

in operation, the former would soon outstrip the latter, as being the most eligible fishing station on the Island. The original conditions for grants of Town Lots were that they should be built on—of Foster lots, these were cleared, and some have been cleared for non-compliance with these terms.

Hon. Col. GRAY had been misapprehended by the hon. leader of the opposition. He was well aware that American Citizens could not vote at our elections. He was happy to perceive that his hon. member agreed with him as to the future prospects of Princeton.

Hon. SPEAKER.—If his hon. colleague had intended the disclaimer of obtaining a seat by merely nominating to apply to him, he would repudiate it with scorn. As a representative of the majority of resident electors, he was not inclined to believe the assertion. He was not in the habit of making improper allusions as to his hon. colleague was. It did not become his position in the House.

Hon. SINGLIER.—The hon. member, Mr. Howat, had asked why he had not sought to throw out Lot 18 from Princeton. The answer was, that the union of Lot 18 was the only means of preventing the resident voters of the latter from being entirely swamped by non-resident electors. The only object was to secure the privileges of the place, which had been sought to make the place a political centre for the political class, and he had been thwarted with the adverse opinions of his constituents, he was not afraid to give an account of his conduct. If he had intended to disfranchise Princeton, they could do so; but they should not be by the blame on his shoulders.

Hon. MONTGOMERY was in favour of the clause, as simplifying the election law, and tending to the use of the true and honest law in settling contested elections.

Hon. Mr. POPE.—The addition of Lot 18 to Princeton, and the increase of members to 31, was merely a political dodge to secure the late Government in power, but it had signally failed. It was opposed by them that the union of Lot 18 to Princeton and Royal would be the best support. He would prefer reducing the number of members to 24; but it was easier to increase than reduce. The proposed District, Lot 17, contained more houses and inhabitants than Lot 18 and Princeton combined. He should be happy to assist Mr. Sinclair in disfranchising the latter, and to support the Bill which would refer the matter to the care of the electors of Prince George County, in connection with a recent appointment to the Legislative Council, but that at the time of that appointment he was absent from Charlottetown, on account of illness in his family. When he heard of what had been done, he disapproved of it, and he requested the assistance of his colleagues, who had some idea that the appointment had been made without consideration of the peculiar claims of Prince County, and that it should in future receive ample justice as regarded representation in both branches of the Legislature.

Hon. Mr. COLES.—Prince County had just cause of complaint at the slight which the Government had put on it in the late appointment to the Legislative Council. They had three seats at their disposal, and they had filled them all with gentlemen from Queen's County, which had previously an undue preponderance in the body. It was a species of partiality, and he would be glad to see the Council reformed, and that the hon. Mr. POPE should be present at the Council, and that some of the Government to have obtained his opinion before filling the vacancies, more especially so when it was considered that that county had been excluded by the resignation of a gentleman from Prince County. The hon. member then mentioned the following relative numbers, viz.—9 members from Queen's, 2 from King's, and 1 from Prince County.

Hon. Mr. LONGWORTH.—The question relative to the Legislative Council was not properly before the House. The hon. leader of the opposition would not receive the thanks of the people of Prince County for his speech. The only object was to give the Government, if he could, it was sufficient to show that it was not a just measure as intended by the Government. King's County would have an equal ground of complaint, as to inequality of local representation; and in Nova Scotia, out of a Council consisting of some 20 members, 11 or 12 were residents of Halifax, while Cape Breton, an Island larger than this, sent but 2.

After some observation of a personal character, Mr. Sinclair's amendment was put and lost on the following division:— Ayes—Messrs. Whelan, Coles, Conroy, Sinclair, Sutherland, Knight, &c. Noes—Messrs. Wightman, Davies, Howat, Laird, Haviland, Leitch, Beer, Gray, Montgomery, Yeo, Ramsay, Pope, Speaker, &c.

The original clause then passed. On the clause requiring an elector, on Statute Labor qualification, to produce a certificate of having performed his Statute Labor, when required at the polls, having been read, Hon. Mr. COLES objected, as it would put it in the power of any partisan overseer to increase the number of voters by giving false certificates. If a receipt were produced, a candidate would be obliged to disprove it, unless it were shown they allow the vote to be recorded, unquestioned. The law did not compel the overseer to give the receipt for the confirmation money, and in a majority of cases he did not do so. The elector should not be bound to keep his receipts. All documents were to be left in the hands of the returning officer; and in case of a re-election, after a scrutiny, how was the voter to produce a receipt at the polls, when it had been forwarded to the Secretary of the Government, and was connected with the controlled vote? Besides, there were many efficient overseers who could not give the certificate, on account of their inability to write. The clause had to be omitted; it would create difficulty and delay at the hustings, without any compensating improvement.

Hon. Mr. LONGWORTH.—Last session it had been proved before the House that parties had voted two or three times, when they had no legal right to do so. The class of electors who were merely on the Statute Labor qualification, were not so well known as those who were on the franchise, and check was absolutely necessary to prevent the abuse of the franchise. If the genuineness of the receipt were disputed, the voter could be sworn. There was a provision that the receipts were to be handed back to the owners, and if they were lost the overseer would be required to furnish new ones. The Statute Labor Act was in process of amendment, to compel overseers to give receipts, under heavy penalties. The measure would have the effect of preventing illegal voting, and causing parties to work on the honest and fair competition. At present young men employed in ships and other places, were in the habit of voting on the Statute Labor qualification, representing that relatives had done their road work for them.

Mr. CONROY.—It would be impossible for the returning officer to return the receipts, which might amount to 500 or 600, and he would not be able to do so. The receipts were not to be returned, but the party tendering it had to be sworn to the Statute Labor, but it might be that he had no receipt with him. Many overseers were unable to write, and even on those who could, a vast amount of additional labor would be imposed, as well as a great power of influencing elections.

Hon. Mr. BEER.—Members seemed to be under the impression that nearly all electors vote on the Statute Labor qualification, but the fact was that the majority were composed of leaseholders, who were not on the Statute Labor. The evil to be remedied was in the case of transient persons, some of whom were in the habit of going from one polling place to another and boasting of the number of times they had voted.

Mr. DAVIES would support any measure which might tend to check the tendency to false swearing and immorality, which the present system fostered. The revenue was too small to admit the adoption of the system of registration. The clause would, in his opinion, have the effect of creating a great degree of the evil, which resulted from the imperfections of the law as it at present stood.

Hon. Mr. HAVILAND.—The objection that overseers could not comply with the provisions of the clause from their inability to write, was of no weight; because such disability would afford a sufficient reason against their appointment, for they were required to keep records, and to make returns to the Government. Any public officer declining to perform the duties of his situation, was liable to prosecution as a misdemeanour, besides being responsible for damages at the suit of any person aggrieved by his misconduct.

Some conversation ensued as to the propriety of inserting in the Act, a penalty to be imposed on overseers refusing to give a certificate. It was suggested that such enactment could more appropriately form a portion of the Highway Act.

Hon. Mr. HAVILAND moved the first reading of a Bill to amend the Act for the Registration of Deeds. The Bill provided for the Registry of a Deed on proof of the handwriting of the witness or grantor, in case of the death or absence from the Island of the former, and read a first clause.

The Committee on the Election Law was resumed. Mr. MONTGOMERY having proposed that the polling place for electors on Lot 22, residing on the North side of the Malpasque road, should vote at the polling place in Lot 7; and Mr. OWEN having suggested a transfer of the polling place in the 3rd District of King's County, from Narrow's Creek to Grand River Bridge, it was agreed that the disposition of the polling places should form the subject of a separate clause after members should have had an opportunity of deliberation on the subject.

The clause providing that the oath of the legality of a vote should be developed upon the party maintaining it, after production of prima facie evidence adduced against its validity, was, after objections from Mr. Coles, that the party paying a vote should prove his case, was rejected. The hon. Mr. HAVILAND and Mr. Howat, and others considering that the sufficient evidence in the majority of cases, which questions might arise, such for instance as to the age of a voter, the period of his residence in the Island, &c., would be in the sole possession of the party voting.

Hon. Mr. POPE introduced the resolution which has been already published on the subject of transferring the electoral franchise of a Town from Lot 18, in Lot 17, which will be a brief repetition of the arguments pro and con which have been already given to the public. Progress was then reported.

W. H. Howat, Reporter.

STATUTE LABOR BILL.

Hon. Mr. LONGWORTH.—I beg leave to present a Bill to make certain alterations in the Statute Labor Act. It has been already intimated that the Government intended to introduce a measure to improve the present road system, as well as to give effect to that part of the Election Bill which requires electors to produce certificates from road overseers. The principal alteration contemplated in the Statute Labor Act, is in the mode of appointing overseers, which there have been so many complaints, that the Government considered it necessary to introduce some measure with the view of keeping them in a constant state of repair. After giving the subject mature consideration, they have come to the conclusion that the best method is to authorize the Commissioners to let these roads by contract for a certain number of years, subject to the approval of the Government. Perhaps the best method of all would be to appoint a Road Supervisor, as is done in the neighboring Colonies, to whom all returns are made. But the revenue of the Colony will not, at present, admit of this course. We are burdened with a heavy public debt, which it behoves us, if possible, to diminish before we proceed to any new outlay. It is presumed, however, that the alteration contemplated by the Bill will have a very good effect. Those who reside in the most remote parts of the Island, and who are unable to pay their commutation money, as heretofore; but the contractor shall have the benefit of such labor or money, the amount of which he will be able to form an estimate at the time of taking the contract. The post roads intended to come under this provision are those leading from Charlottetown to the following places, namely: Georgetown, Summerside via St. Peter's, Peter's, Hope's, Corner Bay, Tison and Cape Fawcett. But such parts of these roads as are included in the Charlotetown and Royalville districts, are to be excepted. The other provision has been incidentally referred to in the debate on the Election Bill. It requires road overseers, under stringent regulations, to furnish certificates to those who have been appointed to the Statute Labor Act; and if any of these certificates happen to be lost, they are bound to furnish a duplicate. The Bill also provides that all road overseers shall send in their returns to the Commissioners, who shall forward them to the Road Correspondent, in whose office they are to be kept for reference. But I have omitted to mention that the Bill contemplates another important alteration. The commutation money is to be reduced from 4s. to 3s. throughout the Island. This is an encouragement all to pay, because it has been ascertained that more work can be obtained for this sum, than is usually performed under the statute labor provision.

The Bill was then read a first time.

Hon. Mr. LONGWORTH moved that the order against reading this clause on the same day, be suspended, and that it be read a second time on Monday.

Hon. Mr. COLES.—An important bill like this should not be hurried through the House; time should be given to members to thoroughly weigh its provisions. The parts of the post roads within 5 or 6 miles of Charlottetown, which are excepted in the bill, are just those that most require to be let by contract for a number of years. Beyond that distance they are not so liable to be cut up, for the traveling is less, consequently no repairing in the season is almost sufficient. With respect to the system proposed, I consider that our Road Commissioners, not being scientifically trained, are incapable of superintending the performance of such contracts; the majority of them are entirely ignorant of the proper method of either making roads or constructing bridges. The very man in the Island who is best qualified for the Commissioner's office has lately been dismissed. I allude to the hon. member from Cardigan, on my right, who has for a long time discharged the duties of that office with credit to himself, and advantage to the Colony. I believe that if a proper Road Supervisor were appointed, it would be a saving to the country, besides a consideration on account of having the roads made on one uniform system, which cannot be the case while a number of differently qualified Commissioners are to have charge of the contracts. How absurd to talk of the Colony being in debt, as is not to be able to afford the salary of a Supervisor, when we are called upon every year to vote large sums to repair bridges which have been improperly constructed, and which should be appointed, and give him a salary of £100 a year, and my conviction is that hundreds of pounds would be saved to the Colony every season. To let roads by contract, on which Statute Labor is performed, will, I fear, occasion much trouble. The contractors will be continually complaining that the people have not wrought the full time required by law, and petitions will be coming before the House every year on the subject. The Statute Labor should be performed on the side road, and the repair of post roads solely entrusted to the contractors.

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Mr. BEER.—Allusion has been made to the system of repairing the roads in the vicinity of Charlottetown. I think the system, if properly carried out, is good; but though the hon. Commissioner for these roads does very well, yet it is not altogether so good as all the money at his disposal in two or three months, at the first of the season, so that in Autumn, when the roads became bad, he was unable to employ any person to work on them. There is something to do on these roads all the time, and the money should be laid out gradually, as required.

On motion of Hon. Mr. Longworth, it was ordered that the Bill be read a second time to-morrow.

The House then adjourned for one hour.

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The House then spent some time in Committee of Supply.

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Mr. Beer was opposed to the resolution. He thought it was unnecessary to import money into the Island this year, there being a number of such horses already in the Colony.

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The hon. the Speaker, Messrs. Howat, Sinclair and McAvoy, had no objection to the resolution, provided that the services of the Horse were not confined to Queen's County, but also extended to the other Counties. The resolution was agreed to.

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THURSDAY, March 22. STATUTE LABOR BILL. Hon. Mr. LONGWORTH.—I beg leave to present a Bill to make certain alterations in the Statute Labor Act. It has been already intimated that the Government intended to introduce a measure to improve the present road system, as well as to give effect to that part of the Election Bill which requires electors to produce certificates from road overseers. The principal alteration contemplated in the Statute Labor Act, is in the mode of appointing overseers, which there have been so many complaints, that the Government considered it necessary to introduce some measure with the view of keeping them in a constant state of repair. After giving the subject mature consideration, they have come to the conclusion that the best method is to authorize the Commissioners to let these roads by contract for a certain number of years, subject to the approval of the Government. Perhaps the best method of all would be to appoint a Road Supervisor, as is done in the neighboring Colonies, to whom all returns are made. But the revenue of the Colony will not, at present, admit of this course. We are burdened with a heavy public debt, which it behoves us, if possible, to diminish before we proceed to any new outlay. It is presumed, however, that the alteration contemplated by the Bill will have a very good effect. Those who reside in the most remote parts of the Island, and who are unable to pay their commutation money, as heretofore; but the contractor shall have the benefit of such labor or money, the amount of which he will be able to form an estimate at the time of taking the contract. The post roads intended to come under this provision are those leading from Charlottetown to the following places, namely: Georgetown, Summerside via St. Peter's, Peter's, Hope's, Corner Bay, Tison and Cape Fawcett. But such parts of these roads as are included in the Charlotetown and Royalville districts, are to be excepted. The other provision has been incidentally referred to in the debate on the Election Bill. It requires road overseers, under stringent regulations, to furnish certificates to those who have been appointed to the Statute Labor Act; and if any of these certificates happen to be lost, they are bound to furnish a duplicate. The Bill also provides that all road overseers shall send in their returns to the Commissioners, who shall forward them to the Road Correspondent, in whose office they are to be kept for reference. But I have omitted to mention that the Bill contemplates another important alteration. The commutation money is to be reduced from 4s. to 3s. throughout the Island. This is an encouragement all to pay, because it has been ascertained that more work can be obtained for this sum, than is usually performed under the statute labor provision.

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THURSDAY, April 12. Resolution relative to the appropriation for Post Roads was received and agreed to. House went into Committee on the report of Special Committee on New Roads—report agreed to with an amendment.

Mr. Montgomery presented a petition from Cropland, praying for a Court of Inquiry, which was read and laid on the table.

THURSDAY, April 12. House again in Committee on the Small Debt Bill. Progress was reported.

Hon. Mr. Longworth moved the order of the day for the second reading of the Small Debt Bill.

Some discussion ensued (which will be given in extended details) in the course of which Mr. Coles moved in amendment, that the Bill be read this day three months—Amendment negatived, 10 to 3.

The House then resolved itself into Committee on the Bill. Progress reported.

Hon. Mr. Longworth rose to answer a question which hon. Mr. Whelan had asked members of the Government on Saturday, in reference to the appropriation which would be required for the Post Roads under the Statute Labor Bill. The Government had taken the subject into consideration, and as they could not consent that the whole amount for this year should be taken out of the general revenue, they had come to the conclusion that each County should appropriate for these roads a part of its share of the £5000 voted for roads and bridges. Formerly it was customary to grant Queen's County a larger sum than the other two; but this year the House had thought proper to place the whole three on an equal footing. Under these circumstances, though the Government considered it would be a fair division of the £5000 among the three Counties, each should allow £1666 and 2/3, and Queen's County £1000 for this service. It was presumed that not more than £500 or £600 would be required, and the remainder after the £2500 was expended, might be taken out of the general revenue under the provisions of the Bill.

Hon. Mr. Coles thought if £2500 was all they intended to take from the Counties, it was scarcely worth disturbing the road scales, which some hon. members had already prepared. This sum would make a considerable reduction in the amounts allowed to the different districts, but it would not be in accordance with the general revenue. Members in making out their scales would find that they had quite too little without this reduction. An application had just come in today for a grant to repair a bridge at Cove Head, and he sincerely knew how it was to be done. The sum asked last year for continuing the bridge, he understood, was not all expended, and with the money granted for the same purpose this year, and a small sum additional from the general revenue, he thought the amount required for the Post Roads might be made up.

Mr. Cooper considered it was unnecessary to make a special appropriation for the Post Roads this year. Perhaps the Legislative Council might reject the Bill, but even if it became law, he thought it would be a fair division of the £5000 among the three Counties, and the roads this spring might be repaired in the usual manner.

Hon. Mr. HAVILAND said it was quite reasonable that the money for the Post Roads should be taken out of the £5000 voted for the road service; because if the Bill had not been introduced this session, provision would have been made for them out of this sum, and why should it not be so still? He felt that he would not consent to take the whole amount required for the Post Roads out of the general revenue, as it would be a heavy burden on the Colony; but he might be considered a bad precedent, if he agreed to go into Supply.

Committee on the resolution granting £5000 for the road service be re-considered, and amended, so as to specify that £100 should be taken from the share allotted to Queen's County, and £75 from the share of each of the other two Counties, and £250 to be appropriated for the main post road.

House again in committee on the Small Debt Bill. Progress was reported, and the House adjourned.

THURSDAY, April 12. House again in Committee on the Small Debt Bill. Progress was reported.

Mr. Beier moved the Committee appointed to bring in a Bill to amend the Act for preventing Scurvy running at large in Summerside, reported a draft, which was read a first time.

Hon. Mr. HAVILAND introduced a Bill to prevent fraud by secret Bills of Sale—read a first time.

THURSDAY, April 12. House met at 4 o'clock. The Bill relating to Scurvy at Summerside, read a second time, committed, and agreed to with an amendment.

Hon. Col. Gray, by command, presented a copy of a Despatch from His Grace the Duke of Newcastle in reference to the Revenue Act last session.

Hon. Col. Gray introduced a Bill to incorporate the Minister and Trustees of the Church at Little Sands—read a first time.

Hon. Mr. McNeill from the Committee of Public Accounts, presented their report, which was referred to a Committee of the whole to-morrow.

Hon. Mr. Longworth presented a petition from Rustico and St. George's, praying for a Court of Inquiry—laid on the table.

Hon. Mr. HAVILAND's Bill to prevent fraud by granting liberty to file Bills of Sale in the Probatory's office of the County, was committed and reported agreed to without amendment.

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THURSDAY, April 12. House again in Committee on the Small Debt Bill. Progress was reported.

Hon. Mr. Longworth moved the order of the day for the second reading of the Small Debt Bill.

Some discussion ensued (which will be given in extended details) in the course of which Mr. Coles moved in amendment, that the Bill be read this day three months—Amendment negatived, 10 to 3.

The House then resolved itself into Committee on the Bill. Progress reported.

Hon. Mr. Longworth rose to answer a question which hon. Mr. Whelan had asked members of the Government on Saturday, in reference to the appropriation which would be required for the Post Roads under the Statute Labor Bill. The Government had taken the subject into consideration, and as they could not consent that the whole amount for this year should be taken out of the general revenue, they had come to the conclusion that each County should appropriate for these roads a part of its share of the £5000 voted for roads and bridges. Formerly it was customary to grant Queen's County a larger sum than the other two; but this year the House had thought proper to place the whole three on an equal footing. Under these circumstances, though the Government considered it would be a fair division of the £5000 among the three Counties, each should allow £1666 and 2/3, and Queen's County £1000 for this service. It was presumed that not more than £500 or £600 would be required, and the remainder after the £2500 was expended, might be taken out of the general revenue under the provisions of the Bill.

Hon. Mr. Coles thought if £2500 was all they intended to take from the Counties, it was scarcely worth disturbing the road scales, which some hon. members had already prepared. This sum would make a considerable reduction in the amounts allowed to the different districts, but it would not be in accordance with the general revenue. Members in making out their scales would find that they had quite too little without this reduction. An application had just come in today for a grant to repair a bridge at Cove Head, and he sincerely knew how it was to be done. The sum asked last year for continuing the bridge, he understood, was not all expended, and with the money granted for the same purpose this year, and a small sum additional from the general revenue, he thought the amount required for the Post Roads might be made up.

Mr. Cooper considered it was unnecessary to make a special appropriation for the Post Roads this year. Perhaps the Legislative Council might reject the Bill, but even if it became law, he thought it would be a fair division of the £5000 among the three Counties, and the roads this spring might be repaired in the usual manner.

Hon. Mr. HAVILAND said it was quite reasonable that the money for the Post Roads should be taken out of the £5000 voted for the road service; because if the Bill had not been introduced this session, provision would have been made for them out of this sum, and why should it not be so still? He felt that he would not consent to take the whole amount required for the Post Roads out of the general revenue, as it would be a heavy burden on the Colony; but he might be considered a bad precedent, if he agreed to go into Supply.

Committee on the resolution granting £5000 for the road service be re-considered, and amended, so as to specify that £100 should be taken from the share allotted to Queen's County, and £75 from the share of each of the other two Counties, and £250 to be appropriated for the main post road.

House again in committee on the Small Debt Bill. Progress was reported, and the House adjourned.

THURSDAY, April 12. House again in Committee on the Small Debt Bill. Progress was reported.

Mr. Beier moved the Committee appointed to bring in a Bill to amend the Act for preventing Scurvy running at large in Summerside, reported a draft, which was read a first time.

Hon. Mr. HAVILAND introduced a Bill to prevent fraud by secret Bills of Sale—read a first time.

THURSDAY, April 12. House met at 4 o'clock. The Bill relating to Scurvy at Summerside, read a second time, committed, and agreed to with an amendment.

Hon. Col. Gray, by command, presented a copy of a Despatch from His Grace the Duke of Newcastle in reference to the Revenue Act last session.

Hon. Col. Gray introduced a Bill to incorporate the Minister and Trustees of the Church at Little Sands—read a first time.

Hon. Mr. McNeill from the Committee of Public Accounts, presented their report, which was referred to a Committee of the whole to-morrow.

Hon. Mr. Longworth presented a petition from Rustico and St. George's, praying for a Court of Inquiry—laid on the table.