…AMINER EXTRA.

Charlottetown, Monday, February 27, 1871.

DEBATES OF THE HOUSE OF ASSEMBLY.

MEETING OF THE LEGISLATURE.

WEDNESDAY, February 15th, 1871.—At 3 o'clock, P. M., the Lieutenant Governor was pleased to command the attendance of the Members of the House of Assembly at the Bar of the Council Chamber. Accordingly the Members appeared before His Honor; and, after the usual formalities, returned to the Assembly Room to choose their Speaker, when,

On motion of the Hon. J. C. Pope, seconded by Hon. F. Brecken, Attorney General, the Hon. John Yeo was appointed Speaker.

His Honor the Speaker having suitably acknowledged the high honor conferred on him, the Speaker elect, with the House, then went up to the Council Chamber, when His Honor, W. C. F. ROBINSON, was pleased to open the First Session of the Twenty-fourth General Assembly of this Island, with the following

SPEECH:

President, and Honorable Gentlemen of the Legislative Council:

Speaker, and Gentlemen of the House of …bly:

…affords me great satisfaction to …ge my official intercourse with the Representative Branches of the Legislature of P… Island. I am glad to have an opportunity …eeting you so soon after my arrival, and …se this occasion to solicit at your hands …t cordial co-operation and support, without …hich I cannot hope to acquit myself as I …hould wish of the highly responsible duties …hich the Queen has been graciously pleased …entrust to my care.

…no opportunity of making myself ac… …inted with local wants and circumstances, the hope that my advice and assistance … be, in some measure, subservient to the … good, and, while congratulating you …ncreasing prosperity of the Colony, …ced by the Statistics and Returns …l be communicated to you during … of the Session, I trust you … that I have no earnester w…h … after you may be able to l…k …ministration as a period during …re …f the people was the chief …and desire of those entrusted with the …gement of public affairs.

…ad the pleasure of assisting at the …g of the General Exhibition, which …l in Charlottetown shortly after my … Impressed with the importance of …ging competition amongst those en… …n industrial pursuits, I was glad to …yself of that early opportunity of ex… …some of the staple products of the …and I was much struck with the …ty and progress which the …alled. We have no little cause … grateful … the protection vouchsafed … past year; an abundant … undisturbed public health, general … peace, are blessings for which … too earnestly thankful, … of duty to acknowledge with … and humble gratitude.

…Gentlemen of the House of … Estimat…

…been carefully prepar… …mitted to you, accom… …annual accounts. You …sure, that an improve… …the Revenue last year …f over £4000, and I am con… …will provide for the require… …nt year with such liberality …y Government fully to main… …y of all departments of the …

…d Honorable Gentlemen of …tive Council:

…and Gentlemen of the House of …

…ral important subjects will …ou—among them you will … the Secretary of State, … Majesty from the Leg… …subject of the Farm… …Gove… House, and also a …ation in … I am instructed to …e Legis… for legal authority … the … arms from P. E … occas… …y require, and of … to invi… consideration.

…e prohibitory in… …ssued to Custom … month of August, with prevailing practice of ad… …ates fishing vessels to entry … Colony, have since been … to Her Majesty's …ministration, and … from the Secretary … suspend the restric… …mn the Local Govern… …e.

… been made to… … the new Public …wo, which, it is ex… …occupation in Sep… …ed accommodation …ble for the several … will facilitate the …ness, and afford …records, to the …hey should be …

…lating to … …ceiv… …has …rder … the … re… …fail … peri… …ed by …luable …

… imposed …rms of the … to … that …uitors. … the Courts …f the trial … upon the …

…s f…r the …ctions of …quate, …er the …hrough …ater in …public …

…oes not …ter the …n have …, com… …e funds

for the enlargement of the Asylum, in order that it may be rendered commensurate to the present requirements of the Colony.

Having now communicated to you my views on the questions which will probably occupy your chief attention on this occasion, I will no longer detain you from their consideration. It is my sincere desire that cordial relations may be established between your Hon. Houses and myself, and that the Session may result in legislation satisfactory to yourselves, and beneficial to the whole community.

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

On motion of Hon. J. C. Pope, seconded by Hon G. W. Howlan, John McNeill, Esq., was re-appointed Clerk of the House.

On motion of Hon. Attorney General, seconded by Hon. B. Davies, Mr. William McLean was appointed Assistant Clerk.

On motion of Hon. Mr. Howlan, seconded by Hon. L. C. Owen, Nicholas Conroy, Esq., was appointed Sergeant-at-arms.

On motion of Hon. Attorney General, seconded by Hon. Mr Wightman, Rev. Thomas Duncan was appointed Chaplain to the House.

On motion of Hon. Mr. Owen, seconded by Hon. Mr. Howlan, Dennis O M. Reddin, Esq., was appointed Law Clerk to the House.

On motion of Hon Attorney General, seconded by Hon. Mr. Perry, Mr. Angus McKinnon was appointed Messenger.

Moved by the Hon. J. C. Pope, seconded by the Hon. Attorney General, that Messrs. Isaac Oxenham, Robert Gordon and William M. Howe, be appointed Reporters to the House.

Hon. B. Davies moved in amendment, seconded by Mr. W. S. McNeill, that the name of "Isaac Oxenham" be struck out of Hon. Mr. Pope's motion, and that of "Benjamin Balderson" be inserted in lieu thereof.

The question being put, the House then divided as follows:—

For the amendment—Hons. B. Davies, Callbeck, Wightman; Messrs. McNeill, Hooper, McMillan, McLean—7.

Against it—Hons. Pope, Howlan, Owen, Attorney General, Duncan, Kelly, D Davies, McEachern, Perry: Messrs. Robertson, Munro, Beer, Arsenault, Richards, A. C MacDonald, J. A. McDonald, LeFurgy, Reilly, Moar—19.

The main motion being then put, it was resolved in the affirmative.

Hon. J. C. POPE said that he deemed it but right and proper to announce to Mr. Speaker and the House that, after the last General Election, the Government had resigned, and His Honor the Administrator had commanded him to form a new Government, which was accordingly done. His Honor the Lieutenant Governor's responsible advisers now comprise the Hon. J. C. Pope, President of the Council; Hon. T. H. Haviland, Colonial Secretary; Hon. F. Brecken, Attorney General; Hon. Andrew A. McDonald, Hon. George W. Howlan, Hon. L. C. Owen, Hon. John Yeo, Hon. Emanuel McEachen, Hon. James Duncan.

The following Committees were then appointed;

Committee to prepare Draft Address in answer to the Speech of His Honor the Lieutenant Governor—Messrs. Robertson, A. C. McDonald, Arsenault, Reilly, Beer, Munro, LeFurgy,

Committee on Public Accounts—Mr. A. C. McDonald, Hon. D. Davies, Mr. Beer Hon. Mr. Perry, Mr. McLean, Mr. Richards, Mr. McNeill.

Committee on good Correspondence—Hons. Howlan, Owen, Wightman, B. Davies; Messrs. Richards, J. A McDonald.

Committee to examine Bills to be engrossed, &c.—Messrs. Munro, Robertson, Arsenault, McLean; Hon. Mr. Callbeck.

Hon. Mr. Perry moved seconded by Hon. Mr. McEachen, that a Committee of three Members be appointed to provide Stationery for the use of the House during the Session.

Hon. B. Davies moved, seconded by Mr. McNeill, that all under the word "Resolved" be struck out, and the following substituted, "That a Committee of three persons be appointed to report on the best means of providing Stationery for the use of the Members of the House, for the present Session"; and said that he felt it to be his duty to oppose Mr. Perry's motion, on the ground that it required a much larger sum of money to provide Stationery under the system proposed, than under the one adopted last Session. Before the latter plan was adopted, £160, or more had been spent during a single Session for Stationary for the use of the Members of the House. There was, therefore, a necessity for amendment; and, during the last two Sessions, the sum of three pounds was allowed to each Member for Stationery. The system lately adopted had been found to work well.

Hon J. C. POPE thought it beneath the dignity of that hon. House to allow each Member a sum of £3 to procure his Stationery. It implied that hon. members could not be trusted in that trifling matter, and, therefore, was a reflection on their honor. If the members were not fit to be trusted, why were they returned by the people to this House? Some hon. members use very little Stationery, while others use a moderate quantity; but a sufficient allowance should be provided.

Mr. McNEILL had insisted on the plan adopted last Session, for it was much required. He considered that system a good one, and the means of a considerable saving of the public money. The sum of three pounds was quite sufficient to purchase all the Stationery required by each member during the Session, and he would, therefore, oppose going back to the old system.

Hon. Mr. PERRY said that to limit each hon. member to three pounds to purchase his own Stationary, appeared to him a very small affair, and, after all, would not be the means of a saving of more than ten pounds.

Hon. Mr. HOWLAN had examined the Returns containing the expenditure for each Session, during the past four years, and found that the expenses of last Session were greater than those of any preceding it. It is reflecting on the House of Assembly, to say that hon. members cannot be trusted with a little Stationery. Under the system adopted last Session, there was but little stationery used, and even the Reporters had to purchase for themselves what they required. He thought that the adoption of such a plan was derogatory to the dignity of the House of Assembly. If a Committee were appointed, the quantity of Stationery would be limited to a moderate supply. If hon. members could not trust themselves with a little Stationery, they were not to be trusted by the people in return.

The question, on the amendment, being then put, the House divided as follows:

YEAS—Hons. B Davies, Wightman Callbeck; Messrs. McNeill, Hooper, McLean, McMillan—7.

NAYS—Hons. Perry, McEachen, Owen, Attorney General, Howlan, Pope, Duncan, D. Davies, Kelly; Messrs. Reilly, Moar, LeFurgy, Richards, J. A. McDonald, A. C. McDonald, Munro, Robertson, Beer, Arsenault—19.

The question being then put on the original motion, it was carried in the affirmative.

Ordered, that Hons. Perry, Owen, and B. Davies, do compose said Committee.

On motion of Hon. Mr. Pope, seconded by Hon. Mr. Howlan,

Resolved, That the Assistant Colonial Secretary do forthwith appear at the Bar of the House, with the writ of Election for the Fourth Electoral District of Prince County, and the return thereto, the Poll Books and other documents relating to the said Return.

Committee on Expiring Laws—Hons. Attorney General, Kelly, B Davies.

Committee on Private Bills—Hons Kelly, Attorney General, Perry; Messrs. Reilly, McNeill.

Library Committee—Hons. Attorney General, Owen, B. Davies; Messrs. A. C. MacDonald, Robertson.

Committee on standing Rules and Orders—Hons. Owen, Perry; Messrs. Richards, LeFurgy Beer.

The Assistant Colonial Secretary appeared at the Bar of the House, and delivered the Writ of Election for the Fourth Electoral District of Prince County, with Returns, &c, Cornelius Howatt, Esq., took the usual oaths, and his seat as a Member of the House for said District.

Committee on Journals—Hon. Mr. Perry; Messrs Moar, McLean.

On motion of Hon. J. C. Pope seconded by Hon. Mr. Perry, Mr. A. McNeill was appointed Summary Reporter.

On motion of Hon. Mr. Pope, seconded by Mr McEachen, it was Resolved, that the Postage on all letters and printed Papers, both Foreign and Inland, to Members of the House, shall be charged to the Contingent Account of the House.

On motion of Hon. Mr Pope, seconded by the Hon. Attorney General, Resolved, That the Assistant Colonial Secretary do forthwith appear at the Bar of the House, with the Writ of Election for the First Electoral District of Queen's County, and the Returns, Poll Books and other documents.

Hon. B. DAVIES protested against the action of the Government in reference to the return of the Members for the First Electoral District of Queen's County. He was of the opinion that the Government acted unconstitutionally in preventing the Members declared to be elected by the Sheriff, from taking their seats in the House at the opening of the Session. As those two Members had not been allowed to take their seats the House was not legally constituted; and, therefore, all its subsequent actions were illegal. That was not the time to bring in those Election returns; they should have been brought in in the morning, and the Members elected should have taken their seats and after that a protest could have been made against their return.

Hon. ATTORNEY GENERAL thought that the remarks which fell from the hon. member for Belfast, had come with peculiarly bad grace from him. He (Hon. Attorney General) did not at present intend to discuss the legal merits of the case, for it would be time enough to do so when the Returns are before the House. After the late Election, the late Government, of which the hon member was Colonial Secretary, summoned their supporters, who had just been elected, to a caucus Now, Sir, whom did he summon from the first District of Queen's County? Was it his new found friend, Mr. Laird? No, Sir, it was Mr. Cameron who was summoned to that Caucus. If the hon. member then believed Mr. Cameron duly elected, why did he now trifle with the privileges of the House in putting forward Mr. Laird? If the latter was duly elected, how did he dare to summon Mr. Cameron to the Caucus, and reject Mr. Laird? The hon. member is of opinion that the High Sheriff declared Mr. Laird elected for the First District, Queen's County; he (Hon. Attorney General) was of a different opinion, and would be responsible for it. One of the candidates certainly had a large majority; and that was Mr. Sinclair; but the Returns being one and the same, that Hon. Member was prevented from taking his seat at the commencement of the Session. The Government could not be accused of trimming on the matter; for, as far as he was aware, neither Mr. Cameron nor Mr. Laird was a supporter of the Government.

Hon. LEADER OF THE GOVERNMENT said that the debate was premature. The only proper time to discuss the matter would be when the Returns were fairly before the House. The Government would bring the matter down, and discuss it on its own merits, in an impartial manner.

The Assistant Colonial Secretary appeared at the Bar, and delivered the writ and Returns of the Election for the First Electoral District of Queen's County.

On motion of the Hon. Leader of the Government, seconded by Hon. Mr. Howlan, it was

Resolved, That the House will, to-morrow resolve itself into a Committee of the whole, to take into consideration the Return to the Writ of Election for the First District of Queen's County, for the purpose of ascertaining the reasons why two Members have not been returned, to represent said District in this House of Assembly; and that the said Writ of Election, with the Return, the Poll Books, and all the papers now before this House, relating thereto, be referred to the said Committee.

House adjourned till ten o'clock to-morrow.

THURSDAY MORNING, 16th Feb., 1871.

Hon. Mr. OWEN reported from the Committee appointed on Standing Orders, submitted the report, which, being committed, was agreed to without discussion, until the Order relative to the initiation of Money Grants, by the Executive, was read, when

Hon Mr. WIGHTMAN stated that the system had not given satisfaction to the people in various parts of the country, who had, in numerous instances, expressed a desire that the old system should be restored, under which the House would, at least, know what became of their Petitions. At present the House had no control in the matter.

Hon. Mr. DUNCAN said that the present system had been in operation eight years, and had been worked by both of the political parties in the Island, without Members having hitherto intimated any objections to it. By it all petitions for money were submitted to a caucus of a majority of hon. members, and there decided. That was the action of the majority of the House of Assembly; and as to knowing the fate of their respective applications, petitioners or their representatives, could easily obtain all information, by enquiry of the members of the Government. The decision on any application, was the result of the action of the majority of the House, and not merely that of members of the Executive. No objection had been raised by the last House. Under the former system members had, in numerous instances of important public works, to save from their annual grants until funds sufficient accumulated, to complete works of great public importance; and frequently, in consequence of the time their construction required, from want of funds, the decay of portions completed, rendered the expenditure incurred utterly useless.

Hon Mr. DAVIES—The previous system, under which members desirous of carrying any particular grant, could secure a majority in their favor, by promising to support applications which otherwise the House were anxious to have carried, had been condemned by both parties. As a member of the Government, he could only say, that the return to that system would be a great relief to any Government, but the change was not desirable as a matter of public policy.

Hon. Mr. McEACHEN, having been a Member of the House several years since, had experience of both systems, and his opinion, based upon that experience, was decidedly in favor of the present one.

Hon. Mr. WIGHTMAN—While the minority were excluded from the Government Caucus, at which petitions were decided on, a return to the previous system would be found more satisfactory to the people. He felt it his duty to bring the matter before the notice of the Committee, in consequence of the numerous complaints of the present mode, which he had received from his constituents.

Hon. Mr. DUNCAN believed that the constituents of the hon. member from Murray Harbor had no cause for complaint against the log-rolling system, and his memory did not enable him to recall any instance of that hon. member, when in the Government, or majority, having called members of opposition to the caucus meeting. … If the Government is to be held responsible for the financial condition of the country, the power should be vested in them. During the last four years, all petitions for money had been brought down to the House; and a reversion to the former system would necessitate the abolition of the Board of Works.

Mr. HOWATT—The hon. member has stated that petitioners could apply to members of the Government on the subject of their applications, but what would that privilege avail, if the matter had been previously decided? His own constituents felt that it should be their right to send their petitions to their representatives, and had naturally felt that these representatives were without influence. He had never approved of the present system, although he had had a seat in the House when it had been introduced. Reference had been made to the Board of Works. He would ask, how did the present system work? The Government first say what amount should be granted, and the Board of Works then decided where it should be expended. At present all power was taken from the representatives of the people.

Hon. the Speaker in the Chair.

Hon. the Leader of the Government as a member of Her Majesty's Executive Government, appeared at the Bar of the House, and by command of His Honor the Lieutenant Governor, begged leave to submit copies of the following papers, viz:

1st. Letter of D. Laird, Esq., dated 21st December, 1870, tendering resignation of seat in the House of Assembly; second, Messrs. Davies and Callbeck's notifying same to Lieutenant Governor, dated 28th December 1870; third, Opinion of Crown Law Officers on above subject, dated 23rd Dec., 1870, and Letter of Private Secretary to D. Laird, Esq., in reply to his Letter of the 21st Dec., 1870, which, being received and read, were ordered to lie upon the table. House resolved itself into a Committee of Privileges and Elections.

Hon. Mr. Perry in the Chair.

Hon. the LEADER OF THE GOVERNMENT was of opinion that the documents on the table should first be read, when, if it should be deemed advisable, and a resolution to that effect agreed to, the Committee could then be sworn, and the usual course in such cases adopted. On motion,

The Chairman then read the documents.

To be Continued.

Legislative Summary.

FRIDAY, Feb. 17.

PETITIONS.

Hon. Mr McEachern Presented a petition from W. W. Sullivan, Esq., against the Return of the Hon. F. Kelly and H. Beer, Esqs., as Members for the Third Electoral District of Queen's County—said petition sets forth that owing to certain irregularities, omission, and illegal acts of Presiding officers and Poll clerks in the said District, the Election was rendered illegal, and that therefore a new writ for an Election of two Members in said District should be issued; and also, that the petitioner—W. W. Sullivan, Esq.—be heard at the Bar of the House in support of said petition.

House in Committee on

PETITIONS AND ELECTIONS.

Hon. Mr. Perry in the chair.

Hon. Leader of the Government proceeded to review the Special Return made by the Sheriff setting forth the facts and circumstances connected with the Election of the First Electoral District of Queen's County.

Before entering upon the consideration of the question, it would be well for Hon. Members to say if they desired to send for those officers, whose informal proceeding led to the difficulties which had arisen, touching that Election. He (Hon. Mr. Pope) did not consider it necessary to have the officers alluded to called as Witnesses, the books and papers submitted by the Sheriff furnished the necessary information.

Hon. Mr. Wightman took exception to the Hon. Members for the Third District of Queen's County acting or voting on that committee, a petition having been entered against their return, they were interested parties.

Hon. Mr. Kelly said he would feel relieved if allowed to withdraw from the investigation under consideration.

Mr. Beer would also prefer to withdraw from the Committee, if he could do so consistent with his duty and position as a Representative of the people.

Hon. Attorney General explained the Rule observed in the Imperial Parliament, in similar cases, showing that it was perfectly consistent for the Hon. Members alluded to, to serve on the Committee. Different parties might present petitions to that House against the return of Hon. Members, and if the views of the Hon. Member—Mr. Wightman—were enforced in all such cases, the House might be crippled.

Hon Leader of the Government said it was not in the power of that House in Committee to allow the names of the Hon. Members in question to be withdrawn—they were sworn Members of that Committee.

Hon. Mr. Wightman said that in the House of Commons pecuniary interests in any case would exclude Members from voting, and he presumed the Hon. Members referred to had some pecuniary interest in the decision of that question.

Hon. Mr. Howlan contended that the Hon. Members referred to could have no pecuniary interest in any decision that the Committee might arrive at, touching the case under consideration.

That Committee were sworn to investigate a very different question to that set forth in the petition alluded to by the Hon. Mr. Wightman.

Hon. Attorney General said that it now devolved on the House in Committee to give expression to their opinions on the case as set forth in the Sheriff's Return and papers before them. He (Mr. Attorney General) believed and was fully convinced in his own mind that the Sheriff's officers had taken the oaths as prescribed by law, though they neglected or omitted to subscribe their names to the document.

Hon. B. Davies said that the course taken by the Government, or Crown Law Officers, in keeping back the Sheriff's Return, was a direct violation of the House. He was of opinion that the Sheriff should have returned Messrs. Sinclair and Cameron, they having a majority of votes, but as that Officer had returned Messrs. Sinclair and Laird, the latter should have been called on to take their seats, leaving it to the House afterwards to decide whether Mr. Laird could or could not retain his place. He (Hon. B. Davies) then submitted the following Resolution, which, he said, more fully expressed his sentiments:—

Whereas, it has long since been established as the undoubted and sole right and privilege of the House of Assembly, to examine into and determine upon all questions affecting its own members, or in any wise relating to the legality or illegality of their returns as Representatives.

And whereas, the infringement of such right and privilege by any body or person would prove dangerous to the independence of the House, and might be used to deprive the people of one of their direct and most valued privileges, that of being represented in Parliament.

And whereas, it appears from the records of the Court of the High Sheriff for Queen's County and the Return of the said Sheriff, that after having held an Election, in the First Electoral District of Queen's County, the said Sheriff did, as by law directed, proclaim Peter Sinclair and David Laird as having the majority of votes to be duly elected members, to serve in the Lower House of the said General Assembly of the Island—and did afterwards Return—that they had been elected as the Representatives of the First Electoral District of Queen's County.

And whereas, it further appears, that the Crown Law Officers did advise the Lieutenant Governor, that no legal Return had been made by the said Sheriff, and in accordance with that opinion, the said Peter Sinclair and David Laird have not been summoned to take their seats in the present House of Assembly.

Therefore Resolved, as the opinion of this Committee, that the authority vested in the Administrator of the Government, by the Colonial Statutes, and the Common Law, is purely ministerial and not judical, and gives him no power or right to determine the legality or validity of any Returns made by the Sheriff of members to serve in the House of Assembly, or of what should constitute a vacancy in their seats of its members, that being the sole privilege of the House itself, and that the refusal to swear in, and the exclusion from their seats, of the two Members returned by the Sheriff, as elected to serve in the House for the First Electoral District of Queen's County is in direct violation of one of the most sacred and valuable of the privileges of the House.

Resolved, further, that in order to assert and maintain the undoubted right and privilege of the House, this Committee is of opinion that the said Peter Sinclair and David Laird being the members returned by the said Sheriff, should be immediately summoned to take their oaths and their seats as the Representatives of the said First Electoral District of Queen's County—and that the said House should afterwards proceed to determine the validity or invalidity of their election in the proper constitutional way.

After some remarks by Hon D. Davies and Hon. H. J. Callbeck, the Hon. Leader of the Government moved the following resolution:

"The Committee of the whole House on Privileges and Elections—having under consideration the Return of the Sheriff of Queen's County to the Writ of Election for the First Electoral District of Queen's County, for the purpose of considering the special matters contained in the said Writ, and for ascertaining the reason why two members have not been returned to represent said District in this House of Assembly, find that on referring to the Return which is attached to the Writ, the Sheriff therein expressly declares his intention to return the special facts and circumstances connected with the said Election for the said District, so that the proceedings had thereunder, and his said Return, might be hereafter dealt with in such manner as might be deemed necessary. The reason assigned by the Sheriff for returning these special facts and circumstances is, that certain of the Presiding Officers and Poll Clerks, at some of the Polling-divisions in the said District, neglected to comply with the requirements of the Election Laws, in consequence of their not making and subscribing the official affidavits required by Statute. He then sets forth, that at all the Polling-divisions held in the said District the respective candidates, viz: Hon Peter Sinclair, D Laird, Esq., and D. Cameron, Esq, had the following number of votes, that is to say, Peter Sinclair, 1,258; D. Laird, 821; Donald Cameron, 897. That by a reference to the Poll Books referred to, it appears that all the Presiding Officers and Poll Clerks were duly sworn, as required by Law, either by a Justice of the Peace or Freeholders both previously to and after the close of the Poll, but that the said Returning Officers, in some of the Polling Divisions, merely failed to subscribe their names to the affidavits so by them made:

Resolved therefore, That as their appears to have been a fair and substantial Election held in the First Electoral District of Queen's County and that no injury or damage could possibly be done to any elector of the said District by the said Returning Officers and Poll Clerks not having signed their names to the affidavits made by them; and that it clearly appearing that Peter Sinclair and Donald Cameron had at the said Election a large majority of votes on the Poll Books and should have been returned by the said Sheriff as members to represent said First Electoral District of Queen's County, and consequently that they are now fairly entitled to take their seats accordingly; and that the said Sheriff be directed forthwith to appear at the Bar of this house and return Peter Sinclair and Donald Cameron as members duly elected to this House to represent the First Electoral District of Queen's County."

Messrs. McNeill, McEachern, Howat, Brecken, Arsenault, Callbeck, J. C. Pope Munro and Howlan, whose speeches we will give in full spoke on the resolutions.

The Chairman of the Committee then put the question on the resolution of the Hon. Leader of the Government, in amendment to that submitted by the Hon. B. Davies. Division as follows:

For Hon. Mr. Pope's resolution: Hons. Messrs. Pope, Owen, Howlan, Brecken, Duncan, D. Davies, Kelly, McEachern, Perry, Dr. Robertson, Messrs. Munro, Beer, Arsenault, J. A. McDonald, Richards, A. C. MacDonald, Lefurgy, Moar, —18.

Against it,—Hons. Messrs. B. Davies, Wightman, Callbeck, Messrs. Howat, MacLean, McNeill, McMillan, Hooper.—8.

The said resolution was then reported agreed to,

Hon. Mr. Perry, Chairman of the Committee of the whole House on Privileges and Elections, then took occasion to remark on the subject under consideration, and defended the course adopted by the Crown Law Officers and the Government touching the proceeding, in question. He also justified the High Sheriffs as having discharged his duty impartially by the returns made by him. That officer, he said, had been for some years a member of that House, and was universally acknowledged to be a gentleman whose integrity was unimpeachable. W. McGill, Esq., High Sheriff, having appeared at the Bar of the House, declared the Hon. Peter Sinclair and Donald Cameron, Esq. duly elected as Members to represent the first district of Queen's County.

House adjourned.

SATURDAY, Feb. 18th.

After the reading of the Journals, the House was adjourned until Monday next, at 10 o'clock.

MONDAY, February 20.

After the disposal of several petitions, the following was submitted by Dr Robertson:—

DRAFT ADDRESS.

To His Honor WILLIAM FRANCIS CLEAVER ROBINSON, *Esquire, Lieutenant Governor and Commander-in-Chief, &c., &c, &c.*

MAY IT PLEASE YOUR HONOR;

We, Her Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, thank you for the Speech with which you have opened the present Session of the Legislature.

We also thank you for the expression of your satisfaction at the inauguration of your official intercourse with us; and we will be happy to co operate with you in the discharge of those responsible duties which Her Majesty has been pleased to entrust to your care.

We fully appreciate the desire you evince for the public good and sincerely hope that in after years the period of your administration will be remembered among the most prosperous and happy in the history of our Colony.

We are pleased to notice the deep interest you take in the Agricultural and Industrial pursuits of the Colony, as manifested by your attendance at the General Exhibition held in Charlottetown in October last; and we will at all times be most happy to render every assistance to your Honor for the development of those resources.

We have great cause to be thankful for the protection vouchsafed to us during the past year,—an abundant harvest, general contentment, peace and health, are blessings for which we feel continually thankful, and which we acknowledge sincerely and humbly.

The Estimates when laid before us, will receive our greatest attention. It is with pleasure we observe the increase in the Revenue of the past year.

We will endeavor to provide for the requirements of the current year, with such liberality as is commensurate with the resources of the Colony, and in such a manner as will enable your Government fully to maintain all the departments of the public service.

All papers which you may be pleased to lay before us will receive due consideration.

We trust the removal of the prohibitory instructions which were issued to Custom House Officers, in the month of August last, with respect to the then prevailing practice of admitting United States vessels to entry in the ports of this Island, will tend to a renewal of the mutually satisfactory trade relations which existed between this Colony and the United States, previous to the abrogation of the Reciprocity Treaty.

We are pleased to receive the assurance of the increased accommodation which will be afforded by the new Public Building in Charlottetown, and have no doubt it will afford that security for the public records which is necessary.

It is gratifying to be informed that the deposits in the Savings Bank now amount to fifty thousand pounds as it is a proof of the thrift and prosperity of our people. We shall cheerfully consider any measure that may be submitted to us for extending the usefulness of this most beneficial institution.

We consider it advisable that the Supreme Court shall sit a sufficient time each term to dispose of all the causes on the docket.

We coincide with your Honor in the opinion that the facilities for the shipment and transportation of the productions of our Colony are insufficient. The deepening of the water in several of our rivers and at the public wharves, by means of dredging, and the expediency of constructing a railroad through the Island, will receive our most serious consideration.

The enlargement of the Lunatic Asylum will be duly attended to.

Relying upon the guidance of Divine Providence, we shall, to the best of our ability, in conjunction with your Honor, discharge our legislative duties, with the desire of promoting the best interests of our fellow-colonists.

On motion of Dr. Robertson the House went into Committee to take into consideration the Draft Address in answer to the Speech of His Honor the Lieutenant Governor.—Mr. Richards in the Chair.

The First and Second Paragraph in the Address were adopted with but few remarks.

The Third alluding to His Honor's visit to the General Exhibition, held at Charlottetown, in October last, called forth a discussion.

Hon. Mr. Wightman, Leader of the Opposition, said that with the exception of the Paragraph touching the Railroad, he approved of the Answer to the Speech. He hoped that during the coming Summer—His Honor the Lieutenant Governor would take a tour through the Island, in every Settlement of which he was sure His Honor would be received with a hearty welcome, and when an opportunity would be afforded him of personally witnessing the Agricultural and Industrial pursuits of the people.

Hon B. Davies: said it was not right to pass over the paragraph—dead silence on the Government side of the House seemed so very reticent, he would offer a few remarks. He observed that no allusion was made in the address, to two of the most important questions affecting the interest of the Colony; namely, the Land question, and the Free School system of education. It was well known that on the latter question, the late Government was overthrown, and it was very strange that no allusion was made to it in the speech. He, (Hon B. Davies,) then proceeded to review the education of the people of England, the large majority of whom were not as well educated now as they were centuries ago. The aggression policy of the aristocracy and large land owners in England, was to drive the yeomanry from their holdings, and to make serfs of the laboring classes. The result of such policy would end in a revolution in that country, as in France, if steps were not taken to educate and elevate the laboring classes of society. His remarks, he said, were borne out by an article in the *Westminster Review*, which also showed that a system of education like ours was required in England. The chief causes of the prosperity of this Island, were attributed to the Land Purchase principle, and our Free system of education, and for those boons the people were indebted to the Liberal party. Those refractory proprietors who refused to comply with just means, should be dealt with on first principles, compulsory legislations in such cases was justifiable in order to free the people. An important resolution, he said, was submitted by the Hon Mr Bell, at the end of the last session, touching an investigation into the mode by which the Prothonoterys office of the colony was conducted, the receipts of which department was said to be some £15,000; a committee was appointed to look into this matter, and the House required information on the subject.

Hon Mr McEachern: said he was glad to hear from the Hon. member who just sat down, an appreciation of the system of education in England, in days gone by. He supposed the hon. member, (Mr Davies) was aware that at that time, the youth of England were educated by Monks, and in Monasteries, and on a free system too. A departure from that religious training, lead to the banishment of Christianity, during the French Revolution, when even the Sabbath was ignored under a system similar to that of which he (Hon B. Davies) so loudly boasted, and lead to the degraded state of the English labores.

Hon. Mr. Calbeck said the speech and the reply were non-committal, and did not foreshadow any future policy of the Government; true, the Railroad was alluded to, but in a very indefinite way. He referred to the changes that had taken place in political parties, and in that House, touching which the address under consideration was silent.

Hon. Mr. Perry said it was not the intention of the Government party to interfere with the Education Question, but if the opposition side of the House wished they could bring in any Resolution they pleased touching that, or any other questions referred to, and they could be discussed on their own merits.

Mr. McNeill said that for many years the land question was always named in the Opening Speech, and as that question was not yet finally settled it should have been alluded to in His Honor's Speech, was glad that the Education Question was not to be disturbed, though a disaffection on that subject led to the overthrow of the late Government and had thrown his friends out of office. He hoped the Railroad was not going to interfere with free schools and teachers salaries. It was strange that two such important questions as the land tenures, and Education had been omitted in the speech.

Hon. P Sinclair said it was right to ask for explanations on those two questions. The recent action of the Imperial Parliament touching the Irish land bill, should have caused the land question of this Colony to be included in the opening Speech of His Honor the Lieutenant Governor.

Mr. Howat thought the land question, especially, should not have been omitted. He alluded to offers that were said to have been made for the sale of lands in his Districts, the purchase of which was desirable. The people on those lands were led to believe that the Hon. Leader of the Government could do more for them than any other Hon. member. The Railroad paragraph in the Address, was altogether uncalled for. The Government had no right to introduce that question until the people moved in the matter.

Hon. D. Davies said that of all the lands purchased on this Island, the Belfast Estate alone proved self sustaining. The property was sold by the … at a very low figure. He (Mr Davies) felt confident that the purchase of all the other Estate would entail large expenses on the Colony. Farmers as well as merchants required capital and when a merchant invested in stores and houses the capital which his business required, he failed, and the farmer who had to borrow money at 20 per cent, to meet the payment of his farm, was not in a position to prosper. The results of the Estates already purchased should be well examined before buying more lands, especially at high rates. As to compulsory legislation, that was got up but to agitate and deceive the people and was productive of no good results. The late Government was composed of tenant leaguers and liberals, and when they disagree among themselves and broke up their Government, one portion of them offered to join that wing of the Conservative party with which he (Mr. D. Davies) was indentified, and the other portion of them appealed to the Conservatives headed by the Hon. E. Palmer. A coalition was then inevitable, the only alternative being another election. To appeal to the country on a religious cry such as then would be raised, would only engender strife and ill-feeling, and end in no good results. There was no sacrifice of principle in the formation of the present Government. The questions of Confederation and Education were not to be legislated upon against the will of the people, yet, Hon. members were allowed the exercise of their individual opinions. He trusted the rights and interests of his Constituents would not continue to be overlooked by the Government. The Citizens of Charlottetown were entitled to a fair share of the general revenue of the Colony and it was his duty to see that their rights must be conceded to them.

House adjourned.

Afternoon.

Hon. Leader of the Government in reply to Mr. B. Davies, said that the course pursued by that Hon. Member, who, in the Government majority last Session, was quite different to that now pointed out by him. He said—all must concur in the desirability of giving an impetus to the Agricultural and Industrial pursuits of the Colony by means of Exhibitions—the annual grants for which—had been altogether inadequate. Hon. Members, he said, need not feel alarmed—because of the allusion to a Railroad—the Government were not committed to the construction of that work, but a discussion on that great question could not be out of place. As to the subjects of Education and the Land Tenures—which some Hon. Members said—should be named in the Address—he would only remark that the Conservative party did not go to the country at the last Election to disturb the present system of Education, why then allude to it—neither did they promise the people compulsory legislation on the Land question. He would ask why did not the Hon Member for Belfast (Mr. Davies) during the past four sessions attempt compulsory measures—that Hon. Member must know that such a step would be in direct violation of all the Despatches which had been received from the Imperial Government.

Mr. McLean said that the practice of always holding the Annual Exhibition of Agriculture and Local Industry at Georgetown, should be changed. There should be a branch Exhibition at Souris, or the County, one should, every alternate year, be held in a more central part of the County than Georgetown. There were Hon. Members now supporting the present Government majority in that House, of whom their Constituents expected better than to shelve school question for four years. In the other colonies Grants were given to High Schools or Superior Institutions of learning, and why not act on similar principles in this Colony. He (Mr. MacLean) then intimated his intention before the close of the Session, to test the question of Grants to those Institutions established here.

Hon. Mr. McEachern asked his colleague, Mr. McLean if the party with whom he had associated himself were in favor of giving Grants to the Institutions, to which he (Mr. McLean) alluded. He (Hon. Mr. McEachern) would like to see all Institutions of learning receiving Government aid, but the advocates of that principle must bide their time till public opinion would bear them out.

A. McNEILL, Reporter.

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