

COLONIAL PARLIAMENT.

SUMMARY OF PROCEEDINGS IN THE HOUSE OF ASSEMBLY.

FRIDAY, May 10.

House in Committee on petitions praying for the establishment of Small Debt Courts in different places.

After some debate relative to the impropriety of increasing the number of Small Debt Courts, except in thickly populated localities, or villages, where it was clearly shown that the growing trade and business of such places required the establishment of such Courts, resolutions were adopted to the effect that Small Debt Courts be established at the following places, namely: one at Montague Bridge, and also one at Summerset, Lot 27.

Hon. Mr. Howlan submitted a resolution to the effect, that it is expedient to amend the Act relating to the recovery of Small Debts, so as to increase the number of Courts, and to authorise the Government to appoint Commissioners to the Courts established under the said Act.

Mr. Prowse opposed the resolution, the object of which, he said, was to appoint partizan Commissioners. The administration of justice at Small Debt Courts should be as free from political bias as in the Supreme Court of the Colony. The principle in both cases was the same.

Hon. Mr. Howlan remarked on the sweeping change made by the late Government relative to the dismissal of their political opponents, and the appointment of their friends and supporters to office in all the departments of the public service, and especially in relation to Commissioners of Small Debts. It was, in fact, expected under the principles of Responsible Government, that changes of administration would be followed by the appointment to office of supporters of the Government. That practice was fully carried out by the late Government, which now they would, he supposed, condemn in others.

Mr. Green—Two wrongs will not make a right. Courts of Law should not be made political.

Hon. Leader of the Government alluded to the general change that was made eight years since by the late Government. The appointments made by them were of a purely party character. Hon. members who sanctioned such a change, should not condemn the same course if pursued by others. Clerks of Small Debt Courts were found to neglect making their Returns, as directed by the law. Changes were in some cases necessary. Parties long in office frequently felt so secure in their tenure that they became indifferent and negligent in the discharge of their duties.

Hon. Mr. McAlay said as the Government had numerical strength to carry their measures, a Bill would, he presumed, be presented in conformity with the resolution under consideration. When that Bill would be before a Committee of the whole House, would be the proper time to debate more fully the matter. He would therefore but observe that Courts of Law should not be of a political complexion. The fountains of justice should not be polluted by the baneful influences of political partizanship.

Hon. Mr. Davies pointed out the distinction between the constitution of the Supreme Court and that of Small Debt Courts. The salaries of those administering justice in the former, were not dependent upon the amount of business transacted or the number of suits, before the Court, whereas the fees arising from the latter composed the salaries of the Commissioner, who consequently were personally interested in the number of cases before the Courts. Occasional changes were desirable to prevent parties from creating a business out of their offices.

Hon. Mr. Henderson—It might be supposed from the complexion of the present Government, that they would, from their avowedly independent character, be the proper party to inaugurate a better system than had hitherto been followed relative to the partizan nature of Government appointments. He would hope, therefore, that the appointments of the present dominant party would be characterized by more moderation and less partizanship than those of their predecessors of whatever party.

Hon. Mr. Laird said, he, as one member of the Government, would not support the removal of all Commissioners of Small Debts. Competency, character and impartiality in the discharge of duty, should be considered relative to the offices in question.

Hon. Mr. Hensley said the Opposition need not manifest any anxiety on the question. He concurred with the remarks of the Hon. Mr. Henderson, relative to the propriety of exercising moderation and discrimination, touching the appointment of public officers, more especially when these appointments related to the administration of justice.

Hon. Mr. Callbeck alluded to the proscription policy of the late Government, relative to public patronage. The supporters of that Government could not be considered very sincere when they condemned in others that course practised and pursued by their own party.

Mr. P. Sinclair would favor the retaining in, and appointing to, the office of Commissioner of Small Debts those whose talents and abilities recommended them to that important position, irrespective of party proclivities.

Mr. Reilly—An infusion of a new element was required. Small Debt Courts were becoming corrupt from the fact that they were made to serve the party and selfish ends of those who ruled over them. Parties in many cases, complained of the conduct of Clerks and other officers connected with such Courts. He would, however, favor the exercise of moderation, relative to the political complexion of Courts of Law.

Mr. McNeill said that the Sons and friends of Commissioners, in many instances, were appointed Clerks to said Courts; Constables too were frequently appointed who made a trade of soliciting business for those Courts. It was high time to effect changes in many cases, but he would not go to remove efficient and impartial officers.

Mr. McLennan said he failed to see the expediency of amending the law relating to Small Debt Courts. It was evident the object was to appoint political partizans to the important offices of Commissioners of Small Debts. Resolution was then adopted and a Committee appointed to bring in a bill in conformity therewith.

Hon. Leader of the Government presented to the House supplementary estimates of the expenditure of the Government for the current year. Among the items in said estimates, appear the following, viz:

Southport Ferry Wharf,	£40 0 0
Lunatic Asylum for Fencing and enlarging Kitchen,	3 0 0
Harbor Lights at Rustico, Saint Peter's and Tracadie Harbors each	20 0 0
Light at St. Andrew's Point	10 0 0
Breastwork at Government House	150 0 0

Hon. Mr. Kelly, Chairman of the Committee appointed to prepare an address to His Excellency the Lieutenant Governor to give effect to the recommendations contained in the Report of the special committee in the establishment of new Post Offices, presented to the House a draft Address which having been agreed to, was ordered to be engrossed. Ordered that the Committee who prepared the same, wait on His Excellency therewith.

House in Committee on Roads, Bridges, and Wharves, reported several resolutions relative to Road Service were agreed to. To be appropriated as follows:

Queen's County,	£1100 0 0
Prince County,	950 0 0
King's County,	950 0 0

The balance, namely: one thousand pounds or as much thereof as may be required to be expended by the Government towards discharging amounts due on current contracts for Roads, Bridges, &c., the full amount for which was not provided for in previous years.

Mr. Ramsay said in reference to the wharf at West Point, that £250 was granted in 1865, and £250 last Session, with the promise from the late Government to grant a sum sufficient to complete the said wharf, and he thought the present Government were in honor bound to carry out the promise of their predecessors and he hoped they would do so relative to the matter.

Hon. Leader of the Government in explanation, said that the work relative to the wharf in question had been improperly performed, and he feared the expenditure already made would be lost to the country from the improper and inefficient manner in which the said wharf had been attempted to be built.

Mr. McNeill agreeably to notice asked the Government what information, if any appeared before them, in reference to the condition of the Indians of Lennox Island—whose possessions were threatened by the proprietor. He hoped the few remaining portion of the aborigines of the County would be protected in the peaceful possession of that Island.

Hon. Leader of the Government in reply said that nothing official was submitted to the Government relative to the question asked.

The following bills were severally reported agreed to, namely:

To compel masters of vessels to exhibit a light while in the harbor at night time.

Exempting property belonging to Her Majesty and the Government from duty and taxes.

To amend the Act relating to judgments in the Supreme Court binding leaseholds.

On the motion of Dr. Jenkins, the bill to establish a Hospital at Charlottetown for sick and disabled Seamen and others, was received and read.

Hon. Mr. Davies, Chairman of the Committee appointed to report on the state of the Charlottetown Ferry, submitted a Report to the effect that grievances did exist relative to the crossing of said Ferry, which should be remedied. The insufficiency of water on the South Port side of the river, prevented the Steamer from approaching the landing place at low water at certain times. The Steamer should ply more frequently than provided for by the contract for said Ferry—and the hours for crossing should be extended—sidewalks and bulwarks should be erected on the wharfs for safety of passengers.

Said Report recommends that a sum sufficient be placed at the disposal of the Government for the purpose of indemnifying the Contractor of said Ferry for the performance of additional services not contracted for by his agreement, namely, to run the Steamer until 9 o'clock, p. m., daily; and to ply every quarter of an hour from 9 o'clock, a. m., until 4 o'clock, p. m., daily; Sunday excepted; and also to cause the dredging of the Channels leading to Charlottetown and South Port wharfs, sufficiently deep for the Steamer to pass over at the lowest tides, and to erect the sidewalks, &c., above alluded to; that the cause of the complaints so long and frequently made by the public relative to said Ferry, arose more from the want of accommodations as described, than from any negligence on the part of the Contractor to perform his part of the agreement relative to said Ferry.

Ordered that the said report be adopted.

The report of the Committee on the opening of New Roads was committed to a Committee of the whole House. A long debate touching the opening of new Roads in different sections of the Island, ensued. The recommendation of the said Committee as contained in their report, to cause a survey and examination of two lines of a contemplated road from Montague Bridge to Murray River, called forth a long discussion, as to the most preferable of said lines of road. In accordance with said report, the Government was authorized to cause said survey to be made, and to report the result thereof to the House next Session.

The Chairman at a late hour reported the Report of said Committee adopted.

House adjourned.

SATURDAY, May 11.

House in Committee of Supply. Certain Resolutions were submitted, and on the question being about to be put thereon,

Hon. Mr. Henderson directed attention to an item of £20 voted in aid of St. Ann's School, and said he wished to be informed what description of School that was, was it strictly sectarian? If so, he would on principle oppose that grant.

Hon. Attorney General said that the grant in question was equivalent to a similar sum voted to the School known as the Bog School, and conducted under the supervision of the Colonial Church Society. The special and praiseworthy object of both the St. Ann's and Bog Schools was to educate the children of the poorer classes, irrespective of their creed or country.

Mr. Bell—It was just and proper to encourage those benevolent Schools for educating the poor, by the small appropriations in the Resolution.

Hon. Leader of the Government—The School in question was one of those poor Schools conducted on the very same principles as that known as the Bog School.

Hon. Leader of the opposition was opposed to Sectarian Schools being subsidized by the State. The Bog School was taught by a Protestant Lady, under the supervision of the Church of England, but it was open to the children of all denominations; and if St. Ann's School were conducted on the same liberal principle, and not exclusive, he would support the grant of £20 alluded to.

Mr. Reilly—Both St. Joseph's and St. Ann's Schools were open to all classes, and their object was to educate the poor children of the city.

Mr. Prowse—If any religious test was enforced, and the School was not subject to the control of the Visitor, as was other Government Schools, he would oppose the grant.

Mr. Kicklam—The object of those in charge of that School was to impart instruction to the children of the poor of all denominations.

Mr. P. Sinclair was of opinion that all such Schools as those alluded to, should be subject to the same regulations as ordinary District Schools, and he submitted a resolution to the effect, that all Schools receiving aid from the Treasury, whether under the name of Poor Schools or otherwise, should be under the supervision of the School Visitor, and included in his report the same as District Schools taught by licensed Teachers.

Hon. Mr. Henderson was not disposed to take a narrow view of the question. The sectarianism of a School depended on what was taught in such. On principle he was opposed to Schools or Colleges of a sectarian character being supported from the public funds.

Hon. Mr. Howlan—The Bog School was for many years conducted by a Protestant Lady and under the control of the Church of England. St. Ann's School was under the jurisdiction of the Ladies of the Convent, and attended alike by Catholics and Protestants. Those Schools might be named the East and West Bog Schools; their laudable objects were similar, namely, the education of the poor and orphan children of the place. He was surprised to find hon. members, who have in the past supported the grant for the former, now opposing a similar grant for the latter.

Mr. Prowse—When Protestants or Catholics established Schools under their own peculiar control, they should support them from the funds of their several Churches, and not seek Government aid.

Hon. Mr. Davies—If it can be shown that any of the Schools in question are sectarian he would not support the grant.

Hon. Mr. Henderson was not satisfied that the School for which the grant was asked was not sectarian.

Hon. Mr. Laird, in reply, said, let proof that it is of a sectarian character be furnished, and he would move to strike out the grant. He was opposed to all sectarian Schools, and would support the resolution to place those poor Schools, as they were termed, under the restrictions of the Board of Education.

Hon. Mr. Callbeck was opposed to granting the public money for the support of any sectarian Schools, whether Protestant or Catholic. But, in common honesty, the School in question was as much entitled to support as that known as the Bog School. They were of a similar character.

Mr. Brecken was opposed to sectarian Schools; but as the Bog School was subsidized, he would not oppose the grant to St. Ann's School. But it would be better to abolish both grants than introduce sectarian teachings.

Mr. Cameron was opposed to any sectarian teachings in Schools, and would support the resolution to place the School in question under the supervision of the Visitor of Schools. It should also be subject to the regulations of the Board of Education as well as all Schools receiving Government allowance.

Mr. Reilly—It appeared that similar Schools to that now in question had been for years, both at St. Eleanor's, Georgetown and Charlottetown, receiving Government aid, but no objections were raised against such aid until now that St. Ann's School was named. That was not the time to debate the question of denominational Schools. If the principle

upon which those Schools had been conducted were objectionable, the fairest way would be to strike out the grants for the whole of them. It was well known that even in the Normal School and Prince of Wales College, Books were used which, if not sectarian, were at all events objectionable to Catholics—among those books was Collier's History of England. He had no objection to the School in question being open to the inspection of the School Visitor.

Mr. McLennan was not aware that any sectarian School was taught at St. Eleanor's. Hon. Mr. Howlan—A school similar to the one at Georgetown and Charlottetown was taught at St. Eleanor's.

Hon. Mr. Henderson was not more favorable to one sectarian school than another, he was opposed to all such on principle and that was the ground of his objections.

Mr. G. Sinclair—Strange indeed that no opposition to similar schools was heard of till now. He hoped hon. members were satisfied with the explanations given.

Mr. Brecken—In reply to the allusion of the hon. member, Mr. Reilly, to books at Prince of Wales College, he might remark that he had been told books were used in a school, not far distant, of a disloyal and anti-British tendency such as should not be tolerated in any British Colony: St. Ann's School was just as much entitled to a grant as the other schools named of a like character, and His Lordship the Roman Catholic Bishop of Charlottetown deserved the thanks of the whole community for filling that school and emptying the streets of the children of the poor.

Mr. Reilly—If books of that dangerous character were taught at the school to which the hon. member (Mr. Brecken) alluded, the fault was with the visitor, who should report on such books.

Dr. Jenkins commended the disinterested and self sacrificing zeal for the poor, by which those Ladies, both Protestant and Catholic, who taught the schools in question, was actuated, their sole object being to impart instruction to the poor of the place.

Hon. Mr. Howlan asked the hon. member (Mr. Brecken) what school did he mean.

Mr. Brecken—The school taught in the old Roman Catholic Chapel. His allusion was in reply to the hon. member Mr. Reilly.

Hon. Mr. Howlan read from the Visitors' Report the books used in the School named and failed to find any such books as were alluded to on the list. The hon. member for the City should not have made use of an assertion of that nature against one who, for the past 20 years, was favorably known as a teacher. It was ungenerous to brand that teacher or his school, with disloyalty—an assertion without proof.

Mr. Brecken would not vouch for the correctness of the report, but he was told of it, and only referred to it in reply to the statements made by a hon. member touching books in Prince of Wales College.

Hon. Mr. Henderson—Giving grants for years did not make it right. In Scotland, the Visitor of Schools reported on similar schools. He would second the Resolution of the hon. member Mr. P. Sinclair.

Hon. Mr. Davies—He would also support that Resolution; and he was astonished to find that the hon. member, Mr. Henderson, had, for four years as a member of the late Government, sanctioned grants which he now condemned.

Hon. Leader of the Opposition—If it would be found that tests were inculcated in any of the Schools in question, the grant could in future be withdrawn. He would, therefore, support the Resolution instructing the Visitor to report on said schools. The children of all denominations were taught at the school in Georgetown.

Mr. Bell thought the Resolution invidious and would move in amendment that the hon. member, Mr. P. Sinclair, have leave to withdraw it.

The question was put on the amendment, and negatived as follows, viz:—

Yeas—Hons. Coles, Howlan, Kelly, Messrs Bell, Jenkins, Brecken, Arsneaux—(7.)

Nays—Hons. Hensley, Laird, Callbeck, Davies, Henderson, McAlay, Halliburton, Messrs. P. Sinclair, G. Sinclair, Prowse, Ramsay, McLennan, Green, Howatt, Kickham, Cameron, Metornack, Reilly—18.

The Resolution was accordingly adopted.

The Law Reform bill relating to pleadings and practice in the Supreme Court, was read a third time and passed, and also the bill to amend the Education Act.

Hon. Colonial Secretary presented returns of various Small Debt Courts through the Island.

The Act to Incorporate the Charlottetown Hotel Company was read a second time and agreed to.

Mr. McNeill directed the attention of the House to the disturbed state of the Indians on Lennox Island, and moved that T. Stewart, Esq., Indian Commissioner, be heard at the Bar of the House on the subject of Indian claims on said Island. The Report of the land commission plainly stated that the Indians had been in uninterrupted occupancy of that Island for more than half a century and had built a Chapel and made other improvements thereon, and gave it as their decided opinion that the title of the Indians to that small portion of the wide territory of their forefathers should be confirmed and they left in the undisturbed possession of the last remnant of the race.

The House having adopted the motion, Mr. Stewart appeared at the bar and addressed his honor the Speaker and the hon. Members of the Assembly on the subject of Indian claims to Lennox Island and their condition generally. He alluded to his recent visit to London, when he took occasion to lay before the annual meeting of the Aborigines Protection Society, held in London in May, 1865, and which meeting he had the honor to address, the claims of the Mic Mac Indians on that Society.

In the said Report, of that Society, from which, a pamphlet form, Mr. Stewart quoted, a resolution appeared, which had been adopted by the meeting alluded to, expressive of the deep interest the Society felt in the welfare of the Indians, and the hope that the statesmen engaged in carrying out the Confederation of the British Provinces in North America would guard the existing rights of the Indians, and also make provision for their admission to the privileges of citizenship. The report also expressed the readiness of the Aborigines Protection Society to assist in alleviating the grievances of the Mic Mac Indians of P. E. Island. Mr. Stewart also read extracts from the annual Report of the same Society for the year 1866, showing that an increased interest was taken in the subject, the Committee of the Society had been actively engaged in raising a fund for the purchase of Lennox Island, as the only means of providing a place of refuge for the remnant of the Mic Mac Indians residing in the colony of P. E. Island. Mr. Stewart then proceeded to show that negotiations were pending between the proprietor of the Island and the Committee of the Aborigines Society for the purchase of Lennox Island. He also submitted a letter from one Martin Francis, an intelligent and educated Mic Mac, on behalf of self and fellows, dated 15th August, 1866, setting forth that R. B. Stewart, land proprietor, was at Lennox Island demanding rents, and on being refused, threatened to enforce payment by sending Soldiers, Sheriff and constables to collect rent from the Indians on the Island, that letter, he said, caused great alarm among the poor Indians. He (Mr. Stewart) then appealed to the hon. House on behalf of those aborigines of the Colony, and submitted that it was the duty of the Legislature to address His Excellency to take the necessary steps without delay to secure to the Indians in the matter of the negotiation now pending between the Aborigines' Protection Society and R. B. Stewart, Esq., a fair and impartial representation of their true interests, in the property in question.

Mr. Stewart having closed his address respectfully withdrew.

The House took no action on the subject, but warmly commended the indefatigable labors of the Indian Commissioner, Mr. Stewart, on behalf of the remaining portion of the Mic Mac race on the Island. The negotiations alluded to, it was hoped would terminate favorably to the Indian inhabitants of Lennox Island.

THE LOAN BILL.

On motion of the Hon. Attorney General, the Bill to authorise the Government to raise a loan of money for the public service, was committed to a Committee of the whole