

At the suggestion of the hon. gentleman the following were added—Messrs. Archibald and Ruggles.

Some conversation ensued on the constitution of the Railway committee.

Hon. Mr. Howe objected to serve on this committee, as it was his opinion that the claims of the contractors for extra work should be tried in a Court of Law, and should not be submitted to a committee of this house. The hon. gentleman stated that he had it on good authority, that one of these contractors had already offered £1,000 to one of the members of this house for his vote on this question.

Hon. Attorney General remarked if that was the case the contractors would appear in a very unfavorable light before the House—he, however, had heard nothing of the transaction alluded to.

Hon. Attorney General also explained why he thought a committee of the House the proper tribunal to investigate the contractors' claims, so as to report what course they would recommend the House to pursue.

Further explanations were made by the Hon. Attorney General and the Hon. Prov. Secretary, in reference to some remarks of the Hon. Mr. Howe on Mr. Laurie's report.

Hon. Mr. Young, in the course of his remarks, said he would prefer not serving on this committee if the Hon. Mr. Howe withdrew his name.

Hon. Prov. Secretary and Mr. Howe again addressed the House on the subject of Mr. Laurie's report (which had not been read in the House.)

Hon. Mr. Young inquired whether any monies had been paid to the Contractors without the certificate of the Principal Engineer.

Hon. Prov. Secretary said none had to his knowledge.

Hon. Attorney General explained further, that some monies had been advanced by the recommendation of the Commissioners and the Chief Engineer, which would probably be found outside the contract.

After some further debate, the subject was adjourned until the next day.

Mr. Eason stated that he had been requested by one of the Railroad Contractors to ask the Government to bring down the monthly detailed statement of the Engineer's returns for Contract No. 2, on the Windsor branch, from June, 1855, to 20th Feb., 1858, which had been refused to the Contractor by the Chief Engineer and the Board of Commissioners.

THURSDAY, Feb. 25.

Hon. Provincial Secretary, by command, laid on the table, the returns asked for by hon. Mr. Young, on the subject of the recent appointments to the Legislative Council which were read by the clerk.

Also, Returns asked for by the hon. member for Windsor, in reference to the settlement of the boundary line between Nova Scotia and New Brunswick, which were read by the clerk. He stated that no report had yet been returned by these commissioners.

Also, certain correspondence relating to the application of Mr. McDonald, Railway Contractor, to the railway board for information as to returns connected with his contract.

Mr. Tobin asked special leave to present a petition on the subject of the mail route across the Gut of Canso. The petition was received.

Hon. Mr. Young stated, in connection with this petition, that it was the interest and desire of the inhabitants of Inverness, and he believed Victoria, that the mail route across the Gut should remain as it is, for this reason, that in some seasons of the year it was impossible to carry the mails across at Ship Harbour, which was the place proposed as the new crossing place, altho' it might perhaps be a better place in the summer.

Hon. Attorney General again presented the report of the revising committee recommending three additional standing committees, which had been partly discussed on the previous day.

After some discussion the report was confirmed with the exception of the railway committee.

Mr. Howe again declined to serve on this committee.

Hon. Attorney General regretted this determination, as he thought from the connection the hon. member for Windsor had with railway matters, he should be upon the committee, which would investigate all matters connected with this subject, and would thus become acquainted with the evidence which would be brought before them.

Hon. Mr. Howe explained his reasons for declining to serve.

Mr. Annand was of opinion that no committee of this House should be called upon to decide upon such claims as would be brought before them, which, he thought, properly belonged to the Railway Board and the Government.

Hon. Atty. General remarked that it did not belong to the government to interfere with the action of the Railway Commissioners, the House of Assembly was the proper tribunal to decide upon the merits of the claims made by the Contractors on the Railway Board. It was impossible that the Commissioners and the Chief Engineer who were the parties the Contractors complained of, could be competent to decide upon their claims. The hon. gentleman instanced the recent refusal of the Railway Board to furnish one of the Contractors with certain returns, in support of his argument.

Hon. Prov. Secretary was of opinion, that if the member for Windsor would consent to serve, he would become convinced of the necessity of investigating the Contractor's claims. He instanced the state of the law which prevented any monies from being paid, unless by the certificate of the Chief Engineer.

Further remarks were made by the hon. Mr. Howe, hon. Attorney General, Mr. Wier, and

the hon. Provincial Secretary, and the discussion of the subject was adjourned.

Hon. Provincial Secretary laid on the table a letter from Mr. Selden to the late Lieutenant Governor Sir Gaspard LeMarchant, in reference to the destruction of his house during the fire of 1st January, 1867. He brought this letter before the House, because some question might arise as to whether any liability might attach to Sir Gaspard in consequence of being concerned in giving the order for the pulling down of Mr. Selden's house.

Hon. Mr. Young had no hesitation in stating that no liability could attach to Sir Gaspard for his action in this matter.

3½ o'clock.

The Hon. Speaker informed the House that the Clerk had received from the Legislature of Newfoundland, a complete copy of the Laws since the year 1836, with a letter requesting a copy of the Revised Statutes of this Province. The Clerk was directed to enter the letter in the Journals, and to comply with the request.

Hon. Atty. General again requested the house to decide upon the Railway Committee, as reported by the revising Committee.

A call of the house was made. Hon. Mr. Young declined to act in the Committee because the government appeared to be at issue with their own officers, the Railway Commissioners and the Chief Engineer.

Hon. Atty. General disclaimed any such idea, and stated that there was no want of harmony between the government and the Railway Board.

Hon. Mr. Archibald also declined to serve in the Committee for the reasons stated by the hon. Mr. Young.

Hon. Atty. General then required the reading of Mr. Laurie's report on the state of the Railways, as in his opinion this discussion upon a document not yet before the house was entirely irrelevant.

FRIDAY, Feb. 26.

The bill on Mines and Minerals was read a third time and ordered to be sent to the Council for concurrence.

Hon. Atty. General moved the second reading of a bill in connection with the act relating to the Mines and Minerals; the object of which was to place the grantees of lands, passed since 1826, on the same footing, as regards the reservation of the Mines and Minerals, as they would have been had the lease to the Duke of York not been made.

Hon. Mr. Howe laid on the table, a resolution for the appointment of a select committee, to report on the general state of the Lunatic Asylum.

Hon. Attorney General moved that the debate on the appointment of the railway committee be adjourned until the next day, when the government would announce what course they would pursue.

Hon. Financial Secretary, by command, laid on the table the account of the Receiver General, in connection with Railway matters.

Also, a comparative statement of the exports and imports during the year 1857.

Mr. Eason, in reference to the statement made by the hon. Mr. Howe on a previous day, to the effect that £1,000 had been offered by one of the railway contractors to a member of the house, asked the hon. member, on behalf of the contractors, for the name of the contractor and the member referred to.

Hon. Mr. Howe read a letter which he had received from one of the railroad contractors on the same subject, to which he had returned a reply, which he then read to the house, to the effect that when the public interests demanded it he would be prepared to give the names on the floors of the house.

The hon. gentleman said that he had noticed an inaccuracy in the report of his remarks of a previous day, on this subject. What he did say was—that £1,000 had been offered by a contractor to a member of the house for his services—not for his vote on the question, as reported.

3 o'clock.

Hon. Attorney General moved the second reading of the bill to make the Legislative Council Elective.

Hon. Provincial Secretary, by command, laid on the table two letters from the Chairman of the Railway Board, enclosing the Engineer's report in reference to the recent accident on the railroad, which were read by the clerk.

Hon. Attorney General, hon. Mr. Howe, and hon. Mr. Young, addressed the house on the bill before the house.

The bill was read a second time and committed.

SATURDAY, Feb. 27.

The hon. Prov. Secretary laid on the table a letter from the Chairman of the Railway Board, relative to the recent damage done by a locomotive running off the track.

Bills were introduced to naturalize 61 German emigrants—to make the district of Loughbar, in the county of Sydney, a separate Township—to provide for the Registration of births, marriages and deaths—to provide for the Registration of voters at Elections of members of General Assembly.

House in committee—passed a bill concerning grants of lands, since 1829, and in reference to the Mines and Minerals bill.

Mr. McLellan moved to resume the debate on voting by Ballot. Members remarked, that consideration would be premature until Registration was provided. After some discussion the motion was withdrawn.

Mr. Tobin read some resolutions forwarded to him by the City Council, concerning Mr. Selden's claim in reference to loss by the fire of January 1, 1857.

The question of appointment of Railway Committee was resumed.

Hon. Attorney General moved the appointment of a Committee; which was agreed to.—Attorney General then moved the seven gentlemen formerly named, as follows:—Attorney General, Provincial Secretary, Messrs. Killam, Tobin, Young, Howe, Archibald. The three last gentlemen declined to serve on the Committee. The Attorney General moved, instead, Messrs. Locke, McLellan and Morrison, who also wished to be relieved. Attorney General then moved the appointment of a Committee, consisting of Messrs. Henry, Killam, White, Wade, McFarlane, Ruggles, Tobin.

Much animated discussion has arisen on this question.

The final proposition was adopted 25 to 16.

The government insisted that the Committee should be appointed to examine concerning Railway damages, claims for extra Railroad work, amounting to £70,000, and generally of such Railway affairs as should be submitted. Members of the opposition argued, that the Railway Board, and the Government, should first examine and decide on the extra claims, and that the responsibility should not be removed from them to a Committee of the House.

MONDAY, March 1.

Mr. Tobin said he had understood the hon. member for Windsor to say the other day that of the extras paid to the contractors only £4000 had been paid while he was chairman. He had ascertained from the Railway Office that of the £49,000 extras paid to the contractors, £42,000 had been paid by the authority and under the signature of the former Board and the late Chairman. He would ask if this was the case.

Hon. Mr. Howe replied that he did not say only £4000 had been authorized and paid under the former Board. He had quoted from Mr. Forman's report of 1856.

The House in Committee on Bills.—The Bill to make the Legislative Council elective was taken up. On reading the first clause, Hon. Mr. Young moved in amendment the second clause of the Bill introduced by Hon. Mr. Johnston in 1852—to the effect that upon the Bill receiving the sanction of Her Majesty, the seat of the then members of the Council should be vacated and the elective principle applied.

Several members addressed the House. Mr. Locke proposed a resolution for abolishing the Legislative Council altogether, as he considered one body sufficient to transact the business of the country.

Adjourned until 3 o'clock the next day.

LEGISLATIVE COUNCIL.

FRIDAY, Feb. 19, 1858.

Report on Railway.—Hon. Mr. Tobin, by command of His Excellency, laid on the table of the House the report, dated 5th Feb'y., 1858, of James Laurie, Esq., Civil Engineer, on the Nova Scotia Railway, its present condition, and probable cost.

Nearly two hours were occupied in the reading of this report by the clerk, which, of course, is entirely too voluminous to admit of a satisfactory abstract within our limits.

Mr. Laurie states that the average cost of the superstructure of the Nova Scotia Railway per mile, including iron, has been £2689 8s. 5d.

The bridges, viaducts, &c., have been constructed in a superior manner, but recommends that those on the portion of the line not yet opened should be tested before passengers are conveyed over them.

The T. rail, or American pattern, he considers preferable to that adopted by the Railway Board, being much less costly.

Mr. Laurie condemns the system of keeping accounts practised by the Railway Board, which he considers very complicated. He states that there are disputed accounts between the contractors and the Railway Board amounting to upwards of £70,000, the contractors charging this amount for what they call extra work, and the engineers asserting that it is not extra work, and denying the liability of the Railway Board for the charge. He considered that part of this amount should be paid.

Mr. Laurie estimates the cost of the line to Truro and the Windsor branch, with equipments complete, including a Railway Telegraph, at £1,024,866 7s. 2½d. Of this amount £666,957 19s. 1½d. were expended prior to September 30, 1857.

It appears that the average cost of the railway per mile has been £11,043 16s. 4d. The average cost per mile of the railways in the State of New York is £12,968 4s. 4d.

On the reading of that part of the report which refers to the apportionment expended, and the carrying it to different branches of the service.

Hon. Mr. McCully stated that in the earlier history of the operation, parties were often employed to attend to double classes of duty at the same time—work which would fall under construction and transportation. To have kept two separate classes of servants would not have paid. It was, therefore, to economize that this was done.

On the reading of that part of the report which treats of the accounts of the Railway Board.

Hon. Mr. McCully observed that there were no two Railway Companies, so far as he had examined their reports, who kept their accounts on the same system. He thought that Mr. Laurie's observations on that head were not of much value.

MONDAY, Feb. 22.

Hon. Mr. Tobin, by command of his Excellency, laid on the table of the house a copy of a despatch, dated 5th Sept., 1857, from the Colonial Secretary to the Lieut. Governor, relative to

the admission of Colonial Attorneys and Solicitors to Her Majesty's Superior Courts of Law and Equity in England.

Hon. Mr. McCully—I beg leave to present a petition from the Mayor of the city and a number of respectable gentlemen, praying that the name of the capital of Nova Scotia may be changed from Halifax to Chebuco; and I shall, on a future day, if no other member moves in the matter, introduce a Bill carrying out the prayer of the petitioners, and test the feelings of this house on the question.

Petitioners state that great inconvenience results from the retention of its present name by the metropolis of Nova Scotia, as there are over one hundred cities, towns, and post office villages in the British Provinces and United States of America having the name of Halifax, besides several places in other British Colonies, and a city of note in England; and letters intended for Halifax, Nova Scotia, are frequently mis-sent to some one or other of these places, thereby causing great perplexity and annoyance, and, in some instances, serious pecuniary loss.

Hon. Mr. Pineo—I am sorry that the citizens of Halifax are tired of the name of their city. We who live in the country have no objection to the name. I think the name of the city has already been changed once, and it strikes me that Halifax sounds as well, and looks as well, on paper as "Chebuco." I certainly do not feel favorably disposed towards the proposed change.

FRIDAY, Feb. 26.

Hon. Mr. Archibald presented a petition for a grant for having kept up steam communication in 1856, between Nova Scotia, New Brunswick, and Prince Edwards Island.

Hon. Mr. Dickey asked leave to introduce a Bill to incorporate the Trustees of the Baptist Church, at Falmouth. Leave granted.

Hon. Mr. Tobin, by command of His Excellency, the Lieut. Governor, laid on the table the report of the Superintendent of Education and Principal of the Normal School for the year 1857, together with several Tables referred to therein.

Hon. Mr. McCully stated that he supposed the Government were now prepared to say whether they would introduce an Education Bill this Session.

Hon. Receiver General replied that no further determination had been made by the government on the matter, since his former reply to a similar question from the hon. gentleman.

Estates of Married Women.—The house resolved itself into a Committee on Bills, and took up the Bill for the better protection of the Estates and Rights of Married Women.

Hon. Mr. Almon, on the reading of the first section, observed that while he believed it was absolutely necessary to pass a Bill somewhat similar to that now before the house, he was of opinion that property acquired by the wife before marriage, should not be retained by her for her separate use. He considered the law in this respect was just, though he admitted that property acquired by the wife after marriage should perhaps be retained by her for her own use. He also considered that the section should be amended by adding thereto a clause exempting the husband from liability for debts contracted by the wife before marriage.

Hon. Mr. McCully remarked that the wife's separate property was by the Bill liable for all her debts.

Hon. Mr. Almon—Suppose the wife has no separate property.

Hon. Mr. McCully—By the marriage the husband becomes responsible for the debts of the wife, and her property is also made liable for them. If the wife has no property, the man who marries her takes her with her debts. The Bill leaves the husband in the same position in this respect as he now is, and it does not withdraw the wife's property from liability for her debts. In fact it places the husband in a better position than he is now, as it renders the wife's property liable for her debts, and prevents him from squandering it.

Hon. Mr. Harris—It appears to me that the section under discussion makes the separate property of the wife liable for any debts which she contracts without the knowledge of her husband.

Hon. Mr. Whitman—Suppose a man and a woman, each worth £1000, were to marry, and the wife's property was encumbered to the extent of £500, would not the husband have to pay that debt under this Bill?

Hon. Mr. McCully—The property of the wife is, by the Bill, made liable for all her debts.

Hon. Mr. Archibald—I think my honorable friend (Hon. Mr. Almon) will have to bring in a Bill to protect the rights of married men. (Laughter.)

Hon. Mr. McCully—I do not pretend to say that this Bill may not hereafter require some modification. I shall be glad to receive any suggestions which will tend to improve the Bill.

Hon. Mr. Bell—It is very desirable that some such Bill as this now under discussion should be passed. We all know that there are many mere fortune-hunters in the world, who, in seeking for a partner for life, look at the purse and not at the person, and who, when they have secured the former, care very little about the latter. I am satisfied that if the temptation now thrown out to such persons were removed there would be more happy marriages.

Hon. Mr. Almon—I would ask the hon. introducer of this Bill who is to pay the wife's debts while she lives in this separate state. Suppose she lives in an extravagant manner, and incurs heavy liabilities, who is to discharge them? The husband, I suppose, is bound to take her back whenever she chooses to return. This Bill appears to me to be altogether a one-sided affair. If the wife dies and leaves property, the husband receives none of it. I think that all