schools should not be supported from the public Treasury, then it was better to do so at once than to let in the thin end of the wedge that would produce contention; and for the small amount thus given he would rather withhold it than bring up the matter thus in this House. If he gave to the one he would have to give to the other.

Hon. Mr. HOWLAN said he always voted for the grant to the "Bog School" cheerfully. For his part he did not care how often the School Visitor went to these schools; he had no doubt but that either of the ladies conducting them would be glad to see him. As to entering in the thin end of the wedge, he saw no danger in that direction, for he believed that these schools tended to make the rising generation better than the last. If hon. members were afraid that Catholics were going to come here to ask for money, or if they

were doing so, it would then be time enough to be afraid, and the matter would be different; but it was not so. He thought these schools were doing a great deal of good. When a lady, either Catholic or Protestant, would take in ragged, dirty children, wash, comb, clean, clothe, and educate them, they did a charitable act. Let any gentleman ask himself how he would like to see his daughter so employed? And then how would he like to have improper motives imputed to her for so doing? He thought the matter ought not to have been introduced.

Hon. Mr. LAIRD had said that he was opposed to voting money for any school where sectarianism was taught, whether Catholic or Protestant. Where such was taught, he had no doubt that Protestant ladies would be quite as zealous as Catholic ones.

Mr. CAMERON considered that the proper and most satisfactory way would be to place them both on the same footing. Doubtless the object in view in both cases was a laudable one, and if they were both subject to the same regulations, they should be both placed upon the same footing.

Mr. REILLY felt disposed to support the resolution of the hon. member for New London; but he thought there was a great deal of inconsistency in supporting the Bog School so long, and never saying one word about it until the vote was asked for Saint Ann's School. The same might be said with respect to the Schools in Saint Eleanor's and Georgetown. If it was wrong to support such now, it was wrong then. The principle had not surely changed. Although this hon. House did not see it to be a duty to support such Schools, yet, in other countries, it had been found necessary to resort to the practice, and that system of teaching included male as well as female teachers. He did hope, if ever that question should come up here, that it would be discussed upon the broad principle which would include all the interests it involved. The grand object in view that should be aimed at steadily without turning to side issues, was to train and educate the children of the country so that they might become good and useful members of society. He thought it did not become some hon. members to speak about sectarian schools, for he was aware that in some of our public schools, and in some of the books ordered to supplement the Irish National Series, sectarianism was taught. These books were used in the Normal School and in the Prince of Wales College. All such books should be excluded, especially books likely to give offence, as one of Nelson's Series was calculated to do. If the money was to be given, he was told that the Visitor would have to visit the schools; and he thought that when the Visitor or any one else should visit either of them that he would not find any teaching to which he would object, and would also be convinced of the necessity of supporting them.

Hon. LEADER OF THE GOVERNMENT.—For the last twenty years a School in Georgetown and others elsewhere, had been receiving money in this way, and he never heard a word of complaint before about one of these grants. It was, in his opinion, one of those grants into which we could not go very closely. We know that several gentlemen took an interest in these schools. A Church of England lady

taught the one, and a Catholic lady the other. It was suggested to him that it would be better to place them on the same footing; and he thought it was far better to let the matter pass than to raise up the whole question. If you brought them under one provision of the School Act, why not under all? If you brought them under all the provisions of the Act, then you destroyed these Schools altogether, for the parents of those children did not care about their education. It was like giving a vote to a Protestant and Catholic pauper. If this resolution was passed, then he had his doubts whether the grant should be given or not. It was, he believed, better to let the grants go as they were, and then have enquiries made, and if it was ascertained that proselytism was carried on in either, or both of them, he would very soon withdraw his support.

Mr. McLENNAN.—The hon. member for Saint Peter's had said that there was a sectarian school in Saint Eleanor's.

Mr. REILLY.—Yes, it was as much so as St. Ann's.

Mr. McLENNAN was opposed to all such grants.

Hon. LEADER OF THE GOVERNMENT.—The Georgetown and Saint Eleanor's Schools got their grants out of the Glebe Fund, which was under the control of the English Bishop.

Mr. PROWSE was satisfied for the present to support the resolution of the hon. member for New London. The Leader of the Government referred to the money at the disposal of the Church of England. If that or any other Church took upon itself to establish a School, then they should be prepared to support it, and not come here looking for aid.

Hon. Mr. HENDERSON would second the resolution of the hon. member for New London; but, in doing so, must be supposed to be opposed to giving money to one sect more than to another. But he had a right to say to those who pressed their claims unduly, thus far shall you come, but no further. His wish was to place all upon the same footing.

Mr. G. SINCLAIR was also opposed to sectarian grants. He agreed with the hon. member for Saint Peter's that there was a needless alarm awakened, and it was certainly a wonder that nothing had ever been heard here before about these sectarian schools, when they had been so long receiving aid. It certainly was strange that something was not heard before; but all these considerations aside, he thought there was something peculiar in those schools—they were not situated like other schools. They laid hold of a class who would never be educated, were the charitable not to lay hold of them. It was upon these grounds that he saw the necessity for encouraging such schools. But at the same time if it was proved that sectarianism was in them he would be prepared to act as the occasion might require. Meantime he would support the resolution.

Mr. BRECKEN would like to see the motion withdrawn for this year, for he thought it was not called for, and would only lead to a bone of contention. He was not aware that the "Bog School" was a sectarian one, as he had never been at it. He, though, had understood that it was a great service to the poor in that part of the town, and did not hesitate to say that the "Saint Ann's School" was also doing a good work, as children were there whose education would otherwise have been entirely neglected. He did not know that any more useful institutions than those schools did exist in any country, where, in the same way, the same class were sought to be instructed. The hon. member for

Saint Peter's had made allusion to one of his (Mr. B.'s) remarks, and also to some improprieties of expression in some of the books used in the Normal School and Prince of Wales College. He did hope that all such questions would be discussed free from feeling. Certainly in what he (Mr. B.) had said, he did not intend anything calculated to give offence; but, at the same time, he was not prepared to take a lesson from the hon. member; and thought there was no just grounds for his allusions to the books used in those institutions. But he would tell the hon. member for Saint Peter's that it was reported there was an educational institution in this city which taught that which was not British.

Hon. Mr. HOWLAN.—Name it.

Hon. Mr. LAIRD.—Was it "Tenant Leagueism" that was taught?

Mr. BRECKEN.—No. The institution was within sight of this Building; across the Square there you can see it. He still thought it better for the hon. member for New London to withdraw his resolution. If, as in the case of the school at Georgetown, this House had been supporting and paying money to a purely Protestant school, and no one had ever raised any objections, he did not see with what propriety hon. members could rise and oppose this grant of £20 to Saint Ann's School. He believed that His Lordship the Roman Catholic Bishop of Charlottetown deserved great credit, and was entitled to the thanks of the whole community for emptying the streets of the children of the poor, and filling those schools.

Mr. REILLY hoped the hon. member did not suppose that he had any objection to the School Visitor's looking after these schools.

Hon. Mr. MCAULAY.—The Resolution merely asked that the School Visitor should visit these schools and report thereon, and he thought the resolution was a reasonable and very proper one. With respect to the school taught by Mrs. Esson, he knew it was a school that was doing a great deal of good, and one that was attended by all classes alike.

Mr. ARSENAULT would leave the schools as they were. If the House was willing to vote this amount to the one, the same should be granted to the other.

Hon. Mr. KELLY thought it was not worthy of hon. members to be making any trouble about the matter. If the School Visitor had to visit those schools which were not under the control of the Board of Education, they would have to get more pay.

Mr. GREEN could not see the force or propriety of this resolution. Suppose they should refuse to allow the School Visitor to visit or examine these Schools?

Dr. JENKINS thought that it was proper to have such supervision of these Schools, for at present we had no information respecting them at all; but as those Schools were got up by private individuals, who, he had no doubt, would take care to see that everything was properly attended to, he would not like to press the School Visitor in upon them, unless asked for by the parties themselves.

Hon. Mr. DAVIES said he would withdraw his amendment.

Hon. Mr. HOWLAN wished to know what School the hon. member for Charlottetown referred to?

Mr. BRECKEN.—The School of which he spoke was taught in the old Catholic chapel. He did not refer to religious teaching, but to sentiments of disloyalty as being taught in that school,—at least, so it was reported.

Mr. BELL said this House had been detained long enough with this discussion. It appeared that the "Bog School" and others had been subsidized formerly; and

he did not see why an exception should be taken to this one, which, like the other, was open to Protestant and Catholic children alike.

Hon. Mr. HOWLAN said the School referred to by the hon. member for Charlottetown was under the supervision of the Board of Education, and was regularly inspected and reported upon by the Visitor of Schools; and if any improper teaching was going on in it, it was the duty of the Visitor to have made it known. The School Visitor had in his report given the names of the books used in that school, and if there were any among them which ought not to be used, he failed to notice the fact. If the hon. member for Charlottetown had objections to anything taught in that school, it was his duty to have brought the facts to the notice of the Board of Education. He thought this should have been done if disloyalty was taught in that school. The gentleman who taught there had gone through the ordeal of the School Visitor's inspection for twenty years without a charge or complaint being preferred against him, and he certainly thought that there was no foundation for this assumption now. If it was true, why did not the late zealous Government attend to it? This would have been more consistent than making an assertion now without proof.

Mr. BRECKEN did wish that the hon. member could understand common English. He had not stated it as a fact, but as a report, and it was called forth by the allusions made by the hon. member for St. Peter's. When the hon. member made allusions to what he (Mr. B.) had said about the entering of the "thin edge of the wedge," he did not get angry with the hon. member for St. Peter's. But some men soon lost their temper. He did not say that it was true, or untrue; he merely said that such was reported. The hon. member talked about assertions. Did he (Mr. B.), not say that he heard it; certainly he did not make the report.

Hon. Mr. HOWLAN.—It was very well to try and get round it with this kind of sophistry.

Mr. BRECKEN.—The hon. member was now a member of the Government of Prince Edward Island, and no doubt would find it to be his duty to investigate the matter and suppress such teaching, if it really did exist. But he (Mr. B.) did not say that the report was true.

Hon. Mr. MCAULAY said if the resolution was withdrawn it would prevent the House from receiving information most desirable to obtain. By carrying the resolution they would get facts which would guide the House next year, as to whether it would be proper to continue these grants or not. He could not see anything objectionable in the resolution.

Hon. Mr. HENDERSON did not see any force in the reasoning that because these grants had been given, they should be continued. He would remind this House that there seemed to be a great deal of sensitiveness with some when these questions were mooted. In England and Scotland, the public inspector of schools reported after visiting all sectarian schools; and when that Visitor found these schools coming up to a certain status, they received a subsidy. He gave full credit to the parties who got up these schools; but as a British subject he was not going to give up the right of his own opinion.

Hon. Mr. DAVIES said the resolution ought not to be withdrawn. There was too much of importance

attached to the principle of having all schools reported upon that were subsidized by this House, to allow the resolution to be withdrawn. He thought that it came with a very bad grace from the hon. member who had last spoken, after having zealously supported the religious Government for four years, in granting an allowance to sectarian schools, now to arise and object to that same allowance.

Hon. Mr. HENDERSON never had a seat in this House before.

Hon. Mr. DAVIES.—Why, the hon. member, as a member of the late Government, must have been aware of the grant; and it was not honorable in him now to turn round and endeavor to screen himself by saying he never had a seat in this House before. He had then a seat in the other Branch of the Legislature, and was besides a member of the Government which granted these allowances to sectarian schools.

Hon. Mr. HENDERSON never heard the name of the school in the Legislature.

Mr. GREEN could not see the necessity for the resolution this year.

Hon. ATTORNEY GENERAL could see a great deal of good in the resolution the principle of which had been very generally assented to by hon. members. It was said that such visits should only be made when the schools in all particulars conformed to the requirements in other public district schools. This opinion he did not regard as correct. The £20 was given independently of such considerations, and the intention of the resolution was to ascertain whether these schools were or were not sectarian.

Mr. P. SINCLAIR, in speaking to the resolution, would remark, as the hon. member for Murray Harbor would say, it was well to look "to the principle;" and when a principle was laid down it should be adhered to. The principle of non-endowment to sectarian schools had now been brought fairly to the notice of this House, and he believed that it was time to ascertain whether that principle was or was not violated in supporting these schools; and as a doubt seemed to be entertained about the regulations of these schools, by carrying this resolution we could have the School Visitor's Report respecting them, which would set this doubt at rest. His own opinion was that the report from these schools would be highly creditable to them both, while it would enable this House to place them in a better position than heretofore.

Hon. LEADER OF THE OPPOSITION would support the resolution of the hon. member for New London. Ever since he had been in this House there had been debates about the Georgetown and Bog Schools, and therefore he considered it just as well now to adopt means to solve the difficulty. The carrying of that resolution would not put these schools under the control of the Board of Education; but it would let this House know whether there was any objection why they should not receive grants from this House. If it should be ascertained that in the School at Georgetown, the Bog School, or in any other, that religious tests were required, or sectarianism was taught, then it would be the duty of this House to discontinue the grants. He had always been of the opinion that

as these were private schools, it was not the duty of the Government to send the Visitor to them. He believed the one in Georgetown had nothing objectionable taught in it that would offend a Catholic child; and he knew such went to it, and that the petitions to this House in favor of that school had been signed by all classes in the community, on which account this House had always given the grant. He believed that it would be very injurious to encourage sectarian schools. If one denomination was thus patronised, others would be entitled to the same privilege. The Act, next year, would probably be undergoing some alterations, and it would be well to have the information which the resolution would enable this House to obtain.

Mr. BELL considered the resolution of the hon. member for New London invidious and uncalled for, and moved that the hon. member have leave to withdraw it, which motion was seconded by Mr. Arsenault. On being put by the Chairman, it was negatived on the following division:—

For the Amendment—Yeas: Messrs. Bell, Arsenault, Brecken, Jenkins; Hon. Col. Secretary, Howlan, Kelly—7.

Against it—Messrs. P. Sinclair, Prowse, Ramsay, McLennan, Green, Howatt, Kickham, Cameron, McCormack, G. Sinclair, Reilly; Hons. Messrs. Henderson, McAulay, Haviland, Davies, Attorney General, Laird, Callbeck—18.

Mr. P. Sinclair's motion was then agreed to, after which the resolution, as amended, was passed.

A Committee was then appointed to prepare and bring in a Bill to appropriate the supplies granted to Her Majesty this Session, viz: Hons. Attorney General, Callbeck and Mr. Bell.

The Bill relating to Practice and Pleading in the Supreme Court was then read a third time and passed.

Hon. COL. SECRETARY presented Returns of Fees from various Courts of Commissioners of Small Debts, which were ordered to lie on the table.

Mr. G. SINCLAIR, from Special Committee, presented the Report on Public Accounts, which was ordered to be committed to a committee of the whole House on Monday next.

House adjourned for one hour.

AFTERNOON SESSION.

On motion of the Hon. Attorney General, the Bill compelling masters of vessels to exhibit a light while in harbor in the night time, was recommitted; when the last clause of the Bill was struck out, and the title altered so as to read as follows: "An Act to repeal two certain Acts compelling masters of vessels to exhibit a light while in harbor in the night time, and to make other provisions in lieu thereof."

The Bill to incorporate the Charlottetown Hotel Company was then read a second time and agreed to.

Indian Claims.

Mr. McNEILL then moved the following resolution: *Resolved*, That Theophilus Stewart, Indian Commissioner, be now heard at the Bar of this House, for

the purpose of giving information respecting the Indians of this Island.

The Resolution having been agreed to, Mr. Stewart appeared at the Bar, and addressed the House at some length on the subject of the Indians' claims to Lennox Island. He explained that negotiations were pending between the Aboriginal Society in England, and Mr. Bruce Stewart, for the purchase of the Island, and that a fund was being raised for that purpose. He read several extracts from Reports of that Society, and letters from its members, showing the interest they took in the matter.

The House did not consider themselves justified in taking any action in regard to the Indian claims, but commended Mr. Stewart for his exertions on their behalf.

Loan Bill.

Hon. ATTORNEY GENERAL in moving the second reading of the Loan Bill remarked that on its introduction he had explained its principles and object. The sum mentioned in the Bill was £140,000. After having considered the matter, he intended, when the Bill went into Committee, to move an amendment reducing the amount to £100,000, the same sum as in the former Bill. He would repeat that he could see no reason why we should not obtain a loan on favorable terms, even without the Imperial guarantee. Other countries were able to do so, and as regarded the comparative amounts of our revenue and expenditure, we were in as good a position as they. That a loan from abroad was necessary to the proper working of the Land Purchase Bill he firmly believed. Hon. members should not treat this matter as a mere party measure, for it was not one.

Hon. LEADER OF THE OPPOSITION could not see the necessity for the Bill, when the Act which had been already passed, authorising the Government to raise money, was taken into consideration. He was not aware that there were at present any extensive estates in the market, but even if there were, the Government could purchase them without resorting to this loan. One object of the loan appeared to be the obtaining of money in the English market, with which the Government could pay off the securities now held by parties in the Island; in other words, they would take a foreign creditor in preference to one at home. This was an unsound principle, unless it was the case that money could be obtained abroad at a much lower rate than here. To show that this was not likely, he would mention that Mr. Adderly, in a speech in the House of Commons regarding a loan to the confederated Provinces, gave it as his opinion that with the Imperial guarantee the money might be obtained at $4\frac{1}{2}$ per cent., but without such guarantee, it could not be obtained at less than 6. Canada was a country which was daily growing in wealth and resources, and the population of which was increased yearly, by immigration alone, to the extent of 25,000; and when it was stated that that country, when united with the Lower Provinces, could not of itself, obtain a loan at less than 6 per cent., he did not consider it likely that this Island would be more fortunate. To the interest there was also to be added the expense of negotiating a loan in a

foreign country—paying agents, &c. He could not, therefore, see what advantages the Colony was to reap from the Bill. If it was intended to relieve the present commercial panic, that object would not be accomplished. The real cause of our monetary difficulties was the low price of ships in England, and depressions like these could not be remedied by legislation. As we had, in his opinion, all the machinery necessary for purchasing land under the Land Purchase Act as it now stood, he saw no necessity for supporting the Bill before the House.

Hon. LEADER OF THE GOVERNMENT said it was thought by some that the Banks had made arrangements for paying these instalments as they became due. But it appeared that it was not thought that the purchasing of the land would injure the other interests of the country; and it did not say much for the consideration of the late Government, when their arrangements had had that effect. Some seemed to think that this was not the case, while many more maintained and believed that it had been the cause of much of the embarrassment now felt in the Colony. When the Land Purchase Bill was first introduced, he never thought that it would injure the trade of the country, and, as an experiment, limited the purchase in the first instance to £10,000. But the late Government had extended the Bill to such a degree, without making any provision by which the payments could be made, that its effect had been to prostrate, to a considerable extent, the trade of the Colony; and although the Revenue had increased to a much greater amount than formerly, yet they had left the Colony in a worse position than they found it. If we were to extend the Land Purchase Bill, it could only be by a loan; and therefore an effort to obtain one could do no harm. If, as the hon. member for Belfast (Mr. Duncan) thought, we could obtain the money here, then it would be well to do so; if not, we could go abroad. There might be ten or fifteen thousand pounds lying in the Banks to meet the payments for the Cunard estate without yielding any interest, and there it must lie, in case these demands take them unprepared. Had the principle of the Loan Bill been acted upon, these purchases would not now be draining the specie from the vaults of the Banks, and thereby preventing them from discounting. If we obtained this loan in England, there might be a little expense attending an agency; but this would not amount to much; and under present circumstances would be unavoidable. When the Liberal Government contemplated getting a Loan before, it was intended to employ an agency, but Her Majesty's Government said they would attend to this for us without putting us to the cost of an agency; and had not our arrangements been frustrated by the mis-statements of the Conservative party here, this item of expense would have been saved. If a Loan was obtained now, an agent would have to be employed. It was better to make arrangements for a large amount, as the interest would be proportionably low. If we required a large amount, he believed it would be easier to obtain it than a small one, and we might also obtain it at a cheaper rate. No harm could result from trying. It would settle the question whether we could obtain a Loan outside of Confederation.

Hon. LEADER OF THE OPPOSITION was a Confederate, but did not think that the money could be had for less than six per cent.

Hon. LEADER OF THE GOVERNMENT.—If the Loan was obtained in the Colony, it would deprive private men from obtaining small loans from those who lent money here. Small loans to men of limited means were often of great service. Accommodation of this nature would cease if the Government absorbed all the money in the Colony. He considered it an advantage to have men in the country who could lend money for longer terms than it could be obtained at the Banks, and therefore he thought the Government should avoid a course which would place all the money securities of the Government in the hands of a few men. We might know that such would be the case from the large deposits now in the Banks. The Government only wished to do what was right, and most conducive to the good of the people of the Colony.

Mr. BRECKEN said the measure was an important one, and ought not to be approached in a party spirit. He fully concurred in the view that there were other interests beside those of the farmer in the country, and which ought not to be injured on account of arrangements relating to land. The interests of the mercantile community had, to some extent, suffered on account of the recent purchase of the Cunard property. It struck him that if the Loan were negotiated tomorrow there would be a supply of exchange for those who wished to purchase; but that a country was to be made richer by borrowing was what he could not understand. He did not think it would be wise in the Government to buy up the Debentures and other paper now afloat to make room for a loan. The mercantile interests demanded as much protection from the Government as any other, and if their interests could be protected, they had a right to it. Looking disinterestedly at the farming class of this Island who had purchased their farms from the Government, he did not think they were in a better position than those were in who had leases for 999 years; indeed his belief was that those were in a far better position who had the leases. But, if by negotiating this Loan, the public burdens could be removed, let us have it. It might be a temporary relief; notwithstanding so he felt satisfied that as the interest became due, and would have to be paid, it would then be found that it was nothing but a temporary relief. The interest would be an annual drain of exchange from the country. He did not believe that it would relieve the Banks, for if the merchants had the gold they could buy exchange at any time; if they had not, then, of what service would this Loan be to them? He did not wish to oppose this measure because it came from the Government. He would prefer supporting any measure which he thought would benefit the commercial and other interests of the country; for he did feel that the mercantile interests required relief at the present time.

Mr. McAULAY said this was a question which should be approached with great caution, and without party feeling. If the mercantile community was suffering for want of exchange, and if this measure was introduced for their special benefit, then there would be something reasonable in the arguments for introducing this Bill. But the object of the Bill was

to purchase land—to make our people freeholders. This was the consummation aimed at by the introducers of the Bill; but this desirable end could only be attained by money, which was to be procured by contracting a loan abroad. He felt satisfied, however, that it would not be obtained at a lower rate than six per cent, which was the same as would have to be paid for it here. A very important fact to be borne in mind was, that the interest must be paid with gold from the Colony, which would cause an annual drain of specie from our Island; hence the probability, nay, the certainty, was, that in twenty years the loan would be returned in interest, while the principal would still remain to be paid. If the Government borrowed £100,000, during twenty years it would have to purchase the same amount in interest, and the debt would not be reduced one penny. Now, if there was to be an advantage in this he failed to see it. There might be some delusion about the matter which blinded him, and if so, he did not begrudge the hon. the learned Attorney General the happiness he enjoyed by this precious vision, which it was his (Mr. McAulay's) misfortune not to possess. But he thought the hon. member might favor the House with a clearer view of the matter than he had yet done; and thus let him and other hon. members have a glance at the benefits to accrue from this loan, if it was to be obtained. It was true that in many places, on the credit of the Government, money could be had to borrow; and it could be had also on the credit of some men who wished to borrow. But for the Government to use the credit of the country for the reason assigned, he could not but characterize as equal to laziness. It was worse; for laziness sat still, and injured only those afflicted with such a complaint, but this would injure the whole Colony. It was true matters had not gone on in our commerce as well as usual; but the same would apply to other places also. When our shipping would rise, the gold would find its way back to the country.

Mr. REILLY said the way he looked at the question was this: Ours was but a small Colony, and we had to pay our own civil list Bill, which, for a small Colony, was considerable. In addition to this our Land Question placed us in a different position from the people of the other Provinces, inasmuch as the manner in which our lands were originally disposed of, rendered it now a duty on the part of the Government to purchase them; therefore it might be said that we were actually called upon to buy these lands for the people, which, in the other Provinces, became the property of the Government by right. Our resources having been thus absorbed, we had no means at our disposal for the prosecution of those public works so indispensable in all young countries; hence the necessity for borrowing. The hon. member for Georgetown forgot that money made money, and until we could obtain and retain more money among ourselves, it would be impossible to proceed with any public works; and our roads, bridges, wharfs and small harbors must remain as they were. One of the principles acted upon by mercantile men was to buy in the cheapest market; and would not the same apply to money? If a loan was required, was it not wise and proper to go to the cheapest market for it? He did not know where this Loan could be borrowed, unless

is was abroad. Some hon. members seemed to oppose this Loan, and it was to be noticed that those who were the most opposed to it, were those known to be the most in favor of Confederation. It would seem that they thought, Oh! the tighter the people were pressed, the more readily would they accept of the terms offered them to go into the Union. He thought that the present generation should not be called upon to pay what ought to be paid for by posterity.

Hon. Mr. DUNCAN was opposed to obtaining the Loan from abroad, because it would cost more than it would if it was procured at home. As much money as the Government wanted could be obtained at home for six per cent. The Canada six per cent bonds were selling in the British market at 95. Now, if you took a five per cent bond and lost £5 on the £100 in selling it, what interest would that be if you paid it back at £100? A great many people thought that the pressure in the country was owing to the amount of money that went out of the Colony for the purchase of the Cunard Estate. The amount which went out of the country was £12,000.

Hon. ATTORNEY GENERAL.—£40,000.

Hon. Mr. DUNCAN.—All that had as yet been paid was £18,000. There would be more to pay, but it had not gone yet. If money could be borrowed here at six per cent, why go abroad for it? The answer some gave to this question was, that if we went abroad the money could be had at a very low rate in England. This he doubted, because he believed that for some time to come bonds would be at a discount. He wished to know what benefit was to be derived from going abroad for money? If it could be borrowed at home, was it not better to do so than to go abroad? If the Government secured a Loan in England, as a matter of course they would relieve the exchange temporarily; but the farmers would not be benefited by it. Those on the Cunard Estate had already paid over fourteen per cent of the whole purchase for it; and having done this, of course they had that much less money with which to buy goods. If the Government borrowed the money abroad, the interest of it would be going out of the country annually. The land was bought on the credit of the Colony, which was good; and the Government could sell Debentures to any amount required. If they were going to borrow £100,000 sterling, he would like to know what they wanted with it? They had £10,750 to pay in July, and the same amount in January next. They had £16,000 in the Treasury, besides the purchase money yet to come in, and a large amount of land on hand to dispose of. At one time we could not sell our warrants; but it was not so now. He never heard of a country going abroad for money, if they could obtain it at home. The relief which a loan would give would be only imaginary. He would prefer paying six per cent for a loan at home to giving five per cent for a foreign one. You would have to keep an agency in England, which would cost something in addition; and, what was of more consequence, you would send the interest out of the country and benefit those abroad at the expense of the people here. Men could not live in England for nothing, or as cheaply as they could here; and if you employed a man there to do your business he would have to be well

paid for it. He could see no necessity for a foreign loan. There was but £25,000 to pay this year. It was true there were some bonds which would become due in six years, but it was too soon to think about them yet. If he considered it a benefit to borrow abroad, he would not oppose the measure; but, in his humble opinion, it would be an injury rather than a benefit. Men in the town could get as much money to borrow as they wished, but men from the country could not; this was what the Tenant Union had done for them. (Hear, hear.) He did expect from what he heard, that when some men came here, they would do great things for the tenantry, but it appeared they only wanted to get their votes, and that was all they desired.

Hon. Mr. DAVIES.—If the Government could not carry this measure without the aid of the hon. member, they had better let it alone. It ill became any one who had made a fortune in this country to be speaking contemptuously of it, as the hon. member (Mr. Duncan) and some of his party had done. If the late Government had let trade alone, the trade of the Colony would to-day stand higher than it did. Instead of that some of them traduced the trade of the Colony, and spoke of the soundness of the trade of Canada. But the fact was, the trade of this Colony was as sound as ever it was or ever had been in Canada.

Hon. Mr. DUNCAN did not advise the Government to apply to Canada. He only referred to what their bonds were selling for.

Hon. Mr. DAVIES.—The first duty of a Government was to see that there was a certain amount of circulating medium afloat to meet the business requirements of the country. That was the position in which the country was when the late Government came into place. On coming into power they found a flourishing trade. The American ports were open for our exports, and the best influences at work for perpetuating a state of things mutually advantageous to both countries. All this was brought about, in so far as this Island was concerned, by the old Liberal party. And what had closed their ports against us but the feeling which was shown by the Tory party here in favor of the South? When the war broke out in that country, the Tory party here rejoiced in every defeat of the Northern arms; and in writing and speaking of them manifested such an amount of feeling in favor of the slave owners as had greatly offended the Northern States. As a natural result, they had closed their trade against us, and had bidden us go and trade with slave-holding countries. This was what the Tories had done, and it might be many a day before our trade could be on as safe and good a footing as it was when the late Government came into power. It was now the duty of the Government to show that such was not the feeling of the great body of the people of this Colony, but only of the Tory faction who, unfortunately for the good of the country, got into power at that time. That this was really the case those engaged in the fishing business and in general merchandizing knew. They knew that this policy of the late Government had procured this legacy for us. Those countries with whom we could have done a good business had thus been closed to us; and thereby we were necessitated to borrow money.

We were asked also to do so at home rather than in England. He might say that this was an exploded idea of his hon. colleague. Why, if we could get it abroad on better terms, it would be the duty of the Government to go abroad for it. It was well known that when the Cunard payments were made they had to be made here. As matters were at present, the Government would have to go to the Banks. They anticipated this, as his hon. friend the Attorney General had said, and £40,000—his hon. friend might have said £60,000—would be removed from the circulation of the Colony. Let this be done, and where would the merchants get accommodation? Certainly not in the Banks. The Banks could only issue paper to an extent three times the amount of the gold in their vaults, and if the gold was withdrawn, of course these issues must stop. No person would deny that such was the case; and when these payments were made and the specie withdrawn, what amount of money would then be left upon which to issue notes? The duty of the Government was to see that trade was not disturbed by their own action; it should be left to regulate itself. If a Loan could be obtained abroad, no easier method could be devised for repaying it than that suggested by the minister of the Crown, which was to lay by five per cent of the capital every year in a sinking fund, which, at the end of twenty years, would meet the Loan. The hon. member (Mr. Duncan) had referred us to Canada, and said that no country would go abroad for money if they could get it at home. But as the hon. member had associated himself with the party desiring us to go into Confederation, he probably wished to press us into it. But where did Canada go to obtain money? Did Canada issue Debentures? No. He would not have replied to the hon. member, but as he did an amount of business here and had attained a stand in this community, such men ought to be replied to. It had been asked if there was any land in the market. The late Government knew what offers had been made. The policy of the present Government would be, when they wished to buy an estate and were prepared to do so, if the parties would not sell, it was quite probable they would be looked after, at least he hoped so. But he was now only speaking his own opinions. Some such an opinion was put forward in the "Islander;" but he had not consulted his hon. colleagues in the Government on the subject. If the proprietors would not sell, he did hope Government would compel them. It was well known that private rights must give way to public necessity, and they would have to take some equivalent. It was well known that the buying of the Cunard Estates had been no great advantage to the country. The policy of this Government would be to relieve the people out of the hands of the proprietors, as was done by the people themselves who purchased from Mr. Haythorne; and if a proper offer was made to Miss Fanning and she did not sell, he hoped the public, through the Government, would compel her. He was sure his hon. colleague would be happy to assist him in aiding the electors of Lot 50.

DR. JENKINS expected to hear from hon. members of the Opposition something to enlighten him respecting the dangers of this measure, but he found they were as ignorant of them as himself. The ideas of the hon. member for Belfast (Mr. Duncan) were opposed to all the principles of political economy he had ever learned. If the idea was to increase the money in Great Britain,

then, of course, the measure would not do at all; but the object was to increase the circulating medium of the Colony so as to enable mercantile men to extend their business to meet the demands of the country—trying to better the circumstances of our people. The hon. member spoke about borrowing the money here, which was a strange proposition, for how could we obtain it where there was none to be had. One of the reasons given for not going abroad was, that we should have to send so much away in the shape of interest. But it ought to be remembered that it was one of the maxims of political economy that money made money. If we deducted from the money now afloat in the country the whole amount which had to go abroad, he would ask the hon. member (Mr. Duncan) where the money was then to come from to carry on the ordinary business of the country. It did appear to him that to do so would greatly injure the trade of the Colony.

Hon. Mr. HOWLAN remarked that when the Loan Bill was passed some years ago the revenue of the Colony was only about half what it was now. At that time it was very little over £40,000; but last year it was more than double that amount; he therefore thought there could be no difficulty in obtaining a loan without the Imperial guarantee. The great want in this Colony was a sufficiency of circulating medium. If the Island was a manufacturing place, the case would be different, as there would not then be such a drain out of the country for importations. According to the Blue Book there was only £30,404 of specie in the Banks, and their issues in Notes were a little over £76,000. This amount, with some £7666 of Treasury Notes afloat, gave a circulation of about one pound per head. But if £30,000 of gold and silver in the Banks gave a circulation of £76,000, what would only £18,000 give? The answer to this simple question would be £45,000, or about 10s. per head of our population. Manufactories were beginning to be established among us, such as tanneries and the like; and the fisheries were also being prosecuted to some extent; but if our capital was drawn off in the purchase of lands, business could not go on. Our circulating medium, he believed, was much less than that of either of the other Provinces. He understood that in New Brunswick it was about \$11, and in Nova Scotia some \$8 per head of the population. By the Blue Book he also observed that there were about 25,377 tons of shipping sent from the Island, which at £6 per ton would amount to £152,262. These proceeds of our shipping were, in a great measure, what we had to give in exchange for goods; but our Imports for the year were £300,000.

Hon. LEADER OF THE OPPOSITION.—That was not the Blue Book for last year.

Hon. Mr. HOWLAN.—It was the one for 1865. He contended that when the Government made purchases involving a drain of money from the country, they should provide some way for its return, so that the trade of the Colony might not be crippled. When £12,000 at a time in gold or exchange were taken from the Banks, the country could not but feel it. If, however, money could be obtained here to pay off the instalments of the Cunard Estate, there was a clause in the Bill to enable the Government to secure it in the Colony. But he would ask any banker whether he would not rather see the loan procured abroad then taken up at home. The hon. member

for Belfast (Mr. Duncan) maintained that as £11,000 had been paid in from the estates, the Colony had only to meet the balance of what had become due on the instalments. This was an unfair way of putting the case. Though £11,000 had been paid by the tenants, yet the Banks had to find gold or exchange for the whole instalments, consequently not only this sum but the amount of the issue of Notes which might be based upon it, was drawn off from the circulation of the country. If the trade of the Colony had been so deranged when some £40,000 had been withdrawn from the circulation, what would it be when £40,000 more were taken away? In view of the embarrassments to trade which these payments on the Cunard estate would cause, he contended that the Government were warranted in bringing this Bill before the House to remedy the evil before its consequences were too severely felt. If the late Government had experienced the difficulty from which the trade of the country was now suffering, he believed that they would have done the same thing. They could not have anticipated such a crisis. The Loan was also required, if the Government expected to accomplish anything further in extinguishing the leasehold tenure of the Island. The people of this Colony wished free land, and would not rest satisfied until the last remnant of the rent system was wiped out of the country. He believed that if the question were put to the people of the Island, whether they were willing for a loan or not, they would declare by a large majority in its favor. The abolishment of the leasehold tenure would be a benefit to every interest in the country. We should endeavour to make this Colony what it ought to be, a model of enterprise; and this could not be accomplished while the proprietary system held the sway. If this Loan Bill was carried, it would, he believed, be the means of putting an end to rent-paying in this Island.

Hon. ATTORNEY GENERAL rose to reply to the hon. member for Georgetown (Mr. McAulay) who remarked that it would probably be as difficult for the Colony to pay back the principal of the loan at the end of 16 or 20 years as it would be to pay the amount now. This reminded him that there was one part of the Bill which he had forgotten to explain—that in reference to the sinking fund. It was provided that five per cent of the amount borrowed should be set apart one year from the date of each debenture, and every succeeding year, as a sinking fund, which, in the course of twenty years, would secure the repayment of the principal of the Loan. Why, it had been asked, should we seek for a loan abroad? Why, he might ask, had Canada, Nova Scotia, and New Brunswick to raise loans in the British market? Simply because they were building railways, and the material had to be purchased in the Mother Country. The necessity of a foreign loan was to enable them to meet the payments which they had to make in Britain. So it was now with this Colony. The Government had purchased land from parties out of the country, and it must procure money from abroad to meet the payments, or the trade of the colony would suffer thereby.

Mr. PROWSE thought he would not be justified in giving a silent vote upon such an important question. He believed there was no probability of this Loan being

obtained at present. A similar Bill was introduced several years ago, which was expected to receive the Royal assent, but its friends were disappointed. Again when the Commission was sitting on the Land question, they recommended that the Imperial Government should assist the Colony to secure a loan of £100,000 to buy out the Proprietors' claims; but the authorities at Home positively refused a guarantee. If then the parent government refused to guarantee a loan, could we expect that British capitalists would come forward and give the money? That loan was recommended simply for the purchase of lands, but this Bill provided for general purposes, a circumstance which he thought would destroy the prospect of obtaining money on reasonable terms. Hints had been thrown out by hon. members opposite that a Conservative majority could not be trusted; he would not be so rude as to say that the Liberals could not be trusted, still he would act in regard to this measure as he thought to be his duty. If, however, the loan should be obtained, and be well worked, he would be pleased. It had been said that a loan would be a benefit to farmers in enabling them to procure money to pay for their farms. If they had to borrow money to pay off their instalments, they might about as well pay rent as interest. One hon. member had made a remark to the effect that we should not allow ourselves to remain in difficulties for the benefit of posterity. He (Mr. P.) feared that if this loan was obtained future generations would blame us for saddling the country with a debt. The hon. member for Belfast (Mr. Davies) had referred to the state in which the Conservative party left the Colony. He (Mr. P.) thought it would compare favorably with the position of affairs when the previous Liberal Government gave up the reins of government. Was the paper of the Colony selling at a discount of 15 or 20 per cent. when the Conservatives gave way for the present Government? This was a question for the hon. member to answer. Other members of the Government held out the idea that this measure was for increasing the circulating medium of the Island; but the general tenor of the Bill would lead us to suppose that the loan was for the payment of land. He did not think it would be proper to borrow money unless it was clearly understood to what object it was to be applied. He would therefore move that the Bill be read this day three months.

Hon. LEADER OF THE GOVERNMENT thought the hon. member for Murray Harbor was acting inconsistently; he had said that he would be pleased if the Bill should work well, and here he was making a motion against it. But after all it was what might be expected from one of the Conservative party, for they petitioned against the former Loan Bill. The Bill for guaranteeing the Loan had passed the first reading in the House of Commons, and just before it was to be read a second time the petition from the Conservatives of this Island was placed in the hands of the person who had the Bill in charge, and of course it was dropped. He considered it was not proper that the Opposition should thus thwart measures which were for the good of the country.

Hon. LEADER OF THE OPPOSITION.—As you did in voting against the purchase of the Selkirk Estate.

Hon. LEADER OF THE GOVERNMENT at that time did not know that if the House refused to entertain the purchase of the Estate, it would be bought by a proprietor the next day. He was not in the secrets of the Government of that period, and could not be expected to act from motives with which he was unacquainted. But here we had hon. members saying that they would be pleased if the Loan should work well, and still they were going to oppose the Bill.

Mr. PROWSE did not speak so approvingly of the measure. If the Government obtained the loan on their own responsibility, and worked it well, he would be pleased; but he was not prepared to share that responsibility by voting for the Bill.

Hon. LEADER OF THE GOVERNMENT.—The hon. member had also referred to the state of the Colony when the Liberals were formerly in power; but he (hon. Leader Gov.) was of opinion that the Colony at that time was not in so depressed a state as it was now, for then the Banks discounted freely. The difficulty that existed to get warrants cashed had been remedied, and before the party went out of power they were cashed at face. Had not the Bank assisted the Conservatives when they took the Government, they would also have been in difficulties. He believed that now the Conservative party outside this House called more for a Loan than did the Liberals. Whether the measure was lost or not was no great object to him; but as it was a pet scheme of his, of course he would like to see it pass through this House with a unanimous vote. Should a Loan not be obtained abroad, that part of the Bill which authorized the Government to raise money in the Colony would enable them to proceed in purchasing land. Though he was in favour of buying up the proprietors' estates, yet he had always said it should not be done to the injury of the commercial affairs of the Colony. As to the objection that the Government, were the Loan obtained, would employ the money for purposes besides purchasing land, he contended it was not of a valid nature. The other Colonies did this same thing when they procured loans to prosecute public works. We should not allow trade to be crippled with the purchases which had been made; and if even resident proprietors offered lands for sale, say £5000 worth or so, we should be in a position not to ask them to go to the Banks for payment. As to the argument that it was improper to tax the rising generation by saddling them with the payment of this loan, he would say that if the loan was for their benefit why should they not pay for it? The free lands of the Colony would be their portion. There was no country in North America which had so much to contend with as this Island in buying up land and paying for it to parties abroad. He was sorry to hear that the Bill was going to be opposed, still he thought the Government were able to carry it. It was more probable, however, that the loan would be obtained if it went forth that the measure was supported by both parties in the Legislature.

Hon. LEADER OF THE OPPOSITION wished to answer some statements which had been made by the hon. Leader of the Government. That gentleman had said that when the Conservatives came into power in 1859, the finances of the country were in a prosperous

condition. He had looked into the Journals of the House for the session of that year, and found that in the report of the special committee on the public accounts, a very different opinion was expressed. He read an extract as follows:—

"Your committee have also to report that it appears by the Road Correspondent's account that, 'by the authority of an order in Council,' warrants were discounted for the Road Service, on which a loss of £298 9s. 3d. was sustained. The manner in which these discounts were made appear to your committee to be most objectionable, inasmuch as from 5 to 10 per centum discount was submitted to—one individual alone receiving £111 6s. 3d. as discount, at the rate of 10 per cent."

As regarded the loan, he could not understand how people were to be benefitted by it in obtaining exchange. The Banks would not discount for parties unless they were sure that the paper, when it became due, would be honored; and the payment of their notes would not be affected by a loan from England.

Hon. Mr. HENDERSON wished to correct a statement which had been made regarding the Haythorne Estate, viz., that the Tenant League had purchased it from the proprietor. He (Mr. Henderson) had Mr. Haythorne's own statement in contradiction of this, that gentleman having told him that the Tenants and not the League had purchased the land. He (the hon. member) had not been convinced of the necessity for a loan by any of the arguments which had been brought forward.

Hon. Mr. DUNCAN could not help expressing his astonishment at the remarks which had been made by his hon. colleague, with reference to the Reciprocity Treaty. He was really surprised to hear a business man talk such buncombe, for he must be aware that treaties of that sort were made by the Imperial Government—that this Island had no power in the matter. The United States repealed the Treaty because they wished to raise additional revenue. His hon. colleague did not clearly understand what he was talking about.

Hon. Mr. LAIRD thought that the loan was opposed by some because they wished to keep poor people down. Men of independent fortune could afford to do without accommodation, and the less of this accommodation that was afforded the richer they became. They wished to see the poor crushed that more might go into their own pockets. It had been argued that the present financial depression here was owing to the bad state of the market for vessels in England, but as he had been informed by a person acquainted with the matter that three-fourths, at least, of the value of these ships was already drawn, he did not believe that the depression was caused by their slow sale.

Mr. BRECKEN alluded to the expense of negotiating a loan, remarking that the money could not be obtained at less than six per cent., with two, three or four per cent. depreciation. He could see no object in obtaining the loan, since there were no estates now in the market. Those people who, at present, found it difficult to obtain exchange to pay for too heavy importations, would not be helped by it, for, unless their positions were sound, they would find it no easier to buy exchange. He (Mr. Brecken) found that nearly every merchant in good standing was opposed to the loan. He was surprised to hear the hon. member for Belfast speak as he did about the abrogation of the Reciprocity Treaty. He (Mr. Brecken) never knew that the late Government favored the South, in fact the most important public demonstration in favor of the Confederacy which he had known, was when the *Posse Comitatus* was called out, and that gentleman, who was one of those summoned, struck up a song as they left Southport, the chorus of which

was, "Hurra, hurra for Tenant rights hurra," to the tune of the "Bonny Blue Flag," the Southern popular air. The Liberal Party, it would appear, from what the hon. member had said, deserved the whole credit of the Reciprocity Treaty. This was rather new. He (Mr. Brecken) had always thought that Lord Eldon was the person who took the most prominent part in the matter. It was simply absurd to suppose that any political party here could exert the slightest influence for or against the Treaty. As regarded the policy of a loan, the Government should show how it was to benefit the teantry or the merchants by some better argument than mere assertion. It might, perhaps, be a temporary relief to the Banks, but he would like very much to see how the merchants were to obtain the money. If a man's business was not in a sound state, if he had not the *quid pro quo*, he would not be relieved in the least. It was not becoming in the members of a Government, when bringing in an important Bill like that before them, to talk so much buncombe; it made it appear as if it were all buncombe together, and the Bill only brought in to answer a purpose.

Hon. Mr. HOWLAN thought that the representative for the city would have advanced some more definite opinions regarding the effect of the loan in relieving the present depression, and increasing trade. He doubted the truth of his assertion that the leading merchants were opposed to a loan. He believed that, with few exceptions, they would say that the necessities of the times demanded it. The best proof that a loan was needed was the fact that the Banks, looking forward to the payment of the next instalment on the Cunard Estate, would not discount the very best paper. It was all very well for men like the hon. member, who had their fortunes made, to talk coolly about the matter, and attribute all to over trading. Trade, if left to itself, would not be in the state that it was.

Mr. BRECKEN had said that to a great extent, the men in business were opposed to it. The hon. member need not try to place an erroneous construction on his words.

Hon. Mr. DAVIES.—The hon. member said that any merchant, in anything like tolerable circumstances—

Mr. BRECKEN had said that those who were in good standing were opposed to it, and thought now, and said that such was the case.

Hon. Mr. DAVIES.—Yes, and the hon. member had stated as much as would lead one to suppose, that those merchants who were in favor of it were approaching to a state of bankruptcy. He did not see how, or why, the hon. member should come here and state what the circumstances or standing of any man was.

Mr. BRECKEN had never said anything of the kind. He had never seen the petition in favor of the loan until it came here. If he had given offence he could not help it; he would state the truth, and again say that the most of the merchants were opposed to it.

Hon. Mr. DAVIES thought the hon. member would draw in.

Mr. BRECKEN was not drawing in. He had said the truth. He had not examined the petition, nor had he cast any reflections upon those men who had signed it. Three of the influential merchants whom he had spoken to, were opposed to the measure.

Mr. P. SINCLAIR said the manner in which hon. members in the Opposition spoke against the Tenant

Leaguers—although the subject before the House had no bearing upon the League—was very remarkable. He could assure the hon. members, that he had given as little countenance to the League by contributing to their funds, or swelling their ranks, as they did. Nevertheless, he was well aware that many were in their ranks who were as honest and as intelligent as were those hon. members who delighted in reviling them. Hon. members would find that the closer they kept to the question before them, and the less they had to say about the Leaguers, the more creditable it would be to them and profitable to the country.

Mr. BRECKEN asked if the hon. member alluded to him? He had made no personal allusions, but simply referred to what had taken place. He believed that there were respectable men who had connected themselves with that organization.

Mr. P. SINCLAIR did not allude to the hon. member for Charlottetown. Some other hon. members on his side of the House were more chargeable for these onslaughts than the hon. member for the city. The Bill before the House was of weighty importance. £40,000 was no trifle to be drawn out of the Colony in one year. It would certainly be a large drain upon our exchange. If this sum was payable to parties living in the Colony, it would materially alter the case; but when these payments were to be drawn through our Banks to another country, he considered it a wise policy on the part of the Government to endeavor to raise it abroad in order to meet the exchange. The sum embodied in the Bill was more than he could wish, but as the home part of it (providing the foreign could be attained) was only to be drawn as land came into the market, it was not so objectionable. To all appearance this was going to be a hard season. Breadstuffs were much higher in price than usual, and if borrowing the money in England in place of this Colony would make money accommodation more easy in the country through the Banks, it ought not to be overlooked.

Mr. McLENNAN thought the hon. member for New London ought not to have made such a broad charge. If he had taken his words down correctly, he thought he plainly spoke as though every member of the Opposition, when they rose to their feet, made improper allusions to the Tenant Leaguers. These remarks of the hon. member were not fair. It appeared to him (Mr. McLennan) that the strong Government wished to annihilate the Opposition altogether. He was surprised to hear the hon. member for Bedeque, (Mr. Laird) who was supposed to be a middle man, expressing himself as he had; and yet he did not hear anything coming from him about the position which he ought to sustain. With respect to the loan he would merely say, that we were not sent here to legislate for the merchants, or any one class, but for the good of the whole Colony. He was afraid that borrowing this money was not going to benefit the people very much.

Mr. BELL.—It was very generally conceded that something was required to relieve us out of the present embarrassment in which the late purchase of land had placed the Colony. The pressure on the Banks and the scarcity of money in the country was such, that the general impression seemed to be that the Govern-

ment must either issue irredeemable paper, or obtain a loan. He would support the loan as the better scheme of the two.

Mr. McNEILL said it was conceded by all that something must be done to relieve the colony from its present position. The repeal of the Reciprocity Treaty with the United States had been a loss to those engaged in fishing, and other interests had also suffered. If we must borrow, our duty was to go to the cheapest market, which he believed would be found to be in the Old Country. In regard to the way in which the debate had been conducted, he would say, as has been also remarked by the hon. member for New London, that there were some hon. members on the Opposition side of the House, who, in the most abrupt and uncalled for manner, were continually referring to the Tenant Union men. He noticed, also, that the hon. member for Charlottetown was very fond of drawing attention to them, forgetful of the unconstitutional position which he held of Attorney General, while another received the salary. There was also the hon. member for Belfast, from whom any allusions of the kind came with a very bad grace.

Mr. GREEN had listened with a great deal of attention to the arguments used in favor of this loan by hon. members on the Government side of the House, and they had all failed to convince him that it was required. They argued as if it was our duty to undertake to relieve the Banks and the mercantile community. He could not admit that this was a sound principle, or one upon which it was the duty of the House to act.

On motion the House then resolved itself into Committee on the Bill. Mr. Bell took the chair of the Committee.

Progress was reported, and the House adjourned.

MONDAY, May 13.

Public Accounts.

The House went into the order of the day, viz., committee of the whole on the Report of the Committee upon the Public Accounts. Mr. Reilly took the chair of the Committee.

Hon. Mr. HOWLAN said that in looking over the accounts he found an error in the items of sugar and tobacco. The account was balanced in a very unbusiness-like manner, so much so, that he felt it to be his duty to look into it, and in doing so found several errors. He had for the past few years noticed the same thing, and thought it was now time for the House to have the accounts corrected, and not be allowing them to appear on the Journals until they were made right. Let any hon. member examine them for himself, and he would easily see the errors.

Hon. LEADER OF THE OPPOSITION was not a little surprised when he came in, to find the House in committee on the Public Accounts. It was customary on such occasions to have a full attendance of hon. members. It was seldom that such a matter was taken up in the morning, when routine business was generally attended to. He noticed that the hon. member for Cardigan was not in his place, and he

believed he was one of the best financiers in the country. The hon. member for Murray Harbor, (Mr. Prowse) was also absent. The hon. member for Cascumpec had been finding fault with the Public Accounts. He (hon. Leader Op.) would not say whether the hon. member was right or wrong. If it was commercial Law, he could more readily give an answer. He was sorry so few of the mercantile men were present to discuss this question. He had been for several years in favor of doing away with the office of Public Auditors, and appointing a Finance Minister. This was the case elsewhere, and should be so here too; and now that the hon. member (Mr. Howlan) was in the Government, if he would come forward and bring in a Bill to appoint such an officer, he would give him his hearty support. He thought that absent members should be sent for, but as the House was in Committee, he did not know that the chairman had power to send for them.

Hon. Mr. HOWLAN.—If the hon. member was dissatisfied with the course the House was now pursuing, he should have been present in his place in the morning.

Hon. LEADER OF THE OPPOSITION would protest against the course pursued by the Government in taking up the Report on Public Accounts, when so many members were absent, as altogether unfair.

Hon. Mr. HOWLAN.—It was not considered so by the hon. member and his party, when, in 1864, they made a motion to send the Accounts back to the Public Auditors for correction.

Hon. LEADER OF THE OPPOSITION.—It was right to do so.

Hon. Mr. HOWLAN. It was not all right. If the Public Auditors were paid for doing their work, they should have done it correctly. These Accounts were not correct.

Hon. LEADER OF THE OPPOSITION would not allow the hon. member to misrepresent him; what he had said was that it was right to send them back to the Auditors to be corrected.

Hon. Mr. HOWLAN thought it was not right to do so. If they, the auditors, took public money for doing public work, they should do it correctly, and not be taking £190 of the public money for auditing the accounts in a manner that was a disgrace to the colony.

Hon. Mr. HENDERSON said there was not much poetry in figures. If the accounts were not correct it could be easily proved. He found that the strong Government had a large number on the committee, and it was proper that this should be the case. But he believed that a fair chance should be given to those who were on that committee, and who drew up the Report to be present. If he understood the hon. member correctly, he had said that the Report was not in accordance with the accounts.

Mr. PROWSE would remark that several of the hon. members who were on the committee were young members, and it was not to be supposed that they would do their work as efficiently as experienced men. If the Report was not correct, the Chairman of the Special Committee should not have submitted it to him for his signature without making known the case. The

error to which the hon. member for Cascumpee referred, was one of £10 in the duty on tea. It was an error in addition.

Mr. G. SINCLAIR knew there were honorable members, such as the hon. member for Cardigan (Mr. Owen) who were good accountants, and who, he thought, would hardly make an error in the addition or carrying out of an account; and even if any hon. member did notice an error, he thought he might have pointed it out to him, which would have been a much fairer course to have pursued than that adopted by the hon. member.

Hon. Mr. HOWLAN did not point out to the hon. member the errors, because the hon. members for Cardigan and Murray Harbor (Messrs. Owen and Prowse) were merchants, and he thought they would understand such matters too well to make any errors.

Hon. LEADER OF THE OPPOSITION thought the reason assigned by the hon. member for Tignish a very discourteous one. The hon. member for Malpeque said he had heard no objections from him. The hon. member made allusion to the hon. member Mr. Owen and Mr. Prowse, but he might have remembered that a very efficient member of that committee had been absent on account of family affliction. He referred to the hon. member for Port Hill, Mr. John Yeo.

Mr. SPEAKER said the error after all, he believed, would be found to be very trifling.

The Report was then agreed to without amendment, and reported accordingly.

City Incorporation Act Amendment Bill.

On motion of Mr. BRECKEN, that the House go into committee on the Bill to amend the Act to incorporate the City of Charlottetown,

Hon. Mr. HOWLAN moved in amendment that the House go into committee this day three months, and that the Bill be published in the *Royal Gazette* for the information of the public. He observed that the Bill made so many radical changes in the mode of taxation in the city, that it should have been brought forward earlier. It was better that it should stand over until the citizens learned something of its nature.

Dr. JENKINS replied that the City Council with whom the Bill originated was an elective body, and as such should have the power of levying their own taxes. It was rather arbitrary in the House to say whether or not the citizens should tax themselves.

Mr. MACAULAY feared that some of the taxes proposed in the Bill would work injuriously for the City by driving the business to other parts where there was less taxation. Something similar had occurred in the case of Bristol and Liverpool—the former being heavily taxed gradually lost its business.

Mr. BRECKEN said that there were some clauses in the Bill which he would not support, as they were retrograde movements. Hon. Members should recollect, however, that the city had been at a large expense in organizing the fire department, &c., and that additional taxation was necessary to keep it up. If it were only that the fire department might be maintained in

efficient working order he would not like to see the Bill get the "three months' hoist."

Hon. LEADER OF THE GOVERNMENT thought that the Bill giving, as it did, such large power of taxation, should have been introduced earlier. Though he was willing to assist the City, it would detain the House too long if they went into Committee on the Bill.

After some further discussion on the subject, several hon. members strongly urging the necessity for passing the Bill to prevent the City from becoming bankrupt, the amendment of the hon. Mr. Howlan was carried by the Speaker's casting vote.

Hon. Mr. HOWLAN presented a "Bill to appoint additional Small Debt Courts at Somerset and Montague Bridge and for other purposes." Received and read a first time.

On motion of Dr. JENKINS, the House resolved itself into a Committee of the whole on the Bill to incorporate the Charlottetown Flax Company.

Progress reported. House adjourned for one hour.

AFTERNOON SESSION.

The House in Committee on Loan Bill.

Hon. ATTORNEY GENERAL, in rising to move an amendment to the first clause of the Bill, remarked that it was never contemplated to raise the whole sum of £140,000 sterling, but as it would perhaps be better to limit the amount to that in the former Bill, he would move that the whole amount to be raised be reduced to £100,000, sterling.

Hon. Mr. MACAULAY did not approve of the amendment for the simple reason that he disapproved of the Bill as a whole. The hon. Attorney General in introducing the Bill had brought forward what he seemed to consider a good argument in its favor; namely, the example of other colonies—Canada, New Brunswick, Nova Scotia, Australia, New Zealand, &c. These countries, however, were in a very different position from this Island. If this Colony were called upon to pay any considerable debt in gold, she could not do it, for she had nothing which she could convert into gold, while the countries named possessed either mines of coal, petroleum, or the precious metals, or forests of timber equally valuable, and these could be converted into gold or exchange. If money were really required, why could it not be raised at home? Under the operation of the Bill, our Island capital would seek investment elsewhere, and the interest of the loan which would be £6,000 sterling per annum would be sent to England. This in sixteen years would equal the principal. How was the gold to be obtained to pay this amount, and the principal when it became due? Much had been said against Confederation, but the greatest argument in its favor was now before the House. Would it not be better to go into Confederation and obtain the \$800,000 than to mortgage the Island? This Island in its present position should be almost the last country to contract a loan.

Hon. ATTORNEY GENERAL replied that the difficulty in obtaining gold to meet the payments on the Cunard Estate would be quite as great as in obtain-

ing it to meet the payment of the loan and interest. Besides, the Government need not raise all the money—such a thing was never contemplated. The hon. member who had last spoken had said that this Island was poor—that it could not afford to borrow money like other countries. He could not see, with all deference to his hon. and learned friend, that this was the case. If land were to be bought without rendering the Island bankrupt, some means must be adopted to postpone for a period the payments on the estates. There would have to be paid before next January £40,000, in round numbers, and the very fact that the Colony was small was an argument in favor of a loan, that so large an amount might not be drawn at once from our limited circulation. He did not doubt that the late Government made the best bargain they could with the Cunard Estate, but the payment of so much money must inconvenience the mercantile community. With cash in their hands, however, it was far easier to make a good bargain. As regarded the gratuity from Canada, he could not see in what it differed from a loan, as it would really be charged against us in our yearly allowance. It was in fact almost repudiated after it was proposed. Confederation was not, however, now before the House—it had been introduced unnecessarily.

Hon. Mr. MACAULAY did not introduce it; he merely said that the offer had been made—which offer would enable the Government to buy up every inch of proprietary land on the Island. He was in favor of Confederation only thus far. He considered this loan to be an evil from which the Island would never recover, and therefore Confederation as the lesser of the two evils was preferable. He wished some hon. members would inform him how the gold to pay the interest on the loan was to be obtained.

Hon. Mr. DUNCAN.—The amount in the Bill, reduced as it was, was yet unnecessarily large. If it had been smaller there might have been less opposition to it. Or if the Government would come forward and show that land had been offered to them to the value of £100,000 at a price advantageous to the Island, the objections to the Bill would probably vanish. As it was, however, £100,000 was not required to meet the payments which were coming due. As a proof that it was not likely that there was much more land in the market he mentioned that he had heard that Stewart would not sell at any price.

Hon. Mr. DAVIES.—Make him sell.

Hon. Mr. DUNCAN.—His hon. colleague would perhaps bring in a Bill to compel him. He wondered how, holding such opinions, he could remain in the Government, without bringing in a Bill to carry out his principles.

Hon. ATTORNEY GENERAL.—The hon. member should not be in a hurry—he should wait a Session or two.

Hon. Mr. DUNCAN.—Did the hon. Attorney General intend to endorse these views?

Mr. P. SINCLAIR did not see the force of the objections of the hon. member for Belfast, (Mr. Duncan) since the Government were not compelled to borrow any more money than they really needed.

After some further discussion of a similar nature, most of which was a repetition of the arguments advanced at the second reading of the Bill, it was reported agreed to with several amendments.

House again in Committee on the Bill to incorporate a Flax Company.

Mr. BRECKEN explained briefly some of the principles of the Bill, and stated that it was intended to raise a capital of £5000 in shares of £5 each, and suggested that for one share, there should be one vote; five shares, two votes; ten shares, three votes; fifteen shares, four votes, which being moved by the hon. member was adopted, and the Bill reported agreed to.

The Bill exempting property belonging to Her Majesty and the Government from duties or assessments, was read a third time and passed.

The military accounts for the past year were then presented to the House by the Hon. Colonial Secretary, and laid on the table, after which the House adjourned.

TUESDAY, May 14.

House in committee on the Bill to appropriate certain moneys therein mentioned.

On the resolution voting the sum of £20 to St. Ann's School, Charlottetown, being read,

Mr. BRECKEN said he wished to make a few remarks. He had, when this resolution was under discussion in Committee of Supply, in answer to some statements of the hon. member for St. Peter's, said that he had heard that in a school in Charlottetown sentiments of disloyalty to the British Government were taught. He had stated that he could not vouch for the truth of this report, but he gave it as he heard it, and only brought it forward in reply to the remarks of the hon. member just mentioned. The teacher of the school had since, considering himself aggrieved, made application to the Reporter for a copy of what he (Mr. Brecken) had said. Not obtaining it, he had written a letter to the Speaker, which letter he (the hon. member) held in his hand. He was quite ready to give Mr. Roche the words which he had made use of; and to prove that they were not uttered without foundation he would read some extracts from a book which was used in the school in question entitled—

Mr. REILLY asked if it was used there now.

Mr. BRECKEN was not aware, but if not some pressure had perhaps been brought to bear. On page 216 of this book he found the following passage:—

But this concession proved an adequate relief; and when the French Revolution of 1789, and the events growing out of it, were agitating Europe, the Irish people made a gallant but ineffectual effort to obtain that complete independence to which, as a nation, they aspired. This struggle took place in 1798, and is styled the Rebellion of that year. It was speedily crushed by British bayonets; and two years after, in 1800, through the influence of fraud, bribery, corruption, and intimidation, the infamous Act of Union passed the Irish Parliament; at once annihilating the independent nationality of Ireland; reducing her to the degrading position of a province, and exposing the noblest rights of her people to the arbitrary control of a foreign government, and an unfeeling and despotic ministry.

Were the youth of this colony to be taught that it should not be called the Rebellion—that it was only “styled” such? He admitted that the Irish Union was carried by corruption, but was it loyal to teach the young of our country to consider the British Government a “foreign” Government? But proceeding:—

“Since that period, Ireland has languished through years of misery and degradation; and though the passage of the Emancipation Act, in 1829, removing many of the disabilities which oppressed her Catholic population, gave some hope that she might yet regain, by peaceful effort, her sacrificed rights, she still remains a miserable province; and the noble efforts of Daniel O’Connell, after his triumph in the cause of Catholic Emancipation, in the year 1829, have yet produced no satisfactory result. The cry for justice, which, from the impoverished and starving millions of Ireland, has constantly risen to the British throne, has been cruelly disregarded; and famine and pestilence, with all their attendant horrors, which have stalked through the devoted Island—the terrible fruits of British cruelty and injustice—have failed to soften the stony heart, or awaken a feeling of sympathy in the bosom of that remorseless government. An attempt was made in 1848, by certain members of what was known as the “Young Ireland Party,” entirely to throw off the British yoke; but, from various, yet obvious, causes, like all former attempts, it proved a failure, and only added to the misery it was intended to relieve.

During a discussion a few days ago, the Hon. D’Arcy McGee’s name was mentioned as a rebel, because he formed one of the “Young Ireland” party. This book, however, taught differently, and would lead our youth to think that the failure of Mr. McGee and his party in 1848 was an unfortunate one. He would now quote from page 207, a passage in reference to the reign of the present Queen:—

“William IV. was succeeded, in 1837, by Victoria, the daughter of his brother, the Duke of Kent, whose reign, if distinguished for nothing else, will be remembered for the injustice exercised under it towards the suffering Irish, and the mischievous attempt of a British Minister to array one portion of his fellow-subjects against the other, by procuring the passage of a law, prohibiting to Catholics the use of ecclesiastical titles—a law that from the first was treated as a nullity by those it was intended to annoy.”

He did not intend to defend Lord Russell’s Ecclesiastical Titles’ Bill, but, would ask whether that was all that could be said for the benign and gracious reign of Queen Victoria—that it was only to be recollected for that Bill? He had been asked whether the book was used in the school referred to, and to prove that it was so at one time he would read an extract from a letter published by the teacher of that school in a newspaper in this city in 1860, in which he says in reply to a letter over the signature, “A Normal School Student,” charging him with teaching from this disloyal book:—

“It is almost unnecessary for me to say that the charge concerning the history is a gross calumny. ‘A Normal School Student’ is at liberty to come at any time to St. Dunstan’s School and subject all the books used there to a minute examination; or, if he is afraid of having his loyal feelings shocked by entering this school, he may call at Mrs. Stamper’s Book Store, where he will find on sale this *disloyal history*, namely, “Outlines of History, by P. C. Grace.”

He did not wish to injure this gentleman, and indeed would not have brought this matter up in discussion had other hon. members not introduced it. He would now ask any hon. member if his information was not well founded? If the sentiments that he had read from this book were inculcated into the mind of the youth of this Island, loyalty would never flourish here. The book might not be used now, but a person who would, at any time, teach such ideas was never to be trusted. He would also remark that a certain clergyman connected with St. Dunstan’s College, in a lecture which he delivered here some two years ago before the Catholic Young Men’s Institute, denounced the Fenian movement in very strong terms. The teacher of the school in question, who was present, spoke very warmly on the opposite side, and the current report was that the clergyman broke off his connection with the Institute in consequence. This was a report only, he could not vouch for its truth.

Hon. Mr. HOWLAN hoped that the hon. member for Charlottetown was quite done. He contended that the matters of which the hon. member had spoken should not have been brought up on the floor of the House. The proper place for a complaint to be made was the Board of Education. The book from which the hon. member had quoted was not now or at any time a class book in the school—it had been brought there by some of the scholars, and was never used as a text book. He had, however, failed to find anything disloyal in it. (Hear, hear.) He would explain what he meant. There were always two classes of Histories, one of which took one view of events, and another another view. He could read either. He saw nothing disloyal in that passage which speaks of the Rebellion as being “styled” such. If the hon. member based his charge upon statements such as this, it had rather a slim foundation. The hon. member had spoken of D’Arcy McGee. There was no doubt that that man had been a rebel but would now, he believed, acknowledge that his failure was fortunate. When this book spoke of it as unfortunate, it stated a mere historical fact. The hon. member had also stated that the teacher of this school had got into disrepute with his superiors, that they had broken off their connection with him.

Mr. BRECKEN.—He did not say so; he said that the clergyman referred to had broken off his connection with the Institute. He had given this as a report which he could not vouch for.

Hon. Mr. HOWLAN thought that he should, as member for the city, have had the matter investigated. As regarded the history it was almost impossible to get an impartial one. Collier’s History went as far in the other extreme, and he (Mr. Howlan) did not find fault with it.

Mr. BRECKEN believed that if His Lordship the Bishop had seen this book from which he (Mr. B.) had just read the extract, he would say that it should not be used in a public school. He (Mr. B.) did not defend Collier’s History; he only wished to prove that the statement which he made the other day respecting the disloyal tendencies of what was taught in the institution to which he alluded. It was a pretty story to say that the book was brought to the school by a scholar, and was never a text book. It could not be used by any scholar without the teacher’s know-

ledge. But the hon. member for Cascumpee (Mr. Howlan) himself contended that there was nothing disloyal in the book; the author was only giving the facts of history.

Hon. Mr. HOWLAN would not say that there was nothing of a disloyal nature in the book; but it had not been in the school in question for four years.

Mr. BRECKEN.—Perhaps not; still that did not alter the case. The book had been there, and it contained disloyal sentiments, therefore he had made his point good.

Hon. ATTORNEY GENERAL trusted that the matter would now be allowed to drop. If it was a fact that this book had been taught in a school four years ago, the subject should have been brought forward then. The hon. member for the city was Attorney General about that time, and he should have taken up the case if disloyalty was being in any manner inculcated.

Mr. REILLY was not prepared to take all the blame of provoking this discussion. When the grant for St. Ann's School was objected to on the ground of sectarianism, he had said that there were books used in the public schools, such as some of Nelson's series, which were objectionable. He was not sorry, however, that this question had come up, for the Board of Education, he hoped, would now look into the matter of school books more closely. With respect to the report referred to by the hon. member for the city, that the teacher so often alluded to in this debate had defended Fenianism before the Catholic Institute, he must say that it was simply incorrect; nor did the President of the Institute threaten to resign on account of anything said on that point.

After a few other remarks from two or three hon. members the question was dropped, the remaining clauses of the Bill were read, and in some few cases amended, and the whole reported agreed to accordingly.

House adjourned for one hour.

AFTERNOON SESSION.

Small Debt Court Bill.

On motion of the Hon. ATTORNEY GENERAL, seconded by the hon. Mr. Davies, the order of the day for the second reading of the Bill authorising the establishment of additional Small Debt Courts at Somerset and Montague Bridge, and for other purposes, was read.

Hon. ATTORNEY GENERAL said whenever a new Government came into office the practice had been to place power in the Executive to change the Commissioners, by an amendment to the Small Debt Act, and therefore the principle proposed in this Bill was the same, and merely what had been customary, only that it would not require a renewal with every change of Government. He would, therefore, move that the order of the day be now gone into.

Hon. LEADER OF THE OPPOSITION did not approve of the principle of the Bill. He did not believe that judicial officers should be removed with every change of Government. Such appointments ought to be free from all political influence or bias. When a man had been installed as a judge, unless he

did wrong in his official position, it was contrary to the principles of good government to remove him. Previous to the year 1688, Judges were removed in England according to the pleasure of the Crown. In Charles I.'s time John Hampden was removed and convicted, not by any statute law, but because Charles claimed this prerogative. We know what took place also in Charles II.'s time, when some of the ablest men who ever sat upon the Bench were removed, and did not the history of those times show how unwise it was to place this power in the hands of a Government to be used for political purposes? and also in James II.'s time the subject had, under difficulties, no chance, if his interests were opposed by the Crown. At that time Judges held office during the pleasure of the Crown, but he maintained Judges should hold their offices during good behaviour. He could not, therefore, see it right to give such a power to the Government now. If this power produced evils in England in the time referred to, it would do so here, and he was opposed to laying this principle down in the statutes of this Island—to have it there laid down that the Government could remove a judicial officer at pleasure. His learned friend, the hon. Attorney General, might say, "Oh! it was the case before—Commissioners were removed, and also Justices of the Peace." He admitted that such was the case, but thought that some of these removals might have been improperly made. But here we were now making it a principle in the law of the land to do so. If the hon. member would narrowly criticise the laws, he would not justify them all. Some of these the Liberal Government, when they came into power, repealed, and thus reversed Acts previously in existence, and carried other measures for the establishment of Small Debt Courts; but the peculiarity of this Bill was that it left the principle in being. While it constituted one or two new Courts, it placed an absolute power in the hands of the Government, and, as a result, so long as these men would vote for the party in power for the time being, they should hold their office, and no longer. No matter how well qualified they might be for the discharge of the duties of their offices, they must be removed, and room made for those who had supported the party in power. Integrity or ability would be no guarantee for their holding their seats in these courts. He held that it was a dangerous principle. It was tampering with the principles and fountains of justice. Of course he had no objections to going into the principles of the Bill, one of which was for an increase of new Courts, and altering the law, so as to give power to appoint Commissioners in these Courts.

Hon. LEADER OF THE GOVERNMENT said it was far better for hon. members opposite to meet the facts in this case honestly. The late Government turned the whole of the Commissioners out of these Courts from one end of the country to the other. No doubt it was very disinterested in hon. members opposite to show up the improprieties of their former acts, and quite instructive, doubtless, to hear them repudiating their own doings; but if each party, on coming into power, were to have this prerogative, surely it was far better to pass a general measure than to have to pass a new Act with each change of Government. He did not consider this power so danger-

ous as the learned and hon. member appeared to suppose. He had said the other night that he thought that some of both parties should hold seats in these Courts. The late Government made it a purely party question. If they had not done so, perhaps there would now be no necessity for this measure, and in all probability too, had they not made so many changes, the complaints would not now be so numerous. Those turned out by the late Government gave satisfaction; against them no complaints had been made; but it was not so with their successors. He knew an instance where a court insisted on retaining as clerk an individual who was very objectionable to the gentlemen doing business in that court; and one of the commissioners refused to remain therein because this clerk was not removed, yet this same gentleman was a rabid Conservative. And there were now loud complaints against that clerk, and no better proof of his determination to evade duty could be stated, he thought, than the fact that he had never yet made any return to this House. As to the feeling in England at the time referred to by the hon. Leader of the Opposition, we all knew that at that time party feeling ran very high. It was not so here just now, he was glad to say, and although this power of removal was in the Bill, he believed it was not going to be used to the extent that some hon. members seemed to think. There were principles laid down, and if some necessarily must be removed, it was better to give the Government the power and let them be held responsible for their appointments. He sincerely hoped if there should be any new appointments that they might be men who would do that which was right and just to every man. At present he regretted to say that there was a great deal of complaining against some of these courts. Suitors had no power to bring their cases to any court but those prescribed for them by law, and they should be such as the public could repose confidence in.

Mr. G. SINCLAIR observed that there might be a necessity for the Government re-organizing these Courts at any time, and that too independently of any change of Government; and therefore he thought the Government should have this power. It was true this Bill contemplated giving it to them in a different way to what had formerly been the case; but that was not to say that they never had, or exercised, this power. The usual way, generally, had been to bring in an amendment to the Small Debt Act; but this Bill was only giving the same power in a manner that would render such amendments unnecessary. The late Government when they came into power made a clean sweep. He hoped this Government would not follow their example. Notwithstanding what the learned and hon. member for Georgetown had said about the changes made in the Courts in England, and the removal of the judges, yet certainly he had been practising what he had condemned, for the late Government had been changing these commissioners, and some of them too, without any good cause. Now if the theory was wrong at one time, why did he practise it in his time? If it was wrong to remove John Hampden, why did they change and dismiss some without any Act to authorise them to do so?

Hon. LEADER OF THE OPPOSITION asked if he were prepared to prove that?

Mr. G. SINCLAIR thought the hon. member would not deny that such was the case. However, there was a general sweep made when the Act was amended. And those sweeping changes seemed to have had the effect of making some of those men who were appointed violent partizans. He did hope when Commissioners were appointed again, they might be such as would give satisfaction to the public by a proper discharge of their duties. He was glad to hear the hon. the leader of the Government say that some should be appointed from both sides. They should be men of sound judgment and sound sense. For his part he never liked to see a good man removed. There might be men who were very obnoxious to the people. Such should not be appointed, or if in office, ought to be removed. When we found men in the situation of judges in these Courts, of such a character, it was better to give the Government power to reconstruct these courts.

Mr. KICKHAM said that in the country places there were several commissioners who should be removed. When they got sitting five or ten years, they thought they could do what they liked. He considered it necessary to have a change.

Mr. BRECKEN had no doubt that changes in the Small Debt Act were deemed necessary by the Government coming into power. But that such a course was strengthening the hands of justice, as the hon. member from Souris seemed to think, was another question. This Bill was sanctioning the principle by an Act of the Legislature. The hon. the leader of Government spoke about a clerk who had not given satisfaction; but the clerk was an officer who, if he did not satisfactorily discharge his duties, could be removed at any time. He would rather see a new Act passed every time a new government came into power, than to see one passed containing the principle that was in this one. The hon. member from Malpeque had condemned the practice of the late Government; but if it was a wrong principle, let us not pass a Bill to perpetuate the practice. If changes were required he would give the Government power to make them, and was willing to do so, but he could not think of supporting this Bill; and would move in amendment, that the word "now" be left out of the motion and the words "this day three months" added at the end thereof.

Hon. LEADER OF THE OPPOSITION in seconding the amendment, said, that from the tenor of the remarks of hon. members on the Government side of the House, who had already spoken, one would judge that the Conservative government had unfortunately followed the very bad precedent which had been established by the Liberals; for no doubt this practice originated with the old Liberal party. These courts were established before the people had the voice in the formation of the government which they now had,—before 1851, and what was one of the first acts of that party? Why they made over to their friends these offices, before they had power to bestow them on them, and therefore one of their first proceedings was to repeal all the Small Debt Acts, and to pass a Bill enabling the Courts to adjudicate on sums up to twenty pounds. If their mode of dealing with the question then was right, it need not have been altered. There was no

material alteration until 1860, when the Executive Government of that day, as an admirer of the preceding government, imitated them, and made an amendment for changing the Commissioners. He must confess that the present Government were not acting as he thought they would have done, or as from the remarks of his learned friend the Attorney General, he was led to expect. He had drawn the same inference also from the remarks of the hon. member from Malpeque. He could not but admire their principles, for they were very good, but their practices were not in conformity with them. The fact was, if they found a man in office, whose opinions they did not like, he must make way for one of the opposite party. But then they were made up of such a medley crew, there being on board their ship Tenant Leaguers, Conservatives, and others who would follow the same example, and apply the sponge in the same way. He would rather see the Government repeal all the Acts relating to Small Debts, and pass a new Bill entirely, with a clause in it stating that the Commissioners for the time being should hold their offices during good conduct; then they would be carrying out a principle of jurisprudence as practised in the old country. Hon. Leader of the Government gave, as a reason for introducing this Bill, the continuing in office under the late Administration of a clerk that was obnoxious to the people. This he regarded as a poor excuse,—as none at all, because the Court could remove a clerk at any time; but now they were about passing a new Act to give the Government power to appoint Commissioners for the time being, and in doing so, the hon. member was but carrying out the errors of his predecessors. Of the Courts which had been appointed without the authority of an Act, which had been referred to by the hon. member (Mr. Sinclair) he thought the hon. member would be rather puzzled to find them. He was aware of none between 1860 and the present time. He would scorn to countenance anything of that kind. When the Bill was passed in 1861, the Government followed the precedent of 1851, and neither party went to the ranks of their political opponents for men to fill those offices; but he maintained the act was wrong on both sides. The party now in power had an opportunity to do better, and if they appointed men to these offices, who like Caesar's wife, would be above suspicion, he hoped that no government would afterwards dispense with them.

Hon. Mr. LAIRD did not like changing these Courts, but the substance of the hon. member's speech was that the Government for the time being should not have the power to make those changes.

Hon. LEADER OF THE OPPOSITION never said it was beyond their power. What he said was that these Courts should not be changed with each change of Government.

Hon. Mr. LAIRD.—It was a small matter to pass a Small Debt Act, like the one now before the House, and it was a weak Government that could not have this power, so that he thought the whole of the reasoning of the learned member fell to the ground. He (hon. Mr. L.) was not for changes except where they were required. He was not anxious about the change this year; but when it had been brought forward he

would support it, and he would admit that it was intended to put others in office, and make such alterations as the country required and had asked for.

Mr. BELL would say that on the score of economy he would have preferred not to go into this matter now. It was well known when these changes had formerly been made, that it was usually by an amendment to the Act; and he thought it was better to have an Act that would enable the Government to do so at any time, than to be bringing in new amendments with each change of Government.

Hon. Mr. MACAULAY thought it very amusing to hear the Government announce their disapproval of the manner in which the late Government changed these Courts, and yet not one of them had said that they would not give their sanction to this Bill. Now if the voice of the people called for it, and they demanded it, then it was the duty of the Government to see that they should have it, but he doubted either the call of the people or the duty of the Government in the matter. Surely when we heard that the Courts were to be changed, what was this but converting them into political engines. Engines of justice they could not be, or they would not adopt such a course. How could the hon. members lend their assistance to make Small Debt Courts political engines? What would others think if this House should give its sanction to such a measure? They would say that our ideas were at variance with the legitimate ends of justice. Why, this was horrible. He could not bear to think of it. The House would know that he was in favor of Mr. Brecken's amendment.

Hon. Mr. CALLBECK came to the conclusion that the late Government did make these courts political engines. He believed that even the hon. member for Georgetown would admit that at present they were purely political, and if so, he did not know any better course than for the Government to mix them up. Perhaps the Government could find a few good Conservatives, and it would be an advantage to find some such, although it might be difficult to come across them; or perhaps the Government could obtain men who had no political views, and if so, they might appoint them.

Mr. PROWSE.—If there was any amendment in the Bill which he considered really necessary, he would not hesitate to vote for its second reading. The Bill contemplated establishing a new court in his district; but he thought there were reasons why he should go against the measure. It might be that there were places where the people were all on one side in politics; but such localities were difficult to find; and if you chose political partizans from among such a people, and appointed them to administer justice for those who had no confidence in them, you did such a people an injustice. They might say that they would take the best men. But would they overlook the claims of those who placed them in their present positions? And yet such men might be very unfit for judicial appointments. He would place, if he could, the duties of the Commissioner in the hands of the Magistracy, which would be an improvement upon the present mode of dealing with these matters.

Mr. MACLENNAN would not oppose the amendment to the Small Debt Act, if he considered that it was called for, or if it had been asked for by petitions from the people. He was sorry the hon. member from Tryon was not in his place to favor the House with his opinion. A few days ago, a very important Bill came in from Charlottetown, but it was laid aside because there was not time to go into it. But now when we had no petitions praying for this measure—except from fifty or sixty petitioners—praying for new Courts, the Government could find time to amend the Small Debt Act. He did not believe there was any necessity for going into it now. He never held an office of emolument of any kind, and no change which the Government could make would effect him personally. He believed the Court in his district was giving satisfaction, and he did not think that the hon. member from that part of the County in the Government could name three gentlemen who would be more acceptable to the people. The Bill was not required, and therefore he would vote against it.

Hon. Mr. HOWLAN.—Why did the hon. member for Summerside recommend the removal of the Commissioners who had been appointed by the Liberal Government? The question now before the House was not whether there was, or was not ability in the gentlemen now acting as Commissioners. These courts were a kind of training schools for certain men, and doubtless some were much better qualified for the discharge of these duties than others. Various reasons had led him to the conclusion, that, as a general rule, eight years were as many as it was proper to leave some of these men in office. If no men could be found outside to fill these offices, there might be some force in those arguments, but when it was known that anything but efficiency had led to the appointment of some of the present Commissioners, the arguments of the members of the Opposition fell to the ground. The Government was always held responsible for these appointments, and therefore to a certain extent, they were political. He did not doubt that the hon. member for Summerside might suppose that the gentlemen now filling the office there were competent, but would the hon. member tell him, that they were the only three men there competent for Commissioners? But the present Government had good men outside; yet, after all, where was the party who could wholly divest themselves of party feelings? It was different in the old country. There everything was upon a larger scale. Magistrates were a different class of men, and they could be appointed as they were required; but the Commissioners of Small Debts were confined to a certain number. He did not hold to the principle of choosing men from among their political opponents. A Government should choose their officers from the ranks of those who supported them.

Mr. McNEILL would be the last person who would go for removing Commissioners, unless there was good cause for doing so. He knew that it was but reasonable to suppose that the Opposition would like to keep their friends in power; but then as the people had lost confidence in them and their friends, and also, in these courts, it was now the duty of the Government to change them. And as the people had lost confidence in so many of these courts, the duty of the Government was to remove the Commissioners from their present position, and appoint others.

Hon. Mr. HENDERSON.—It was admitted that when Responsible Government was established the Small Debt Commissioners were changed by the Liberals, and that their practice was followed by their successors.

And now it came to the Liberals' turn again to pursue the same dismissing course. With such an infusion of new blood as that party now had, it lay in their power to make quite an unusual change in these courts. And what more honorable than for them to do so. They had as many as three elements in their body. They would not deny but that party views, and interests were the objects they had in view in the first case, and now if they made a wise and proper use of their power, and appointed men from the different parties of which they were composed, they would not be sorry for taking so wise a step. As to the Clerk referred to, he thought the power of the Government was not so low, as that it required a change of the law to effect such a small matter. If that Clerk was to treat him, as he heard he had treated others, he would have had him removed if he could, and he was satisfied the court had this power. The hon. member for Tignish had said, that it was a kind of training school; but he would like to know for what?

Hon. Mr. HOWLAN.—In efficiency for the honorable discharge of such duties. Why, carpenters had gone on the bench and had risen to be active and discreet judges in these positions.

Hon. Mr. HENDERSON, as a general rule, would limit the training process as much as possible. He voted for the establishment of a court at Montague Bridge, and was in favor of the general principle. But still, knowing that there were men who would work for office, and that the Liberals were likely to choose some of them he was not altogether in favor of the Bill. But since there were such fair promises, he did not know yet how he would vote.

Mr. P. SINCLAIR would not say that the changing of Commissioners with every change of Government, was any benefit to the Colony. But it was an acknowledged fact, that every Government had power to change the Act. The Bill now before the House would prevent the necessity of changing the law with every change of government. He hoped the Executive would act upon the suggestions of the hon. Leader of the Government, and not make political views a qualification for the office. Such a course would have a tendency to fill the benches with men of more competency and ability for the duties devolving upon them. So far each party had carried their political feelings too far. The sweeping changes carried out by the late Government in many places, were the sole cause of this amendment. He sincerely hoped that the present administration would take a lesson from the past, and not allow such a clean overthrow to be made on purely political principles.

Mr. CAMERON felt disposed to make a few remarks in reference to allusions made by hon. members of the Opposition to the "infusion of new blood" in the present party, thereby suggesting that it behoved this Government more than any other to be the first in adopting a course by which political bias might be overlooked in the matter in question. But he believed it to be the duty of any Government, as well as the present one notwithstanding its "independent" or "composite" character, to do so; and as past Governments had been accustomed to change their officials in the different departments throughout the country, in order to patronize their own supporters, he did not see how hon. members could now consistently dictate to others a course so different to their own usages. Why should not the one be entitled to these privileges as well as the other, whether independent or otherwise. He believed that men of integrity and ability, rather than mere political partisans should be appointed, and he would support any just and satisfactory scheme to carry out this desirable object. While Courts of Law were under the supervision of the Government, they

must necessarily be regulated by the same, inasmuch as the Government for the time being was, to a certain extent, responsible for their management.

Hon. Mr. McAULAY.—Responsible to whom?

Mr. CAMERON.—To the public, as each individual member was responsible to his own constituents. He had no doubt but there might be instances where new appointments were necessary for other reasons than political ones; while, in other cases, a change would probably be injudicious and uncalled for. He considered the Bill under consideration necessary for the construction of these courts, the establishment of which had been recently petitioned for.

Hon. ATTORNEY GENERAL.—The result of the whole argument of hon. members opposite was, that the introduction of this Bill was merely an idea got up for the present day, while it was an acknowledged fact that both parties had done the same. But the fact was simply this, their positions had now changed, and with that change new light had dawned upon them. They saw that they had done wrong; but yet would keep us from doing right, by preventing the passing of this Bill if it was in their power to do so. We had but to go back to 1861 to ascertain what was then done. The Bill brought in in 1851 raised the sum that could be recovered in these courts to twenty pounds, and he would like to know if those who were appointed to adjudicate on sums for ten pounds, were not also capable of adjudicating on sums for twenty pounds. He considered it far better to pass a short Bill like this one than to be putting the country to the expense of publishing a long Act containing fifty or sixty pages. It was better to have an Act that would enable the Government to reconstruct these courts as occasion might require. He quite readily acknowledged the principle advocated that the courts should be independent, as it was a just and a sound one. But our friends opposite had made them purely political. The court in his district was removed and filled with party men, and of course this court would have to be purged. He would like to see these courts so constructed that no objection could be taken to them, and to accomplish so desirable an end, and to save the country a good deal of unnecessary cost, this Bill had been brought in by the Government, and he hoped that it would receive the support of the House.

On the question being put on Mr. Brecken's amendment, that the Bill be read a second time this day three months, there appeared

For it—Messrs. Brecken, McLennan, Prowse, Green, Owen; Hons. Haviland, Henderson, McAulay—8.

Against it—Hons. Attorney General, Davies, Laird, Colonial Secretary, Howlan, Callbeck; Messrs. McCormack, Kichham, G. Sinclair, Arsenault, Jenkins, Reilly, Cameron, McNeill, P. Sinclair, Howat, Bell—17.

The main motion was then carried, the Bill read a second time, committed to a committee of the whole House, and reported agreed to.

Hon. Mr. HOWLAN presented a Bill to alter the Act relating to the Revenue. He explained that its object was to admit Canadian flour coming in bond through the United States, duty free. He was fully of the opinion when the Revenue Act was under consideration that a special provision to this effect was unnecessary; but on enquiry he had since learned that the Act would not meet the case of Canadian flour coming by Portland or other U. S. routes, and this short Bill had been prepared to remedy the omission.

Mr. OWEN said that he was glad the hon. member was coming to right views on this subject. He (Mr. O.) had prepared a resolution when the House was in Committee on the Revenue Bill making the same provision as did the Bill now introduced; but he had to withdraw it through the opposition of the hon. member for Tignish and his colleagues in the Government.

Hon. LEADER OF THE OPPOSITION did not think that any private member of the Government should seek to introduce such a Bill in the way proposed; it ought to have come through the Committee on Ways and Means.

Hon. LEADER OF THE GOVERNMENT differed in opinion from the hon. member. The Bill was for diminishing and not for increasing a tax.

Hon. LEADER OF THE OPPOSITION said there was at least this objection to the manner in which the Bill was introduced, there was no notice in the Order Book that such a measure was to be brought forward; and further there was a resolution of the House that no new matter should be introduced after a certain date. He was not opposed to the principle contained in the Bill; but the rules of the House should be observed.

On motion, certain rules of the House were suspended, and the Bill read, committed to Committee, and reported agreed to.

Militia Bill.

The order of the day for the second reading of the Bill to add to and amend the Act for the regulation of the Militia and Volunteer forces being read—

Hon. ATTORNEY GENERAL on moving that the House should now go into the order of the day, said he did so on his own responsibility. It was thought necessary, for the efficiency of the Militia force, by the officers in charge of that department, that there should be some amendments in the present Act; and he had therefore undertaken to introduce this Bill, though he was of opinion that it contained two or three clauses which he could not support. Still he considered that some of its provisions were very necessary. If we had a Militia force at all, it was absolutely requisite that its officers should have authority to enforce discipline. All the clauses in this Bill were taken from the Act for a similar purpose in Nova Scotia. Some parties, he believed, thought that this Bill was very strict in regard to discipline; but it was not more so than was found necessary in the neighboring Province. The Bill, however, also contained exemptions as well as restrictions; it relieved all Volunteers from being jurymen, constables, and some other like duties. He believed also that the Fire Companies wished to be exempt from Militia duty. Several of the fines under the Act had also been reduced. He deemed it his duty to bring the Bill before the House, and had no doubt it would receive support, as on looking around him he saw so many hon. members present who were gallant officers in either the cavalry or infantry branch of the Militia service.

Mr. BRECKEN said the hon. Attorney General had referred to the Fire Companies in Charlottetown asking to be exempted from attendance at drill. He (Mr. B.) thought as the men of these Companies had undertaken very important duties, and that voluntarily, they could fairly claim exemption from Militia duty. It was proposed that at least a certain proportion of the firemen in each Company should not be liable to be called out; and considering that these men had to turn out once a month to test their engines, and that they might be summoned to aid in extinguishing a fire any hour of the day or night, he hoped that their prayer for exemption from Militia duties would be granted.

Hon. LEADER OF THE OPPOSITION did not intend to oppose the Bill. The hon. Attorney General had taken the responsibility of it upon his own shoulders; but he (hon. leader Opp.) thought that the hon. Colonial Secretary, as the eldest Militia officer in this House, ought to have undertaken to pilot the measure through its several stages. But all parties should lend their assistance to make the Bill as perfect as possible. As the Opposition of last session gave the Government of that day their aid in regard to Military matters, he deemed it to be his duty to give the present Government all the assistance in his power to render this measure satisfactory. As the millennium had not yet arrived, the best guarantee of peace which any country had was to be prepared for war. If any disturbance should occur between the Parent State and any foreign country, and we loved the Union Jack and those institutions which afforded us so much liberty and which cost so much blood, we ought to be prepared to aid her all that lay in our power. It was not only a despotic government that should be prepared for war; a free country was doubly bound to be ready for every emergency, seeing that she had so much to lose. This was especially the case with us, for we possessed a constitution and enjoyed privileges which were never equalled by those of any country, ancient or modern, on which the sun ever shone. He believed that we could bring into the field 10,000 or 15,000 effective men; all that they required to make them equal if not superior to those in the neighboring Provinces or even in the Mother Country, was a fair share of military training. It might be said that it was more profitable for men to engage in agricultural and mechanical pursuits; still it was the duty of the members of a civilized community to give up a part of their time to train themselves for the defence of their rights. Those who trusted to mercenary soldiers to defend their free institutions, were unworthy to possess such privileges. The Bill contemplated the improvement of our military organization, and though some members of the Government seemed indifferent about so important a measure, he was prepared to give the motion of the hon. Attorney General his hearty support.

Mr. HOWAT thought that a Bill of so stringent a nature as he had heard that before the House was, should have been published, in order that some idea might be formed by the people upon its merits.

Hon. Mr. HENDERSON believed that the object of this Bill was to render some clauses in the former one less stringent, and therefore more effective. There was nothing to fear from the Bill as objection-

able clauses could be struck out. In urging upon the House the necessity for passing as perfect a Bill as possible, he remarked upon the uncertain aspect of affairs in the outside world at present; arguing that it was our duty to place ourselves in such a position as would enable us to defend our homes most effectually.

The Bill was then read a second time, and the Hon. Attorney General having moved that the House go into Committee thereon—

Mr. HOWAT, seconded by Hon. Mr. Laird, moved in amendment that the House go into committee on the Bill this day three months.

The question having been put on the amendment it was lost by a vote of 13 to 4—Yeas—Messrs. Howat, Laird, Reilly, McNeill.

House in committee on the Bill.—Mr. Bell in the chair.

On the clause exempting Volunteers from service on juries, and from performing statute labor being read—

Mr. HOWAT remarked that as the time which they were required to spend annually in drill was so short they did not deserve to be exempted from statute labor. He had heard no complaint on the part of the Volunteers.

Hon. LEADER OF THE GOVERNMENT remarked that if exempted from statute labor they would be deprived of the privilege of voting at elections. They should not be so exempted, and, indeed, deserved it no more than did the Militia. He thought that if a part only of the militia was called out at a time, it would be better than taking all at once, as at present. The summoning the militia was, in his opinion, a farce, since they could be as well prepared for war on ten days' notice as if they drilled for that length of time every year. When men took a fancy for military matters it was different, but when they were called out against their will and herded together indiscriminately, they learned very little drill; in fact it was little short of tom-foolery. He then alluded to the manner in which one of the Volunteer Companies had lately thrown up its arms, and remarked that his faith in the movement was very much shaken by that occurrence. He would repeat that he considered neither volunteer nor militia men should be exempt from statute labor.

Hon. LEADER OF THE OPPOSITION thought that members of the Government were treating this Bill rather strangely. When the independent member from Tryon, the self-constituted third member for Charlottetown, moved that the House go into Committee on the Bill this day three months, he was surprised to see his hon. colleague in the Government (Mr. Laird) second his motion—a motion to give a Government Bill the "three months' hoist."

Hon. Mr. LAIRD.—It was not a Government Bill.

Hon. LEADER OF THE OPPOSITION.—It should have been. Had ever any hon. member heard of such a measure as this being left an open question? Were the Government afraid to introduce it as a Government measure? The late administration had the manliness to come forward with their Bill and stand or fall by it; but in this case the hon. Attorney

General trusted to getting the measure through by side votes. The Government should be ashamed of themselves for acting thus. He had, when the Bill was introduced, promised to give it his support, thinking it a Government measure. He had, however, been undecieved by the action of the hon. member for Badeque, and the speech of the hon. Leader of the Government, and would, therefore, as Leader of the Opposition, wash his hands of it. He had an important amendment which he had intended moving, but would now trouble himself no more with it. He would allow the hon. Attorney General to do the best he could with this Government bastard Bill, for he could term it nothing else. If hon. members in the Government were not prepared to support their own measures, they should vacate their seats in the Council. We were unworthy of the privileges we enjoyed under the British Government if we were unwilling to spend a small portion of our revenue and our time in order that we might be trained to protect ourselves.

Hon. LEADER OF THE GOVERNMENT.—The Bill had not been brought in as a Government measure. It had been handed in so late that, in order that it might not be lost entirely, it had to be introduced without having been properly considered. Had it been a Government measure it would have been very different. The present Government, unlike the late one, did not shrink from responsibility. The late Government never had, during their eight years of office, a government measure that they were willing to stand or fall by. In the Militia Bill of last year they had the support of the minority. He felt that he was not bound to support the Bill in its entirety. He would still maintain that it was not necessary to call men out to drill for ten or twelve days during the summer when there was no actual need. He would be very sorry that any militia officer should have the power of sending a man to jail without a hearing, and keeping him there for five days. It was too arbitrary a power to give any man

Hon. ATTY. GENERAL remarked that if the Bill advanced any new principle, or did away with any old one, the objections of the hon. Leader of the Opposition might have some weight. A militia bill was a trifling measure when compared with the question of Confederation, and yet the late Government did not make the latter a Government measure. He thought it the duty of every Colony to prepare itself for its own defence so far as in its power. As regarded the proper number of days for annual drill he was not prepared to express a positive opinion. The real subject before the committee was the exempting, and this should be the subject discussed. Other matters should have been introduced at the second reading of the Bill rather than in Committee.

Hon. Mr LAIRD moved in amendment to the clause under consideration, that the Bill should be printed for public information, and allowed to lie over till next year. His view of the case was that such great preparation for war, as was advocated by some hon. members, was rather a step back towards barbarism than an advance in the right direction. He was somewhat amused to hear the hon. leader of the Opposition promising his assistance to perfect the Bill; when probably a few months afterwards he would be tearing

the very amendments it contained to pieces. He (Mr. L.) thought that before the people were bound by such restrictions as this Bill proposed they should be made aware of what they were required to submit to. It was on this ground that he had moved the Bill should be published.

Hon. Mr. Davies thought if the Bill was to go into force as it stood, it would be difficult at times to find workmen to carry on the labors of the field or the workshop. People had not time in this country to do military service in the summer season. After all the training which had been gone through here last year, he questioned whether the companies called out were much more efficient than those of former years. Look at the Crimean War; the raw recruits brought into the field then very soon did duty as well as the old soldiers; and he believed the Garibaldians had accomplished more in less time than any trained troops that were ever called into action. He had no objections to see the Volunteer and Militia forces kept up, but it could not be done to such an extent as the Bill contemplated. We might have two or three companies of Volunteers in Charlottetown, one in Georgetown, and one in Summerside; but the system could not be carried out all the country over.

Mr. BRECKEN sympathized with the hon. Attorney General in regard to the treatment which the Bill was receiving at the hands of his friends. The hon. Leader of the Government had used the word "tomfoolery" in connection with the Bill, and other members of the Administration had attempted to burke it altogether. All this, he supposed, resulted from the "composite" character of the Government—he thought it would crop out somewhere. He did not know who was the father of the Bill, but had heard that the Commander-in-chief had interested himself in the matter. He suspected it was intended to carry out his desires, if not those of the Government.

Hon. Mr. LAIRD would like to hear the hon. member's authority for saying it was brought forward by the chief of the Government.

Mr. BRECKEN.—Well, of course it was not exactly brought forward by him; but there could be little doubt that he was anxious it should be passed. His Excellency had taken a great deal of interest in the Volunteer movement, and did not seem to receive many thanks for his pains. In regard to the recent trouble among the Volunteers, he would say that he hoped the officer referred to, who had perhaps taken a false step, would be reinstated in his former position. He (Mr. B.) maintained that the Leader of the Government should have introduced the Bill and stood or fallen by it. In Canada a few years ago, a Militia Bill was brought forward by the premier of that Province, and though it was not a new measure, his government was defeated thereon, and a change of ministry took place. But our "composite" Government would not endanger their position by a Militia Bill; they did not agree among themselves, yet they managed to stick together, and there was something in this from which he wished the Conservative party to take a lesson. (Laughter.) He believed, that the Bill before the Committee was introduced at the special request of the Lieut. Governor, and here in this debate the Leader of the Government called it "tomfoolery."

Hon. LEADER OF THE GOVERNMENT.—It was not the Bill to which he referred, but the calling out of the Militia.

Mr. BRECKEN. — Then let it be the Militia and not the Bill and what followed? Simply that the Bill was brought in to prop up this "tom-foolery." Such dread of results was unworthy of the hon. Leader of the Government. Why did he not come forward in his strength as in former days, and take the Bill upon his shoulders and stand or fall by it. He (Mr. B.) really felt for the hon. Attorney General in the trying position in which he was placed, deserted as he was by his colleagues, but he must endure it, and stand by the measure which he had introduced.

Hon. Mr. LAIRD observed that the hon. member for Charlottetown seemed to take great delight in applying the term "composite" to the Government. He (Mr. L.) lately read in the newspapers of a new steamer which had arrived here that was constructed on the "composite" principle and classed for 14 years. If the Government of which he was a member stood for 14 years he believed he would be tired of it. The hon. Attorney General when he introduced the Bill had distinctly stated that he was not prepared to support all the clauses it contained. It was well known that the Act which it was intended to amend was introduced last session, and we should now give those same gentlemen who brought forward the measure at first an opportunity to rectify their defective legislation.

Mr. BRECKEN doubted whether the composite Government would hold together for fourteen years, as Mr. Laird had hinted. He thought that if they had some heads of departments to deal with, and the Leader of the Government were to treat a Bill as this one had been, the members of the Executive Council would soon be brought to book. Was it possible that a question of this nature could be so treated? That a Bill which took 2500 men from their customary employments a part of their time—that summoned every person from 16 to 40 years of age to attend drill—should be pronounced by the hon. Leader of the Government a piece of "tom-foolery?" Why then was it brought in? He did hope that the measure would turn out to be something better than the name it had received, and that it would obtain the support of the Government. Let them take hold of it now. He did not wish to see the days and scenes of the past revived. He did not desire to see what took place when poor Clark was brought to task. He did not ask for anything of the kind. It would be quite contrary to his wishes; but he thought the Government should take hold of the measure.

Dr. JENKINS believed the clause before the House related to the exemption of Volunteers from statute labor, and he was prepared to support it. When men were called out against their will, they never entered into the spirit of the drill. But if they went into it cheerfully, they would become better soldiers. He held in his hand a petition from the Firemen of Charlottetown, praying for like exemption.

Mr. HOWAT would give his support to the amendment. The hon. Attorney General seemed to complain that we would not exempt the Volunteers from burdens imposed upon other people. He was going to

draw the Volunteers into the service with kindness. Then if one of these same Volunteers wished to be made a Constable, there was the fact of his being a Volunteer to exclude him from that appointment, or any other public duty which others had to bear? Some hon. members referred to him as the third member for Charlottetown; but certain men in the city seemed to claim more privileges than they were entitled to. He hoped to see the day when persons from the country would exercise more power in this House than they did now.

Hon LEADER OF THE OPPOSITION asked if the hon. member meant Mr. Callbeck?

Mr. HOWAT meant the hon. Leader of the Opposition among the rest. He hoped, however, to see the time when men from the country would do their duty, and not allow means to be used to force Confederation upon the people.

Hon LEADER OF THE OPPOSITION wished we were into Confederation.

Mr. HOWAT said we were not to be frightened, or bribed into it, which he believed was attempted to be done. Nor were we going to put military service upon the people until they were aware of it.

Mr. PROWSE remarked that no doubt the Home Government wished us to go into Confederation, and would like to see the whole military force of the Colonies put together. If we wished to avoid this, we would have to give due attention to our military defences. He did not see how we could treat this Bill lightly, in the face of the telegram which he had just taken from the Reporter's desk.—"Earl Derby says the Government will not make public the real history of the recent Fenian uprising, on account of apprehended trouble with certain Foreign Governments which are involved in the plot." When hon. members considered this announcement, he did not think they would say that it was a matter of indifference whether we gave attention or not to military preparations. He believed that if trouble should arise, the Home Government would justly compel us to go into Confederation from a military necessity, if in these matters we did not do our duty. He would not give the Volunteers more privileges than the Militia. He understood that the Bill was similar to the Act in operation in Nova Scotia, and if they, who were going into Confederation, gave such attention to these duties, surely we who were not going into it, should be prepared to keep ourselves out of trouble. He would heartily support the Bill.

Hon. LEADER OF THE GOVERNMENT thought that if the Volunteers were to throw up their arms every time they took offence at something, there was not much dependence to be placed in them. He would like them to know more about the duty they owed to their superior officers. He did not hesitate to say again that in so far as the present manner of calling out the Militia was concerned, it was nothing but a piece of "tomfoolery." When called out and put through the drill, what was the result? A few might have learned to wheel a little better than the others, but the bulk of them paid very little attention to the drill, and were none the better qualified for the discharge of military duties; and he would still say that it was wrong to be calling out the Militia for ten or fifteen days, when the people could ill afford to

lose the time. He considered it a serious matter to interrupt the agricultural, mercantile, and mechanical pursuits of the whole people for such a period, when it was well known that fifteen days' drilling would never qualify them for soldier's duty; but the volunteers could meet and drill as often as they pleased. If a foreign invasion was to take place, or was likely to happen, it would be different; every man would then be in earnest, and would feel it to be a pleasure and a duty to do all in his power for the defence of the country. But at present there was no more necessity for anything of the kind, than there was for our getting alarmed at the telegram read by the hon. member for Murray Harbor. The terror of Fenianism must not frighten us into foolish acts. As to the Bill, he thought hon. members opposite were under a mistake, and had been fighting with a phantom. The Bill brought down by the Government last year had been amended in committee, and surely members of the Government might submit an amendment to this one. It had been said that indifference on the part of the Government in this matter might be used as an argument for Confederation. The Government had not shown indifference on military matters. They intended to support the volunteers, and this they had manifested in the appropriation for that service. Before the general election the late Government were going to do something for the volunteers, but these becoming offended, threatened their representative or the Government with their opposition. Again if the Commander-in-Chief did what they considered not fully right, they would not retain their arms. Men so acting lost respect for themselves. It was too much like a Bull's Run affair. He hoped, bye-and-by, that the Volunteers would do better than to throw down their arms one day and take them up another. As to the exemption from statute labor, it was but three shillings a year, and was not a matter worth an exemption. If the bulk of the people on a road in the winter were exempted, there would not be enough to turn out to break the roads, and travelling for a time might be entirely stopped. In the summer it would not be of so much importance.

Hon. Mr. DAVIES would say that he believed there was some excuse for the Volunteers throwing down their arms; he would not say they did right, but there was a reason for their conduct. He was given to understand that before this session was kicked up, that they had been promised their clothes which were brought out from England. But when the election came on, the Volunteers acted independently, and voted as they thought proper; and as they did not happen to vote for the Conservative candidates, their clothing was withheld from them.

Hon. LEADER OF THE OPPOSITION.—The statements of the hon. member for Belfast were not correct. Some clothing had been ordered from England for the Artillery Company, and there was some misunderstanding between the Commander-in-Chief and Captain Morris, on the part of the Company, as to how they were to be paid for. He had heard that the Commander-in-Chief understood that Captain Morris was to be responsible to the extent of forty shillings for each suit, while the latter understood differently. There was evidently a good deal of feeling manifested in the Company about the matter, and the Captain of the Company waited upon the Government for a solution of the difficulty. The hon. James Pope and Col. Smith came to him (hon. leader of the Opposition) and wished to get his assent to an arrangement. After considering the case, he thought it was a pity that such a fine orderly company should be without their clothing, and as the difference was so trifling, he said that under all the circumstances the Government should overlook the matter.

Hon. Mr. DAVIES.—That was what I stated.

Hon. LEADER OF THE OPPOSITION.—The hon. member said that when the clothing came, and the men voted against the Government the clothing was withheld.

Hon. Mr. DAVIES said that the Government conveyed the impression that the company would have their clothing given to them.

Hon. LEADER OF THE OPPOSITION.—The hon. member had said they showed their independence.

Hon. Mr. DAVIES.—And had they not done so in voting as they thought proper?

Hon. LEADER OF THE OPPOSITION had advised that the Artillery Company should have their clothing.

Hon. Mr. DAVIES.—Did not Captain Morris say that if the Company did not get their clothing they would vote against the Government.

Hon. LEADER OF THE OPPOSITION.—He did not know. He could only say that he gave that advice before a vote was polled. If all happened before the election, and how then could it be said that the clothing was withheld because they did not vote for the Government?

DR. JENKINS was aware that very few of the Artillery Company voted for him.

Hon. Mr. DAVIES.—Captain Morris had showed to him a correspondence, in which the Captain complained that the clothing had not been given to the men. Captain Morris was asked to pay the money down when receiving the clothes, which would have amounted to about £200; but his request was that the clothing should be left with him, and as it was taken from him and paid for, he would be responsible. He (Mr. D.) thought that the Government should have looked into it and done what was right. He had heard that some of these Volunteers had voted for himself. He hoped it would be no impeachment of their loyalty. To do so was, no doubt, a great offence in the eyes of the late Government. He did not justify them for what they had done in laying down their arms, but he did wish that the hon. member for Georgetown had as intelligent a body of men at his back as many of them were. He hoped, too, that their old officer who had been dismissed would soon be restored to his former position.

Mr. BRECKEN.—The hon. Leader of the Government had spoken disparagingly of the Volunteers.

Hon. LEADER OF THE GOVERNMENT had alluded to Volunteers in general, and had said that no confidence could be placed in them if they threw up their arms in time of need.

Mr. BRECKEN.—The hon. Leader of the Government had compared them to the "skeddadiers" at Bull's Run.

Hon. LEADER OF THE GOVERNMENT would thus compare them still. It was the current report that a hint was given to the Leader of the then Government that if the clothing were withheld, the Company would vote against them.

Mr. BRECKEN denied the truth of that report,

Dr. JENKINS believed what his colleague had said. The members of that Company would, most of

them, rather go naked, than vote for him (Dr. Jenkins.)

Hon. Mr. HENDERSON was surprised at the manner in which the hon. Leader of the Government was acting in relation to this Bill. There appeared to be some misunderstanding between him and His Excellency the Lieut. Governor. He was astonished that some hon. members should contend that raw recruits were as good as trained soldiers. They might with equal justice say, that the shop boy with one day's acquaintance with his business was as good as the trained clerk. He did not understand how the Militia movement could be regarded as a Confederate "dodge." Confederation was a new question, while Militia Acts were of old standing. Though he did not advocate carrying the matter of Militia training too far, still it was absurd to suppose that people could be prepared for action in the field with only a few days' notice.

Hon. ATTY. GENERAL would assure the hon. member for Murray Harbor, that there was no misunderstanding with His Excellency in the matter of this Bill. All anxiety on that point might be dismissed.

The amendment that the words "and the performance of Statute labor," be struck out of the clause, was then put and carried.

Dr. JENKINS in rising to move that the members of Fire Companies should be exempt from service as militia-men, remarked that no one who knew the manner in which the members of these Companies were obliged to do duty, would surely object to the motion he was about to make. They were obliged to keep their engine in repair and good working order, and were liable to be called out at any hour, and were subjected to great danger in extinguishing fires. He believed that certain very ardent members of the Militia force were opposed to such exemption, but he trusted that anything which they might say, would have little weight with hon. members. He believed that the firemen already performed more than their share. If this exemption would injure the efficiency of the Militia system it would be very different, but the number exempt would be so trifling, that it could injure it very slightly. He would, therefore, move that the following clause be inserted in the Bill;

"The members of the several Charlottetown and Summerside Fire Engine Companies, shall be exempt from attending muster, and from actual muster at any time except in case of war, invasion or insurrection, and that whenever such exemption is claimed the burden of proof shall always be upon the claimant, provided that the number so exempted, shall not exceed 80 for the Charlottetown Companies, and 20 for the Summerside Company, and that the senior members of the said Companies shall have the privilege of such exemption."

Mr. BRECKEN would support his colleague's resolution, for he believed that the firemen should be exempt. They were really volunteers for the defence of property in the city, and as such were liable to be called out at any time. They did not, however, ask to be exempt when the time came for action, but only to be so in times of ordinary muster. If they were compelled to turn out in such cases, they suffered a

greater sacrifice of time and labor than any other persons in the community.

Mr. KICKHAM would also support the resolution; and indeed was of opinion that firemen should be exempt from service on every occasion, since if they were called out and were absent at the time when a fire occurred, no one would be able to protect property.

Hon. ATTORNEY GENERAL.—As so few would be exempted by the clause, he saw no objection to it. They could not be expected to perform their own drill as militia in addition.

Hon. LEADER OF THE OPPOSITION was opposed to the amendment when first mooted, because there was then no limit set to the number who were to be exempted, and the result would have been that every one would join Fire Brigades, and the militia law would be a nullity. Since a limit had been set he would support the clause. He would, however, wish to move as an amendment that the name of Georgetown be inserted with those of Summerside and Charlottetown, as a Fire Company might be organized there, and it was but right that they should also be exempt.

After some further remarks from hon. members, Mr. Owen considering that the Resolution would require further consideration, moved that progress be reported—carried.

The Bill to alter the Education Act was then read a third time and passed; as was also the Bill to alter and amend the Small Debt Act.

House adjourned.

WEDNESDAY, May 15.

The order for engrossing the Loan Bill, having been on motion discharged, and the Bill re-committed to a committee of the whole House,

Hon. ATTORNEY GENERAL moved that the Bill be amended by inserting the words, "in this Island," in clause 2, line 13 of said clause.

Hon. Mr. HOWLAN seconded the motion.

Hon. Mr. McAULAY thought the expression in the Bill, "out of this Island," was not a proper one.

Hon. ATTORNEY GENERAL did not understand the hon. member.

Hon. Mr. McAULAY would prefer the word "beyond." The expression as it now stood was too ambiguous.

Hon. ATTORNEY GENERAL hoped that next session the House would have the benefit of a grammatical adviser.

Hon. Mr. McAULAY.—Parties might say to you that they could not give the money, as they would have no guarantee that it would be repaid, because the money the Bill authorized you to borrow, had to be obtained "out of" and not beyond the Island.

The motion being then agreed to, the Bill was reported with an amendment, and ordered to be engrossed.

Hospital Bill.

Dr. JENKINS moved that the third order of the day be gone into, viz., the second reading of the Bill to institute an Hospital in Charlottetown.

Mr. HOWAT had found from reliable authority, that there was a Hospital already, sufficient for all that was at present required.

Dr. JENKINS.—It was in an unsuitable situation, and a person might die there before attention could be procured for him. It was no place for a sick patient.

Mr. HOWAT had learned that when seamen took sick they were sent to a private house, and attention given to them at the expense of the vessel. He had also been told that there would not be six cases in this place in a year, and he would like to know if the country ought to be put to the expense of providing a Hospital, when such were the facts. He was not in favor of the Bill, as it placed new burdens on vessels coming into this port.

Dr. JENKINS.—The tax would be levied only once a year.

Mr. HOWAT.—When it was established, that once would be for a large sum. There was no particular amount named in the Bill. It might be said that it would apply to foreign vessels only, but he doubted the propriety of taxing those American vessels. He heard that the owners of those American steamers were about applying for a grant from this House, and he would rather encourage them than throw restrictions in their way, which might cause them to withdraw their vessels from this route. He had no wish to offer any factious opposition to the Bill, but so far as he could learn there was no necessity for it.

Dr. JENKINS, when he brought this matter forward, thought that it was pretty generally conceded that such an institution was required. Many persons took sick here, and for want of a proper hospital much misery and suffering was the result. He recollected the case of a sailor whom people were afraid to take in. He was carried from house to house, and died for want of proper accommodation. The hon. member for Tryon lived in the country, and did not care what became of the poor sick persons who might come into this city. The tax would be light, say one penny a ton, and in addition to that seamen should be required to pay one shilling a month, and a certain tax should be laid upon those who engaged for the run. These men took a good deal of money out of the country, and it was but fair to ask them to contribute to this object. With regard to shipowners, they were an enterprising class of men who ought to be encouraged, but they brought a good many passengers to the Colony, and sometimes brought disease along with them.

Hon. LEADER OF THE OPPOSITION said as the principle had been admitted when the matter was first introduced, and a committee appointed to bring in a Bill, the objections of the hon. member for Tryon were out of place. If the Bill was not framed right, then there would be ground for proper objections. Let it go into committee, and then if the Bill was found to be one that would not work well, or that it would

operate unjustly against any class or interest, it could then be burked. If there was an asylum where those who were politically mad could be placed, he thought it would not be without patients.

Hon. Mr. HENDERSON remarked that he thought country members were entitled to the privilege of making some explanations. It might have occurred to the hon. member for Tryon, when the hon. member for Charlottetown referred to a certain case of sickness, that others than the infected had to be cared for, and for the information of that hon. member (Mr. Howat) he would say that it might be necessary for the first medical gentleman in the city to see that the safety of others was attended to. It might not be the life of an individual, but that of many others which such a case involved. He contended that the health of the whole city was as much concerned in having a place of safety for such cases as the health of the individual, and if in committee it should be found that there was no valid objections to the Bill, he would support it.

Mr. McNEILL considered that the time had arrived for the establishment of such an institution, and thought the hon. member for Charlottetown deserved credit for endeavoring to bring this matter under the notice of the House. But he held that our coasting trade should be exempt from this tax. There should be some provision made for those men who happened to come to the city and were laid down by sickness. He could not agree with the hon. member for Tryon that men who were so unfortunate should be sent to a poor house.

Mr. HOWAT spoke about disabled seamen. The Hon. Mr. Lord and the Hon. James Pope were both of the opinion that such an institution as the Bill proposed was not required.

Mr. McNEILL said it was not unreasonable to suppose that ship owners would like to get clear of those charges, for their vessels would have to pay Hospital dues. He was in favor of the principles of the Bill.

Mr. BRECKEN said that his hon. colleague had inserted provisions in the Bill which would meet the views of some hon. members. He believed that the time had arrived for the establishment of an Hospital in this city.

The motion was then agreed to, and the Bill read and committed to committee—Hon. Mr. Laird in the chair.

Hon. Mr. HOWLAN thought that the Bill was premature, and that unless the Act of 28 Vic., cap. 18, or some portions of it, was first repealed, that it would not do to pass this Bill. The Act provided that "every ship belonging to, or sailing from this Island, shall have and keep constantly on board the same a sufficient supply of medicines suitable to accidents and diseases arising on sea voyages, which shall be renewed from time to time, as shall be requisite." And the same section further provided that "in case any of the seamen shall receive any hurt or injury in the service of the ship, the expenses of providing the necessary surgical and medical advice and attendance and medicines which the seaman shall stand in need of, until he shall have been brought back to some port

in this Island, shall be borne and defrayed by the owner and master of the said ship, or one of them, without any deduction whatever on that account from the seaman's wages." If any disease was brought to the Island the Act likewise afforded protection. The same law would apply also to American vessels. He did not wish to take up the time of this hon. committee in reading the various provisions made by the old Act relative to diseases on board ships, but he thought that any hon. member who would take the trouble to look into the matter, would find that ample provision was already made by law for the care of seamen. He certainly thought the Acts already past met the case, and unless they were repealed he did not see how this Bill could be proceeded with. In England, Hospital dues were not demanded of the vessel. There was a Sailor's Home, and at the Shipping Office seamen had to pay a certain amount. A person might take sick in Cascumpec, or any other of the outports, and of what service would an hospital in the City be to such, and yet by this Bill vessels coming here from the outports would be liable to be taxed. If there was any further protection required for seamen by all means let it be granted them, but he thought that ample provision was already made for their case.

Dr. JENKINS was as cautious about taxing ships as any one. The hon member for Cascumpec said that ship-owners had already to pay the expenses incurred in cases of sickness. This was true, but then a ship-owner had often to spend half a-day running up and down looking for a place in which he might get a sick man accommodated. He did not think that the hon. member could have brought forward a stronger argument in favor of an Hospital. The comparison between this Island and Great Britain, would not hold good. This was a new country, and we must adapt the means to suit our wants as best we could. Ships coming here should have a tax levied upon them, to enable seamen and others who might require it, to have proper attendance in an Hospital. As to country members not being interested in such a measure, was a mistake. A case of infectious disease might come here, and the patient be sent to a private house. He might have friends in the country who would come and see him, and they might carry the disease home with them. Thus it might spread in the country. A case of malignant fever, for instance, might in this way spread through the whole Island. He believed that such a measure, once in operation, would be a great benefit to ship-owners. He thought it was time Prince Edward Island had an Hospital.

After several other hon. members had expressed their opinions on the question—

Mr. PROWSE said it appeared to him that the Bill did not carry out the views of those who had spoken; and considering its imperfections, and the lateness of the Session, he thought it would be better to let the measure lie over until another year. He would move that the Speaker take the chair.

Mr. OWEN seconded the motion.

Hon. ATTORNEY GENERAL explained the Act of 1865, and said that he thought it was very desirable that some provision should be made, similar to that contemplated by the Bill of the hon.

member (Dr. Jenkins); but whether it was expedient at this late season of the year to go into the Bill, was a question on which he was not exactly satisfied.

Mr. McCORMACK believed there was a screw loose somewhere about the Bill, and thought it better to let the matter lie over for another year. He hoped the motion would now be put.

The motion that the Speaker do now take the chair, was put and carried.

On motion of the hon. Attorney General, the Bill intitled "an Act for appropriating certain moneys therein mentioned for the service of the year one thousand eight hundred and sixty-seven," was read a third time, and passed.

Hon. ATTORNEY GENERAL moved, seconded by the Hon. Mr. Laird, that the engrossed Bill intitled, "An Act to authorize the Government to raise a loan of money for the public services of this Island," be now read a third time.

Hon. Mr. HENDERSON rose to move, that it be read this day three months.

Mr. BELL.—What did the hon. member mean? Did he not know that it was quite improper for him to make such a motion now?

Hon. Mr. HENDERSON had been waiting to give as dispassionate a consideration to the Bill now before the House as possible; and during the discussion which took place at its second reading, had paid strict attention to the arguments urged, both for and against the measure, and as he had intimated when the Bill was first introduced, he had watched its progress in no spirit of unyielding prejudice. It had been ably exposed by the hon. and learned member for Georgetown, (Hon. Mr. McAulay) who might be said to have swept the globe in search of a parallel to our case, in respect to the foreign portion of the proposed loan. That hon. member had given a bird's eye view of the position and resources of each and every Colony from Canada to New Zealand, and adduced strong and sound reasons for the opinion, that to all of them a foreign loan might be of service, but to none would it be so injurious as to Prince Edward Island. The hon. member for Belfast (Mr. Duncan) had reproduced his figures, and the only objection the Leader of the Government could raise against them was their conclusiveness,—they were so true that they had become a truism—as if the sun's light was any the less valuable because we had become very familiar with it. The hon. Attorney General had travelled over the trodden ground again, but picked up no new facts or arguments. It could be clearly shown that a loan contracted for in England, under this Bill, could not possibly meet the instalments which became due for the Cunard Estates in July next; and even if it were attainable, that it could not directly relieve the Banks. A loan at six per cent. interest, with the depreciation of bonds to 75 or 80 per cent.—which we might certainly calculate upon, when Canadian Bonds with the Imperial guarantee did not rise higher than 82 per cent.—and with the expense of a standing agency in England, when compared with our limited resources, he (Hon. Mr. Henderson) held to be too serious an undertaking to command his humble support. The clause, "for general purposes," in that Bill was highly

objectionable, and looked seriously suspicious. Was not the Government able to specify one, or more, of the "general purposes"? If so, why not name some of them at once, as the late Government did when they extended the Land Purchase Bill. If their ideas could not be explained in plain English, they showed themselves ill qualified for such an undertaking as raising a loan abroad. If they could, but would not, foreshadow their policy, the people and their Representatives had strong reason to look upon the whole scheme with distrust. Was it the constitutional functions of any responsible Government to open a small discounting office, or a broker's shop? If the present Government did not intend to have recourse to some such means, he could not understand how they were to grant relief to country or city merchants. In view of all these circumstances, he deemed it his duty to oppose the Bill.

Hon. Mr. DAVIES would like to ask what the constitutional functions of any Government were? Under the approaching embarrassments entailed upon the country by the late Government, he did not see how the present Government could avoid the course they were now pursuing. He considered the positions of the Banks and of the commerce of the Island to be such that it was the duty of the Government to interfere; and he did not see how the Government could accomplish the end in view other than as provided for in this Bill. Considering the effect which the payments for the Cunard Estate had on our trade, and being aware of the resources of the Island, he felt it to be his duty, as one member of the Government, to give his support to the measure. If it was for the purpose of issuing treasury notes the case would be quite different.

Mr. BELL was much surprised that the hon. member for Murray Harbor (Hon. Mr. Henderson) should have been allowed to take up the time of this hon. House, obviously for the purpose of making a speech. He had come forward in this unparliamentary manner to offer his opposition to a measure necessitated upon the present Government by the action of the very Government of which he was a member.

Hon. ATTORNEY GENERAL.—The course of the hon. member was evidently unparliamentary.

Hon. Mr. HENDERSON.—Did the hon. member (Mr. Bell) take upon himself to tell him when he (Mr. H.) was in order?

Hon. LEADER OF THE OPPOSITION then moved in amendment to the motion of the hon. Attorney General that the word "now" be left out, and the words "this day three months" added at the end thereof. The amendment being seconded by Hon. Mr. McAulay, the House divided thereon as follows:—

Yeas—Hons. Messrs. Haviland, McAulay, Henderson; Messrs. Green, Brecken, Prowse, McLennan, Owen—8.

Nays—Hons. Messrs. Attorney General, Laird, Coles, Callbeck, Howlan, Davies; Messrs. Reilly, G. Sinclair, Bell, Arsenault, McCormack, Howat, McNeill, Kichham, Cameron, P. Sinclair—16.

The question being then put on the main motion it was carried in the affirmative, when the Bill was read a third time and passed.

Militia Bill.

The House again in committee on the Bill to add to and amend the "Act for the regulation of the Militia and Volunteer forces."

Dr. JENKINS said that last night he had submitted a clause respecting the exemption of the firemen from militia duty, which was considered imperfect. He had since had a conversation with the firemen, and they thought that it was better to leave the matter to the officers of the different companies, authorizing them to say who should be exempted from militia duties.

Hon. ATTY. GENERAL would not object as the number to be exempted was but sixty; but he thought that there was something more wanted. How could we find out who the senior members of the companies were? In the prior clause which he had inserted, parties had to file their certificates in the office of the Adjutant General, and until they did this he thought it was not right to allow them to have their names enrolled for the purpose of taking the benefit of this clause.

Hon. LEADER OF THE GOVERNMENT thought the Chief Engineer of the Fire Department the proper person to find this out.

Mr. REILLY, before the question was put, would like to know why fourteen days' notice should be given?

Dr. JENKINS.—So that the Captains of the Companies might have time to send in the exemptions.

Mr. BKECKEN.—Only one filing was required.

Mr. REILLY moved that the word "eighty" be substituted for the word "sixty;" and in moving this would say that as there were five or six companies, sixty would only make an exemption of about ten for each company.

Mr. BRECKEN remarked that one of the captains had said that eighty would be the proper number to exempt.

Hon. Mr. LAIRD seconded the motion of amendment, and said that if the men were exempted the Fire Wardens should be entitled to the same privilege.

Hon. LEADER OF THE OPPOSITION had observed that in the law of Nova Scotia passed last year, (sec. 69,) they placed the Fire Wardens under militia duty, and exempted the millers.

The amendment was then agreed to.

The Section relating to the time to be spent in drill being read,

Mr. PROWSE said that it would be well to allow Volunteers to put in two drills in the one day.

Hon. LEADER OF THE GOVERNMENT thought that the militia would like to put in six hours in the one day likewise.

Hon. ATTY. GENERAL said that most military men were of opinion that one-and-a-half hour's drill was enough for one day. The question was, will three hours' drill be too much? Perhaps the hon. member for Murray Harbor could give some information on that point.

Hon. Mr. HENDERSON said that any man in good health ought to be able to stand three hours' drill. He meant one-and-a-half hour in each part of the day. What his hon. colleague had said was reasonable; and if it could be ordered so that all would have to concur in it, he thought it would be desirable; but not unless all the companies concerned had to concur in it.

Hon. LEADER OF THE OPPOSITION.—It might do very well to have such an arrangement for soldiers; but for the matter under consideration he thought it better to leave that part of the Bill as it was. For his part he deemed one hour's drill severe exercise, and he thought if some hon. members would turn out and drill for an hour some cold morning, they would find themselves pretty warm when the hour had expired. The law said that each Volunteer should attend drill not less than sixteen times in a year, and each drill not less than one hour and a-half. The Commander-in-Chief could not make such an order as was proposed, as it would operate against the Volunteers in the Town, who were chiefly composed of mechanics and clerks, who drilled from eight in the evening to half-past nine. The clause read thus: "The Commander-in-Chief may, from time to time, prescribe the qualifications of effective members of Volunteer Militia, provided that such qualification shall include, that each volunteer to be effective shall have attended drill, duly armed and accoutred, not less than sixteen times during the year, such drills not to be less than one and one-half hour, shall take the oath of allegiance, and have been inspected in uniform at such times as may have been ordered under the authority of the Commander-in-Chief." He therefore thought it better to leave the Bill as it was.

Hon. Mr. HENDERSON.—The object would be to save time; and to do that in one day, which now required two, would be a matter of some interest to many in the country.

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

AFTERNOON SESSION.

House again in Committee on Militia Bill.

On the clause imposing fines, &c., for non-attendance of muster being read—

Hon. ATTORNEY GENERAL remarked that this clause might be considered by hon. members as rather too stringent, and, therefore, as it was not a vital one, he had no objection that hon. members should strike it out if they wished.

Hon. Mr. HENDERSON thought that the clause was perhaps too strong, and that, therefore, some reason should be given why it was really necessary before enacting it. Militia officers should not have too great power.

Mr. HOWAT.—The discussion of this Bill appeared to him to be a waste of time, since there was scarcely any clause upon which hon. members could agree. He would therefore move that the Speaker take the chair. He was opposed to making the law any more stringent than that of last year.

Hon. ATTORNEY GENERAL.—The clauses of the Bill which had been already passed, tended to make the law less stringent.

Mr. McNEILL did not see any necessity for making the law more stringent than at present. The people of the Island were quite loyal enough to defend their hearths and homes, and if there was any desire to make them more loyal, the most effectual course to take was to do away with the land monopoly.

Hon. LEADER OF THE OPPOSITION thought the motion of the hon. member for Tryon a most extraordinary one at this stage of the proceedings. It should have been moved at the second reading. This Bill should have been a Government measure, as the one of last year was. That had been introduced by three members of the Executive, and any amendments made were in mere matters of detail. In Canada four or five years ago, the fate of a ministry was decided on a Bill of this nature. A similar thing had taken place in Britain in 1852. What would the Imperial Government think when they found that the Bill introduced by the hon. Attorney General, had been repudiated by other members of the Government. He remarked upon the tone of the British Government regarding the training of our local Militia, and observed that this Colony—not being regularly supplied with troops—needed such an organization more than any of the others. He would be sorry to see the Colony occupy the disgraceful position which it necessarily would, if the committee on this Bill rose without reporting.

Mr. HOWAT said that the present Bill would, when the objectionable clauses were struck out, be very little, if any different from that of last year. It was therefore wasting time to discuss it.

Hon. LEADER OF THE OPPOSITION thought that the object for which the hon. member for Tryon was elected appeared to be to criticise every measure brought forward, for he never originated one himself, good, bad or indifferent. He thanked God that they had no such member for any District in King's County. He had no talent himself, and his whole aim was to oppose everything which others brought forward.

Hon. ATTORNEY GENERAL said that the hon. member for Tryon had taken the very worst course if he wished to shorten the debate upon the Bill. He could not see the necessity for making this Bill a Government measure, since it merely made a few alterations in the details of the old Act. To rise without reporting would not be a very respectful way of treating a matter brought to their notice by the Imperial Government. With the exception of two or three clauses, which he had expressed his willingness to have struck out, the Bill could not be objected to.

Mr. HOWAT.—The remarks of the hon. Leader of the Opposition were scarcely worth replying to. He would simply return the compliment which he had paid him, and say thank God there were so few of his stamp on the floor of the House, for if there were more we would soon be sold into Confederation. He did not know why the Militia Bill of last year required alteration so soon. It had scarcely had a fair trial.

Mr. BRECKEN would congratulate the Government upon the acquisition to their ranks of that political shuttle-cock, the hon. member for Tryon.

Hon. LEADER OF THE GOVERNMENT.—He was not a supporter of the Government.

Mr. BRECKEN.—He attended the caucus at the formation, for a trepanning operation upon him was threatened by a certain hon. member during one of these meetings. He would congratulate the Government upon their acquisition. The Conservatives had had him for four or five years, and he never bounced true, and now he was repudiated by the Liberals. The Government were acting strangely with a Bill coming, as this one did, from His Excellency. The hon. Leader of the Government, a few days since, characterized the militia training as "tom-foolery," and he this morning supported the Bill before the Committee, which was to be enacted for the purpose of compelling the people to play the tom-fool, and very lately voted £2500 to keep up the foolery. The Leader of the Opposition might be twitted for being so strong a unionist, but he was not working so effectually in the cause as was the present disgraceful Government. The most departmental officer in the House was the doorkeeper, and the Bill had better be handed over to him. When His Excellency enquired what had become of the Bill, the thing called a Government would be responsible. The hon. Leader would have to answer, "I opposed the Bill because it was intended to patch up tom-foolery." The hon. member for Tryon would say that it was in his opinion "a political dodge to drive us into Confederation," while the hon. member for Belfast will give as the reason for his opposition that it took men from their business and was a useless expense to the country.

Hon. ATTORNEY GENERAL.—It was useless for the Opposition to find fault, because this Bill was not made a Government measure, when they, while in power, allowed the question of Confederation to remain an open one. The Opposition need not twit the Government with being divided, when we had seen one of their own members put out of the Executive. He did not desire either the sympathy or assistance of the Opposition in the manner in which they were giving it.

After a lengthy discussion the motion that the Speaker take the chair was lost on a division of 16 to 3.

The clause which had been read was then struck out, and several following ones agreed to, when the committee rose and reported progress.

On motion of Hon. Mr. HOWLAN, seconded by Dr. Jenkins, it was resolved that the Hon. Mr. Howlan, Mr. Owen, and Dr. Jenkins be a committee to report on the contingent accounts of the House for the present session, with power to send for persons, papers and records.

Adjourned.

THURSDAY, May 16.

Mr. REILLY begged leave to call the attention of the House to a statement in the summary of proceedings of Tuesday last calculated to create a false impression upon the public mind. The Reporter, after alluding to Collier's History of England, and Grace's Outlines of History, stated as follows: "Fur-

ther remarks from several hon. members were then made, to the effect that it was highly necessary to exclude from all public schools and institutions of learning all books of objectionable character, and *not on the list of books sanctioned and recommended by the Board of Education.*" Now he wished it to be distinctly understood that the sectarian book to which he had directed the attention of the House a few days ago, was one of the Nelson series of school books, "sanctioned and recommended by the Board of Education" as worthy of superseding in all public schools the Irish National Series, so long in use in this colony.

On motion of Dr. JENKINS, the Bill intituled "An Act for the incorporation of a Flax Company in Prince Edward Island," was read a third time and passed.

On motion of Dr. JENKINS, seconded by Mr. Owen, a committee consisting of Dr. Jenkins, Mr. Owen and Mr. Bell, were appointed to prepare an address to His Excellency, thanking him for his various communications and messages to the House during the present session.

Militia Bill.

House again in committee on Militia Bill.

Dr. JENKINS submitted a resolution which was to the effect that a man who had to serve in the militia might be allowed to find a substitute. He thought that the resolution contained a principle which would work well. It would be a great loss to the country to call every man out; many men would not take ten, or even fifteen dollars, for their day; and, moreover, there were many men who would not go to drill cheerfully, while substitutes would. He considered it better, therefore, to allow men to choose others to act for them—men who had a taste for these duties. He thought that it would be a source of strength to the militia. A large number of men were sometimes called out, who had no officers to drill them, and they, of course, could attain no efficiency in the military art. If he thought this resolution would have the effect of weakening the force, he would not have moved it; but he believed that the contrary would be the case.

Hon. LEADER OF THE OPPOSITION said the principle laid down in the amendment was a new and important one, and would require more attention than could now be given to it. At some future time the system might be carried out. He thought the ideas of the hon. member were good; but this was not the proper time to introduce them. Some hon. members had gone home, and it would be unfair to them to bring forward new matter now.

Hon. ATTORNEY GENERAL.—The principle, no doubt, was good, but it involved a question entirely new, and would require the Bill to be amended all through. He agreed with the hon. and learned member, the Leader of the Opposition, that as some hon. members had left, and as there was no notice of the resolution, it would be better not to press its consideration upon the House just now.

Hon. LEADER OF THE GOVERNMENT thought that it would not do to call out the militia for a longer period than six days' drill. To work out the idea of the hon. member for Charlottetown, it would

take more machinery than we could provide. The Volunteer force was very well, and that was the most important part of the service. Time was the great object to the militia, and if they were called out for six days, he considered that it would be quite long enough. They should not be called out after the fifteenth of July, and he thought five days long enough time to have them out in one year.

Hon. LEADER OF THE OPPOSITION could not agree that it would be prudent to strike out the number "ten days." The law did not say that they should serve so long; it merely said that the time should not exceed "ten days." Perhaps they would not be called out for more than one day. We did not know how soon we might be in the midst of a war, and if such should ever happen, then it would be of the highest importance to be able to call out the militia a period for efficient drilling. If the Government considered time such a matter of importance to the agricultural portion of the people, perhaps there would be no need to call them out at all. If the law said they must be called out it would be quite different, but it did not; it only said that they might be called out for a period not to exceed ten days. In Nova Scotia the Government could call them out for a period of twenty-eight days.

Dr. JENKINS supposed the fault was his own in bringing the resolution forward; but certainly he failed to perceive the force of the arguments advanced, or of the reasons which had been given. If the amendment was not to be passed this year he would withdraw it.

Mr. HOWAT believed the number of days could not exceed ten, and the militia might not be called out once in the year. He felt disposed to compliment the other side of the House for the support they had given to this Bill.

Hon. Mr. LAIRD was under the impression, from what had fallen from the hon. member for Georgetown, that he considered the power to call out the militia was in the hands of the Government. His (Mr. Laird's) opinion had been that it was the prerogative of the Commander-in-Chief.

Hon. LEADER OF THE OPPOSITION.—The power was in the hands of the Commander-in-Chief; but the Government for the time being was responsible for the action of the Commander-in-Chief when he called out the militia or volunteer forces.

Hon. Mr. HENDERSON said it was admitted that we were under responsible government; but if the hon. member for Bedeque was right, the contrary was the case, and the late Government had been, in some instances, wrongly blamed. He could not see the force of the hon. member's remarks; but then he would excuse him, as no doubt he had not had sufficient time yet to gain experience in these matters; but under responsible government there were few acts for which the Commander-in-Chief was personally responsible. He received advice from his nine councillors, and they were held responsible for what he did. As to the ten days' drill, he would say in reply to the Leader of the Government, that it was entirely in the hands of the Government to regulate the time; they might make it one day or ten, but it could not exceed

ten. If this House, however, limited the time, and tied the Government down, why the Executive could not act at all. He would prefer leaving that part of the Bill as it was. He believed that the amendment of the hon. member contained a good principle, but being new might not suit here, and would therefore require more mature consideration. As the people were to be materially affected by it before it was adopted, they should have it brought to their notice through the press. Such was the course adopted in Great Britain, and by it the public mind was prepared for any change that was considered advisable to be introduced. It would be preferable to see it coming in with the consent of the people.

Hon. Mr. LAIRD.—Notwithstanding the light with which the hon. member for Murray Harbor had endeavored to surround his ideas, he had not, certainly, made the matter very clear; yet, if it was to be understood that the Government was to be responsible for the manner in which this service was to be performed, it was well to know it. But he (Hon. Mr. Laird) still thought that in these matters an independent power was placed in the hands of the Commander-in-Chief.

Hon. LEADER OF THE OPPOSITION said that if the hon. member would refer to the British authorities, he would find that the power was in the hands of the Commander-in-Chief; but at the same time this power was placed in the hands of the Government as a part of the legitimate functions of responsible government; and the hon. member, so long as he remained in the Executive, would find that the Government would and must be held responsible for the acts of the Commander-in-Chief.

Hon. LEADER OF THE GOVERNMENT said it was not pleasant for the Commander-in-Chief to have to call the people out to muster for so long a time as ten days in each year; he would, therefore, like to see the time reduced to five or six days, and would move that the time be reduced to five days.

Hon. LEADER OF THE OPPOSITION thought if the hon. member would but give the matter a little more consideration, he would arrive at quite a different conclusion. When in 1863 the drills for the volunteers were much shorter than they were now, there was a remonstrance against the shortness of the time. It would be seen also by the Bill of last year that they could be called out for ten days only, while in Nova Scotia they could be called out for twenty-eight days, and in New Brunswick and Canada the requirements were more stringent still. He thought a reproach might be cast upon our loyalty if we were to reduce the time.

Hon. ATTY. GENERAL considered such an amendment would be a rash movement.

Dr. JENKINS thought if such an amendment was carried, it would be as well to pitch the Bill altogether. If such was made, many of the Volunteers would fall off.

Mr. P. SINCLAIR would be very willing to have any amendment that would benefit the movement, but he believed that if this one was carried it would destroy the affair altogether. As long as the country had

confidence in the men who ruled them, they could safely leave the matter with them. He was very far from wishing to make farmers military men, but if we were going to have a law let us make it as perfect and as useful as possible.

Hon. LEADER OF THE GOVERNMENT read an extract which showed that the Act did not necessitate the calling out of the militia at all, and therefore it was not improbable that by reasoning with the Commander-in-Chief he might not call them out, unless there was actual necessity for it.

Hon. Mr. DAVIES.—If the law was that a portion of the militia were to be called out, then such a thing as drilling for ten days might be accomplished; but as the matter now stood, it could not be carried out, and unless there was more necessity than existed at present, it was better to call out none.

Hon. Mr. HOWLAN said that in some settlements two-thirds of the people were fishermen, and it was unreasonable to suppose that they could all be got to attend muster on the same day; and what was the use of having a Bill that would be so obnoxious that people would not yield a cheerful assent to it. If the drill was for one or two days, it would be quite different. Take for instance an establishment where there were 210 fishermen employed; if you asked the half of these men to go one day, and the other half to go another, the probability was they would do so; but that they all could be got to attend drill for ten days was what he did not believe. He thought that a volunteer force of 100 men well drilled, would be more effective than 900 ordinary militia men. He believed if there were two or three thousand well armed and well drilled volunteers, that they could be made the nucleus of an effective force; but in carrying out a measure of this kind, care must be taken that it was not made too stringent. In some parts of his (hon. Mr. Howlan's) district, people lived two miles apart, and many would have to go from ten to twelve miles to attend drill. He thought if half were called out, and substitutes allowed to be taken, that it would be an improvement.

Hon. Mr. DAVIES felt disposed to oppose the Bill throughout. He did not consider that it was founded upon the principles of the Despatch from the Home Government. He thought that we should have a force so well trained that if an attack was made upon us the same could be made immediately available; and although we were unwilling to go into Confederation, yet we were willing to contribute our due proportion and fair share for the support of an efficient volunteer force, or an efficient militia. The reason he had opposed this Bill throughout was because it did not make a provision that was really practicable.

Mr. Speaker then resumed the chair, and the chairman reported that the committee had gone through the Bill and made several amendments thereto; which amendments were again read at the clerk's table, and agreed to by the House, and ordered to be engrossed.

Charlottetown Ferry.

On motion of the Hon. Mr. DAVIES, the House went into committee of the whole on the state of the Charlottetown Ferry. Hon. Mr. Laird took the chair of the committee.

Hon. Mr. DAVIES moved a resolution setting forth the grievances of said Ferry, and empowering the Government to remedy them. In moving this resolution he did so under the belief that the requirements of that Ferry were greater than was perhaps generally supposed. It was one of the most important inlets of this city. He might safely say that one-fourth of the travellers who visited Charlottetown come over that Ferry. Doubtless the boat should cross every half hour. The rules at present were an hour for breakfast, and the same for dinner, and a portion of Monday to repair the machinery. What was asked for seemed to be that the boat should run oftener, and that obstructions might be removed. During every low tide in the summer, in nearing the wharf, the boat grounded before the wharf was reached. It was quite common to see a whole boat load of people left there for an hour. This resolution authorized the Government to have this obstruction removed, and to put sidewalks on the Ferry Wharf; also to have the ferry slips and landings properly arranged, so that accidents might be guarded against.

Dr. JENKINS could fully endorse all that had been said by the hon. member for Belfast. He had himself often seen the boat detained for an hour on that middle ground. He also had known from his own experience the hardship and inconvenience experienced in not having the boat to run oftener, and also on account of the time allowed for breakfast and dinner. The middle ground should be dredged, or a second boat of lighter draught be put on the route. He hoped the House would take the matter up. He would second the resolution.

Mr. OWEN agreed fully with the statements of the hon. members who had spoken, and could endorse, from his own observation and experience, what they had said.

Hon. LEADER OF THE GOVERNMENT remarked that to do this work efficiently would take a great deal of money. Perhaps the contractor would be willing to run oftener.

Dr. JENKINS.—The contractor said that he could not, that his boat and machinery would not stand the work. He thought the Government might obtain the Dredging Machine, deepen the water at the wharfs, and also remove the obstruction at the middle ground. He held that the Government ought to consider the importance of importing one for the public use.

Hon. Mr. HENDERSON believed the safest course would be to subsidize parties to do this work; for, as a general rule, he believed that if any party was imposed upon it was the Government, the feeling being, oh! they could afford it. He thought if a Dredging Machine was required to do this work that it would be better to employ than to purchase one to do it. Every person who had ever crossed that ferry was aware that an improvement was now required; but the best way of effecting it was another question. He would say, let two boats be employed, one to draw less water than the other. That the wharfs were not what they ought to be, was clear and patent to every one.

Mr. HOWAT thought that it might not be wise to grant a sum sufficient, and that some estimate of the cost should have been made.

Hon. LEADER OF THE OPPOSITION would support the resolution; and considering the importance of the Ferry to the people on the other side of the Hillsborough, he thought that the hon. member from Tryon should not be afraid of granting a sum sufficient.

Mr. BRECKEN would also support the resolution, and placed more confidence in the Government than the hon. member for Tryon. Everything that would improve the Ferry should be done. The improvements suggested for the wharves were also very desirable.

Hon. Mr. DAVIES said that the cost of putting the wharves in order would not probably exceed £1,500, and an allowance of perhaps £200 or £300 per annum would have to be made to the contract.

After some discussion—hon. members being anxious to enable the Government to put the ferry in as good a state as possible—an amendment moved by the hon. leader of the Opposition was carried, empowering the Government to buy out the interest of the present contractor if it could be done on favorable terms.

Mr. OWEN then moved that the time of the plying of the Boat should be extended and that she should ply till 9, p. m.

Dr. JENKINS said that that was more than the boat could perform.

Hon. Mr. DUNCAN.—If such was the case the the Government would not press the matter.

Mr. OWEN'S motion was, after a short discussion, put and carried, when the resolution as amended was agreed to and reported as follows:—

RESOLVED, That this Committee are of opinion that grievances do exist in relation to the crossing at Charlottetown ferry which ought to be removed. They believe that there is not a sufficiency of water on the Southport side to allow the Boat to approach the landing place at low water at certain times, and they are of opinion that the Steamer ought to run oftener than she is now compelled to do under the agreement, and also that the hours for crossing ought to be extended and side-walks and bulwarks fixed to the Wharfs for the accommodation and safety of foot passengers. This House therefore recommend that a sum sufficient be placed at the disposal of Her Majesty's Government for the purpose of indemnifying the Contractor of Charlottetown Ferry for the performance of the following additional services, viz.—To arrange with the contractor of the said Ferry to run the Steamboat now under contract until the hour of nine o'clock, p. m., daily, not leaving Charlottetown on the last trip on each day, earlier than 9 o'clock, p. m., and to cause the contractor to ply the Boat every quarter of an hour between the hours of eight o'clock a. m., and the hour of four o'clock p. m., daily, excepting Sundays, or to buy out the Contractor's interest in his present Contract, and also to dredge the channel leading to the Ferry Wharfs at Southport and Charlottetown, sufficiently deep to allow the Steamer to pass thereto at the lowest tides, or extend Southport Wharf to the Channel, and finish the Wharfs by adding thereto sidewalks and bulwarks for the accommodation and protection of foot passengers as originally intended. That the grievances complained of arise from these wants and not from any neglect on the part of the contractor to carry out his agreement.

On motion of Dr. JENKINS, a committee was appointed to enquire during the recess into the practi-

cability of running a steamboat between Wood Islands and some adjacent port in this Island and Pictou, or some adjacent port in Nova Scotia, in the winter season, and to report thereon next session—members of Committee—Dr. Jenkins, Hon. Mr. Davies, Mr. Owen.

On motion of the hon. leader of the Government, a committee was appointed to report to the executive Government at their earliest convenience, the best method of improving the Highways throughout this Island, said committee to be joined by a committee of the Legislative Council. Members of Committee—Hon. Colonial Secretary, Dr. Jenkins, Mr. P. Sinclair.

House adjourned for one hour.

AFTERNOON SESSION.

Mr. CAMERON, from the Committee to whom was referred the petition of Donald McSwain and others, inhabitants of Lots 65 and 30, presented the following Report:—

"Your Committee to whom was referred the petition of Inhabitants of Lots 65 and 30 praying for the removal of a gate obstructing an alleged right of way from the Settlement Road of Argyle Rear, to the shore, on the boundary between Lots 30 and 65 adjoining the farm of Coun. McKinnon, have to report that they believe the obtaining free use of the right of way to the petitioners and others residing in the neighboring districts, would be of great public utility, and recommend that the matter should receive the serious consideration of the Public Authorities; but they consider the question of the right of Mr. Coun. McKinnon to maintain the gate in question to be purely a matter of Law with which this House cannot deal, and although Your Committee would strongly desire to aid the petitioners in obtaining said Road, they cannot advise the House of Assembly at present to take any action in the matter."

Further Issue of Treasury Notes.

Dr. JENKINS moved that the House go into the order of the day, viz., Committee of the whole on the consideration of the expediency of a further issue of Treasury Notes.

Hon. LEADER OF THE GOVERNMENT moved in amendment that the order be discharged.

Hon. Mr. HENDERSON presumed that the reason the hon. Leader of the Government had for the motion which he had made, was the lateness of the session. But when it was considered that the House had been several days since the petition came in praying for a further issue of Treasury Notes, almost unoccupied, as well as the fact that there was a deficiency of circulating medium in the Colony, his course was somewhat extraordinary. When it was known, too, that the petitioners who complained of the scarcity of circulating medium were chiefly of his own party, it seemed all the more remarkable that he should make such a motion, especially as a further issue of Treasury Notes had been a favorite question with him in years gone by. During the late discussion on the Loan Bill the complaints were loud and long respecting the scarcity of circulating medium, and now when a petition came up on the same subject it was not to be allowed to go to committee. This he (Hon. Mr. H.) thought was treating the petitioners rather too cavalierly, and though he would not at present express

his own opinion on the question, he considered it his duty to support the motion for going into committee

Hon. LEADER OF THE GOVERNMENT said as the House would probably rise to-morrow there was not time to go into the question.

Dr. JENKINS thought as the petition was signed by a large number of respectable merchants, it was a very poor excuse to say there was not time to take it up. Hon. members were sent here to do the public business, and they should not offer such an excuse. He considered it a disgrace if hon. members allowed their private occupations to interfere with the business of the country. He was not prepared to say what should be done on this question, as it was a subject with which he was not familiar; but still he held that the reason assigned by the hon. leader of the Government for not going into the consideration of the petition was far from satisfactory. If 20 years ago an issue of £11,000 of Treasury Notes was thought necessary, surely now when the business of the country had increased tenfold the circulation of these Notes might be increased in some similar proportion.

Mr. BELL could not silently permit the charge to pass that hon. members were allowing their anxiety to get home to their private occupations to interfere with the public business. This hon. member for Charlottetown had had several Bills in charge; but by attending to his own business he had neglected to push them through their various stages, and thus protracted the business of the House. It was unfortunate that the session was so late; but then the hon. member for Charlottetown (**Dr. Jenkins**) should not have made the matter worse by his delays; he ought to have brought forward his documents in good time, instead of running round with a petition in one pocket and a Bill in the other. (Great laughter.) The fact of the matter was, too, that since the Loan Bill had been passed, a further issue of Treasury Notes was not required.

Mr. PROWSE agreed with many of the remarks of the hon. member who had just spoken respecting country members; but he did not concur in his views regarding a further issue of Treasury Notes. If the state of the Colony warranted an issue of £11,000 of these Notes 20 years ago, it surely could stand a further issue now. If a measure had been introduced to issue Treasury notes, which bore no interest, instead of the Loan Bill, it would have been more worthy of support than the loan scheme which he hoped would never be sanctioned at Home.

Hon. Mr. DAVIES thought the House ought to be very much indebted to the hon. member from Murray Harbor for his views. But he (**Mr. D.**) held that there was no necessity for a Bill to authorize a further issue of Treasury Notes, as a much more satisfactory measure had been passed. It was known that the Home Government had objected to the Colony's issuing notes which were irredeemable, and backed by no property; but probably it would not raise the same objection now, as the Government held a large quantity of public lands. He was one who had an interest in getting up this petition, as it was felt that something ought to be done to increase the circulating medium of the Colony. In his opinion, the system of banking

here was not adapted to this country; he thought the Banks should have the privilege of issuing paper on Government debentures the same as upon gold. Such a system would be perfectly safe, and would, he thought, be adopted here some day. It was the duty of the Government to carry out the wishes of the people by enabling them to work the present system if it could not be altered; and this we had done by passing the Loan Bill. It was no doubt better that we should have a gold basis, if it could be carried out. He now thought it would look strange after passing a Loan Bill to ask also for an increased issue of Treasury Notes. It would probably interfere with the success of the Loan measure, as capitalists at Home might think we were reckless in our legislation regarding money matters.

Hon. Mr. HENDERSON remarked that his colleague (**Mr. Prowse**) had pretty nearly expressed his own views on this subject. He most heartily concurred with him that a further issue of Treasury Notes would be preferable to a loan, if it were on no other ground than that it would save interest to the Colony. What, he (**hon. Mr. H.**) desired to know, would hinder the Government from issuing these Notes in a fair proportion to the present increased state of the revenue? Could they not venture to say that the Colony was able to respond to its notes in gold and silver? An issue of this kind would require no agency in England like the Loan, and, as had been already remarked, it would not bear interest; therefore he thought if the Government were really serious in their professed desire to benefit the country they would take immediate steps to carry out the prayer of the petitioners.

Mr. BELL said he was opposed to the principle of any Government issuing irredeemable paper. Send a Bill home authorizing a further issue of Treasury Notes and you would at once injure the Loan Bill. Besides, this measure would not meet the requirements of the Colony; it was not irredeemable paper which the merchants wanted, but exchange.

Hon. Mr. HENDERSON understood something of the hon. member's explanation; but was of opinion that if much which was said on the Loan Bill in this House were to see print in Great Britain, there would be little chance of obtaining the loan. The Government's intention might be that there should be no saving of interest to the Colony on the right hand or on the left; bankers would have to handle the loan and they would no doubt make the best of their opportunities. The case appeared to be simply this, that though an issue of Treasury Notes were to save 10 per cent upon the whole revenue of the Island, yet if it were to interfere with the Government's darling loan scheme they would oppose the measure. Of course the quantity of Notes issued should be in proportion to the revenue, and not so great as to injure the local Banks; but the hearts of the majority were so set upon the loan that they could be satisfied with nothing else. He would most heartily support the prayer of the petition for a further issue of Treasury Notes, and would vote for the motion that the House go into Committee on the question.

Hon. ATTORNEY GENERAL was not astonished at the hon. member, as he was one of that Govern-

ment which kept back the election so long that there was not time this session to give due consideration to petitions on important matters, and yet he would complain of business being left so late or not taken up. If an issue of Treasury Notes was necessary, why was it not done when the hon. member's own party were in power. He (Atty. Gen.) however, did not believe the issue would be sanctioned by the Imperial Government, though a measure for it were passed by our Legislature. It was unreasonable to think that the financial pressure here could be relieved by an issue of irredeemable paper. Supposing such an issue was made he would like to see a merchant pressed by a foreign creditor with a bundle of Treasury Notes attempting to get exchange; there is no doubt he would have to sell them at a great depreciation. Besides, the case was different now from what it was 20 years ago; now we had several Banks in operation, and their paper represented gold, therefore it would be unfair to them to throw a large quantity of Treasury Notes into circulation.

Hon. Mr. HENDERSON explained that he could not be justly charged with the lateness of the election, as he ceased to be a member of the late Government on the 20th of December last; and when there he was opposed to its being put off so long.

Mr. BRECKEN said it appeared to be a very fortunate circumstance that the election was so late, as it seemed to have saved the Government. They had had so many caucus meetings, that if more time had been at their disposal they would probably have broken up. He was beginning to have some hope of his colleague (Dr. Jenkins) as he had said that their conduct was disgraceful. If there was anything worthy of consideration in the petition, it should not have been left to this late hour to be brought up by his colleague, who was not a member of the Government. This was the first time that he had seen the petition under discussion; but he concurred in opinion with the hon. Attorney General that it was not probable the Home Government would consent to a further issue of Treasury Notes. There was a very full despatch relating to the subject on the records of the House, which showed that no issue of paper was safe, unless it represented gold. We had already an issue of irredeemable paper afloat to the amount of £11,500, and he thought that a greater quantity would probably be about as much injury as benefit to the country.

Hon. Mr. LAIRD.—The object of the petition reminded him of what had taken place here some forty years ago. A number of silver dollars were then punched so as to make them contain less value than they should, thereby preventing them from being withdrawn from our home circulation, the idea being that the Island would grow rich by retaining them. This was the old idea with a new coat. On account of the respect which he entertained for many whose names were appended to the petition, he really hoped that they were not in earnest.

Hon. Mr. HOWLAN thought that the prayer of the Petitioners had been sufficiently met when the Loan Bill was passed, as that measure would relieve the inconveniences complained of.

Hon. LEADER OF THE GOVERNMENT alluded to the very large issue of Treasury Notes in this Island some time since, and the way in which the currency was depreciated by that issue. A similar result would, he believed, follow, if the prayer of the petition was granted. The Banks would, ere long, refuse to take the notes at their face, and serious inconvenience would result. Very many had perhaps signed the petition without consideration, for the scheme looked pretty well at the first glance. We wanted in this country something more than money which would merely circulate among ourselves, so long as our imports always exceeded our exports. The lateness of the session precluded the matter being taken up, even if feasible. He would therefore press his motion that the order of the day for the consideration of the subject of the petition be discharged.

Motion put and carried.

Despatches.

The House resolved itself into committee on the Despatches and papers transmitted by message on the 24th of April last. Mr. Bell in the chair.

On Despatch being read, relating to Act of last Session confirming the titles given at Sheriff's sales for arrears of Land Assessment—

Hon. LEADER OF THE OPPOSITION explained that it appeared to be the practice in this Island for many years to advertise in the *Royal Gazette* the lands sold for non-payment of Land Assessment, in general terms, without defining said lands by meets and bounds. The lands were only defined at the Sheriffs' sales or at the Court. The question came up in the Supreme Court of this Island, whether the deeds granted by Sheriffs, of such lands, when not defined in the *Royal Gazette*, as well as at the places of sale, were valid, and the Court decided they were null and void. In consequence of this decision the titles of large quantities of lands were invalidated, for many persons from the East Point to the West Cape, had made purchases at these sales. Last Session a Bill was passed to confirm the titles in such cases; and had it not come into force, the lands held under them would have been forfeited. As the Bill affected the rights of property, according to the Royal instructions, it had to be passed with a suspending clause. Mr. Bruce Stuart, and others, had memorialized Her Majesty the Queen against its receiving the Royal assent; their objections to the Bill had been sent out to the Lieutenant Governor, and the Local Government had forwarded an answer to them, which having been considered by the Home Government, they allowed the Act to go into operation. Many industrious persons had thus had their lands secured to them. He was not going to complain of the decision of the Supreme Court, as in the United States and other places the same rule of law prevailed; but it was unjust that the men who had invested in these lands should lose their property. The Bill of last Session was intended to confirm them in their rights, and he was happy to say that it was now the law of the land, though it had been petitioned against by certain parties.

Some papers being read touching the granting of Licenses to American fishermen—

Hon. LEADER OF THE OPPOSITION said that the papers just read related to a matter connected with the vital interests of this Colony. He knew that there were many persons who faulted the Local Government for issuing Fishery Licenses last year; some even questioned their authority for granting them. The time had now arrived when this question should be ventilated. It was well known that the Reciprocity Treaty, though it might have turned the balance of trade against us, was of great advantage to the Island. But unfortunately, within the last few years that treaty had been abrogated; whether it arose from the war between the Northern and Southern States, or from the fact that that great people were under the impression that these Colonies could not exist without business relations with them, he was not prepared to say. There was some foundation, however, for the belief that the latter was the motive from which they acted, as a report had been laid before Congress which stated in effect that the suspension of the Reciprocity Treaty had not answered the expectations of its promoters, viz.; to draw the British Provinces into nearer political bonds with the United States, or in other words, lead us to knock at the door of Republican America for admission into the union. That idea had failed, and he believed there was a bright future before us if we only managed properly. The neighboring Provinces were driving as good a trade as before the abrogation of the treaty, while the trade of the United States had gone back, as might be seen by the reports laid before some of their state Legislatures, as well as those laid before Congress. But to return to the license question: it was known when the Reciprocity Treaty was repealed that that dangerous organization—the Fenian brotherhood—was in existence, not so much in Ireland as in the United States; and moreover there were great doubts whether the authorities in the States were serious in opposing the designs of the Fenians, therefore the Imperial Government was anxious that no untoward circumstance should arise between the two countries, during last year. And knowing as they did that the fisheries on these coasts had been an apple of discord ever since the treaty of Ghent, and that there was a large amount of capital invested in the business in the states of Maine, New Hampshire and Massachusetts, they thought rather than disturb this trade and thus cause dissatisfaction, it would be better for all the Colonies to grant licenses to American citizens to fish irrespective of treaty limites on these coasts, not so much for the purpose of raising revenue, as to gain an admission of title, so that if any question should hereafter arise between the Colonies and the United States in reference to the fisheries, the Americans would have to acknowledge the construction which the Imperial Government had put upon the treaty of Ghent. Canada assented to this proposition, and so did New Brunswick and this Island; but Nova Scotia sent home a minute of Council objecting to it altogether, to which the Imperial Government replied that if Nova Scotia would not carry out their views she must protect her own fisheries. The Nova Scotia government then reconsidered the matter, and agreed to the license system, whereupon the Imperial Gov-

ernment sent a fleet into the Gulf to see that licenses were taken from the Colonial authorities. The fee charged, however, as compared with the duty exacted on our fish when taken to the American market, was a mere bagatelle. The House had as yet no intimation of the policy of the present Government, with respect to these licenses. As the Session was about to close he thought it would be well to give hon members some idea as to the mode in which the Government intended to treat the fishery question—whether they proposed to deal with it on their own responsibility or in harmony with the action of the Imperial Government.

Hon. LEADER OF THE GOVERNMENT said that no later than yesterday His Excellency had received a despatch on this subject; but the Government had not yet decided to make public any action on the question. Of this, however, the House might rest assured, that they were as ready to protect the rights of our fishermen as were the late Government. The amount charged for licenses last year was very trifling indeed; and as had been said, was simply to get an acknowledgment from the Americans of our right to the fisheries. It was generally thought in the other Provinces now that if licenses were continued, the charge for them should be a great deal higher; and he concurred in this view of the question. It was a great privilege which the Americans had enjoyed for several years past, that of fishing freely in our waters; and he believed that the United States Government were not informed as to the advantages which their citizens reaped in this way from the Reciprocity Treaty. That Government appeared determined to make as much out of the Provinces as they could; but he agreed with the hon. Leader of the Opposition that they were getting the worst of the bargain. As far as our fisheries were concerned, he believed the consideration for them that would be most acceptable would be to get the Americans to agree to Reciprocity again; they ought either to take the duty off our produce or give free trade altogether. As long, however, as they could obtain fishing licenses at the rate they were granted last year, they would care very little about the matter, considering the duty that was now in their favour. All he would say in conclusion was, that the Government here would be prepared to carry out, in concert with the other Provinces, any arrangement with respect to increasing the sum charged for licenses.

Mr. BRECKEN.—The subject before the House was one of the utmost importance to this Island. There was probably no other country which had, in proportion to its size, so large an amount of wealth in the waters surrounding it. He believed that it was the duty of the Government to encourage the prosecution of the fisheries, especially since the American Government, following out their Japanese policy, had placed a duty of \$2 in gold upon mackerel. The effect of this duty was felt by every fisherman, and therefore numbers were yearly leaving the Island, since they could fish in American vessels with more profit to themselves. If no encouragement was afforded here, all our skilled fishermen would leave the country, and it would be difficult to estimate the loss which the Colony would suffer. He was aware that the system of bounties was open to many grave objections, but believed that if the Government had

granted a bounty in this case they would have benefited the Colony.

Mr. HOWAT did not agree with the policy of giving a bounty. There was use for all the money at the disposal of the Government, and, besides, it would be better if a renewal of the Reciprocity Treaty could be obtained. The United States had refused to renew it with the whole Colonies; but might they not, in consideration of our valuable fisheries, do so with the Island alone? He wished to bring this matter to the notice of the Government. Though the Detroit Convention had proved a failure, an attempt to renew the treaty with the Island alone might succeed.

Hon. LEADER OF THE OPPOSITION.—The hon. member, as usual, objecting to every thing, would not agree with the bounty policy. The Detroit Convention, he had said, was a "failure." At this Convention the ablest merchants and politicians of the United States and the Provinces assembled. All the arguments that could be brought to bear upon the American Government were employed. The Hon. Joseph Howe pictured to them in his most eloquent style the advantages of free trade, and the disadvantages of their Japanese policy. Notwithstanding all this the Convention was a "failure," and it was now easy to see why it was so. The right man was not in the right place. Had the hon. member for Tryon been there to represent Colonial interests instead of Howe, we would to-day have been in the enjoyment of free trade with the United States. The hon. member seemed anxious that this Colony should act on an independent footing in the matter of a treaty, but he (Hon. Leader Opposition) would tell him that while we were under the Imperial Government no treaty could be made without the consent of that Government.

Mr. HOWAT did not advocate taking any action without such consent. The attempt to renew the treaty, as he had suggested, was worth making. As regarded the Detroit Convention, he had never intended to blame any of its members. The United States would, however, be far more inclined to renew the treaty now than then.

Mr. McNEILL.—The despatch before the House had nothing whatever to do with the policy of giving a bounty, or a renewal of the treaty. It related simply to the tonnage fee charged upon American fishing vessels. He was very doubtful whether the Americans would consent to pay a larger fee this year than last, and it was not so easy to compel them as might be supposed. Any overtures made to the Americans for a renewal of the treaty must come through the Foreign Office.

Mr. PROWSE.—It was certainly unjust that Americans should be allowed to take the fish from our shores on the payment of the three shillings fee, which, according to a calculation that he had seen, would, in ordinary cases, amount to about five pence on each barrel of mackerel taken, while our fishermen had to pay \$2 duty. Those who objected to giving a bounty contended that it was wrong to tax the farmers for the benefit of the fishermen. That a bounty would be unjust he could not see, for our fishermen were now taxed indirectly by means of duties, in order to

benefit other classes. He would not, however, advocate a bounty on mackerel alone. That would be unjust to those who caught cod, ling, etc. He would be only too happy to see the treaty with the United States renewed, if such a thing were possible.

Mr. SPEAKER having taken the chair, the chairman reported progress.

The Militia Bill was then read a third time and passed.

House adjourned.

FRIDAY, May 17.

House again in committee on Despatches. Mr. P. Sinclair in the chair.

On the despatch relative to retaining the troops here being read—

Hon. LEADER OF THE GOVERNMENT remarked that it was a credit to the Colony that the expectations of disturbances at the Elections were not realized. The Elections were never more quiet, and he believed the members of the League had seen that the course which they pursued was not the proper one to redress their grievances.

Hon. Mr. DAVIES.—There was a great desire on the part of members—the hon. member for Murray Harbor especially—to throw edium on the League. That gentleman had read during a debate a short time since, a pledge which he would have hon. members believe was the one adopted by that body. This was not the case. That pledge, though a few attempted to get it passed, was never recognized by the League. The late Government should have had a committee appointed to examine into the matter, before they published some of the documents which appeared in the Journals. They wished to place the country under a ban.

Hon. LEADER OF THE OPPOSITION.—The hon. member appeared anxious to find fault with the late Government for publishing in the Journals the report of the meeting at Lot 31. He must remember, however, that that report was among the documents sent down to the House by His Excellency. The hon. member need not try to make people believe that there was nothing unconstitutional in the League. If such was the case why was the body so strongly denounced by the organ of the Liberals, the *Examiner* newspaper? The less said upon the matter the better.

Hon. Mr. DAVIES.—It was quite natural that the *Examiner* should be opposed to the League, for that organization might be said to have been got up by the Conservatives.

Mr. BRECKEN.—How did the hon. member get among them, if that was the case?

Hon. Mr. DAVIES was not among them, but would favor anything which would benefit the tenantry. The late Government appeared to have based their charges against the League upon what appeared in the *Examiner* newspaper.

Hon. LEADER OF THE OPPOSITION.—The remarks of that paper had been merely brought for

ward as one evidence that the League was unconstitutional.

Mr. BRECKEN wished to know why, if the League had acted constitutionally, an appointment made not long since, had been cancelled, when the pressure of the Opposition was brought to bear.

Hon. Mr. DAVIES.—The League could not be blamed for the acts of some of its members.

Hon. LEADER OF THE GOVERNMENT denied that the Opposition had had anything to do with cancelling the appointment referred to. As soon as the Government ascertained the facts they cancelled it.

Hon. ATTORNEY GENERAL would confirm what the hon. Leader of the Government had said. The Opposition had not had the slightest influence. As regarded the appointment of Mr. Balderston he thought that it was perfectly justifiable. His appointment was not revoked, for he himself resigned. The late Government by their remissness in putting the law in force were in a great measure to blame for the League disturbances. He would not, however, say that they were not desirous of settling the land question, and in sending for the troops he believed that they did the best they could at that time. He had last year refused to join in a vote of censure on them for that act.

Hon. Mr. DAVIES.—The League was at first started by the Conservatives. Mr. Pope at that time Colonial Secretary, told the people at Peter's Road that they could expect no redress until they took the matter into their own hands. This was the beginning of the affair. Mr. Pope had been home in England about the fifteen years Purchase Bill, and endeavored to impress the Home Government with the idea that the people were very desirous of having that Bill passed, and that if it were not passed he would not be answerable for their acts. It was quite natural that he would endeavor to make his words true.

Hon. LEADER OF THE OPPOSITION was surprised at the diametrically opposite views regarding the League held by the different members of the Government. Notwithstanding what had been said regarding the cancelling of the appointments, there was strong presumptive evidence that the Opposition had some weight. It was he believed the case that the securities of one of the gentlemen appointed had justified before the Chief Justice, before the appointment was revoked. The hon. member for Belfast had attempted to throw odium upon a gentleman not a member of the House. This was not right. It was an abuse of the privilege or freedom of debate, when a person who was absent, and therefore unable to defend himself was maligned. The hon. member had better have left that gentleman's name out of the debate. He was, however, of opinion that the statement which had been made was incorrect. Mr. Pope never went to England about the fifteen years Purchase Bill. He went home to get the Award confirmed long before that Bill was brought forward. That delegation, which was sent in 1863 failed, and the fifteen years Purchase Bill was passed subsequently, while the Tenant League disturbances did not take place till 1865. In that year about the time the cele-

brated procession passed through the City, a Bill was passed to assist the tenants in purchasing their lands. He (leader opp.) had in a speech delivered on that occasion given his opinion of the League policy thus:—

"They would obtain more benefit by sending their friends to this House to carry out constitutional measures such as the one now proposed, than by joining the Tenant League, if we might judge of the principles of that Body by the wild and seditious articles published in its organ *Ross's Weekly*. The principles advanced in that paper, if persisted in, were such as would end in a rebellion. The Tenantry were greatly deceived if they imagined that they could obtain redress for their grievances by combining to resist the payment of rents. They might depend upon it that all the power which Queen Victoria could command, would be exerted to maintain the laws in their integrity. Did they suppose that they would be allowed to ride rough shod over the principles of British law and the rights of property? If so, and the principle of repudiation were admitted, they would next refuse to pay their shop accounts and every other lawful debt."

The speech of the present leader of the Government on the same occasion did not harmonize very well with his, (leader opp.) He spoke thus:—

"Hon. Mr. COLES was sorry that such principles should be enunciated by the Solicitor General of any Colony. They were too warlike for the atmosphere of this House. The measure under consideration might be a sister of the Land Purchase Bill, but it differed as much from that Bill as one sister did from another. If the Land Purchase Bill had not been opposed—if its principle had only been carried out, there would have been no need of this measure, nor of the Fifteen Years' Purchase Bill."

That was all that he said, and it showed pretty clearly that the Government did all they could under the circumstances. Subsequent to this time the meeting was held at which Mr. Balderston figured, and the record of which—anything hon. members might say to the contrary notwithstanding—had cost him his office. The hon. member for Belfast had better employ his spare time during the recess, in effecting the escheat of the different estates on the Island—Melville's, Fanning's and Winsloe's, for instance—and if he succeeded, a grateful tenantry would not wait for his death to erect a monument to his memory of the finest Perian marble, and in the first style of sculpture.

Hon. Mr. DAVIES rose to confirm his previous statements, though he would assure hon. members that it was no pleasure for him to show up the acts of the late Government. He had shown that the object of that Government, through its Colonial Secretary, in stirring up dissension in 1864, was that unless some such measure as the Fifteen Years Purchase Bill was carried—which had been sent out by the proprietors—his statement to the Colonial Minister might come true, namely, that there would be an outbreak in the Colony. Meetings were held at several places which were encouraged by the Government, at least he (Mr. D.) had heard so. Here was an account of the proceedings of the meeting held at Peter's Road. [The hon. member then read some resolutions which the Reporter has not obtained.] After this the people in that neighborhood heard that the Sheriff was going down that way; and he believed that a cannon was actually got there and kept several days, and that some persons were taken and maltreated. When the Government heard of these proceedings, why did they not put a stop to them

at once? No person was apprehended for violating the laws; but the rents in that place were lowered down nearly one half, and nothing had been heard of the affair since. Out of it, however, he believed the Tenant League arose. The hon. Leader of the Opposition had stated that the Court pronounced the League an illegal association. This was the first time he (Mr. D.) had heard of it. The Court could not give such a decision for they had no evidence to that effect before them. The hon. member had also asked him why he did not carry out Escheat instead of supporting the Land Purchase Bill? Well he found that he could not carry out Escheat, and as the next best measure he supported the Land Purchase Bill. But if he had a party of his own way of thinking he would go yet for a Court of Escheat. But the Home Government were in favor of a moderate measure and wished to make a compromise. The late Government, however, desired no compromise, or they would not have passed the Fifteen Years Purchase Bill. The first recommendation in the Land Commissioners' Award ought to have been carried out, namely that the proprietors should take a low price for their lands; and if they refused to comply with this recommendation, their claims ought to have been taken into a Court of Escheat. The policy, however, which the Country had adopted, and which the people had sent us here to carry out, was the Land Purchase Bill of the hon. Leader of the Government. With respect to those members of the Tenant League, who had broken the law, he had never defended their conduct, for when they broke the law they also broke the rules of the League.

Hon. Mr. HENDERSON said that no person within this Legislature could feel more keenly than he did when any act of injustice was done against the people; and while he held a seat in the other branch of the Legislature, and was a member of the Government, he always endeavored to make a distinction between those who were led astray and those who led them astray. He believed that some of those who joined the Tenant League were honest in their intentions; but that those who started that association were dishonest men. As a member of the late Government he had never given encouragement to that League.

Hon. Mr. DAVIES.—The hon. member never tried to put it down.

Hon. Mr. HENDERSON.—The statement was incorrect. He (Hon Mr. H.) attended a meeting at Crapaud at which he told the people that if an indignation speech would do them any service he could give them one two hours in length; this he said because he knew that they had grievances to complain of; but he also told them that the course for them to pursue was to make the best of a bad bargain. There were parties present who were busy in stirring up the people to join the League, and he considered it his duty to warn them of the consequences of extreme measures. He was present also at a meeting held at New London just before the passing of the Fifteen Years Purchase Bill, which was attended by all classes; and at that meeting a resolution was passed instructing the Representatives for the district to give their support to that Bill. Another meeting was held in another part of his district which he attended, and at which the Fifteen

Years Purchase Bill was particularly discussed; there the question was put directly to him whether he thought the British Government would send troops here to kill the poor tenantry, if they refused to pay rent. His reply was that the British Government would send troops here, if required, to protect the rights of property. The people looked at him with surprise. He pointed out to them how that Britain had spent some three millions of money to uphold the honor of her flag in the case of the Trent affair; and that she was just at that time sending troops out to New Zealand to quell an insurrection; and of course she would maintain the supremacy of the laws in this Island. And were the people offended at these plain statements; no, when the meeting closed they gave three times three cheers for Hon. Mr. Beer and himself; and one of those who were stirring the people up in favor of the League said that we had got off in triumph.

Hon. Mr. DAVIES believed that if the Conservative party had addressed the people showing them the impropriety of resisting the law, it would have stopped them.

Hon. Mr. HENDERSON had written over a dozen letters to different parties about the Tenant League, and he had addressed two or three to the editor of *Ross's Weekly*. He told the proprietor of that paper he would yet see his error, and he had admitted it to him (Mr. H.) the other day. He said to that publisher, "You are urging on the people in a certain direction, and you are not showing them where they should stop." When the hon. member for Belfast (Mr. Davies) was previously addressing this hon. committee, he understood him to say that Hon. W. H. Pope had gone to the Murray Harbor district to stir up a meeting there shortly after his return from England, when home with Hon. Mr. Palmer. He (Mr. H.) would communicate what information he had obtained relative to that subject. When running his election he was opposed by leading men of the Tenant League, and during his canvassing campaign the matter was thoroughly discussed. He often told his opponents that if they could prove anything to the effect that Mr. Pope had been down that way stirring up the people, he would himself publish the statement in the newspapers. When we came round in the course of our canvass to the place where the gun was seen, on inquiry, the whole story about Mr. W. H. Pope having been there, turned out to be a pure fabrication.

Hon. Mr. DAVIES.—What was the gun taken there for?

Hon. Mr. HENDERSON.—It was a small affair of a ship's gun which had been dragged there by a few boys for sport. But to be serious, the proclamation issued by the Lieut. Governor after the famous procession on St. Patrick's Day, declared the Tenant League to be illegal; and the hon. member for Belfast (Mr. Davies) would have to disprove the proclamation, or withdraw his statement that the late Government had encouraged the Tenant League, for the two were antagonistic. He (Mr. H.) would ask whether if the New Wiltshire League, whose doings were recorded on the Journals of this House, had sent its delegates to the Central Committee, that committee could not be held responsible for its acts? It was in vain for the

hon. member to come forward here and assert that the Tenant League was not an illegal association; though he (Mr. H.) was prepared to admit that if there had been no grievances in respect to the land tenures of this Colony, there would have been no Tenant League.

Mr. McNEILL rose to move a resolution which he thought would set the whole matter at rest with respect to this affair at Peter's Road. He believed it was the intention of the editor of the *Islander* to prepare the people for resistance, as some articles had appeared in that paper about the time referred to, which were calculated to have that effect. The object of the meeting held at Johnston's Road, to which the last speaker had alluded, was not to consider the Fifteen Years' Purchase Bill; and the meeting which took place at New London was a small one. The majority of the people of Queen's County, at least, in his (Mr. McN's.) opinion, were opposed to that Bill. He was quite willing to be considered as a sympathizer with the Tenant League, and that his name should go down to posterity as such, and his opponents' names as those who had brought the troops here to enforce the payment of rents. What was the object of the meeting at Peter's Road, if it was not to lower the price of land? After it the rents there were lowered; and when the ball

was once set a rolling, it was found not so easy a matter to stop it. He thought it advisable that the whole affair should be inquired into, and therefore would move the following resolution:—

RESOLVED, That a Committee be appointed to enquire into the disturbances which took place at Peter's Road, King's County, in the year 1864, when a gun was trailed along the highway for the purpose of intimidating the Sheriff in collecting rent in that locality, and to report thereon to this House next Session.

The Committee rose and reported progress.

The House sat for some time with closed doors, considering the Report of the Committee on the Contingent Accounts of the House for the present session.

At 5 o'clock, p. m. His Excellency the Lieutenant Governor came down to the Colonial Building, and having summoned the House to the Bar of the Council Chamber, prorogued the Session of the Legislature with the usual formalities.

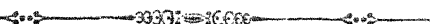
ERRATA.—Page 36, last column, 10th line from bottom for "Lord Westmorland," read *Lord Westbury*. Page 67, first column, 10th line from bottom, for "£20 or £30" read *from £14 to £15*. Page 136, last column, 6th line from bottom for "six hours" read *three hours*.

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THE

RECORDS OF THE

SPEECH

OF THE

HON. T. HEATH HAVILAND,

ON CONFEDERATION.

1866.

THE following speech of the Hon. T. HEATH HAVILAND, was, owing to some oversight of the Reporter for the Session of 1866, omitted from the *Parliamentary Reporter* of that Session:—

TUESDAY, 8th May, 1866.

Confederation Question.

House in Committee of the whole on Despatches, &c. Mr. John Yeo in the Chair.

Hon. T. HEATH HAVILAND (Solicitor General) thought the hon. member from East Point (Hon. E. McEachen) in his attempt to draw an argument against the proposed or contemplated Confederation of the British American Provinces, from the history and results of the Union between England and Scotland, had been peculiarly unfortunate. That hon. gentleman seemed to have inherited all the ancient animosity of his blood and race to the power and domination of the Saxon; and, altogether ignoring the happy change for his country, which, in the course of time, had been brought about by that Union—a change from discord to friendship, from war to peace, and from poverty and distress to national prosperity,—in attempting to strengthen his anti-confederate position by reference to it, he seemed to be animated solely by the recollection of what, in truth, was considered by the great majority of the people of Scotland, at that crisis of her fate, to be an annihilation of her independence, a loss and a disgrace, and a surrendering of her rank among nations, for no advantages which could be anticipated, except such as might be obtained by private individuals, whose hopes of self-aggrandizement and pecuniary gains completely stifled in their breast every consideration of national honor. Such views as these, with reference to the contemplated Confederation under consideration, appeared to be entertained, not only by the hon. member from East Point (Hon. E. McEachen) but, indeed, by almost every other anti-confederate in the Island. The cry raised by our anti-confederates in general was, that by Confederation, we would be deprived at once of all the consideration and advantages of a resident and independent government; and for the prospect and

benefits of free trade and extended commerce, which were held out to lure us into the connection, all we would realize would be increase of taxation burdens, and duties, wholly ruinous to our prosperity, and that altogether for the relief and benefit of Canada. The only advantages, it was, most unjustly and ungenerously, said by anti-confederates, which would result to Prince Edward Island, from her being included in the contemplated Confederation, would be experienced by a few of her politicians who, for the rewards of venality, had agreed to barter away their own honor and the rights and liberties of their country. By those who thus, perversely, and he might say dishonestly, argued, it was most carefully kept out of sight that, according to the proposed scheme of Confederation, there would be no degradation of any of the Provincial Legislatures and Governments. These, on the contrary, would be preserved intact; and each Province would retain the entire control and management of its own local and internal affairs. It was true, indeed, that the general Government would, undoubtedly, and of necessity, exercise supervision of the individual States; but the power of the Federal Government to interfere with the exclusively internal affairs of any of the Confederated Provinces, would be of the most limited and inconsiderable character. In all the arguments brought to bear against Confederation, it was also very carefully kept out of view that its accomplishment, upon terms fair and just to every section of it—and upon no other terms did he wish, or had he ever desired, to see it established—would not only be the means of happily extinguishing those little waspish political feuds and jealousies which had so long acted as a drag upon our progress, and been a disgrace to us as a people; but would also, by putting the impost duties and other sources of public revenue, upon a uniform basis, under the control of the Federal Government, put an end to the anomaly of separate customs establishments, and the conflicting and perplexing commercial regulations which existed, and which had almost of necessity arisen out of the disunited state of these Provinces. Again, the recognition of another benefit which would result from a Union of these Provinces, had been carefully eschewed by our Island anti-confederates: he meant identity of laws, and uniformity in the modes of their administration. The

existence within territories of the same nation—territories lying near to one another, alike in climate, natural productions, and the social condition of their inhabitants—the existence, he said, within such territories of a multiplicity of laws, each having a distinct, local application upon almost every question of human rights; and of a plurality of courts—each peculiarly constituted, and having its peculiar rules of practice—administering those laws, hampered the ordinary administration of justice, tended to the promotion of crime, and seriously inconvenienced commercial intercourse between the various parts of these territories; and the desirability of the contemplated Confederation was, in his opinion, greatly heightened by the certain prospect which it afforded of the removal of these grievous anomalies by means of judicious and remedial action on that score by the Federal Legislature. Independent local legislation in each of a group of Provinces or Territories so circumstanced was, in some, and those too very important, respects, a positive evil; for it could not but result in difference of laws productive of such evil results as those to which he had just adverted; and such legislation had the additional evil effect of cherishing those local prejudices and feelings of separate interests, which tend so decidedly to the estrangement of each member of a Confederation from its fellows. The Island anti-confederates had—most unjustly and ungenerously, he was again constrained to say—declared, again and again, that such of our public men as advocated Confederation had been won over to that advocacy by the corrupting influence of Canadian gold, and had basely, with a view to their own individual aggrandizement and enrichment, agreed to barter away our priceless Constitution. The charge of bribery, which had thus been boldly preferred against such of the Island Deputies to Canada as had openly avowed and advocated their convictions in favor of Confederation, were beneath contempt or notice, although it would be easy to reply that perhaps American silver or greenbacks, had not been without their corrupting and denationalizing effect amongst the anti-confederates. And he might ask these most unscrupulous calumniators, if they would dare to say that the venerable Archbishop Connolly and Bishop McKinnon, the gallant General Williams, the veteran General Doyle, or Sir James Hoop, who perilled his life at the storming of the Petto Forts, in Coana, had been bribed into an advocacy of the projected Confederation of these Provinces?—for one will not say of those eminently good and great men were, he was proud and happy to say, numbered amongst the most strenuous advocates of that great project. He thought not. But as to the ridiculous assertion that the advocates of Confederation were prepared to sacrifice our priceless Constitution for the establishment of a Federal Union, it was sufficient to refer to the terms of the Quebec Scheme of that Union, which showed most clearly that nothing was farther from the minds of the Delegates who sat in the Quebec Conference than the sacrifice of their respective Provincial Constitutions. The powers which, by that Scheme, if carried into effect, would be given to the Federal Legislature were such as would neither require, nor necessitate, a nullification of the several separate Provincial Constitutions, although separate legislation under those several Constitutions would certainly be restricted to certain classes of subjects, and confined within narrower limits than those

which originally circumscribed their operation; and so happily controlled would it be by the General Government or Federal Parliament, that no rivalry of interests could spring up between different Provinces. A reference to the Union of Scotland with England, as made by the hon. member from East Point, so far from yielding arguments against the Confederation of the British American Provinces, afforded the strongest in favor of it. The great benefits of that national treaty had been generally felt and acknowledged for the last hundred years. From the period of its accomplishment, there was awakened, in Scotland, a spirit of industry and enterprise formerly unknown in that country; and, ever since, the two kingdoms of England and Scotland, incalculably to their mutual benefits, have been gradually forgetting their former subjects of discord, and uniting cordially, as one people, in the improvement and defence of their common country—the island which they inhabit. Scotland's greatest grievance, arising out of the Union, was that which she felt in the deprivation of her native and independent legislature, and her metropolis' ceasing to be the abode of royalty; and, indeed, the restoration of their national parliaments was yet eagerly desired by large sections of the populations of both Scotland and Ireland. Under Confederation, however, each of the Provinces would retain its own Legislature and Government, for the management of its own local affairs, limited in power only to such an extent as would prevent its operating in favor of its own prosperity at the expense of any of the others. Of the advantages of Union, the United States, since their attainment of independence— notwithstanding their late disastrous dislocation and narrow escape from complete dismemberment—afforded the most conclusive evidence, by their increase in area, wealth, and physical strength, having progressed, in each of these particulars, to such an extent as has excited the wonder and admiration of the world. —Some of our Island anti-confederates, had exercised their wit and talents in disparagement and ridicule of "the glory argument," as it was called; but, for his own part, he did not think that any man, either, should truly be said to have a country, or to deserve, in any one, who could not rejoice and glory in the patriotic and enabling recollections of ancestral virtues and renown. They who laughed at the glory argument knew little of what had enabled Great Britain to boast that the sun never sets upon her dominions, and that the sound of her drums has always been, either the prelude to victory, or the announcement of its glorious accomplishment. Under the glorious rule of Britain he was born, and under it he would die. To Anglo-Saxon genius no secrets of science were inscrutable; and to Anglo-Saxon perseverance, enterprise, skill, and bravery, nothing within the bounds of human power was unattainable. The practicability of a Confederation of the Provinces and Territories of British North America, to their utmost extent and limits, into a great national power, is, with respect to geographical difficulties, fast ceasing to be regarded as a mere visionary idea. The empire of which it would form the foundation, would in extent, be inferior only to those of Russia, China, and Brazil, and, in commanding position, its advantages would be equal to those of all the three combined. The people of the United States had not been slow to perceive all that; and twice, with a view to a forcible annexation of these

Provinces to the territories of their Republic, had they invaded Canada. Their desire for that annexation is as strong as ever; they are only waiting for a favorable opportunity to again attempt its accomplishment; and the cheapest and most effectual means of preventing it would be to place the Provinces in a position to defend themselves—to give them that self-reliance, that compactness of physical strength, that unity of action, and increased dissemination and intensity of national feeling, which can be given to them by Confederation—and by Confederation only. The Imperial Government desired to see it accomplished; and willing as the Mother Country was to spend her blood and treasure in defence of these Provinces, so long as they continued faithful in their allegiance to her, and true to the glorious Constitution and glorious old Flag of England, her ministers certainly had a right to state their views upon the question. It had been said that the Despatches of the Hon. Mr. Cardwell, on the subject of defence, were meant to be a putting of the screw upon us. He however, did not look upon them in that light. If these Provinces were not true to their allegiance, and willing to defend themselves, according to their ability, there was an end of the compact, on the part of Great Britain, to defend them. That compact would cease the moment we refused to exert ourselves for the preservation of British institutions and British connexion. Should the Confederation, however, take place and its accomplishment afford Great Britain a satisfactory evidence of the willingness of the united peoples of those Provinces to listen to her counsels, and, if possible, to anticipate her wishes for their own benefit, she would probably be found ready to yield to them a largely increased share of national privileges, attended, however, with proportional national responsibilities. Her expressed wish that these Provinces should take upon themselves, the charge of providing and sustaining the naval and military forces necessary to their security against internal disorder and foreign aggression, was proof positive of that. The bestowal that charge would alone, it could not be doubted, give to the Federal Government an important rank as a national Government, and would ensure to it a degree of moral weight, not only in every section of the Confederation, but also with foreign powers. It was not to be presumed, however, that the Federal Government, although, in some sense, it would be independent, could, without some very material modification of the relation of the Provinces to the Mother Country, be permitted the power of making war, and of concluding treaties of peace and commerce, on its own account, as the Government of an entirely independent country. The power of regulating the intercourse and relations of the Confederated Provinces would, on the contrary, be confined to such adjustment of trade and commercial intercourse and relations with foreign states, as could not be prejudicial, in any very material or aggressive degree, to the interests of Great Britain, and as would not involve her actual divesture of all authority over them. One of the greatest bugbears, however, which had been conjured up by our anti-confederates, "to fright our isle from its propriety," in its consideration of the great question, was the enormous amount of taxation which Confederation, if effected, would entail upon it. Baseless and ridiculous, as on that score he held the predictions and calculations of our anti-confederate prophets and financiers to be, he would not,

then make any attempt to disprove or refute them; but would rest satisfied with merely observing that, should they become the chosen or accepted guides and counsellors of the people, the too probable effect would be that, whilst steering our vessel of state so as to avoid the rock, the *Scylla* of Confederation taxation, they would unavoidably, if not designedly, direct her course, so as to be engulfed by the *Charybdis* of American debt. That debt amounted to the most amazing and enormous sum of *two thousand six hundred and thirty three millions of dollars*. The prospect of being allowed to participate in that prodigious burthen could not, he thought, be openly and successfully held out as any very strong inducement to our people to prefer Annexation to Confederation, or to incline them voluntarily to withdraw themselves from the assured protection of the old and glorious Flag of Britain, in order to seek precarious and doubtful refuge beneath the Stars and Stripes. He would like some of those *exact* financiers, to whose calculations he had just referred, to show how much per head of our population, in the event of our annexation to the United States, the burthen of our proportionate share of that debt would amount. The prospect of its *insignificance*, as compared with that to which they would have to submit under Confederation, would surely be very inviting!—The Hon. Colonel Gray, in his eloquent and argumentative speech upon the question, which had, most deservedly been listened to with every evidence of respectful attention by both sides of the House, had, in one of his sentences, spoken as if he thought that the question of Confederation should have been made a Government question; and the Hon. the Leader of the Opposition (Mr. Coles) had eagerly seized upon and echoed it, in the hope he (Hon. Mr. Haviland) imagined that it might prove an apple of discord.

Hon. Colonel GRAY explained that his own acts, with reference to the question, at the time when he had the honor to be the Leader of the Government, were sufficient to prove that such could not be his opinion. From the first, he had looked upon the question as one, which could only be constitutionally decided by the voice of the people at the polls; and, both in his legislative and executive capacity, he had spoken and acted accordingly.

Hon. Mr. HAVILAND, resuming his speech, said, he was glad to find the opinion of the Hon. and gallant Colonel, on that point, exactly coincided with his own; and such, indeed, he said, it was evident it must have been from the very inception of measures by the Government of the Colony for its due consideration; for the gentlemen who were chosen by it to represent the Island at the Quebec Conference, were selected so as fairly to represent the two great political parties of our little state. That Delegation was composed of the Hon. Colonel Gray, President of the Executive Council, the Hon. W. H. Pope, Colonial Secretary, and of the Hon. E. Palmer, Attorney General, as representatives of the Government or Conservative party; and of the Hon. G. Coles, Leader of the Opposition, the Hon. E. Whelan, who was not suspected of entertaining any great love for the Government, the Hon. Andrew McDonald, who had never been a conservative, and himself, (Hon. M. Haviland) who, at that time, was not a supporter of the Government, having, some time before, for reasons to which it was not then necessary

to refer) seceded from it. The Government, by thus taking care that the parliamentary opposition or minority should be fairly represented at the Conference, shewed that they had no intention of making the Confederation question a party one. The Governments of the other Provinces acted in the same fair and impartial manner; and men of every party and of the most conflicting political opinions were brought together in the Conference, for the purpose of considering whether, measures could not be devised for the greater security of our free institutions, for the consolidation of British power in these Provinces, and for the more thorough establishment and perpetuation therein of the ennobling and invigorating principles of the British Constitution. Well, indeed, might the Hon. the Leader of the Opposition (Mr. Coles) say of the result of that Conference, as he did at Ottawa, that "he thought they (the Delegates) had reason to congratulate themselves upon the labours of the Conference. That thirty-three men, representing the various political opinions of six different Provinces, could have assembled, and so amalgamated their opinions as to agree upon a Constitution, suited for that great Confederation, was something, he believed, such as the world had never seen before, and shewed that the Delegates were worthy of the position they held. He said this although there was no man more disappointed than himself with regard to some parts of that constitution; but, by mutual concessions, they had arrived at a result which they could all agree in supporting and submitting to the people; for he held that it must be submitted to the people. They must not force it on the people; they must endeavour to show them that it is for their benefit, and thus induce them to accept it." The harmonious and happy result of the Quebec Conference had, by the Hon. the Leader of the Opposition, been very justly attributed, in a considerable measure, to liberal and wise concessions and compromise of individual opinions on the part of the several Delegates engaged in that Conference. He himself, as well as that hon. gentleman, had, for the sake of harmony and the general good, foregone some of his own opinions in that important Convention. For instance, he was strongly impressed with the opinion that, as in the Senate of the United States, all the sections of the Confederation should be equally represented in the Upper House—that the greatest in territorial extent and population, should not, in that branch of the Federal Legislature, be allowed a greater number of representatives, than any of the smaller or less populous sections; and, in the Conference, he urged his opinion to that effect; but, finding, from the strong opposition which was made to it, that, if he continued to press it, his doing so would not only retard the progress of the Convention towards a solution of the great problem under their consideration, but might even, in some considerable degree, mar the result of their deliberations, he forbore to insist upon it. Concession and compromise were necessary, not only to the formation, but to the good and efficient working, of every system of free government. They were not only necessary in the formation and maintenance of the governments of free states, but in that of every association for general purposes or mutual benefit; in that of banking companies, and all other such corporate bodies; nay, even in domestic government; for it was well known that peace and harmony of action could never prevail or be secured in any family, independently of

mutual concessions on the part of husband, wife and children. The projected Confederation, continued the hon. and learned gentleman, had not been taken up as a Government question in any of the Provinces; neither could it, in any of them, have been so brought forward without a gross violation constitutional principles: for not one of the Governments then existing in the Provinces had attained its position thorough the support of a parliamentary majority, elected by the people directly for the purpose of either entertaining the question of Confederation, or of deciding concerning it in any way. He then, at some length, favourably reviewed the proceedings concerning the question which had taken place in Nova Scotia; and, in noticing the imputations of dishonesty and treachery which Nova Scotian anti-Confederates had so freely thrown out against the Hon. Mr. Tilley, for the course which he had pursued with respect to it, he fully justified the conduct of that hon. gentleman, and declared that, notwithstanding all the base calumnies which had been directed against him, there was not a blot upon his escutcheon. He (Hon. Haviland) then entered into a pretty full recapitulation and review of the parliamentary and government proceedings, for and against Confederation, in New Brunswick, and concluded that part of his speech by saying, that the dissolving of the Assembly, on that question, in that Province, by Governor Gordon, in opposition to the views of his Cabinet, although an extreme exercise of the prerogative with which, as Her Majesty's Representative, he was clothed, had yet been justified by the result. That arbitrary and unconstitutional proceeding, as it had been called, of Governor Gordon, had been commented upon with very great severity by our Island anti-Confederates; but he begged leave to remind them that a similar gubernatorial proceeding here, some years ago, had, by some of those anti-Confederates, been lauded and extolled as an act of most dignified, patriotic, and constitutional independence. He alluded to the time when Governor Bannerman, in opposition to, and in contempt of, the advice of his Council—although that Council was sustained by a large and respectable majority of the parliamentary representatives of the people—dissolved the Assembly, and called a new election. The result, in that case, having proved quite satisfactory to those who had laboured to induce the Governor to exercise the prerogative in so unusual a manner, great were their exultation and rejoicing thereat, and scarcely ever had it been referred to since, but the recollection of it had called forth from them a jubilant peal of their bells. When further commenting upon the recent changes in political sentiments, in New Brunswick, which were attributable to the agitation of the Confederation Question in that Province, the hon. and learned gentleman pronounced the highest eulogium upon the Hon. Mr. Wilmot, whose character, he said, was above suspicion, and who, in the noblest and most disinterested spirit of patriotism, seeing that, if the peoples of these Provinces desired to retain their free institutions, to preserve to themselves, and transmit to their posterity, the principles and blessings of Britain's glorious Constitution, and to have her glorious and protecting flag to continue to wave over them, they must strengthen their loosely existing fraternal relations by the stronger and firmer bonds of a federal union, he had cast from him the trammels of office, had resigned his seat in the cabinet, and nobly stood forward as one

of the most zealous and enlightened of the advocates of Confederation. The hon. and learned gentleman then proceeded to notice our *Island Cabinet* disagreement on the Confederation question; and, in doing so, argued that the existence of that disagreement evidenced no unworthiness or unfitness for his or their position on the part of any individual member or members of that Cabinet. The question of Confederation, on which they differed, being altogether an open one—a Question which, although it involved the interests of every class in the Colony, yet, most assuredly as parties now stand, could not be made a party one—every member of the Cabinet, as well as every member of the House, was, he said, perfectly free, without any regard to political position or party ties, to argue and vote for or against it, according to his own conscientious views of the question. In dwelling upon the fact of this Cabinet disagreement, the hon. and learned gentleman adverted to similar divisions which at different times, had arisen in the Cabinet of Great Britain; instancing amongst others, that which took place in the reign of George the Third, when the great Pitt was Premier; and also the misunderstanding between King William the Fourth and his prime minister, Lord Melbourne, in consequence of which His Majesty intimated to his Lordship, although sustained by a parliamentary majority, that he had no further need of his services, and was yet obliged afterwards to recall him. The hon. and learned gentleman's object, in referring to these historical incidents, was to shew that such differences might arise and exist between members of the same Cabinet, and such misunderstandings occur, even between the supreme head of the Government and his Executive, without their necessitating any just condemnation of either of the disagreeing parties; as, in such cases, the disagreement might, and, perhaps, generally did, arise solely from an adherence, on each side, to the most conscientious convictions, or the most sincere desire for the preservation or promotion of the public welfare. And, in particularly addressing some of his observations on that subject to "his hon. friend, the Leader of the Opposition" (Mr. Coles), the hon. and learned gentlemen took occasion to observe that the day which had unfortunately seen honest and hearty opponents in the political arena, veritable and undisguised enemies in private life, was happily gone by; and congratulated that hon. gentleman and himself that now, however great the hostility which, on the floor of the Assembly, each might manifest to the public policy and political sentiments of the other, they could, at all times, meet as true friends both in the social haunts and in the private walks of life. In countries in which self-government did not prevail, political contests seldom failed to provoke the most rancorous illwill, and to give rise to the most uncharitable asperities; but where that form of government is established its happy operation, in equalizing both burthens and privileges, and in holding the balance even between contending aspirants for place and power had a most salutary weight in the repression of jealousy and ill-will; and its influences, where they had long been felt, seldom failed to induce the practice of forbearance and courtesy in parliamentary debates.—The hon. and learned gentleman then observed, that, in giving his support to the Resolutions in amendment, which had been submitted by the hon. member for St. Peter's (Hon. Mr. Whelan,) he did not think it neces-

sary to dilate upon the Quebec Scheme, or to advert with any particularity to what had taken place at the Quebec Conference; for all that he could say upon those topics he had said in the Session of 1865, and it was duly recorded in the Parliamentary Reporter of that year. Indeed he feared he had already trespassed too far on the time and patience of the House by iteration of much that he had formerly spoken upon the same question; but his apology was, that, as he still adhered to the sentiments respecting Confederation which he had formerly uttered, he had no choice between such iteration and his preserving a silence, which in the position which he occupied, might justly have been deemed both disrespectful and unwarrantable. He was certainly very sorry to feel himself obliged to vote against the Resolutions which had been submitted by the Hon. the Leader of the Government (Mr. J. C. Pope); but, at the same time, he could not refrain from saying he was extremely astonished that, in the middle of the nineteenth century, a declaration such as that which they contained could be deliberately submitted to "the collective wisdom" of the country—a declaration by which, should the House accept it, they would dare to presume upon an exercise of the divine attributes of prescience and omniscience. He was indeed sorry to find that hon. members on the Government side of the House, and on the independent benches, were, however, prepared to accept and declare any thing, rather than, in any way, admit the principle of Confederation. He was himself, however, prepared to vote for the Resolutions in amendment, submitted by the hon. member for St. Peter's; and how the Hon. the Leader of the Opposition (Mr. Coles), with any regard to his reputation for political consistency—not to say honesty—could do otherwise, he (Hon. Mr. H.) could not imagine. If, when at Ottawa, he (the Hon. Mr. Coles) spoke conscientiously, he could not now, with any shew of consistency, vote for the Resolutions submitted by the Hon. the Leader of the Government; nay, as it might justly be said that, at Ottawa, he spoke with ten-fold more strength than any other of the Island Delegates, in favour of the Resolutions adopted at the Quebec Conference, to be consistent, he ought to oppose the Resolutions now submitted against Confederation with ten times greater energy than any other hon. member who is opposed to them. He like the Hon. Joseph Howe, had declared that the Confederation of the British American Provinces had been, if not the cherished dream of his childhood, yet a cherished conception of his own mind, the realization of which he had contemplated for years. How now then, when its realization certainly seemed more than a probability, could he, not only abandon the hopes of it, but actually do all that laid in his power to prevent it?—Once more, with contemptuous indignation, adverting to, and repelling, the charges of bribery and corruption, which, on account of his advocacy of Confederation, had been levelled against himself, the hon. and learned gentleman took occasion to say, that there was not a public man in Prince Edward Island who had devoted himself to the public service of his country in a manner which exhibited less consideration of self, than he had done. It could not be said that he had ever fattened or luxuriated upon the sweets of office. Long as he had faithfully adhered to the principles and fortunes of the Conservative party,—alike when in power and out of power,

—he had never, even when they were the supreme dispensers of place and emoluments, urged upon their attention a recognition of his services, with a view to exacting at their hands any thing like a pecuniary recompense for them; and neither had he received any such recompense, except that might be said to be so, which had recently been bestowed upon him, in a salary of £200 a year, for his professional services, as Solicitor General. No one could be actuated by a more disinterested and patriotic regard for the good of his country than he was, and had, he was bold to say, throughout the whole period of his public career, proved himself to be. An impartial review of his past public life, was, he felt confident, sufficient to exonerate him from every charge of venality and corruption; and, in the sacred ties of his home, he could, in the persons of his children, three sons and three daughters, point to the surest pledges of his fidelity and devotion; to the interests of his country; for, than the present and future

welfare and happiness of his children, nothing, save the holy obligations of duty and rectitude of life, could be dearer to his affections, or more precious in his estimation; and that welfare and that happiness, he was deeply and firmly persuaded, could not, by any means to which it was possible for him to have recourse, be so likely to insure to them, as by steadfast adherence to the principles and practice of social morality and public integrity. The hon. and learned gentleman then, in proceeding to the close of his speech, gave additional effect to his own arguments in favor of Confederation, by citing the sentiments concerning it of Lord Durham and Mr. Charles Bulwer, and of Mr. Oliphant, the private Secretary of Lord Elgin; and, after having favourably commented thereon at some length, concluded by again simply saying he would support the amendment submitted by the hon. member for St. Peter's (Hon. Mr. Whelan).

R. B. IRVING, REPORTER.