

he could say or do, reminding me of certain matters that at one time of our lives caused estrangement between us, and using language like drawing swords. What can be the matter? Are you sure he's quite right in his mind, John? 'Well, now,' replied his man, 'I know about the matter is, that I took him your pig, as I thought, just as it came from the sty; but when I let it out of the poke, lo! an behold it did it all 'turn out to be a grue'! 'Now, John,' replied his man, 'mind you, I'm not a man to be trifled with; and long though you have been under my roof, and faithfully though you have served me, you may take too great a liberty with me, and—' 'Sir, Mr. Watson,' struck in John almost groaning, 'as sure as death I never had any part in practicing such a delusion; and as for communions w' ought that's unaccounted, you ken me over well to suspect me of that I hope.' Mr. Watson, seeing John's distress, and beginning to smell a rat, softened a wee, and says: 'Well, well, John, no more of that, but let me see what is actually in the bag at present.' 'In the poke, sir! deed it can be naething but the grue, ye ken; and with that he untied the mouth of the sack and tumbled the pig 'till length on the kitchen floor. 'John, John,' said the minister, 'what am I to make of all this? This is no greyhound—it is the very pig I selected and saw you this morning carry with you to Dolphinton.' At this time poor John was again 'gappin', and giewin' and rubbin' his ee, and glowin' standin' at the grumpy, quite dumfounded o' thegither. At last Mr. Watson put to him the question, 'tell me, John, did you meet with no one on the road that has played you a pisky?' 'Na, na, sir, nobody dared to boddle me, and I kept the poke on my shoulders 'till the way. To be sure I gied in for a gifty to Rich Robb's gangin' and comin'. 'O oh?' said the minister, 'you need say no more, John; I see how it has been. That incorrigible villain has been at his tricks once more.' How he settled it w' Rich I dinna ken; but this I do ken, that it was lang or the ministers o' Beggan and Dolphinton could be got to shake hands and be friends again. See much for practical jokin'.—Scotch Paper.

Provincial Parliament.

HOUSE OF ASSEMBLY.

THURSDAY, March 31. LEGISLATIVE COUNCIL ELECTIVE BILL.

(Continued from our last Examiner.)

Hon. Mr. THORNTON—I rise, Mr. Speaker, to support the Bill; I am glad to learn it is a Government measure, as it was not in 1859. If they learn at Home that we are determined to have an alteration in the constitution of the Legislative Council, I think the Royal allowance will not be withheld from the Bill. I am pleased with the alteration in the Bill since '59, in respect to the number of Councillors for each County. Though Queen's County may now have the preponderance over the two other Counties in wealth and population, such may not be the case in the course of twenty or thirty years. They, in the course of that number of years may rise to an equality, in these respects, with Queen's County. I would have liked the Councillors to have run for the whole County. I am not satisfied with the age a man must have attained—30 years—before he can offer as a candidate. One of the most talented statesmen in England took the helm of State at the age of 21 years. I shall speak to the details of the Bill in Committee.

Mr. COOPER said—Though in favour of the elective principle, still I am opposed to the power being vested in the people; for, if it be, I consider that the Legislative Chamber will be only a second edition of the House of Assembly. Whatever happens to be the popular opinion of the day, however erroneous it may be, still a Councillor will be elected accordingly—he elected probably to represent their prejudices. I think the Government, in the first instance, should have the nomination of four or five, and that the remainder should be elected by a two-third vote of this House; and, if that would be insufficient, say a three-fourth vote. No person of extreme views would then stand a chance of being elected; but a man would be likely to be chosen in whom both sides of the House would repose confidence. By having a Council elected in this manner, the members to go out in rotation, I think there would be a balance work in the centre of the Government which would keep it working steadily.

Mr. SINCLAIR—I am one of those who would be willing to dispense with an upper Chamber altogether. I have been listening attentively and have not yet heard any arguments advanced in favour of the second Chamber which would induce me to change my views on this subject. As regards Bills passing through this branch of the Legislature in an imperfect state, and needing revision in a second branch, I may say I have seen small Bills passing this House in an imperfect state, and the other Chamber also, which when they came down to the lower House again were corrected. If there were no such body, the lower House would be more particular and careful in passing measures; for, frequently, Bills are sent up in an imperfect state, to furnish the second Chamber with some work. I think the hon. member who introduced the Bill has not shown any arguments for the necessity of two Chambers. Another reason why I think there is no reason for the upper House is that we have no less than four branches with whom to contend. We saw last year a Bill sent to the Colonial Minister, which was returned because he would not submit it for the Royal allowance; so I think it would be a sufficient check to have our laws submitted to the Colonial Minister. Another advantage in having a second Chamber would be in point of expense. In a small Colony like this, not many laws now require to be placed on our Statute Book. If, however, we are to have an elective Legislative Council, I would not offer any objection to the present Bill, for I think it is a great improvement on the one submitted before by the hon. gentleman who brought in the present Bill. In my opinion, if the clause was carried out which removes from the Governor the power to dissolve that body, great injury would result. I understood from the Act passed in Canada that a clause was introduced to provide against this, in the event of the two branches of the Legislature coming to a dead lock. In that event the Governor had power to dissolve the lower House; and if, notwithstanding, the same thing occurred again when in Session, he had power to dissolve the upper House. If, however, we are to have a second Chamber, I am in favour of an elective one. I believe the present is the time to make a change, and the change, I think, which would prove most beneficial, would be not to have any upper Chamber at all. (Laughter.)

Mr. DAVIES—I certainly think, Mr. Speaker, that the Bill should have a representative in the second Chamber. I say it is without disparagement to either Georgetown or Summerside. I believe the City is not fairly represented in the House of Assembly; that is, taking wealth and population as the basis of representation. In Committee I shall propose an amendment to the Bill; that will be, to have one member to represent Charlottetown in the Council, which will make 13 Cou. efforts in all. The views of the hon. member from Prince-town are certainly novel, and were his suggestions adopted in reference to the upper Chamber, the change would be something new in the British constitution. I am in favour of an elective Legislative Council, and think the elective principle would prove much more beneficial than the present system.

Mr. CONROY expressed himself in favour of the Bill in the few remarks which he made when speaking on the question before the House.

Hon. Mr. WHELAN—I cannot see, Mr. Speaker, any reason why I should change my views, heretofore expressed on this subject, as to the propriety or expediency of the proposed change in the constitution of the upper branch of the Legislature. I see not a sufficient reason for changing the constitution of that branch of the Legislature, though the Council as now constituted represents the views and feelings of this House—notwithstanding that the representative of Her Majesty in this Colony and his advisers have craved that Council in defiance of the wishes of the people. Five new Councillors were added last year to carry out their measures, yet when asked to give their authority for so doing, they declined. Though the Government have a Council then obedient to their will, that is not a sufficient inducement to cause me to change my views; for I shall still oppose a change in the upper branch. The hon. member from the East Point, expressed my views in a condensed form a few minutes ago, when he said that an elective Legislative Council would be but a second edition of the House of Assembly. I perfectly coincide with him, for I believe it would only be an echo of the House of Assembly. Suppose, for example, the Bill were to come into operation next year, and the Councillors elected were instructed by their constituents to carry out a policy in reference to the Land Commission di-

rectly opposed to the policy advocated by the majority in this Assembly, what position would we be in if the Crown had not power to dissolve that body? They would remain during the term of years for which they were elected. The same class of voters, in both cases, are to elect members for both branches of the Legislature, and the natural inference is that the candidates for both will receive the same instructions from their constituents; and in that event there would be a continual clashing of interests and opinions between them, and it would be found impossible to reconcile existing differences. It is admitted on all hands that the elective principle signally failed in Canada. In New Brunswick the principle was advocated on both sides of the House for two or three sessions, and after all, sat aside as impracticable.

Adjourned till 10 o'clock to-morrow.

FRIDAY, March 22. The House resumed the consideration of the Elective Council Bill; and Hon. Mr. Whelan, who had the floor when the House adjourned, not being in his place when the House met, nor for some time after, hon. members present were allowed, in the meantime, to express their views on the Bill.

Mr. BEER said he fully concurred with the principles of the Bill, and thought it became law the country would rejoice more confidently in the upper branch of the Legislature than they would as it was at present constituted. In conjunction with the hon. member for the City, Mr. Davies, he earnestly considered Charlottetown was entitled to a representative in the upper Chamber, if the City were attached to either the eastern or western division it would give a great preponderance to that division; but by giving them one member of their own, he considered the Bill would be fairly carried out as it could be. He approved of the principles of the Bill and would support it.

Hon. Mr. HENSLEY said as he had had the honor of having a seat in the upper Chamber, he would be considered as having an affectionate regard for that branch of the Legislature; he was, however, in favor of the Bill then before the House. It was, in fact, for any one in these Colonies who did not regard the Bill as a change in the Government, there were difficulties experienced by having a majority in the Council opposed to the policy of the lower House. It could not for a moment be supposed a course similar to the one adopted last year could be pursued, viz., of sweeping the opposition in that body, in order that the Council might be made to meet the views of the lower House. I approve of the elective principle, but I think that the clashing of opinions was experienced under the old system.

Hon. Mr. WIGHTMAN spoke in favor of the Bill, and said he considered it was before the House in a better form than it ever was before. It coincided with the views which he entertained on the question, and he felt in duty bound to support it, whatever the result of its operation might be. He thought the country would approve of the proposed change in the constitution of the Legislative Council.

Mr. MONTGOMERY and Hon. Mr. McAULAY spoke briefly in favor of the Bill.

Hon. Mr. LONGWORTH said he did not intend to extend his remarks to any great length, but as hon. members had expressed their views on the Bill, as a member of the Bill, he would not become him to remain silent when a Bill so important as the one they were now discussing, proposed a change so important in the constitution of the Legislative Council—was before the House. The nominative system had not worked well, and was adopted in this Colony in conformity with a usage previously established. In the history of the North American Colonies, it was found impracticable to elect a Legislative Council, on account of their being but sparsely settled; hence the Imperial Government thought it prudent to grant them a constitution which they were capable of working, and which was adapted to the wealth, population and circumstances of the Colonies in other respects. The Imperial Government, therefore, saw the necessity of granting them a nominative Council. Since that time, however, we were furnished with instances of the elective system being adopted in our Colonies, and the Imperial Government, in the nominative bill, under the nominative system, a difficult attendant upon it had been frequently experienced in all the Colonies in which it was adopted, on the occurrence of a change of Government. When the Government came down with a measure of this description, and the majority in the upper branch of the Legislature voluntarily gave up their right to retain their positions in that Chamber, and submit the question for the decision of the lower House, the Government would receive credit for acting uprightly in this matter. Two or three objections were raised to the Bill, one by the hon. member from the East Point. But if the plan he proposed were adopted, of vesting the power of election in the lower House by giving them a two-third or three-fourth vote, they would be reduced to the same difficulty as was occasionally experienced in the United States, where the President might be elected in session for seven weeks before they would get a two-third vote in favor of a man to be a member in Council. In point of practice he thought the plan, if adopted, would be a nullity. He could not see that the suggestion of the hon. member from Prince-town, who thought one Chamber was sufficient, would ever succeed. If he could prove his position to be correct, they would adopt his principle, and the Imperial Government would experience under a change of Government. If the principle could be applied in that manner to that branch of the Legislature, a great point would certainly be gained. He (Mr. Longworth) thought that the principle of the hon. member, however fair in appearance, was nevertheless unsound; for, taking it upon no higher ground, it was admitted on all hands that that branch of the Legislature served as a salutary protection. Such a Chamber was necessary to secure the Government, and the harmonious working of the Legislature.

Hon. Mr. WHELAN resumed. He commenced by replying to some remarks made by the hon. member who had last spoken, during which there was considerable interruption. Mr. Whelan then argued that the Government were pledged to carry out the measure then before the House; that the liberal character of the Bill was the chief objection to it; that the Government knew it would not receive the Royal allowance; and that they considered under the circumstances that it would be as well to bring a good measure before the country as an inferior one. These things were denied by the advocates of the Bill. Mr. Whelan then said there was a great clamor raised the first year the present Government were in power, against the majority in the Council, by the hon. member from the upper branch of the House, who was charged with the fact that the Government were not to receive the Royal allowance; and that they considered under the circumstances that it would be as well to bring a good measure before the country as an inferior one. These things were denied by the advocates of the Bill. Mr. Whelan then said there was a great clamor raised the first year the present Government were in power, against the majority in the Council, by the hon. member from the upper branch of the House, who was charged with the fact that the Government were not to receive the Royal allowance; and that they considered under the circumstances that it would be as well to bring a good measure before the country as an inferior one. These things were denied by the advocates of the Bill.

Hon. Mr. HENSLEY said he had no intention of proposing such a motion as that to which the hon. member alluded. In the Legislative body, every interest should be represented, and as Charlottetown was the great emporium of trade in the Colony, he thought it should at least have one member in the Council. It had been remarked that Charlottetown owing to its wealth and population, possessed sufficient influence without being represented in the Council; but could the hon. member who made the statement show reason why wealth and population should not be represented. He (Mr. Hensley) did not like to show partiality, but he thought it would display partiality on the part of this House if they did not give a voice to Charlottetown in the Council. He would give his support to the resolution before the Committee.

Hon. Mr. YEO thought that the members for Queen's County should not object to giving Charlottetown a voice in the Council, if the members from the other Counties did not oppose it. Though he was from Prince County, he thought it nothing but fair that Charlottetown should have a representative in that body.

Hon. Mr. THORNTON was satisfied with the Bill as it was introduced by the Government. Why should the House give five representatives in the Council to Queen's County when the Government only asked for four. The upper Branch of the Legislature should be calm deliberative body, and therefore there was no necessity that sectional interests should be represented. He was surprised to hear the hon. member for Georgetown say that Charlottetown ought to have one member in the Council. The proposal came very well from the members for Charlottetown, as they thought it must have its share of everything. He was disposed to give the Government what they asked for in the Bill.

Mr. BEER said that though Queen's County should have 5 members in the Council, it would not give that County greater influence than it ought to have. King's County and Prince County had together a population of about 40,000, and for these 40,000, they would, by the Bill, return 8 members, while Queen's County with nearly an equal population to the other two, would, though one were given to Charlottetown, only return 5.

Mr. DOYLE remarked that when a Bill for an Elective Council was introduced in 1859, he voted against it, because too many members were proposed to be given to Queen's County, and the qualification of members was too high. He, however, had made up his mind to support it; but when he heard that a Councillor was to be given to Charlottetown, he supposed he would be compelled to vote against the measure altogether. He was satisfied with the Bill as it was introduced.

Hon. Mr. LAIRD was in favor of the resolution proposed by the hon. member for Charlottetown. It had been remarked that the Councillors should not merely represent sectional interests; but he thought it highly probable that the representative for Charlottetown would be just as capable of considering general interests as those for the Counties.

Hon. Mr. COLES understood that the Bill was a Government measure, and here they were now repudiating their own basing. Two or three of the members of the Government had risen in their places and objected to it.

Hon. Mr. LONGWORTH.—They were not pledged to details.

likely would it be that the Bill should receive the royal assent. He thought if they were chosen by a two-third vote of the House it would make sufficient difference from the present system, and would give the minority a voice in their election. The election of the Councillors by the same body of electors as returned members to this House would work mischief, and he did not think the British Government would ever assent to it.

Hon. SPEAKER was of opinion that the method proposed by the hon. member, Mr. Cooper, would not work well, because if a two-third vote were required, the minority of the House could obstruct the business of the majority. He (the Speaker) had no opportunity till now of expressing his opinion on the principle of the Bill, and would state that it met with his approval. He thought the business of the country could not be well carried on, with the Council constituted as at present. It had been said that the elective system was not obtained in the neighboring Colonies; but in the New Brunswick House of Assembly there was an address passed praying the Home Government for the Elective Legislative Council, and it was agreed to be granted; however, when the Bill authorizing the change came to be passed it was thrown out in the Council itself. He observed that a similar bill was brought into the Legislature there this year, and had passed a first and second reading without a division. It had been said that the Government were not sincere in introducing this Bill,—that they expected it to be banked either in the Council or at Home; but he thought it would pass both and become the law of the land.

The clause was agreed to. The next read was that in relation to the number of Councillors.

Mr. DAVIES said he agreed with the Bill so far as that there should be four Councillors for each County; but he thought Charlottetown was entitled to one besides. He hoped that hon. members would not look upon the subject as they did on those relating to mere money matters, for it was one affecting the constitution of the Colony. Charlottetown had now a population but little short of 7000, and it contained a great many intelligent people, and a good deal of wealth; therefore he thought it would be unfair not to give it one member in the Council. It was true that Charlottetown had no greater advantage in this House than Georgetown and Prince-town; but when that regulation was first made the latter two were pretty much on a par. Now, however, Charlottetown had much overgrown even Georgetown, and being also the capital of the Colony, it was certainly in fairness entitled to some voice in the Council. He would move that Charlottetown be represented by one member in the Council, and if the motion was agreed to, the rest of the Bill could be altered to suit. One argument in favor of the motion was that if the City was connected with a County district, it would probably possess sufficient influence to return both of the members for the district.

Hon. Mr. HENSLEY said the hon. member for Charlottetown need not be alarmed about it being able to return two members. The Bill was very well as it stood.

Mr. BEER believed it would be ascertained on a reference to the Census returns, that the population of Charlottetown numbered 1-13th of that of the whole Island. This being the case, to give one member to Charlottetown would be nothing more than a fair representation. It was certainly entitled to be represented separately; he would therefore support the motion of his hon. colleague.

Mr. SINCLAIR said that the members for Charlottetown ought to be given their due by their constituents; but he thought it would have sufficient influence in the Council without a separate representation. This was evident from the fact that seven or eight of the members of this House were residents in Charlottetown.

Hon. Mr. LONGWORTH said that though this Bill was introduced by his hon. friend, Mr. Haviland, and was a Government measure, still they were not pledged to its details. He did not see why Charlottetown, considering its population, should not have a representative in the Council. The mere fact of its having a population of 7000 gave it no additional weight in that body. Some hon. members objected that if a Councillor were given to Charlottetown there would be a difficulty in working the Bill, as it provided that half the members should go out at one time. This, however, could be easily remedied by allowing six to go out at one time, and seven at another.

Hon. Mr. COLES said the hon. member who had just said down might have no objections to Charlottetown having one representative in the Council, nor would he, if the Council was a body that represented sectional interests; but as the Council were supposed to consider every measure apart from such influence, he saw no necessity for giving the City a separate representation. One objection which he had to the motion was, that it would raise the number of Councillors to 13, and thus, in that body there might be an equal division, placing the President under the necessity of giving a casting vote. If this motion was carried, probably the hon. member for Georgetown, Mr. McAulay, would next move for one to that important borough; and if a certain hon. member were here, he would not doubt but proposing that one be given to Summerside.

Hon. Mr. McAULAY said he had no intention of proposing such a motion as that to which the hon. member alluded. In the Legislative body, every interest should be represented, and as Charlottetown was the great emporium of trade in the Colony, he thought it should at least have one member in the Council. It had been remarked that Charlottetown owing to its wealth and population, possessed sufficient influence without being represented in the Council; but could the hon. member who made the statement show reason why wealth and population should not be represented. He (Mr. McAulay) did not like to show partiality, but he thought it would display partiality on the part of this House if they did not give a voice to Charlottetown in the Council. He would give his support to the resolution before the Committee.

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Correspondence.

From our own Correspondent. ELECTIONS IN NEW BRUNSWICK.

Her Majesty writes for the election of forty-two able and discreet men to serve in the General Assembly of this Province, and being executed with the usual formalities, and attended by the usual circumstances of excitement, discussion, harangues and public meetings. The mode of election is by ballot, but not simultaneous throughout the country. Before the first of July the position of each contending party will be ascertained. The contest so far has been characterized with the utmost civility and most honorable rivalry between the opposing candidates, but the result from the counties which have already exercised the elective franchise is in a high degree favourable to the Government. "The Tories defeated—Liberals triumphant!" echoes and rejoices from every street, corner and alley way in the City, and sends a thrill of gloomy despondency through the nerves of the poor old Tories, and an impulse of corresponding exultation indicates that kind of sympathy entertained by the Liberal electors for the downfall of their antagonists.

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Though York has done well for the Liberal cause, St. John County and City have done better. Three Liberals and one Conservative have been elected for the County, and the City has hurled the Tory candidates from the contest by a majority of more than four hundred votes. Cudlip, Jordan, Skinner and Anglin are the successful candidates for the County. Waters, the solicitor general, and Tilley, the Provincial Secretary, represent the City, the former leading the poll by fifty-three over his colleague.

The only defeated candidates that meet with any degree of sympathy are the Hon. John H. Gray and S. R. Thomson, Esq., two gentlemen so well known to the tenantry of P. E. Island when performing that expensive and serious mission of watching the Island was to be emancipated from the trammels of slavery.

Mr. Gray's popularity as a public man and an eloquent speaker would, under circumstances different from those by which he was surrounded, have secured him a seat in that Legislature which he so long and so frequently delighted with his polished rhetoric and profound parliamentary knowledge; but it is his misfortune to be allied with a party for whose political creed he has but an insipid taste; and, possessing too much consistency and honor to play the renegade, he stood by the tottering cause to the last, and preferred the seclusion of private life to which his late constituency consigned him, rather than titles and honors purchased with the betrayal of his principles. Mr. Thomson presented himself as a "moderate Conservative," and appeared on an independent ticket. Another gentleman professing similar views with Mr. Thomson sought Legislative honors for this County, but he was, by an overwhelming majority, returned—kane. Had S. R. Thomson secured a place in the Legislature he would unquestionably have proved an able and erudite debater; but the boughing manner in which the Conservative canvass was gone through—the want of unanimity—the fact of seven candidates being where only four should have been, but above all the bad cause espoused by the opponents of the Government—all these circumstances and the fact of his being a Tory, but not a Tory in the ordinary sense of the word, rendered him a place in the Legislature he would unquestionably have proved an able and erudite debater; but the boughing manner in which the Conservative canvass was gone through—the want of unanimity—the fact of seven candidates being where only four should have been, but above all the bad cause espoused by the opponents of the Government—all these circumstances and the fact of his being a Tory, but not a Tory in the ordinary sense of the word, rendered him a place in the Legislature he would unquestionably have proved an able and erudite debater; 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