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

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Provincial Parliament.

HOUSE OF ASSEMBLY.

SATURDAY, March 9.

Three petitions were presented, viz.,—By Hon. Mr. Yeo, one from Lot 17 and another from Lot 15. By Mr. Holm, a petition from Lot 21—all praying for improvement in road communication.

MESSAGE ON PETITIONS OF PROPRIETORS AGAINST THE LAND COMMISSIONERS' AWARD ACT.

Hon. Col. Gray, by command of His Excellency the Lieut. Governor, presented to the House the following message:—

G. DUNDAS, Lieut. Governor.

The Lieutenant Governor transmits to the information of the House of Assembly, copies of three despatches addressed by him to His Grace the Duke of Newcastle.

In these despatches were enclosed three petitions, or memorials against the "Act to give effect to the award of the Commissioners to be appointed on the land question." But the memorialists in placing their petitions in the hands of the Lieutenant Governor for transmission to the Colonial Minister, did not furnish him with copies to be laid before the Legislature.

The Lieutenant Governor, however, is enabled to furnish the House with a copy of the prayer of the petition of Charles Wright, Esquire, referred to in the accompanying copy. Despatch No. 61; and also a copy of the prayer of the petition signed by Robert Bruce Stewart, Esquire, and others, referred to in the copy, Despatch No. 62.

The memorialists appear to have petitioned against the Act in question, on the ground, that if it passed into a law, they would be bound by the award of a Commission, while they were not consenting parties to the submission upon which that award was to be founded.

The Lieutenant Governor will, by the first mail, make application to his Grace the Duke of Newcastle for copies of these memorials, in order to lay them before the Legislature.

The said Message and accompanying papers having been read by the Clerk, Hon. Col. GRAY moved that they do lie on the table.

Hon. Mr. COLES.—If I were a member of the Government, I would make no such motion as that they be laid on the table; I would move that they be referred to a Committee of the whole House. That a few proprietors and land agents should petition against an Act passed by both branches of the local Legislature, is a bold proceeding. I think a true copy of the documents, with all the names attached to them, ought to have been kept in the Colony. If the Government are prepared to take proper steps to counteract this influence at the Colonial Office, they shall have my support. But I contend that they should have sent a minute of Council along with the petitions in opposition to their prayer. And, Sir, we do not know what statements these petitions may contain against members of this House, and perhaps also against members of the Government. For this reason, I think a copy of them should have been kept, and laid before the House. That two proprietors, Mr. Bruce Stewart and Mr. Charles Wright, should endeavor to counteract a measure of the Legislature, is a matter that ought not be passed over in silence.

Hon. Col. GRAY.—I cannot understand what the hon. member would desire. We are here as the independent representatives of the people, and if Mr. Bruce Stewart, or Mr. Wright choose to vilify us in documents of this kind, it is a matter with which we have nothing to do. There is perhaps not a person in the Colony who has been more maligned by these individuals than myself, but what do I care for them? His Excellency informs us that it is not in his power—that there is nothing in the Royal instructions to warrant him to give up copies of petitions with which he is intrusted to forward to the Secretary of State, without his consent. But His Excellency has given up what ought to be considered sufficient, his own despatches containing his own remarks on the petitions. Every subject in the Colony has the right of petition, and is perfectly justified in memorializing Her Majesty the Queen, when he considers that his private rights are interfered with. Supposing the Legislature should pass an Act similar to the Maine Liquor Law—a law which has been declared unconstitutional by high authority in the United States—supposing, I say, the Legislature should pass such a law here, the hon. member might petition against it and say it was an interference with his private rights. So with the memorialists in question; these proprietors think that as they did not agree to the Commission, they have a right to complain by petition that the Act to give effect to the award of the Commissioners, if passed into law, would be an interference with their private rights. The Lieut. Governor is bound to transmit every petition addressed to the authorities at home, no matter what it contains. But supposing that copies of these petitions had been kept and laid before this House, provided they contained libellous statements, who would publish them? That the Council should have made a minute in opposition to the statements of the petitions, and transmitted it with them, I think was unnecessary. In this, therefore, I do not agree with the hon. Leader of the Opposition. What do the people in England care for these proprietors? One of the landlords referred to said to me last summer, "What have I to do with the Commission?" I replied, "You may have nothing to do with the Commission, but it may have something to do with you." That this will be the case, I think is clearly shown by the last despatch of his Grace the Duke of Newcastle laid before the House. It says in effect that if they did not submit to the Commission, they will not receive the consideration of Her Majesty's Government in making future claims. I consider, then, that we need not trouble ourselves much about these petitions. We know very well that these proprietors, if they thought they would gain their point, would write petitions to this time next year. Let them write; what need this House care?

Mr. COOPER.—I understood that those proprietors who made no complaint when the measure for the Land Commission was passed, had agreed to it. If a copy of the petitions had been laid before us, we could have sent home an address to the Queen to counteract their statements. The House should still pass an address to that effect.

Hon. Mr. YEO.—The hon. member, Mr. Coles, taunted me the other day for saying that I know the Act to give effect to the award of the Commissioners would not pass at Home. I had to vote for the bill, but I knew, and Mr Douse knew that it would not receive the Royal assent, as it interfered with the rights of the proprietors. Every person must look after his own property, and when I was asked to sign the paper agreeing to the Commission, I said I could not do it. Besides, I said it was no use to do it, as the Act to give effect to the award would never become law.

Mr. DAVIES.—I cannot agree with the hon. member from Port Hill; I do not think the Commission is any infringement of the rights of the proprietors. I am sorry that a copy of the petitions against the award Act is not before us; but I do not think the late Government kept a copy of the petitions sent Home by the proprietors against the Rent Roll Bill.

Hon. Mr. COLES.—They did; they refused to transmit them until they received a copy.

Hon. Col. GRAY.—I rise to explain. If the late Government did so, there is nothing in the Royal instructions to warrant such a procedure.

Hon. Mr. COLES.—I may remark that the Governor received the petitions just a little before the mail for England was leaving, and he said he could not send them by that mail unless a copy was given to him.

Hon. Col. GRAY.—The Representative of Her Majesty is bound to forward a petition though he be not furnished with a copy.

Mr. DAVIES.—I do not think the House should spend time in discussing the petitions referred to in His Excellency's message, when they are not before us. With respect to those proprietors who have not agreed to the Commission, not being bound by its award, I do not say that they will, but the despatch of the Duke of Newcastle shows that if they do not submit to the Commission, they may look out for the consequences. The Home Government will perhaps agree that a higher taxation be imposed upon them than on the others.

Hon. Mr. HAVILAND.—Copies of the proprietors' petitions sent Home against some of the measures of the late Government may have been kept; but I understand that there was a dispute between Governor Daly and Mr. Charles Wright in regard to the necessity of furnishing a copy. I wish that copies of the petitions against the Act relating to the award of the Land Commission were before the House, for if they were, they would go to counteract statements made by hon. members of the Opposition to the effect that none of the members of the Government appeared before the Commission to advocate the cause of the tenantry. One of the petitions contains strong language against Hon. Col. Gray and Mr. Longworth, saying that they stepped from their high position to take part with the tenantry. I consider there can not be better evidence that the Government have held the scales of justice properly in regard to the Commission, than the fact that they are censured by both parties. I will now give a list of those landholders who signed the petitions in question. Charles Wright and Lady Georgiana Fane each sent a seperate petition; then there was a joint petition signed by Robert Bruce Stewart, Ellen Stewart, Margaret Stewart, Mary Irving, John A. M'Donald, for self and family partners, and Charles Wright. This Charles Wright appears to have been determined to be right, for he petitioned both in an individual and collective capacity. None of these parties agreed to the Commission, except John A. M'Donald, who certainly has placed himself in a singular position. I am in favor of sending to the Colonial Office for a copy of these petitions, and if they contain anything insulting to the Legislature, those who signed them will not only have one party against them, but the whole House. They should be made to answer for it if they have employed disrespectful language.

Hon. Col. GRAY—I do not disagree with the opinion of the hon. member for Georgetown that we ought to have a copy of these petitions, but I would ask who is to pay the damages for libel, if they are published?

Hon. Mr. HAVILAND—Nothing which they contain can be considered as libellous, when passing in the way of official correspondence, but if published in the newspapers some of their statements perhaps might be held as such. I will admit that these landholders have some argument, as they had not signed for the Commission, and they were under the impression that the Act if passed into law, would interfere with their property; and if they have used proper language towards members of this House, not much can be said against them. No compulsory means can properly be employed to bring those under the Commission who have not agreed to it; but in the Duke's despatch they receive a hint—and a very significant hint—that if they do not submit to the Commission, they need expect but little sympathy hereafter from Her Majest'sw Government. I would say—as a member of this House, as a land agent, and as the son of a landlord,—that I consider it would be well for all the proprietors to have agreed to the Commission.

Hon. Mr. COLES—I am surprised at the remarks of the hon. member from Port Hill. He says he voted for the Act in reference to the Commission, and still he would not agree to be bound by it. I contend that since he voted for the Bill, if there is a proprietor in the Island who is bound by it, he is the person. Now, what are we to think of that hon. member saying that he and Mr. Douse knew the Act would not receive the Royal assent? There must be strange inconsistency somewhere. The passage in the Duke's despatch in reference to those proprietors who have not signed for the Commission, probably does not mean so much as some hon. members take from it. In a certain despatch received some years ago, it was stated that the troops should not be called out to collect rents, and other prospects were held out, which never came to anything. We know that the head of the Colonial Office department is very frequently changed, and the views of the present Secretary of State may not be entertained by his successor. I was not aware that so many landholders had signed the petitions against the award Act; and I am not a little surprised at the course pursued by Mr. John A. McDonald. I think the petitions must have had some influence with the Duke of Newcastle in withholding the Royal Assent from the Bill. This I think is evident from some passages in the despatch. It says that the question of Escheat should not de entertained by the Commissson. If the Government are not going to move that the House take up this matter in Committee, I will not attempt to force them.

Mr. HOWAT—I think we ought to have copies of these petitions before us; perhaps, however, it would not be in order to go into documents which are not here. But the House ought to have been furnished with copies of these petitions; all honest men should not be afraid to make known their assertions. The hon. member, Mr. Yeo, says he has nothing to do with the Commission. Why did he come before it, then, to make his statements if he had neither part nor lot in the matter? He is certainly in some measure bound by it when he voted for the Bill. I am of opinion that it will not be well for those proprietors who have not agreed to the Commission, as there is an agitation abroad on this question, and parties not submitting may find it difficult to collect their rents.

Hon. Mr. YEO—The hon. member asks why did I come before the Commission? I was sent for, and gave a statement to correct assertions made by others before the Court—I said nothing against the tenantry. And even the hon. member, Mr. Coles, acknowledged that I made a fair statement.

Mr. OWEN—I am astonished to hear the hon. member for Port Hill, who voted for the Act to give effect to the award of the Commissioners, say that he will not be bound by it. Why did he vote for the measure? Was it only to deceive the people?

Hon. Mr. LONGWORH—In regard to the hon. member, Mr. Yeo, appearing beofre the Commission, this is not exactly the matter to be considered. It was acknowledged, I believe, that he made a very fair statement before that Court. With respect to the subject under consideration, I am of opinion that as the parties who signed the memorials did not furnish His Excellency with copies of them, he could not intercept these documents on their way to the Colonial Office, for the purpose of copying them, as there is nothing in the Royal Instructions to warrant him in so doing. That is the place where they were intended to do their work, and from there we should receive them. The Government had no constitutional right to step in and say we must have copies of these petitions before they are transmitted. The only constitutional course that the Government can take is to send for copies of them to the Secretary of State for the Colonies, and this course we have taken. They can be sent for by the next mail; and when the petitions are laid before the House, we will then have an opportunity to judge of the arguments which they contain. These parties have the right to petition, but the House can take what course they please afterwards.

Hon. Col. GRAY—Though I have spoken, I have the right to reply. I merely wish to refer to a statement made by the hon. leader of the Opposition in regard to his not being aware that so many parties had signed the memorial. But, Sir, the petition of a person possessing 20,000 acres would be nearly of as much consequence as the memorial of these, with one exception. Four or five have signed it for one family. The others are chiefly women, who are generally very tenacious of their rights. The only person of much consequence who has signed the memorial is Mr. Bruce Stewart, who owns about 80,000 acres. The hon. member from Tryon says that no person had a right to appear before the Commission if he had neither part nor lot in the matter. I believe if his opinion is correct, I should have taken no part in the Commission. I was asked, before the Court at St. Eleanor's, by Mr. Charles Palmer, if I came there as a member of the Government. I replied that I came there in no such capacity, but only as a private citizen seeking the public good. It has been said that I, as a member of the Government, have taken part with the tenantry. Sir, I have taken no such course. I could not do so in my capacity as an Executive Councillor. I believe hon. members press rather hard on the hon. member, Mr. Yeo. The hon member for Murray Harbor said, the other day, that he believed the people would have been satisfied if the award of the Commissioners had been given, whether it was favorable or unfavorable. This is what is called a *lapsus*. And I think the hon. member from Port Hill made a *lapsus* when he stated that he knew the Bill to give effect to the report of the Commissioners would never pass at Home. The Act, it appears, was so worded that it would have affected every person who holds 50 acres of land, and therefore went too far. I think, however, he should have stated last Session, when the Bill was passing through the House, that he considered it was too sweeping.

Hon. Mr. YEO—So I did.

Mr. CONROY—I believe the hon. member Mr. Yeo never concealed his opinion that the Bill would never become law. Both he and Mr. Douse stated this at different times. I believe the opinion is general in the country, that the Government, with the exception of Hon. Col. Gray, were not sincere in passing this Bill, and therefore not desirous that it should receive the Royal assent. At St. Eleanor's when the Land Commissioners' Court was sitting, the tenants walked erect as if they expected to possess the land on which they were settled, and the proprietors were looking very dejected. I hope that the Commission, though it does not appear to promise much at present, will disappoint the proprietors still more than they were at the time of the sitting of the Court, and revive the hopes of the tenantry.

Hon. Mr. LAIRD—I think the hon. member from Tignish is unable to prove his statement that the Government were not sincere in passing the Bill. I for my part was quite sincere when I voted for the Bill that it should become law; and hope that it will yet turn out well.

Mr. BEER—I, too, cannot allow this aspersion to be cast upon the Government. I would never have given them my support if I thought they were not sincere. I cannot believe that the hon. member thinks they were not sincere, though he has made the statement.

Mr. DAVIES—I think the hon. member Mr. Laird might have gone further, and stated that it is not the general impression in the country that the Government were insincere in passing the Bill. It may be the impression in Tignish, but not so throughout the country.

Hon. Mr. LONGWORTH—The hon. member for Tignish has done no honor to the Hon. Col. Gray by excepting him in making his charge of insincerity against the Government, for if he has associated with such persons as the other members of the Government are said to be, his conduct must be inconsistent. I am astonished that the hon member should rise in his place and make this statement against such a body of men, that they were all insincere.

Mr. CONROY—I am very little acquainted with the opinion in the country beyond my own district, and if I said country, I particularly alluded to the district which I represent. But I am borne out in my statement that the Government were not sincere, by the admission of at least two of their supporters.

Hon. Mr. PERRY—Hon. members appear to me to have been fighting shadows for nearly an hour and a half. If the hon. member Mr. Conroy said that the opinion in the country was general that the Government were not sincere in regard to the Land Commission, I believe he has gone too far. I do not think this is the opinion in the district which I represent. There may be one or two members of the Government who were not sincere in supporting the Billl, but that they were all so, I think very few believe.

Hon. Mr. WHELAN—I have not had the opportunity of examining those documents which were this morning presented to the House, but as it appears we are not to be afforded the opportunity of discussing them hereafter, I feel called upon to make a few observations. With respect to the motives which induced the Government to bring forward this Bill, I must coincide with the hon member from Tignish that it is the general opinion they were not sincere. I know it is the opinion not only in Tignish, but generally throughout the Island from the North Cape to the East Point, that the Government are not sincere in their desire to settle this question. This information I have opportunities of obtaining in my position as a public journalist. But we are also aware that one member of the Government said he knew the Bill would never become law: and another gentleman, an hon. member who usually supports the Government, but not at present in his place, stated that he thought the Bill would be set aside. The hon. leader of the Government in this end of the building said that he did not consider it was necessary to pass the Bill, but that the Hon. Mr Palmer was of an opposite opinion. This hon. gentleman, however, who is the leader of the Government in the other end of the building, expressed himself differently in a speech which he delivered there a few days ago. He said—

"I acknowledge that I had strong misgivings as to the propriety of passing that Act: and I stated at the time I considered it doubtful whether it was couched in terms which would receive the Royal assent, but I did not hesitate to vote for it."

This does not say much for the legal acumen of the hon. leader of the Government. He comes down and attempts to cover his retreat in regard to the Bill not being recommended to receive the Royal assent, by saying he was doubtful whether it was couched in terms which would procure its passage at the Colonial Office. Copies of all the petitions sent home ought to have been kept; and it was the bounden duty of the Government to have taken notice of them, and counteracted their statements by a full and elaborate minute of Council, to be forwarded with them, and then brought down all the documents for the information of the Legislature. I will not impugn the motives of the advisers of His Excellency, but I cannot avoid thinking that if there was really that disposition on their part which they profess to have had, to see the Bill carried through all its stages, they would have made some effort to obtain for it the Royal assent. We have heard a great deal of their influence at the Colonial office, but we find that two of their measures of last Session have been rejected. Another Bill besides the Act in question was refused the Royal allowance. I believe that that Bill was passed to suit the interests of a member in this House.

Hon. Mr. HAVILAND—I, as a member of this House, will not submit to this insinuation. I move that the words be taken down.

The words, "I believe that the Bill was passed to suit the interests of a member in this House," were accordidgly taken down by the Clerk, and, the Standing Order having been moved, the House sat with closed doors up to the hour of adjournment.

D. LAIRD, Reporterr.

AFTERNOON SITTING.

Mr. Whelan having appeared in his place, the following resolution, agreed to in his absence, was read by the Clerk of the House:—

Resolved, That the Hon. Edward Whelan, one of the Members of this House, for the Second District of King's County, having, in debate, with the Speaker in the Chair, upon the Message of His Excellency the Lieutenant Govereor, relative to certain petitions of proprietors against the Bill for giving effect to the award of the Commissioners upon the land question, in alluding to the Bill passed by this House during its last Session, to authorize grants of the shores of this Island, asserted: "I believe that the Bill was passed to suit the interests of a member in this House," is guilty of an unmerited reflection upon this House, and of a breach of the privileges thereof, and that he, the said Hon. Edward Whelan be required to withdraw the words so used by him, in the following form:

"I apologize to this House, and withdraw the words so spoken by me."

Mr. Whelan then said—"I bow, Mr. Speaker, to the dictation of the House."

Mr. Whelan's apology having been accepted, he concluded his speech in the following words:—

Mr. Chairman, when the hour for adjourning arrived, I was about saying that I thought if there really were that disposition on the part of the majority which they professed to have, especially on the part of those who have the ear of His Excellency as his advisers, we would not have been brought to the humiliating position in which we are to-day, by having that Bill—perhaps the most important which ever passed this Legislature—in the position in which it is at present. Before the Despatch of the Duke of Newcastle was laid before the House, information was circulated that the Bill was only hung up at the Colonial Office, that the award would be given in by the Royal Commissioners in the course of the ensuing summer, and that then the Bill would go into operation; but now His Grace informs us there must be a new one passed—and that the Bill sent Home can never receive the Royal assent. I said if there really were that disposition on the part of those who professed to be such zealous friends of the tenantry, and of which they boasted in this House at public meetings, in the organ which represents their views, and elsewhere—if there were that *bona fide* zeal which was professed, they would have used their influence in preventing the disallowance of that Bill. It is notorious that petitions have had the effect of destroying it. I said this morning I believed the impression in the country was general—I do not say whether I share in it or not—that from the North Cape to the East Point the general impression is, that there is no sincerity on the part of this Government to have the land question settled. If the Bill itself was defective, it reflects little credit on the ingenuity and legal ability of those who framed it. Look at the conduct of the Government in relation to this whole matter. When the Commissioners arrived they were left perfectly at ease. They were gentlemen not acquainted with the politics of this country; they were not versed in anything which had reference to the land question; and when they came they had nothing placed in their hands but the resolutions introduced by the hon. Colonel Gray, which were passed by this House. Here was the whole machinery employed to put the Court of the Land Commissioners in operation. Would it not have been expected that gentlemen of the Government who had access to all the public records would have placed in their hands, and in the hands of the lawyers retained to vindicate the rights of the tenantry, all the documents which would have rendered them any assistance? Certainly; but they were left to fight the best battle they could. Even members of the Government kept aloof from the Court. The hon. Colonel Gray came, but it was, as he said, in a private capacity. I hold then that it was clearly the duty of the Government to have placed within their reach all the information which they could afford on the weighty subjects upon which the Royal Commissioners were engaged. But now we are informed by His Grace the Duke of Newcastle that the most important questions—questions which, perhaps, have been nearest the heart of the people of P. E. Island for years—are not to come within the scope of the inquiries of the Commissioners. As I understand it, there is to be nothing about Escheat, arrears of Rent, or the Fishery Reserves. *Now* it appears the Landlords will not be compelled to sell their lands upon terms disadvantageous to themselves; and that the award will only bind those who gave their assent to the reference. Such is the great measure of relief which our Government holds out to the people of this Island, notwithstanding the famous Land Commission. That there is a want of sincerity on the part or the Government in reference to this subject, I firmly believe; and from the bottom of my soul I believe that not one-thousandth part of the advantage which the the people of this Colony expect to result from the Land Commission, will ever be realized.

Hon. Col. GRAY said as new charges had been brought against the Government, he would like to have an opportunity afforded him to reply. After some discussion on a point of order, the Speaker decided that, as the hon. member the leader of the Government had spoken twice on the subject, it would be contrary to a rule of Parliament that he should speak again on the question; that if he did so, all the other members would have the privilege of addressing the House again.

Hon. Col. GRAY then remarked that when he rose to speak the second time to the question, he said that as hon. members had spoken he would reply, and such being his impression he spoke the second time in reply to what had been urged against the Government. The majority then concluded that it would be better to forgo the privilege of replying than to have the time of the House taken up by allowing members again to address the House on the subject which had just been discussed.

Mr. HOLM presented a petition from inhabitants of Strathalbyn, Lot 67, praying for a grant to aid in building a Temperance Hall,—received and read.

A number of petitions were also presented by hons. Messrs. Coles and Perry, and by Messrs. Owen and Davies, which were laid on the table.

Hon. Mr. HAVILAND moved the third reading of the Census Bill.

Hon. Mr. PERRY moved in amendment that it be referred back to Committee to have it amended in the Schedule by inserting a column in which to place the number of Acadian French individuals in each family.

Hon. Mr. COLES suggested that a column be also provided in which to insert the number of Volunteers.

Hon. Mr. HAVILAND said he had no objection to offer to Mr. Coles's suggestion, but thought the best record of the Volunteers was the Muster Rolls in the office of the Adjutant General.

Hon. Mr. COLES then spoke in favor of Mr. Perry's proposal.

Hon. Mr. LONGWOTH spoke against it, and said he considered it would be making an invidious distinction, as the Acadian French enjoyed the same rights and privileges as any class of Her Majesty's subjects.

Hon. Mr. PERRY said he had seen it stated in a newspaper published in Canada, that the population of the French Acadians in this Colony amounted to 15,000, and he had a desire to know what their number really was.

Hon. Col. GRAY said he was somewhat opposed to the proposal of the hon. Mr. Perry, and hoped he would not press his motion, as he could not foresee that any good would result from Mr. Perry's suggestion if carried out. He was of opinion that we, as a people, should strive to become amalgamated rather than keep up unnecessary distinctions.

A few other hon. members having spoken briefly to the suggestion of Mr. Perry, amendment was put and lost on the following division:—

Yeas: Hons. Messrs. Perry, Coles and Wightman; Messrs. Conroy, Sutherland, Sinclair and Cooper—7.

Nays: Hons Messrs Gray, Haviland, Laird, McAulay, Longworth and Yeo; Messrs. Owen, McNeill, Beer, Ramsay, Davies, Howat and Holm—13.

The Census Bill was then read a third time and passed.

Hon. Mr. LONGWORTH presented a memorial from the Right Rev. Peter McIntyre, Roman Catholic Bishop of Charlottetown, praying the House to pass an Act to incorporate him as Bishop, with suitable powers to enable him and his successor and successors in office to hold and acquire Real Estate in Prince Edward Island for religious and other necessary purposes, and with the other usual and accustomed corporate powers granted in similar cases for the benefit of the Roman Catholic Church in other British Provinces.

Hons. Mr. Longworth, Whelan and Mr. Conroy, were appointed a Committee to bring in a Bill in accordance with the prayer of the petition.

Hon. Mr. Longworth and hon. Col. Gray presented a few petitions, which were laid on the table; and hon. Mr. Coles and Mr. McNeill presented each a petition which were referred to special Committee.

Mr. HOWAT, as Chairman of the Committee on Private Bills, reported that the Committee had had under their consideration a Bill to authorize John Hunter to take the additional name of Duvar, and recommended that the House pass the same upon the payment of fees. The Report was agreed to, after which Hon. Mr. Haviland said he considered £5 sterling a sufficient sum to reimburse the House for passing the Bill; and after a few hon. members made a few remarks on this point, it was agreed that £5 stg. be the sum which Captain Hunter should pay.

Hon. Mr. HAVILAND asked leave to bring in a Bill which would provide for the organization of Volunteer Corps, which was granted, and the Bill was read the first time, and ordered to be read the second time on Wednesday next.

Mr. McNEILL asked leave to introduce a Bill to regulate the Currency, which was read the first time, and ordered to be read a second time on Thursday next.

The following members then received leave of absence—Mr. Holm, till Tuesday next; Hon. Mr. Longworth, till Thursday next; and Hon. Mr. Perry for one week. The House then adjourned.

J. D. GORDON, Reporter.

MONDAY, March 11.

The following petitions were presented:—By Hon. Col. Gray, a petition from Orwell rear; by Mr. Owen one from Lots 55 and 56—both praying for improvement in road communication. By Mr. Davies, a petition of Mary Kelly, widow, for aid to support two idiot children. By Mr. Beer a petition of Hugh M'Leod, praying a grant to enable him to proceed to his friends in Canada. By Hon. Col. Gray, a petition of Dennis Desmond, Postmaster, Souris, praying an increase of salary. By Hon. Mr. Yeo, a petition from Grenville, Lot 21, praying for a Post Office in that locality. By Mr. Howat, a petition from back settlement, Tryon, praying for an increased allowance to Henry Lecky, an unlicensed teacher; also a petition from Central Bedeque School district, praying for an Act to prevent the running at large of Swine in that district—referred to a special Committee to report thereon by Bill or otherwise.

MAIL STEAMER.

Mr. DAVIES.—It is rumored in Town that the *Lord Seaforth* instead of the *Westmorland* is to be put on the route, next summer, between Pictou, Charlottetown, and Shediac. I wish to ask the Government, whether or not this can be allowed by the agreement with the contractor?

Hon. Mr. HAVILAND.—I cannot answer this question from memory; but shall procure a copy of the contract which will speak for itself.

Hon. Mr. COLES.—It is sufficient for the contract to say that a good and efficient boat be kept on the route. Suppose only a particular boat were specified, and she were wrecked, how would it be then? Notwithstanding all that has been said about the *Westmorland*, she has been a credit to the Island.

Mr. DAVIES.—There are few if any persons on the Island qualified to inspect the machinery of the boat. As to the hull, individuals can easily be found competent to inspect that. Last year Mr. Coker inspected the *Westmorland*, but he would not undertake to pronounce upon her machinery. This is a matter that should receive attention, in order that the public may have confidence in whatever boat is placed upon the route. I merely asked the question in order that hon. members might have an opportunity of examining the contract.

Hon. Mr. HAVILAND.—I have a copy of the contract now in my hand. It was drawn out in the early part of the summer of 1857, and binds the contractor thus—

"On and from the first week of August next until the close of the navigation in the present year, and also every year for the space of five years thereafter, that is to say, during the years 1858, '59, '60, '61, '62, commencing in the spring of each year, so soon as the navigation is open, and from this to the close of the navigation in the same year, at his and their expense and charges, provide and keep for the purposes set forth in this agreement, a tight, staunch, seaworthy, and in constant repair, a good substantial and sufficient steamship vessel, called the *Westmorland*, or one equally good substantial and sufficient, and shall keep the said steam vessel supplied and furnished with engines of not less than one hundred horse power, having good accommodation for passengers, and properly equipped and manned."

From the wording of the agreement it is evident that the contractor is not bound to keep the *Westmorland* on the route, but a substantial and sufficient boat. It is perhaps very well that this question has been raised; and I, as one member of the Government, am resolved, whatever boat is on the station, that she shall be examined by as competent a surveyor as is to be found in the Colony.

Hon. Mr. COLES.—The boat comes under the laws of New Brunswick, as well as those of this Island, and she may be inspected there, or even at Pictou. The House cannot well come to any resolution on the point; the Government should look after the matter.

MEMBERS OBTAINING LEAVE OF ABSENCE.

A question was raised by Hon. Mr. Haviland as to whether an hon. member having obtained leave of absence, could return and take his seat before the time for which his leave was granted had expired. It was decided that if a member should return before his leave of absence had expired, take his seat, and state the circumstance in his place to the Speaker, his leave would be held as forfeited.

EXPIRING LAWS.

Mr. Owen from the Committee on expiring Laws presented a report, which stated that the Revenue Act would expire on the first of May; the Act to continue the Act exempting certain Bills of Exchange, Promissory notes, Contracts and Agreements, from the operation of the Laws relating to Usury, at the end of the present Session; and the Act relating to Packets sailing between this Island and the Provinces of New Brunswick and Nova Scotia, also at the end of the present Session.

The House then resolved itself into a Committee of the whole on the report, Mr. M'Aulay in the Chair.

When the paragraph was read in reference to the Act exempting certain Bills of Exchange, &c., from the Laws relating to Usury,

Hon. Mr. HAVILAND said, the experiment of leaving money to find its own level in the money market was first made in this Colony in 1854; and in 1857 the Act was continued up to the present time. He had not heard that the Act operated injuriously,—that there were any more complaints than when it was illegal to charge more than six per cent. interest. This Island was the first of the Colonies to follow in the wake of the Imperial Government in making exemptions to the Usury Laws, but he believed that the other Provinces had since all adopted the same course. In Britain, Usury laws were now done away with altogether. Temporary laws were very well when making an experiment; but as the principle of the Act under consideration had been established, he thought it might now be made permanent to save the expense of passing an Act now and again to continue it. He was of opinion that there could be no objection to continuing the Act, as he did not see that a person should be denied the right to make as much out of £100 in money as if he were to turn that amount into deals, or other commodities, and speculate upon them. Even under the Jewish economy, the usury laws was not universal. In every country, usury laws have been a failure, or when money was much needed, it had to be obtained at any rate of interest. He moved that the Act be continued and amended.

Mr. HOWAT was not disposed to make this Act permanent. For the last few years those persons who were commonly called "tight" had made much more than formerly. He thought the Act had retarded the prosperity of the country; men wishing to engage in business enterprises had been prevented from doing so, owing to the high rate of interest which they were required to pay. This was particularly the case in land affairs. On the same principle as this Act was based, millers should be permitted to take as much toll as they pleased.

Mr. DAVIES entertained quite a different opinion from the hon. member for Tryon. He thought money ought to be allowed to find its own level. Usury laws prevented persons having money from coming into the country. He did not see that such laws effected any good; the old law was avoided; a person would give so much money, and take a note that a larger amount should be paid back at a certain day. He (Mr. Davies) was in favor of continuing the Act.

Hon. Mr. YEO believed that by the Act, interest on land securities was restricted, and he thought that there could be no objection to the law being continued. Under the old Act persons found the way to evade it, when money was scarce. He thought the time for bills of exchange, &c., mentioned in the present Act might be extended to more than one year.

Mr. CONROY knew cases of people borrowing money who did not appear to understand what they were doing. Some money lenders gave it out in this Island currency and required it to be paid in Halifax currency, with interest.

Hon. Col. GRAY considered that to charge six per cent. interest, and, in addition, to require payment in Nova Scotia currency, was illegal. But the Usury law was violated, and might be said to be a dead letter. A person came to him not