

# THE FREE PRESS

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"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."—Euripides.

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## Colonial Parliament.

### HOUSE OF ASSEMBLY.

FRIDAY AFTERNOON, March 7.

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

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

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

Motion of Mr. Howat, to reduce the weight of barley to 46 lbs. and of oats to 35 lbs. lost. Yeas—Hon. Mr. Kelly, Messrs. Howat, McNeill, Cooper, Doyle—5. Nays—Messrs. Longworth, McLaughlin, Hensley, Wightman, Whelan, Coles, Thornton, Perry, Pope, Laird, Haviland, Yeo, Messrs. Conroy, Sinclair, Holm, Davies, Douse, Owen, Beer, Montgomery, Hensley—29.

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

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

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

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

SATURDAY, March 8.

Hon. Mr. Coles had, in the debate on the address in answer to the Lieut. Governor's speech, referred to the employment of a boat's crew at Malpeque. He had since ascertained that the crew were engaged in the collection of light and anchorage dues, and the rest were laid on the table.

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

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

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

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

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

Resolution passed.

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

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

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

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

The following petitions were presented:—

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

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

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

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

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

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

THURSDAY, March 13.

The following petitions were presented:—

By Hon. Mr. Kelly—From William C. Bourke, for a grant in aid of a proposed new steamboat to ply between Charlottetown and Mount Stewart; from inhabitants of Traodan Sands and vicinity; from inhabitants of Townships Nos. 35 and 36; from Townships Nos. 48 and 29; from inhabitants of Township No. 37; from John R. Bourke, junr., and others, Township No. 37; from J. K. Robertson, Nicholas Robertson and others, Township No. 48; from George C. Worthing, Gordon P. Gill and others, of Townships Nos. 36, 37, 38 and 49;—all praying aid for the service of roads and bridges. From Patrick Hand, praying remuneration for labor performed under a contract for building a bridge at Worthing's mill; from Patrick McGinnis, for grant to improve the new road from John McKay's to Savage Harbour. The preceding petitions were laid on the table.

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

FRIDAY AFTERNOON, March 14.

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

The Bill was reported and read first time.

Hon. Mr. Haviland moved the second reading of the Bill authorizing the sale of certain lands in St. Paul's Church, Charlottetown, held by the Government. He had deferred his motion for some time, having been told by the Church Wardens that the Government had no right to interfere in the matter, but he found that it was. In 1835 a warrant for £100 was issued to the building committee of the Church, which was the current price for two double and one single pew. The Government owned three pews. That for the Legislative Council and the one for the Assembly were double, while the military pew was single. The Government had also a claim to a pew in the Roman Catholic Chapel in Charlottetown, there having been a grant to the building committee of that Church for a pew. This he was not aware of when he introduced the Bill. He was more an amendment in Committee to include that pew in the Act, as he considered that the Government should cease to be pewholders in any place of worship.

Hon. Col. GRAY—It was high time that church and state should be separated in the Colonies. The case might as well be decided in England. He wished to have no more governmental despotism and particular places of worship. Last year, the House paid £72,000 certain churches for pew accommodation. One body had very properly declined to receive the sum voted to it, and support the measure.

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

Hon. Mr. COLES was sorry that he was not present when the Bill was read 1st time; he would be going to Comber, although nominally in the Government, the property was really in the Church.

Hon. Mr. HAVILAND read a copy of the warrant for £100 issued in 1835.

Hon. Mr. COLES—If the Government of that day did give £100, it was not for the purchase of these pews. The Church

had generously set apart a pew for the use of the Lieut. Governor and his family. If Government could not get out of their financial embarrassments without resorting to so extreme a measure, they must indeed be hard up.

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

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

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

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

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

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

Hon. Mr. HAVILAND, in moving that progress be reported, gave notice that he would move an amendment, to include the pew in the Catholic Chapel when more of hon. members belonging to that communion should be present. It would be improper and unfair to move in the matter during their absence.

Progress reported.

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

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

SATURDAY, March 15.

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

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

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

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

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

The following petitions were presented:—

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

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

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

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

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

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

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

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

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

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

Hon. Mr. HAVILAND moved the second reading of the Bill authorizing limited liability in partnerships. The principle of the Bill had been recognized in Great Britain since the year 1855. It had been adopted in the neighbouring Colonies, and was now in force in Nova Scotia, and elsewhere in Canada. Great difficulties existed in obtaining the co-operation of parties having money, in testing the value of any new business with the practical details of which they might be personally unacquainted. As an example of the necessity of the Bill, he supposed the case of a party wishing to establish a factory, who invests £3000 in it. Another party may be willing to encourage the enterprise to a certain extent, say by investing £2000, which amount he would be willing to risk in the speculation; but, as the law now stood, he would be liable, equally with the original proprietor for the whole of the debts which might be incurred. The party who invested the sum of £3000 might have all his remaining property attached. The object of the Bill was the alteration of the law, so as, in case of joint stock companies, to obviate the necessity of special Acts of Incorporation, and to restrict individual liabilities to the amount of stock held by the partners respectively. The Bill provides that the public may have protection, by means of the knowledge of the amount of stock held by the special partners. It requires that a record of the amount of each individual's interest in any mercantile association, must be registered in the offices of the Prothonotary, or of his Deputies, in the Comtes of King's and Prince, and be published in the Royal Gazette. There would still, however, be two parties liable to the full extent of their means, to-wit, the original proprietor, and the person who had been found to have had a beneficial effect in the encouragement of trade, and, a fortiori, its adoption would be advantageous to a new country like this, by inducing an increased circulation of money, and consequently encouraging and extending enterprise by enlisting the co-operation of capitalists, who would not wish to risk all in a speculation, as they would be compelled to do under the law, as it stands at present.

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

The Bill was then committed. Mr. John Yeo, Chairman.

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

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

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

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

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

Progress was reported.

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

MONDAY AFTERNOON, 17th March.

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

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

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

Mr. BEER seconded the motion.

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

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

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

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

Hon. Mr. LONGWORTH—The enactment of the special law proposed might militate against the Free Trade secured by Treaty, and it had better be considered in connection with the despatch received from the Governor General. When he said Free Trade as secured by Treaty, he did not mean that he had it absolutely, it was merely partial. Specious arguments had been adduced in favor of retaining the timber, yet the principle was unsound, and should be included in the same category as bounties. He was not inclined to encourage one branch of industry at the expense of others. The motive of the member who had moved for the committee was doubtless good, yet it was contrary to sound principles. As to the effect on our artisans, of allowing the timber to leave the country, unmanufactured, he considered that there would always be inducements to people of that class. The necessities of life were here so much cheaper than in other countries, that facilities would exist for the employment of mechanics in this Island. If manufactures were properly carried on, they would be found as remunerative as in the neighbouring Colonies, where the price of living was far higher. We had Free Trade with Canada, yet the Canadian manufacturers did not interfere with ours, for there were no Canadian manufactures imported, which appreciably interfered with our internal trade. The farmers are not likely to sell their timber at a rate below its value—they are daily alive to their own interests. Juniper was a valuable wood. It remained longer in the soil than other kinds. Hardwood generally succeeded soft and vice versa. With juniper it was otherwise. It grew in succession to hardwood, and juniper would succeed to a growth of its own species. If the House decided that they repudiated the principle of Free Trade, there would be no impediment to taking up this question. He did not recollect the particular articles specified in the Reciprocity Treaty, but if wool was included in it, the proposed law would militate against it.

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

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

Hon. Mr. POPE—The principle involved did not commend itself to his favorable opinion; but circumstances altered cases. In this small colony, the only manufacture was shipbuilding. In a few years the timber would be used up, for, as in the instance when the knees referred to were got out, the bulk of the tree was left to rot, so it would be in the case of sleepers—only a small portion of the trunk would be used. All our mechanics would suffer and be compelled to leave the Island. The hon. member Mr. Sinclair's allusion to the export of wool bore no analogy to the case of timber, as the supply of the former was renewed and probably increased annually. It had been said that the measure would be one of class legislation; if it were so to a certain limited extent, it must be borne in mind that individual interest must give way to the general good. In England a transfer duty of 1s. per ton had been imposed on Colonial ships. New Brunswick had imposed an export duty of 2s. 6d. per M. on lumber exported to Britain. We must depend for property as well on manufactures as on agriculture. We have no articles of export but agricultural produce, and the exportation of that was unfettered at present. Free Trade

with the other Colonies would have the effect of letting in articles which would injure the Island in many respects. For instance, in Canada, spirits could be bought for twenty-five cents, a gallon,—and we might therefore be overwhelmed with an article far worse than that manufactured here.

Mr. DAVIES hoped that when the question of Free Trade came up for discussion, the advocates of that principle would be consistent. It was well enough in theory, but we had no free trade. We were excluded from the coasting Trade of the United States. He was not a large shipbuilder himself, but he could not shut his eyes to the importance of retaining the timber in the Island. There was no analogy between the cases of wool and this of timber, for the more land that was brought into cultivation, the more sheep would be raised. The same remark applied to grain. The case of timber was different; in its rough state it was of little or no value, and it received its value from the manufacture.

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

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

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

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

Hon. Mr. COLES moved this day three months.

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

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

House in Committee, and progress reported.

TUESDAY, March 18.

The following petitions were presented:—

By Hon. Mr. Wightman, from Inhabitants Lots 50 and 60, for grant to build bridge across Sturgeon; from Henry Beach and others for aid to repair a water course at Graham's Hollow. Laid on table.

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

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

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

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

(Debate on Legislative Council Bill continued from last No.)

Hon. Mr. LONGWORTH—Mr. Chairman; I cannot admit the force of the objections of the hon. and learned member for East Point respecting the manner in which this question has been brought up. It was very properly remarked by the hon. the Speaker that if a Bill had been introduced it would have been submitted with a blank. When the Bill is brought in, the subject may be discussed again, and that will give hon. members an additional opportunity. The Government have no desire to force a division on this question; members of the Opposition are not prepared to vote, the resolution can lie on the table for the present. In regard to the measure passed last session, it was in consequence of the recognition of the principle in the Canadian Act of a property qualification for members that we were led to introduce it into our Bill. We thought if the principle was applicable in that Province it would be equally so in this Island. But it appears that his Grace the Duke of Newcastle thought that the law in South Australia and Tasmania, where a tolerably high qualification is required for electors, but none whatever from the elected, worked better than the Canadian Act, and hence the suggestion contained in the despatch before the Committee. Now, though I have considered the two principles I think there is no comparison between them. It does not seem proper that a person who has no property should be required to vote only for one who has this qualification. His Grace does not state that the Councils should not have any property; that he recommends that those who vote for them should possess this qualification. The desirability of there being a difference between the qualification of electors for the Council and those for this House must be apparent. It is sufficient that one branch of the Legislature should represent all classes of the community from the highest to the lowest. We have that secured in regard to this House, for every person who is 21 years of age, and who pays a tax for road service, is entitled to vote; it is necessary, then, that the same principle should be carried out, when it is deemed advisable to form an elective upper chamber.

Hon. Mr. COLES—I did not say that the qualification of electors for both Houses should be the same.

Hon. Mr. LONGWORTH—I understood nothing of the kind; but the fact that the hon. member has moved that the qualification should be £50, shows that there is a disposition to equalize them; and I believe if the Government had proposed this sum, he would then have moved for something less. He is at liberty to make the most of it. When we proposed that the qualification should be £100 leasehold or freehold, I think we named it so that every person who ought to have a vote will possess one. The fact, whether that amount, it is better to fix the qualification on this principle than to name a certain annual valuation or annual rent, because in the latter case it might be necessary in some cases to hold 100 acres of land to ensure a right to vote. I consider we should not fritter away that part of the Duke's donation which relates to this matter; for if we fix the qualification of electors at too low a rate it will defeat his object, and we shall lose the benefit of his experience. The remarks of the hon. leader of the Opposition in reference to the principle on which the present and all preceding Legislative Councils in this Colony have been appointed, were out of place. All that Mr. Coles's colleague, the leader of the Government in this end of the building stated was, that he considered it a very great objection to the principle of departmental Government, that the members of a nominated body should have an equal privilege of holding offices with the representatives of the people; and I think his remarks were quite just, because officers from such a House may be said to have no responsibility. Hon. Mr. COLES—How is it with the Jews in Britain? Hon. Mr. LONGWORTH—Their case is quite different; they hold their titles and position by a long hereditary right. The views of the hon. member for Belfast were perfectly correct, and I cannot understand why the hon. leader of the Opposition should take objection to them.

Hon. Mr. THORNTON—With regard to the principles laid down in the despatch of the Duke of Newcastle, one of them is that there should be no property qualification for members of the Council. That principle, so far as I am aware, is not disputed by any party in this House. With respect to the case of electors, his Grace says he would enforce a tolerably high property qualification. This is pretty strong language; but I should like to hear from those better informed than I am what the property qualification of electors is in South Australia and Tasmania. We would then be in a better position to judge of what would be a fair qualification for this Colony. The case of these Colonies, however, is quite different from this Island. I imagine the majority of the people there are not as here, tenants, and many of them tenants at will; besides, those Colonies possess greater resources than ours, and consequently afford greater opportunities of acquiring property. The hon. leader of the Government in this House appears to be delighted at the prospect before us, and seems to approve highly of the suggestions of the Duke of Newcastle; but, Sir, there was no occasion to cate last session for a high qualification for candidates than the hon. member himself. The Bill was sent to the upper House with that qualification given at £500; it was sent down with the amendment of £1000, which seemed to be nearer the views of the hon. gentleman; some hon. member suggested that it should be £200, and this was agreed to. But here the Secretary for the Colonies says it is essential to have a property qualification for members at all. With respect to the qualification for electors, I do not think it is perhaps necessary to adhere so closely to the letter of the Duke's despatch as some hon. members appear to consider.

Hon. Mr. McLAULAY—This is a very important matter. When I look back upon my conduct years ago in supporting this measure, I am astonished at my own temerity. We know that the talented Sir Charles Fox, the celebrated Burke, the famous Pitt, and the no less renowned Sheridan, who were contemporaries, had this subject under consideration, and decided in favour of nominated Legislative Councils. I am not aware whether the Duke of Newcastle is a scholar or not—we know that a dual coronet has often adorned his brow, but the despatch before us, Sir, has evidently been dictated in wisdom. In referring to the provisions of the Bill of last session in regard to the qualification of a candidate for the Legislative Council, his Grace says:—

"He must have resided in the Colony for five years; he must possess six hundred pounds (£600) worth of land, and (which is most unduly restrictive) his residence or his property qualification must be within the district for which he is elected."

"Moreover, he will lose his seat if he lose his property qualification—that is, if he changes his farm from one electoral district to another."

"I entertain a strong opinion that these provisions are most injudicious, and that in order to make a Council what it ought to be, the property qualification should be applied, not to the