

Provincial Parliament.

HOUSE OF ASSEMBLY.

TUESDAY, March 13th.

The Hon. Provincial Secretary, by command laid on the table of the House several despatches respecting Light-houses; the Board of Works; the Provincial Penitentiary, the Province Building, and Government-house; the Provincial Lunatic Asylum, and Sable Island.

The Speaker announced that the time had arrived for taking into consideration the petition against the election of Mr. Lewis Smith. The sergeant-at-arms was directed to go to places adjacent and direct members to attend. Fifty-two members were present, besides the Speaker. The doors of the chamber were locked. The order of the house on the proceeding was read. The agents of the petitioner and sitting member attended at the bar.

The following are the names of the committee struck on Mr. L. Smith's viz case: hon. Mr. Young, Messrs. Robertson, Cowie, Martell, Hatfield, Esson, and Grant.

These gentlemen were sworn in. Hon. Mr. Young said that as it was absolutely necessary the revenue bills should be immediately gone into, it would be preferable that the election committee on Mr. Smith's case be deferred until a fortnight hence. He therefore moved that the time for the sitting of the committee be that day (Tuesday) fortnight.

Hon. Mr. Johnston had heard the observations of the learned President with the utmost surprise. He would not have been more astonished if the hon. gentleman had actually brought in a motion to discharge the committees altogether. To postpone them in the manner now proposed was tantamount to defer their adjudication indefinitely—a state of things which must be viewed with indignation by every man who valued the privileges of the Legislature. It was not fair to the members whose seats were disputed to adjourn the decision in their cases. No one could approve of an arrangement which would leave members any unnecessary length of time in an uncertainty as regards their right to sit in the Legislature. If any were sitting improperly in the house he should be dealt with at once, and unseated; if a seat was disputed, the circumstances should be forthwith enquired into and if favorable to the member he should be at once relieved from anxiety, and secured. It showed they could not face the inquiries either before the house or before the committee. Was not that a humiliating position for a government to occupy? That they should so feel their insecure position that they must protract a decision in cases which every consideration of justice required should be settled forthwith. Would not the course now attempted to be taken be repugnant to the rights of the parties concerned, and lead the country to wonder where was the dignity of a government which could perpetrate such a blow to every principle of justice. He moved in amendment that the election committee sit on Thursday, 15th inst.

Mr. Henry said the course of the gentlemen opposite was pretty well on a par with their whole conduct during the session. The ineligible men were asked to be tried by the house; it was refused—it was then proposed to try them before committees before adjournment, but that proposal was rejected also, and now after the adjournment they were not to be dealt with, but the committees were to be postponed indefinitely. A very creditable display of consistency for gentlemen opposite, indeed!

The gentlemen opposite might carry their motion by virtue of a majority, composed of those very ineligible men. Such an action would assuredly be received by the people of this Province with feelings of the deepest indignation.

Hon. Mr. Wier thought the opposition had had of late an evidence what the people in three counties at least thought of the new administration. If the Election Committees were proceeded with, the house would assuredly come to a dead lock before the last of March.

Dr. Tupper—Hear, hear! Hon. Mr. Wier—It would evidently delight gentlemen opposite if such a state of things should occur before the Revenue bills were passed. But it was the determination of the new government to prevent by every means in their power such a great evil.

Mr. Henry thought the hon. gentleman should not attribute improper motives to the opposition. Hon. Mr. Wier would attribute whatever motives he thought proper.

Mr. Henry said that gentlemen on his side of the house are prepared to offer no factious opposition to the Revenue bills, as long as it was consistent with fairness.

Hon. At. Gen. thought the course taken in petitions on Monday afternoon, particularly against hon. Provincial and Financial Secretaries, showed very conclusively that there was a desire to act factiously. He thought it most important that questions of great public interest should be at once disposed of. It was but of little consequence who occupied office, as long as the revenue and the important bills were passed.

Mr. Wade, saw no possible reason why the committee could not meet every morning, to defer the decision as now proposed would cause much suspicion. (Hear, hear.)

The debate being postponed for a short time, the following gentlemen were chosen:—Messrs. Bailey, Cowie, Grant, Hatfield, McFarlane, Robichau, and Shannon.

Hon. Mr. Young referred to several subjects on which legislation was much needed. He thought eight or ten days might well be spent in deciding upon some scheme to augment the revenue so as to meet the increased annual expenditure consequent upon the railroad and other public works. He charged the late government

with perverting and destroying the effect of the decimal coinage act passed last session. That act directed that a penny should be equal to two cents, and a half-penny to one cent.

Dr. Tupper—No. Mr. Young—Do not interrupt me; I ought to know the terms of my own law. The hon. gentleman here read a clause of the act of last session, and contended that his statement was correct. The present government intend immediately to authorize the Postmaster General to charge six cents instead of five, as should have been done from the first. He thought the best interests of the Province would be consulted by devoting the next ten or twelve days to the consideration of the subjects he had mentioned. Again, suppose the committees reported adversely to his side of the house, and they lost two members,—the house would stand 26 to 26—there would be a dead lock, and in what position would the revenue be?

Dr. Tupper said as the time had long passed by when anything that happened in the house could surprise him, the observation just made by the learned President of the Council did not amaze him in the least. Those who had been present during the present session of the Legislature, and had witnessed the attitude and position which gentlemen opposite had been obliged by their own necessities to assume, could not be astonished by any proceedings, however monstrous, who hold, by an uncertain tenure, the government of this country; an uncertain tenure indeed, since in every movement they were compelled to betray their fears and exhibit themselves in an attitude before the Legislature and the country, calculated to excite the scorn and contempt of a free and intelligent people. What had the House been already told by those who now were usurping power. Some weeks ago they did not hesitate to state that a dissolution would have been unconstitutional under the existing circumstances—that the Lieutenant Governor, if he took such a course, would have been unfit to govern the Province. Now it was proved from their own mouths that the advice given to His Excellency by his late constitutional advisers, was the best that could be given.

He had been amused with the statements made by the hon. President in respect to the Decimal Currency act. The framing of the act had been left to the legal gentlemen of the House; but its inconsistencies showed that the laymen of the House must also pay attention to such matters, if they would avoid bringing the Legislature into discredit in consequence of the incorrigibility of the statutes passed without sufficient care, and of the confusion into which the public business must thereby be thrown.

The hon. gentleman knew right well, when he alluded to the distilleries, that the action of the House in respect to them, had been inaugurated by a member of his administration, Hon. Mr. Wier. If he would investigate the subject with greater attention, he would find that the statement made in his organ, the Morning Chronicle that the government had lost £10,000, was inconsistent with the facts.

It was now evident, indeed, why they were obliged to interfere with the rights of the petitioning candidate, and with those of the people themselves. They felt unless they trampled those rights under foot that ere long they would see the government dependent on the casting vote of the Speaker himself; they would find themselves in a humiliating minority, and obliged to confess to the people what they had been already told, that the moment the law was vindicated they would be obliged to yield up that power which they had so unwarrantably usurped. To save themselves from ruin they resorted to every means, however unscrupulous, which might give them a longer tenure of office.

Hon. Provincial Secretary said, after the exhibition we had yesterday of three petitions presented palpably for the purpose of disqualifying three gentlemen, returned to this house by the most triumphant majorities, from sitting on election committees, even though we were to resort to finesse, and manoeuvre to keep the present opposition where they are, we should be entirely justified. There may be some three or four—I might enlarge the numbers to 8 or 9—gentlemen on this side of the house, who are, perhaps, anxious to hold on to the public offices,—there are about the same number on the other side, who would like to succeed in their action of political replevin and take back the property which they believe has been improperly wrested from them. (Laughter.) But two thirds of the gentlemen returned here to represent the constituencies of this country do not expect—do not care for office,—their desire is that the country should have a revenue, that the practical development and improvement of our province should go on undisturbed, untrammelled, unchecked. A dissolution has been talked of, and notwithstanding the bold avowal recently made in a certain state paper (for I do not always believe what I read in those documents), I am of the opinion that gentlemen opposite are opposed to a dissolution. We on this side of the house, I will not say specially charged by Providence to conduct the affairs of this country.—(laughter) but I do say empowered by the people of Nova Scotia to conduct faithfully and honestly the public business, feel it incumbent on us to protect gentlemen opposite from such a dire contingency. Not that it is feared by the supporters of the administration, for I have made the assertion before that a dissolution would have the effect of annihilating the Conservative party. The gentleman who opposed me in Hants said—“Then why did you not dissolve? You were unfaithful to your party in not doing so.” My answer was, “God forbid—I don't desire the destruction of the Conservative party; they are of great use to me; we must have a constitutional opposition, and none are more fitted for opposition than the gentlemen who compose that party.” (Laughter.) There are a few men among them of ability and

parts, and if it were annihilated we should have no fun—no pleasure, and the debates would subside into dull monotony. I make no objection to the tone of the hon. Pro. Sec'y's speech.

A VOICE—Late Provincial Secretary. Hon. Pro. Sec'y—Well, it is rather hard to forget old names. (Laughter.)

Mr. Henry—I noticed yesterday that the members for Cumberland and Hants called each other Provincial Secretary, alternately.

Hon. Pro. Sec'y—Well, perhaps we are like the two Dromios, so alike that we hardly know the difference ourselves; but there is a third ex-Secretary opposite, and if there was a dozen, the province would not be injured, as the office is one which trains men's minds to public business—and no man can fill it for however brief a period without deriving benefit. Let me inform the hon member for Cumberland [Dr. T.] that I never did say that if the Lieutenant Governor dissolved this house he would be unfit to govern this country. But I did say, speaking generally, that if any Governor were to come down and himself assume the discharge of functions appertaining only to this house and its committees—were he to single out men, and construing the law as he pleased, disqualify them, he would be unfit to govern this country. Now, sir, a word as to the Decimal Currency question which resolves itself into a nut shell; and the Postmaster General being in doubt as to whether he should charge 5 coppers or 6 coppers for a letter either does not refer the question to the government—and from them receives either a wrong construction of the law or no construction at all,—and the half-penny is not exacted. Well, sir, is the Province going to be ruined by the loss of the old half-penny? If a Novasotian only pays five half-pennies instead of six he has the other in his pocket,—it was not accurate, therefore, to say that the half-penny was lost to the Province, although it may have been lost to the revenue. The late government allowed a bill to pass, which they assailed as defective, without opposition or correction—and now attempt to shelter themselves under the skirts of the President of the Council. I assert, sir, that it was the duty of the Executive of the day to have kept the currency intact, or to have seen that the bill was perfect. The distilleries have been referred to; how does that question stand? I find by the returns that the revenue derived from manufactured spirits have fallen to some two or £3000 My belief is that a low duty, say 1s. 3d or 1s. 6d per gallon, should be put on imported rum, giving the importer and manufacturer the benefit of the drawback on all exports. By this policy the domestic and foreign manufacturers would compete on equal terms. Gentlemen tells us the house is to be divided 26 to 26. Who desires such a dead lock. Suppose, Mr. Speaker, that you were placed in that position, and called on to decide between parties, I can imagine you humming to yourself the somewhat celebrated lines—

“How happy could I be with either,  
Were 't'other dear charmer away.” (Laughter.)

Mr. Henry said, that when the Prov. Secretary, had a bad case, the policy he usually adopted was to fly off from argument and treat the house to anecdotes; but the question was too serious for such treatment; the country would not be satisfied with jokes. It was the duty of the house so to act as not to lose the revenue, and the opposition would cause no obstruction to such measure during the pending of election committee questions. He (Mr. H.) contended that the decimal currency bill, of the President of the Council, had caused the difficulty complained of, on that subject. The bill, he said, was not, properly speaking, a Decimal Currency bill at all; its title should be, a bill to raise the value of the copper currency twenty per cent on paying into the department, but not obliging any to take it out again at the same rate. He charged the learned President with dealing ignorantly, either as regarded the law or the subject, and thus a loss occurred which had been stated at £500.

Mr. Tobin remarked, that the question of revenue was given as an apology for refusing to proceed with the election trials; but the President of the Council knew, that when a government brought down a revenue bill, it could be passed in less time than would be given to the question of the afternoon. The postponement proposed was for party purposes; he knew of no other reason for it. From what he had heard out of doors, if the revenue bill were passed without enquiry into the eligibility of members, its legality might possibly be questioned. It was important that the majority of the house should be legally constituted; if not, people had a right to question its acts; such a question ought not to disturb the public mind. While the elections were running in 1857, the revenue bills, road grants, and other preliminary business were attended to, so that not much remained to be done when the elections were over. Mr. Tobin went on to oppose delay, and contended that the committees should meet next day. If the mode proposed was to be indicative of the course of the government, it was time, he said, that the people understood that.

The debate was continued until after midnight. Two divisions were taken on amendments moved for the purpose of shortening the delay proposed by Mr. Young's motion, but were both lost. Previous to the adjournment, the Hon. Wm. Young laid on the table the following resolution, with a lengthy preamble.

“That the honorable the Provincial Secretary do forthwith attend at the table of this House and amend the return to the said writ, by restoring the votes so erroneously expunged, and by substituting the name of the said Stephen Fulton as one of the duly elected members for the county of Cumberland in place of the said Alexander McFarlane.”

WEDNESDAY, March 14.

The Hon. Provincial Secretary presented the following Report of the committee for nominating STANDING COMMITTEES.

Agriculture.—Hon. Mr. Young; Messrs. McFarlane, Chipman, McKinnon, L. Smith, Hatfield, Chambers.

Fisheries.—Hon. Mr. Locke; Messrs. Tobin, Mosely, Grant, Churchill, Martell, Wier.

Human Institutions.—Messrs. H. McDonald, Coffin, Caldwell, Lewis Smith, McFarlane.

Indian Affairs.—Messrs. Webster, Harrington Morrison, McKinnon, Robichau.

Expiring Laws and Private Bills.—Hon. Mr. Young, Messrs. A.C. McDonald, Shannon, Wade, Blanchard.

Trade and Manufactures.—Hon. Messrs. Annand, Howe, Wier, Messrs. Townsend, Tobin.

Road Damages.—Messrs. McLean, C. Campbell, Mueroe, J. Campbell, Ross.

Amendment of Laws.—Hon. Messrs. Young, Johnston, Archibald; Messrs. H. McDonald, Brown, Colin Campbell, McLean.

Contingent Expenses.—Hon. Wm. Annand, Messrs. Hatfield, and Esson.

Post Office.—Hon. Mr. Howe; Messrs. Henry, A. C. McDonald, Wade, Munro, Bourinot, McLean.

Public Accounts.—Messrs. Esson, Tupper, Grant, Shaw, Hon. Attorney General.

Education.—Mr. Blanchard, Hon. Mr. Johnston, Hon. Mr. Archibald, Messrs. Shannon, Cochran, McDonald, Munro.

Crown Property.—Hon. Mr. Archibald. Messrs. Harrington, Blanchard, Cowie, Heffernan, P. Smyth, Cochran.

Navigation Securities.—Messrs. Killam, McKenzie, James McDonald, Coffin, Robichau, Morrison, Ross.

Penitentiary.—Messrs. Robertson, Longley, Bailey, Caldwell, John Campbell, Burgets, Brown.

Transient Paupers, Relief Committee.—Messrs. Pryor, P. Smyth, Webster, Bailey, Tupper.

The following Election Committee was drawn to try the case of Mr. John Catpelt,—Messrs. Grant, Burgess, A. McDonald, Robertson, Robichau, Coffin and Heffernan.

After the presenting of several petitions the following committee to try Mr. P. Smyth's case was drawn,—Messrs. Esson, Martell, Townsend, Hatfield, McFarlane, Burgess, and Bailey.

Resolutions were moved by both the Hon. Mr. Johnston and Dr. Tupper for the purpose of getting the Election Committees to work at an earlier day, but they were voted down as on the previous day.

THURSDAY, March 15.

The following Committees were drawn. To try Mr. McLelan's case: Messrs. Townsend, McFarlane, Cowie, Burgess, Robertson, Locke and Wier.

Mr. Munro's: Messrs. Tobin, Robertson, Martell, Heffernan, McKenzie, Bailey and Grant.

A large number of petitions were presented: one from Capt Young, in reference to the loss of the schooner Lusia in the endeavour to render assistance at the wreck of the Indian called forth remarks from several members.

FRIDAY, March 16.

The committee on the election of Mr. Churchill was struck as follows:—Messrs. Tobin, Hatfield, Townsend, Martell, Esson, Brown, Bailey.

The case against Mr. Harrington was dismissed.

After a variety of petitions on many different subjects being presented Hon. Mr. Young moved and the Hon. Mr. Johnston seconded the following resolution. Each gentleman prefaced his motion by eloquent speeches.

Whereas it has been officially announced by his Excellency the Governor General that his Royal Highness the Prince of Wales, will visit Canada during the ensuing summer.

And whereas, Her Majesty's loyal subjects, in Nova Scotia would embrace with the liveliest satisfaction the opportunity of seeing His Royal Highness, of evincing to him how completely his Royal parent reigns in their hearts, and of shewing the happy combination which exists in this province of perfect freedom and devoted loyalty.

Therefore resolved, That a select committee be appointed to draw up an address to Her Majesty requesting that His Royal Highness may extend his visit to Nova Scotia.

SATURDAY, March 17.

Petitions, petitions, petitions. The Committee to try the election of Mr. Cochran, was struck, viz.—Young, Locke, A. C. McDonald, Bailey, Robichau, Martell, Townsend.

Hon. Mr. Young introduced a resolution for a committee to consider the propriety of importing Silver Coins—double and single florins, and bronze or Copper Coins—cents and half-cents. The following gentlemen were appointed said Committee—Hon. Mr. Young; Messrs. Henry, Killam, Cochran, and McLelan.

MONDAY, March 19.

The election committee of Messrs. Bourinot and Caldwell was drawn as follows:—Messrs. McKinnon, Hatfield, Cowie, Shannon, Townsend, Grant, McKensie.

The Financial Secretary brought forward the New Tariff and the Estimates for the current year, which occupied the attention of the House till late in the evening, and yesterday. It is expected the house will go into Committee of Supply to day.