THE EXAMINER:

A Weekly Journal of Politics, Literature, and News.

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

Vol. XII. Charlottetown, Prince Edward Island, Monday, April 28, 1862. New Series.---No. 16.

Colonial Parliament.

HOUSE OF ASSEMBLY.

Resolved, That the Moneys appropriated for the service of roads, bridges, and wharfs be expended agreeably to the following scales:—

KING'S COUNTY.

District No. 1.

Comprising Townships Nos. 38, 39 and 40, West of Morell River.

Main Post Road from County line to Morrell Bridge	£25	0	0
Road to MacVarish's	4	0	0
John McEwen's Road	10	0	0
From Main Road to St. Peter's Harbor	5	0	0
Road across the Barrens towards Douglass'	5	0	0
Road round the Head of the Hillsborough	5	0	0
From Jardine's Gate to John McEwen's road	4	0	0
Main Road to Peter Sinnot's	5	0	0
From Peter Sinnot's to Peake's road	16	0	0
From John Jay's to Gillon's	8	0	0
From Peake's road to Gillon's	5	0	0
Cardigan Road within the District	20	0	0
From Cardigan Road to Peake's road	5	0	0
From Cardigan Road to James MacKay's	5	0	0
Road west of Morell to Hughes' saw mill	4	0	0
To M. Lahey and James Doyle for repairs on Main Post road last fall	4	0	0
To Joseph Murphy, being balance for building bridge on Main Road	1	5	0
Conovoy Road to Savage Harbor	6	0	0
From Main Road towards W. H. McEwen's and other new farmers, St. Peter's Lake, or where most required	1	11	0
From Clark's mill, along the back of St. Peter's settlement, until it strikes the road leading to St. Peter's Harbor	3	0	0
To Patrick Connolly for making extra bridge on the road leading to Sinnot's, called John McEwen's road, Lot 39, as recommended by the Commissioner	4	0	0
	£145	16	0

The above scale includes the sum of £4 1s 6d remaining unexpended of last year's grant.

District No. 2.

Comprising Townships Nos. 41, 40 and 39, East of Morell River, and St. Peter's Harbor mouth and Morell Bridge.

Morell Bridge	£20	0	0
Marie Bridge (already expended)	7	10	0
Midgell Bridge (already expended)	16	10	0
Head of Bay Bridge (already expended)	14	0	0
Road on beach, both ends, Head of Bay Bridge	12	0	0
Main Post Road from Morell to Head of St. Peter's Bay	25	0	0
Road from Head of St. Peter's Bay towards Cardigan	10	0	0
Road from Head of St. Peter's Bay towards O'Hanley's, through to East line, Lot 41	7	10	0
Road from Cardigan road towards McKay mills	5	0	0
Road east side of Morell towards Macdonald's mills	10	0	0
Repairing and securing the three wharfs in St. Peter's Bay	35	0	0
Marsh road, Lot 40	2	10	0
Road from Portage road to John McLellan's Cable Head	3	0	0
Road from St. Peter's Bay via Leslie's mills to Cable Head	4	0	0
Road from Main Post road leading to Dingwell's wharf	2	0	0
Road leading to Bay Fortune from Head of St. Peter's Bay	4	0	0
Road leading through Marie settlement from Main Post road	3	0	0
Planking Midgell, Marie and Head of St. Peter's Bay bridges	20	0	0
Road leading from Midgell church towards the Cardigan road, commonly called the Church road	5	0	0
Forest Hill settlement road, from Hayden's road to Head of St. Peter's road by McKay's mills	10	0	0
Road from Bay Fortune road to McKay's mills, between McKay's and Dwan's farms, and to erect a small bridge over the mill stream	6	0	0
To James Webster for extra work on bridge at the head of the Bay	6	0	0
From the Main Post road towards Robert and William Webster's	3	0	0
	£231	0	0

District No. 3.

Comprising Townships Nos. 42 and 43 and line road between Townships Nos. 43 and 44.

Due David Larkin repairs on Five Houses' road	£3	0	0
" John Townsend stoning road, head of Rollo Bay	4	0	0
" Ronald H. Macdonald, Big Marsh road	0	16	0
To repair bridges and road on Line road between Townships Nos. 42 and 44 from North side to Rollo Bay	12	0	0
To repair from Rollo Bay Cross to Needham's	8	0	0
To repair road north of Bay Fortune	1	10	0
To repair road south of Bay Fortune to John McKie's, from thence to Red House	7	0	0
To repair Five Houses' road, Lot 42	5	0	0
To repair Big Marsh road	5	0	0
To pay Mr. Dixon compensation for new line of road, north side, when opened	20	0	0
For new line of road from Archibald O'Hanley's, Lot 41, to John McCormack's, Lot 43, North, not to be paid, however, till the new line be thrown open, the following, viz:—			
New Bridge on Oar river	8	0	0
New Bridge on McAskill's river	22	0	0
New Bridge on Cow river	13	0	0
New Bridge on Naufrage river	70	0	0
For making the eight miles of said new line of road, (£20 12s 3d) the balance not provided for by this year's grant to be taken out of £13 11s unexpended of last year's grant, as below	7	1	3
The balance of £13 11s of last year's grant to repair bridges on North side, from O'Hanley's to the line of Lot 43, to be applied to the last object in the above scale, namely, making eight miles of new line of road as above	13	11	0
	£199	18	3

District No. 4.

Comprising Townships Nos. 44 and 45.

Due Edward Kickham and Ronald McCormack, for work, to secure Souris breakwater	£20	0	0
Due John Townsend, piles for Souris bridge	19	7	8
" Simon McMahon, repairing hill Little Harbor	4	10	0
" Fidelle Cheverie, repairing swamp North of Leslie's Mill	3	0	0
To repair bridges, North side from Bear river to Big Pond	10	0	0
To repair roads, Lot 45	15	0	0
do road from Macaulay's to Rollo Bay chapel	7	10	0
do west side of Souris river	5	0	0
do east side of Souris river	5	0	0
do from Souris to Little Harbor	6	0	0
do from St. Catherine's settlement to New Harmony	4	10	0
To alter the road at Alexander McGilvray's, head of Souris	7	10	0
To repair bridge at Keefe's, Rollo Bay	6	0	0
Brush to collect sand, Souris beach	7	10	0
To repair bridge at head of Souris	6	10	0
New cover to bridge, south of Leslie's mills	4	19	7
To repair bridge near McCarthy's forge	2	0	0
To be expended under the direction of Messrs. John Macgowan, William S. Macgowan, Edward Kickham, Michael McWade, Donald Beaton, Norman Leslie and John Knight, committee superintending construction of Souris breakwater	52	0	0
	£186	7	3

District No. 5.

Comprising Townships Nos. 46 and 47.

To repair bridges and road, Glen Corrodale	£3	5	0
From Little river, including Bull Creek	1	10	0
To repair Priest Pond bridge	3	10	0
do bridges on Baltic road	8	10	0
do bridges on Green Vale road	2	0	0
To pay for opening 27 chains centre road	2	10	0
From Greenvale to Black pond	1	0	0
To rebuild East black pond bridge, to be let by tender	27	0	0
For repairs to West Basin bridges	1	10	0
To repair East Basin bridge and abutments	3	0	0
To pay for repairs last year	0	4	6
do do to bridge Basin Bluff	0	7	0
To repair south Basin bridge and abutments	3	0	0
For repairs of bridge at John Ching's	0	16	0
To repair bridges at Alexander McLean's and Kennedy's	3	0	0
To pay for repairs to said bridge last year	1	19	0
To pay for repairs to Scott's bridge last year	1	4	0
To repair Scott's bridge this year	1	10	0
North River bridge	6	0	0
Bridge at D. McDonald's, Big spring	1	15	0
To repair bridges from thence to Cross roads	1	10	0
do the bridges from thence to A. Beaton's	5	0	0
do do do Benjamin Morrow's, inclusive	10	0	0
To rebuild Roses' mill bridge	6	0	0
To repair the bridge over Surveyor,s inlet	11	0	0
do North Lake bridge, and to pay what is due for last year	10	10	0
do bridge at Chapel 30s, Little inlet 40s	3	10	0
do bridges in the Portage	2	0	0
Mill bridge repairs due since last year	4	15	0
To remunerate Mr. Rose for work performed	4	0	0
To repair Munn's bridge	6	0	0
To purchase right of way from Greenvale on the road leading to North Side	3	5	0
To purchase right of way from Black Pond to Anderson's mill, forty feet wide, on the line between Andrew Campbell and his brother, if they make the road not to exceed nine shillings per chain, about 35 chains	16	0	0
To reduce the north hills at Black Pond bridge (new road) and a bed of brush 30 feet wide to receive the earth which is to be dropped through the covering to form a foundation for an abutment, north end of the bridge, to be let by tenders to whoever agrees to reduce the hills on an inclined plane, the most,—to be reckoned by feet and inches, for the sum of	15	16	9
Due Peter Campbell for work on bridge at Rose's mill	9	15	0
" James Beaton for labor &c.	3	15	0
	£186	7	3

District No. 6.

Comprising Townships Nos. 55 and 56, North of Grand River and Grand River Bridge.

To amount due Maurice Bowlin	£5	0	0
do Michael Ryan	7	10	0
do Rodk. McKenzie	5	12	0
do Donald Gillis	1	14	0
do James Enman	1	3	0
do Malcolm Nicholson	1	0	0
do ——— Campbell	2	0	0
To repair or rebuild Grand River bridge	98	0	0
do road from Hayden's Cross Roads to Nicholson's	5	0	0
To repair road from Nicholson's Cross Roads towards Grand River wharf	3	0	0
To repair road from Grand River bridge to Church	4	0	0
do Church to Dingwell's Mill	3	0	0
To repair Main Post Road	9	0	0
To repair road from Lachlin Mathewson's to Cahill's	3	0	0
To extend said road north, to line of Lot 42	5	0	0
To repair road from L. Mathewson's to Nicholson's	2	0	0
do Clay's road on line of Lots 54 and 55	8	10	0
do Strangman's road	3	0	0
do Lamont's road	2	0	0
do Johnston's road	1	7	3
To repair road from Grand River Wharf to Red House	10	0	0
do Grand River Wharf	5	11	0
	£186	7	3

District No. 7.

Comprising Townships Nos. 55, South of Grand River, 53 North of Grand River, and 54.

To repair road from Stewart's Hill to line of Lot 40, St. Peter's road	£20	0	0
To repair road from Cardigan bridge to Grand River road	12	10	0
To repair road from Rice's to Grand River bridge	10	0	0
To repair road from Ryan's toward Launching	5	0	0
To build Stone Arch at Campbell's bridge	7	10	0
To extend road from Cardigan bridge to St. Peter's road, on division line	13	10	0
To repair road from Acorns towards Launching	7	10	0
To extend road back of Lot 53, North St. Peter's road	3	0	3
To build bridge at Narrow's Creek, Lot 55	10	0	0
To build Wharf at Narrow's Creek at Macleod's ferry	35	0	0
To repair road from Launching road towards Seal River at Angus Macdonald's	4	0	0
The following amounts to be paid to the order of the superintendants of Cardigan bridge:—			
To Angus Macdonald, balance due on bridge	10	7	6
To John Crawford, balance due on bridge	24	19	6
Towards finishing Cardigan bridge	13	0	0
Superintendents	10	0	0
	£186	7	3

Any sums collected from subscription list to be paid to Road Correspondent, and by him to the Government.

District No. 8.

Comprising Township No. 53, south of Brudenell River, and Townships Nos. 51, 52 and 53.

To amount due Alexander Macleod and others, for repairing bridge on road from county line to D. Campbell's, south side of Montague	£4	15	0
Amount due Peter MacWade and John Goodman for opening new line of road from Stanhope road, Lot 51, to Brothers' road, Lot 66	10	0	0
Amount due George Mellish for repairing bridge on Union road	0	15	0
Due W. MacIntyre for repairs of road from Findley's to Montague bridge	0	15	0
Due D. Maclaren for repairs of bridge Head of Brudenell	0	5	0
Due John Crawford for contract and extra work on Cardigan bridge	3	10	0
To repair Main Post road	20	0	0
do road from Sparrow's road to county line	4	0	0
do past Emery's to Sparrow's road	5	0	0
do from Findley's to Montague bridge	10	0	0
do Union road and Sparrow's road	12	10	0
do from Stewart's to Union road	2	10	0
do from D. Campbell's to County line, south side of Montague	2	10	0
do from Union road to Main Post road past Macdonald's mill with unexpended grant of last year of £4	3	0	0
To repair road from Union road to Town road past Dewar's mill	3	0	0
To repair road from Stewart's to Montague bridge past Shaw's	3	0	0
To repair Brudenell wharf road	2	0	0
To repair road from Meeting House to Town road past Maclaren's mill	2	10	0
To repair road from bridge at Stewart's to Town road past Poole's mill	3	0	0
To repair road from Main Post road to Cardigan, by Drake's	4	0	0
To repair road from Alley's mill to line of Lot 38, Pisquid road	8	10	0
To open a road from Ferguson's mill to Baldwin's road with unexpended grant of last year of £3, provided a right of way is given	4	0	0
To repair Back Settlement, Pisquid Road, west end of Johnston's road	3	0	0
To repair east end of said road	2	0	0
do Johnston's road to Back Settlement	1	0	0
do Road from Back Settlement road towards P. McDonald's mill	3	0	0
To repair Peake's road, West end	3	0	0
do Bridge on Morell Brook, Peake's road	10	0	0
do Baldwin's road	6	7	3
do Brothers' road	4	0	0
To build block at Brudenell wharf south side	35	0	0
Henry Mooney for repairing Peake's road in 1860 and 1861	2	10	0
Roderick Macdonald's road from MacSween's	3	0	0
Peter Macdonald's road from Red Angus MacDonald's to John MacKay's	4	0	0
	£186	7	3

District No. 9.

Comprising Townships Nos. 59 and 61, and Montague Bridge.

To rebuild two new Blocks carried away by the storms of last fall, at St. Mary's Bay	£38	5	0
To build abutments and Block of wharf at Griffin's shore, also to pay for a right of way on the line between Griffin's and White's	16	0	0
To pay Contractors for Sturgeon bridge	12	0	0
To repair ferry wharf at Peter's shore	6	0	0
To repair wharf at Aitken's shore	4	0	0
To build a bridge across Sturgeon Brook on the new line of road on Lot 61	7	10	0
To repair road from Ferry wharf to St. Andrew's Point	6	0	0
From thence to Albion road	3	0	0
From Aitken's towards Murray Harbour	4	0	0
To repair Brown's or St. Mary's road	10	0	0
do New line of road called Sturgeon Road	10	0	0
do East end of whim road	12	10	0
do County line road	10	0	0
do East end of Douse's road	4	16	0
do New line of road from Whim road to Montague road at Duncan Campbell's	10	0	0
do West end of new road, Lot 61	8	0	0
do road from St. Mary's Bay wharf to Main road	3	0	0
To continue the opening of road between Maclure's and Lewellin's farms	6	10	0
To repair road from Widow Ross's towards Brown's Creek	4	10	0
To repair Wood Island road	10	6	3
Compensation to Alex. Macdonald, County line, for road through his land	1	10	0
	£187	17	3
To apply the unexpended money of last year's appropriation being £115 2s. 6d., or as much thereof as is required towards the repair of bridge on Beer's Mill Dam			

District No. 10.

Comprising Townships Nos. 63 and 64.

To pay John Roberts for balance due on Contract	£38	5	0
do Donald Livingston do	18	0	0
do Thomas Brehaut do	9	7	0
do Samuel Prowse do	10	0	0
do Malcolm Blue do	2	10	0
To improve Graham's hollow	6	0	0
" road from Butler's to James Clow's	3	0	0
" road from James Clow's to Sentner's	3	10	0
" road from Sentner's to Clow's mills	6	8	0
" road from Clow's mills to Burnt Point bridge	3	0	0
" road from Floating bridge to County line	6	0	0
" road from Murray Harbor road	4	0	0
" bridge near Macleod's mills	13	0	0
" road from Macleod's mills to Little Sands	8	0	0
" road from Toronto to Murray Harbour road	4	0	0
" old wharf at South river	20	10	0
" road from South River bridge to White Sands	4	0	0
" road along White Sand Shore	6	0	0
" Mink River road	3	6	0
" road from South River bridge to Burnt Point bridge	4	10	0
" new road from Graham's to Sentner's	5	0	0
To cut the hill down on south side of Burnt Point bridge	3	0	3
To compensate Donald Macleod for a right of way through his farm to John Roberts' mill	5	0	0
	£186	6	3

District No. 11.

Comprising Georgetown, Common and Royalty and reserved lands on Township No. 53, between Cardigan and Brudenell Rivers.

Due for work performed in the year 1861, as follows, viz:			
To Thomas Hession for Smith's swamp	£2	0	0
Gilbert Hession for work on road	1	10	0
Thomas Garland	0	17	6
Simon Cameron	0	12	6
William MacIntyre for bridge	1	0	0
John Flanagan	1	10	0
D. Macdonald and F. Campbell for wharf	16	0	0
Lachlin Wilson for labor on wharf	4	0	0
For an additional block and bridge of corresponding size to the wharf north side of the Brudenell	40	0	0
Repairing the public wharf, Georgetown	70	0	0
Repairing the Main Post road from Georgetown, westward	20	0	0
Road from Main Post road to Brudenell wharf	2	0	0
Road from Main Post road by Thomas MacDonald's to Cardigan wharf	6	0	0
From Main Post road to North Royalty road along west boundary of Royalty	2	0	0
Repairing road past Howlet's to Burnt Point road	3	10	0
Burnt Point Swamp	2	0	0
To finish the road on Smith's Swamp	2	0	0
Macaulay's road to finish the same	3	0	0
Road from Angus Macaulay's to the church at Alley's, where most required	3	0	0
To be expended where most required	5	7	3
	£186	7	3

Any amounts in hands of Commissioner or Overseers of last year's appropriation, to be expended where most required.

DEBATE ON THE ELECTIVE COUNCIL BILL.

Saturday, 22nd March.

The committee on the despatch relative to the Constitution of the Legislative Council was resumed.

Hon. Mr. WHELAN—From the imputation of opposing the Bill from factious motives, I think that members of the majority should except one of the Opposition, for the House well knows that I have always been opposed to the principle of the measure. And I have the satisfaction of knowing that my views on this subject have undergone no change. However much the majority may twit members on this side with inconsistency, such a charge comes with an ill grace from them. When, during the last two sessions, the principle of the Bill was under consideration, the majority would have the qualification of a candidate for a seat in the Council the same as for this House. Is there no inconsistency on their part, when they now propose to transfer the qualification from the candidate and impose it on the voter? Is there no evidence of a change of opinion, when we see them abandoning a policy which but a few months since they strenuously advocated? They said in 1861 that a candidate must have a property qualification, that the elector need not: in 1862 they say that the candidate need not be qualified on property, but that the elector must. And yet they charge others with inconsistency. My objections to the principle of the Bill are two-fold. First, if elected by the same constituency as the House, the Council will most probably be a mere echo to the House. It is true that the despatch of the Duke of Newcastle obviates this objection to a certain extent, by proposing a high property qualification in the voter; but the other difficulty then arises, for if elected by different constituencies the two branches will almost of necessity come into collision. The Council would assert, that being equally with the House, a representative body, and being elected on the basis of a property qualification, they were to be regarded as better qualified and having a better right than this branch of the Legislature to impose taxes and originate money votes. Instead of acting as a constitutional check upon this House they would be influenced by the popular voice, and it could not be expected that they would bring to the consideration of measures that cool unbiassed judgment which the constitution supposes them to exercise. Besides these objections, the adoption of the proposed change would entail on the country the cost of elections to the Council. Those for members of this House form already a large item of the public expenditure, and the additional charge consequent upon making the Council elective will be attended with no corresponding advantage to the country. We were told yesterday by the hon member, Mr. Langworth, that departmental Government cannot be carried out under the present system. No difficulty of that kind has been experienced in Canada, Nova Scotia, New Brunswick, or Newfoundland. And we had it in operation from 1851 to 1859. But the fact is that the present Government never attempted to carry out the system. On the contrary they emphatically ignored it by their silly exclusion of officials from the Legislature. The despatch alludes to the principle of elective Councils having been introduced into Canada, Victoria, South Australia, and Tasmania, but we have no evidence to show how it has worked in either of these dependencies, with the exception of Canada, where it has created a wide spread dissatisfaction. No argument can be deduced in favour of the Bill, from the fact of elective Councils having been introduced into the other Colonies I have named, for besides our ignorance of its effects upon them, their circumstances, traditions and institutions vary from ours to an extent that precludes any comparison. As to the particular clause under consideration it is unnecessary to repeat *in extenso* the objections which have been made to it. £100 is, in my opinion, altogether too high a qualification. If we are to have the Bill at allit would be better to fix the amount equal to the annual rent or the interest of the value of a man's property. The present standard will deter many electors from the hustings. The majority may say that £100 is not excessive, and that less than that amount will not satisfy the Secretary of State. It may be reasonable enough in England and in other older and more wealthy Colonies, but it is too high for this Island, where the baneful land system has repressed the energies and ambition of the bulk of the population, preventing the improvement of farms which would otherwise have been made. No comparison can been made between the state of a tenant in this Island and one in England, Ireland or Scotland. And therefore it is that the Duke of Newcastle may consider the amount proposed a small one, but, in view of the circumstances of the people of the Colony, it is absurdly high. Besides, it is monstrous to think that a voter for a Councillor must be possessed of property double that which is required to be held by a member of this House. The Duke has not specified any particular amount, but if he had, it would be derogatory to us to say that we were, in matters of popular requirements, to be bound by his dicta. If we cannot legislate on our own local matters, except as we may be directed by an officer 3000 miles distant from us, we had better at once profess ourselves merely the recording clerks of the Colonial Office. The Government may lay the flattering unction to their souls, that they are doing their duty in pleasing the Colonial Minister, but, if that is their leading motive, they are not to be considered the representatives of the people but of the Colonial Office in Downing Street. It is not necessary that I should say more. Years ago, I gave expression to opinions similar to those I have advanced this evening. I am aware that the minds of the majority are made up, they have decided upon £100, and I have not vanity enough to suppose I can induce a change of opinion. They are welcome to their opinions. My object in rising was to protest against the principle of the Bill and the particular sum proposed by the Government to be inserted in the clause before us. If the majority would go to the country on it, I would be willing to take the sense of any constituency in the Island in opposition to them.

Mr. OWEN—The debate has taken up so much time and so wide a range, that I shall content myself by briefly stating my opinion that £100 is entirely too high a qualification for an elector for the Council. In the district which I represent, I know many people who will be debarred from the privilege of voting if this clause be passed. I cannot, therefore, support it, as I know that it would exclude from the polls many persons well qualified to exercise the electoral franchise.

The question was then put on Hon Mr. Coles's amendment

Ayes—Hons. Messrs. Coles, Wightman, Kelly, Hensley, Whelan, Thornton, Perry; Messrs. Owen, Sutherland, Sinclair, Cooper—11.

Nays—Hons. Messrs. Yeo, Pope, Gray, Longworth, Laird, Speaker, McAulay; Messrs. Ramsay, John Yeo, Howat, Beer, Davies—13.

The original resolution was then carried.

Hon. Mr. HAVILAND—Mr. Chairman, the House having decided upon the qualification of an elector for the Council, it now becomes our duty to decide on that of a candidate. I have no doubt that a majority of the House will be found prepared to carry out the suggestions of the Secretary of State. He has declared, and we have affirmed, his opinion, that a property qualification is not necessary for a member of Council, and has suggested the propriety of transferring it to the elector. As to the age at which a man shall be competent for election to the Upper Branch, the Secretary of State names 30 years, and I believe that in all Colonies where an Elective Council exists that is the age, under which no party can be elected. It is presumed then when he has reached that period of life, a man's mental and bodily faculties are matured. Besides as a man advances in years he becomes more conservative in his views, time gradually moderates his radical tendencies. Proofs of this assertion are to be found in the instancy of the Right Hon. B. Disraeli the leader of the conservative party in the House of Commons, than whom, in his younger days, a greater radical was not in that House, the same remark will apply to Earl Derby, and we all know the extreme views formerly held by Lord Brougham, than whom there is not now a more cautious politician. As to the period during which a party seeking a seat in the Council must have resided in the Colony before he shall become eligible, it will be apparent to all that a reasonable term should elapse, in order that a candidate may become acquainted with the wants and condition of the people and the nature of our political questions, and that the period of his residence should be such as to give a guarantee to the public of his intention to make the Island his home, otherwise a field might be opened to political adventures. I think that 5 years residence would be a reasonable period, and I have prepared a resolution to that effect. (The hon. member here read the resolution.) I agree with the Secretary of State that the electors should have as large a field for selection of members as possible.

Mr. HOWAT—I am not opposed to the period of residence in the Colony being fixed at five years, but the very reasons given by the hon. member for that period are in my mind strongly in favor of confining a candidate's residence to the district which he seeks to represent in Council. I was of the same opinion last year, as I thought that a party would naturally be better acquainted with the wants of the district in which also he would take a greater interest, if he resided in it, and that the people would prefer a resident member.

Hon. Mr. COLES—A residence of 12 months would be sufficient; suppose the case of a public man from the neighboring Colonies coming here to reside, for instance the Hon. Messrs. Howe or Gray, they might prefer to take a seat at the Council Board, yet the resolution would prevent them doing so until they had been here 5 years. It is monstrous—I was amused, at the hon. member citing cases to prove that men became conservative as they grew older. Among the names he quoted, he forgot to mention that of the great Sir Robert Peel, the latter portion of whose public life was a constant advance in liberal policy. I myself became a liberal after I was 30 years old, and the Hon. Joseph Pope turned radical after that age. The hon. member might have mentioned the hon. Speaker as having become more conservative in his opinions, and my old colleague the hon. member Mr Laird has of late years, shown himself a very strong conservative. However, I admit that when he has arrived at 30 years of age, a man is not so apt to form rash and hasty judgments, and to that part of the clause I have no objection, but one years residence I consider ample to render a man acquainted with the circumstances of the Colony. You might just as well restrict the place of residence to the district represented, as compel a man to live in the Island 5 years, before he can be eligible to a seat in the Council.

Hon. the SPEAKER—I cannot agree with the hon. member Mr. Howat, that the electors should be restricted in their choice of a councillor to a particular district. I am in favor of giving them as wide a selection as possible. Such a restriction would in my opinion be impolitic and unfair to the constituencies, as unduly limiting their field of selection. The local interests of the various parts of the Island are more peculiarly under the charge of the peoples representatives in this House than they would be under that of the Council. I would suggest that the period of five years in the resolution be reduced to three, as I consider the former period unnecessarily long. The Secretary of States includes the clause requiring five years residence in his opinion that "these provisions are most injudicious" and he merely suggests that a candidate "should be a British subject, resident in the Colony and thirty years of age."

Hon. Mr. THORNTON—It seems to be generally agreed that a man is not qualified for a seat in the Council before he shall have reached thirty years of age. I agree that there is generally more stability of judgment at that time of life than earlier. As to the period of residence in the Island I agree with the Hon. Speaker that three years are quite sufficient to enable any man of common intelligence to obtain adequate knowledge of the interest of the Island and to qualify him to form and apply his judgment on them.

Mr. COOPER—I think we should be careful to make a distinction between a British subject and a foreigner. In the case of the latter, we should test his allegiance before we gave him the power to legislate on our own affairs, and perhaps five years would not be too long a period for that purpose. But in the case of a British subject, it is not necessary that any time should be specified, for if the candidate is qualified by talents, education and experience he should be eligible to the Council, where local knowledge of the circumstances of particular districts is not required. I agree that the age of the candidate should be settled at thirty years, for at that age, a man is generally if ever, capable of acting with discretion.

Mr. DAVIES—If the Bill had been in force some years ago in the shape advocated by the hon. member, Mr. Cooper, the notorious Capain Sleigh could have been returned for several districts. Parties coming to the Island with an idea of settling in it generally require 3 or 4 years to become acquainted with it, and form an opinion on the climate and state of society and many other matters of which a stranger is necessarily ignorant. I cannot agree with the hon. member, Mr. Howat, as to the local restriction of residence. I am in favour of letting the people of any district chose their member from any part of the Island they please, and I am satisfied that the electors themselves do not wish their choice to be limited.

Mr. SINCLAIR—I agree with the Secretary of State. We should not restrict the people in their choice of a representative. They should be at liberty to judge for themselves. They are as capable of making a suitable selection as the hon. member, Mr. Howat could do for them. Local knowledge is not required of a Legislative Councillor, as it is of a member of this House. Beside which, a man can easily obtain such knowledge in a short time in this small Colony. We might as well require a property, as a residence qualification in a candidate for the Council. I am opposed to the term of 5 years as being too long, perhaps no great inconvenience might result from substituting 3, but it may be as well to specify no particular term, and leave the matter open to the judgment of the people in their choice of a representative in the Council. The Secretary of State suggests no particular duration of residence. He merely says, "of the candidate I would only require that he should be a British subject, resident of the Colony and thirty years of age."

Hon. Mr. LAIRD—I agree with the terms of the resolution moved by the hon. member, Mr. Haviland, that a candidate for the Council should have resided five years in the Island. People may, and do, come out and stay here for two or three years and then leave in disgust. The Secretary of State was probably not aware that such was the case.

Mr. BEER—I shall support the clause as it is. Years ago, we had the cry that the so called family compact were putting mere strangers into the Council, and at that time, I thought that a previous residence of ten years should be required of a Councillor. We have all known flash characters come to the Island, and after making great pretensions to the position of men of property, the bubble would burst and they would leave in a hurry. If we allowed parties to take seats in the Legislative Council, who had not resided here at least five years, we would be doing injustice to those who had by their industry accumulated property in the Island and borne the heat and burden of the day. I am astonished at what has fallen from the hon. member, Mr. Sinclair. In justice to the Colonists the period of residence should have been longer.

Mr. OWEN—I have no reason to fear that the flash characters alluded to by the hon. member will be elected to the Legislative Council. A residence of three years is quite sufficient. The people in the country are not so easily gulled as those in Charlottetown were by Mr. Sleigh. There is no fear of them taking a person whom they don't know. They are quite capable of judging of a candidate's qualifications, and can easily satisfy themselves as to his intention of remaining on the Island. The extension of the restriction to five years might have the effect of debarring the electors from selecting parties possessing the highest qualifications for the Council.

Mr. SINCLAIR—I agree with the hon. member, Mr. Beer, that Government should not nominate mere adventurers to the Council, but there is no fear of that class of people getting seats there when the people have the privilege of electing them. I agree with the hon. member who spoke last, that the people in the country are not easily gulled. It may be different in Charlottetown, and therefore it may be necessary to make a distinction between the people of the city and those of the country. The latter possess too much shrewdness to need such protection.

Hon. Mr. McAULAY—The expression of astonishment on the part of the hon. member, Mr. Beer, at the course pursued by the hon. member, Mr. Sinclair, reminds me of an anecdote of a lawyer in England, who had been suspended from practising until he should satisfactorily explain his conduct in a particular instance. He applied to the late Lord Eldon, then Mr. Scott, who, after hearing his statement, and listening to the expression of his surprise at the action the judges had taken in the matter, merely said, "Is that all? If you had known them as well as I do, you would not have been surprised at anything they might do." In like manner the hon. member need not be surprised at anything which any member of the opposition may do. We are now discussing the expediency of adopting the suggestions of the Colonial Minister, and propriety dictates that any decision we may arrive at should be the result of mature deliberation. I do not regard the age specified by the Secretary of State as absolutely necessary to qualify a man for a Legislative Councillor in this Island. The great Pitt was but twenty-one years of age when he was the idol of the British nation. Had he been restrained from displaying his great abilities in the administration of the public affairs of his country until he had reached the age of thirty, the world would have sustained a serious, and it might be, an irreparable loss. It is true that every man is not a Pitt, and it would be unreasonable to expect of others that ripeness of intellect which so pre-eminently distinguished him at so early an age, and on that ground I consider the suggestion a proper one. The limitation that the candidate should be a British subject is necessary, for although foreigners have been among the most able exponents and eloquent advocates of the principles of the British Constitution, it is but a measure of justice and safety, that none but British subjects should make or administer British laws. As to what has been said about the term of residence necessary to qualify a candidate for the Legislative Council, I care not how great may be his experience nor how extensive his acquirements, it is necessary that he should be conversant with the peculiar circumstances which may render necessary legislation on the affairs of the Island different from that of other countries whose situation differs from our own. The law which may suit one part of the world, we all know, may be inpplicable to another. On these grounds I support the clause as it stands, for five years are little enough to qualify a man to take his seat in the Upper House. It is true a stranger may be fully qualified for a seat almost on his arrival in the Colony; but such a case would be an exceptional one, and is our duty to guard the rights of the people. I have heard no sound argument against the limitation to five years residence.