

to pilot their own vessels as the licensed pilots. Mr. Blackwood thought that in case a pilot actually proceeded to sea, and offered his services, he should receive half pilotage, but in no other cases.

Mr. Killam thought the pilotage law should be a general one, and no difference should be made between different ports.

Mr. James McDonald said the Pietou pilots—not only had boats for fine weather, but covered boats fit to go out into the Gulf of St. Lawrence, as they often did in the roughest weather, some of them were licensed pilots before the member for Richmond was born, and he might state as evidence of their skill, that he did not remember a single case of a vessel having been lost when in charge of a Pietou pilot.

Mr. Killam had ascertained that there were about 80 licensed pilots in Halifax. Almost every fishing boat was licensed. He would ask if there was any more harm to license masters and mates of vessels than the owners of fishing boats.

Hon. Sol. Gen. thought there was some reason for a difference in the port of Halifax—vessels and steamers very often arrived off Halifax in a fog requiring a pilot—there should, therefore, be some inducement held out for a pilot to go out to sea to render his services to vessels in distress.

On a division Mr. Miller's amendment was carried by a very large majority.

The House then adjourned.

TUESDAY, Feb. 23rd.

Dr. Brown presented a petition from the Halifax Teachers' Association.

Mr. Bourinot asked the Government to lay on the table a catalogue of all the books in the Provincial library.

Petitions were presented by Mr. Hamilton, from East Cornwallis, by Mr. Moore, one from Kentville and one from South Aylesford, by the Attorney General, from Nietaux, by Mr. Longley from Milton—all for alteration of Dalhousie college Act.

Revised Statutes.—The house, in committee on bills, took up the Revised Statutes—the chapter relating to pilots, harbors, and harbor masters.

Mr. Archibald repeated the opinion he expressed some days ago, that the manner in which the laws were being dealt with was calculated to impair them, and such had been the nature of the amendments, additions and alterations made, that he was confident the volume that had already passed would not hang together.

The Prov. Secretary, Hon. Attorney General, and Hon. Solicitor General, were of opinion that the system they were pursuing was as safe as any that could be adopted.

Mr. Coffin moved that the law be amended that no sailing-master be compelled to take a pilot upon quitting a port, which was carried.

The Committee then proceeded to the consideration of Chapter 70, "Of Railways."

Dr. Hamilton asked what it was proposed to do respecting the alleged indebtedness of Halifax to the Province on account of the Railway. He did not believe the city could be compelled by law to pay the amount it was alleged it owed.

Mr. Tobin thought they had better strike that arrangement with the city off the Statute Book. A note of hand for which no value had been received could not be collected, and with regard to this railway concern, the city of Halifax got no value, and was under no obligation to pay the money—it did not owe the debt.

Hon. Prov. Sec. said they had better not alter the law relating to this subject while the matter was a subject of litigation.

Hon. Atty. Gen. observed that no doubt the city expected to make a fortune when it entered into the bargain, and he would not therefore annul the engagements and debar it from a chance of realizing such expectations. (Laughter.)

Mr. Killam said the city of Halifax had been the means of putting the Province under the liability now upon it on account of the railway construction.

Mr. C. J. Campbell was understood to say that the railways we had were a disgrace to all who had anything to do with projecting and constructing them.

Legal Interest.—On the reading of the chapter on "Interest" which fixes the legal rate at six per cent, Dr. Tupper inquired whether it was the intention of the house to pass the law as it now stands. It was a very important subject and required the serious consideration of the house.

It was decided to pass the chapter over for the present.

Gold Mines Report.—Hon. Prov. Sec. by command laid on the table of the house the Report of the late and present Gold Commissioner for the past year, and in doing so he congratulated the house and country upon the encouraging state of affairs which this report exhibited. The amount of gold raised in 1863 was 14,001 ounces, 14dwts., 17grs., and in 1862 7,275 ounces being nearly double the amount raised in the previous year.

The Hon. Prov. Sec. also laid on the table a copy of the list from which the Sheriffs for the last year were appointed. Also, copies of Despatches relating to provincial appointments, which were read by the clerk.

After some remarks upon the subject the House adjourned.

WEDNESDAY, Feb. 24th.

A number of petitions were presented on various subjects.

Hon. Attorney General laid on the table certain despatches from the Colonial Office on the subject of maritime courts of enquiry, and introduced a bill in accordance therewith en-

titled "A Bill to establish Marine Courts of Enquiry."

Hon. Provincial Secretary laid on the table the report of the Commissioners appointed to hold the Agricultural Exhibitions of last year which was read by the Clerk.

Mr. Archibald asked for returns from the Clerks of the Peace for the various counties with respect to the requirements of the Franchise Act of last session.

Hon. Prov. Secy. and Hon. Atty. General pointed out what they conceived to be an incongruity in the Act.

Mr. Archibald contended that its directions were sufficiently distinct and quite unmistakable.

The House in Committee took up the Revised Statutes.

In the act respecting the inspection of pickled fish, Mr. Jost suggested an amendment reducing the length of No. 1 mackerel to 14 instead of fifteen inches. He stated by this means our standard would be assimilated to that of the Americans. Mr. S. Campbell supported the amendment, which was adopted.

THURSDAY, Feb. 25th.

Mr. Churchill presented a petition from Hants county, Mr. Colin Campbell one from Digby, Mr. Moore one from Lower Aylesford on the Dalhousie College Act.

Hon. Provincial Secretary, by command, laid on the table report of the Record Commissioner for past year.

Mr. Pryor introduced a bill to improve the system of sewerage in the city of Halifax.

Hon. Atty. Gen. introduced a bill to incorporate the Fruit Growers' and International Show Society.

Education.—On a motion being made to go into committee on the Education bill

Mr. Miller said he did not agree with the principle of the bill, and the remarks he had to make, could be made just as well in committee. He wished to express his conviction that the principle enunciated in the bill was not the sound principle upon which the educational system of the country should rest. In his opinion the denominational system was the only correct one—yet he did not intend to move against this bill, for he was inclined to think it was an improvement on the present law and a step in the right direction, and perhaps under the circumstances the best measure that could at present be brought forward.

Mr. Archibald said his principal objection to the bill was that it did not go far enough. The question is surrounded by difficulties but he thought the government should have assumed the responsibility of going a step further. The revelations of the last census showed that out of a population of 300,000 there were 81,479 who could not read—more than a fourth of the population. He referred to other returns given in the census to show that an alarming amount of ignorance prevailed in the province, which demanded more provision than yet existed or than this bill contemplates. He referred to the material condition of the people showing that no other country under the sun presented a more favorable opportunity for introducing a thorough system of taxation for the support of schools. He believed that if this were introduced the prejudices against it would soon die away and it would commend itself to the good sense of the people. Hitherto it had been the aim of all parties to keep this subject free from party politics but he thought the Provincial Secretary had in this Bill adopted the best possible means for making the subject of education what they had striven to avoid, by making the Executive Council the Council of Public Instruction. Surely in this province nine men of sufficient intelligence could be found to form a Board of Education without taking the Executive Council to perform these duties. The same objection he thought applied to the appointment of county inspectors. Receiving their appointments directly from the government they must necessarily be influenced more or less by political feelings. He believed that whatever brought forth the exertions of the people in the cause of education would be beneficial. He therefore fully approved of that feature of the bill which offered a bounty of twenty-five per cent to those who would introduce taxation for this purpose and would be willing to offer even a larger allowance to accomplish this object.

Mr. Miller said after what had fallen from the hon. and learned member for Colchester, in favor of a compulsory system of education founded on taxation, he would be recreant to the views he entertained in unison with a large body of the people of this Province, if he failed to make a few observations on this subject. Some have advocated the right of the state to enforce education by compulsory enactments, and if he was not mistaken, this was the doctrine of the member for Colchester. On the other hand, the number was not small who contended, and more justly, as he believed, that the duty of government was merely to assist and encourage, by wise legislation and pecuniary support, the voluntary efforts of individuals.

He was in favor of grounding the common school system of the country on the denominational principle, as the wisest and most consistent that could be adopted. He had no intention to propose any amendment to the principle of this measure, for, with some exceptions, which he would allude to in committee, he thought it was as free from objection as could be expected. Many of its clauses were susceptible of improvement, and to some of these he would direct attention hereafter. The worst features were its expense and the dangerous machinery for political purposes it might create.

The house in committee took up the bill.

The first clause constituting the Executive a Council of Public Instruction was read.

Hon. Provincial Secretary said, as he under-

stood the hon. gentleman, had no objection to have our educational institutions brought under the supervision of a Council of Public Instruction. He would say at the outset that there is no one feature in this bill that has given the Government the same amount of anxiety as that connected with the formation of this Council. They only decided upon placing the management of public instruction in the hands of the Executive after a most careful deliberation. He had no hesitation in saying that if any gentleman, on either side, is enabled to show any means better adapted to advance the ends of education than the one proposed, the Government will give it that full consideration to which it is entitled. He had listened, however, to the hon. member for Colchester with interest to hear if he would be as successful in building up as in pulling down; when he takes exception to the principle proposed, he should show the House a better one. He was obliged, at the commencement of his remarks, to admit that a body charged with duties so important and responsible should possess the confidence of the country. Well, then, this bill provides this very requisite. As long as the principles of Responsible Government prevail, in this country, as long as the Executive must possess a majority in the House and in the country, we have the guarantee that the Council of Public Instruction, in the discharge of the important functions which will devolve upon it, will reflect the confidence of the people. But says the hon. gentleman you can surely get nine men that have no strong political leanings. He, (Dr T.) did not know where they are to be found. If I go through the length and breadth of Nova Scotia, I am unable to find a man possessed of such mental vigour and standing as would warrant him being appointed to discharge the duties allotted to the council, who is not influenced by strong political feelings in one way or other. I repudiate at the outset the belief that there is any class of men in this country to whom the country look with respect that have withdrawn themselves from a deep interest in the political affairs of the country. Show me a man who says he has nothing to do with public matters, and I will prove him to be neither one who has been unable to achieve a public position, or one who has found that the estimate entertained by his fellow-men respecting him is not commensurate with that which he feels for himself. I believe the more the hon. gentleman looks at this matter the more he will become satisfied that the present bill will give the people throughout the country a greater controlling influence over the educational institutions of the country than they have ever yet possessed. I may say, too, that whilst the system we propose rests the entire responsibility upon the Government, that advocated by the hon. gentleman would enable an Administration to stand up and say, whenever challenged with reference to this Council of Public Instruction, they were very sorry that complaint should be made, but they had no doubt the gentlemen who composed this body discharged their duties with a sense of what they conceived to be just and right. By this bill the management of educational affairs in each county, will, to a very large extent, be local. The School Commissioners will be the persons who will carry out the system. It will be the endeavour of the Government, in carrying out the provisions of this bill, to secure the services of the best educationalists, and otherwise advance the educational improvement of the country, rather than to subserve the purposes of any political party.

Mr. Archibald objected to the principle upheld by the Prov. Sec. in toto. What he desired to see was a Board, independent of the executive, since there was greater prospect of its acting impartially. He would be willing of course, that the government should have a majority of their friends on the board, but, at the same time, he was desirous that the views of the minority should be respected. He could put his hand on many gentlemen, sympathizing with the hon. Provincial Secretary in political matters, to whom he would have no hesitation in intrusting the management of the public instruction of the country. He now felt he had done his duty in warning the House against the engraving of a most obnoxious and injurious feature upon the educational system of this country. His warning at present, he was afraid, was of no avail, but he felt the time would come when the country would feel that he was right.

Hon. Solicitor General said that it is much easier to pull down than it is to build up; and when the hon. member undertakes to warn the House and country against this clause, he fails most signally to recommend anything better. He tells us that he would have a council composed of nine gentlemen, to be selected by the Government; but he does not say where they are to come from—whether they should be resident in Halifax and ignorant of what is going on in the country, and of its actual educational wants. He should have considered and acted in regard to it long ere this, for it is well known that Boards have been changed in this country by the late Government—that that hon. gentleman himself was the first to introduce the strife of political parties into our school system. The hon. gentleman talks about Canada. There he says, the system is different; but he forgets to tell us the counties of that colony are incorporated; and under a system of taxation by representation, they are able to carry out a system which we have not the machinery here to do. What is this Council to be that he proposes. He says it is likely to be of a partisan character, that he could not expect anything else than that the Gov. should have a majority on it. The hon. member says the Board will not be intrinsically partisan when it is not all composed of one class of men. I say it is partisan to all intents and purposes when there is a majority of one side. This majority necessarily controls

everything that comes up. Composed of partisans, it is certain to act in a partisan manner; I ask them is it not preferable that the Government should do what they do openly, and be responsible to the legislature. I will only ask the hon. gentleman would he be satisfied to have these nine gentlemen drawn from Halifax alone. The principal duty of the Government will be to make general rules applicable to different school districts in order to get a system organized, and prevent trustees acting on different principles, and in cases of dispute, to come in as arbitrators and settle them.

Mr. Blanchard.—The hon. gentlemen comprising the government say they could do wrong more easily through such a Board; but who does not know it is a fact that a Government is subject to pressure—that it has often to resist the pressure brought to bear upon it by its supporters—that it is obliged, time and again, to do that which otherwise it would not.

Mr. Stewart Campbell said it is urged by the hon. member for Colchester, that this clause might be improved by forming a council irrespective of the government. Now, I entertain an opinion different from the views expressed on both sides. I ask, where is the necessity for a Board at all. Cannot all its duties be discharged by the Superintendent? I conceive it is my duty of this House to check every attempt to increase the power of the government. We have already passed a bill which is to extend their power in a very great degree; I mean with reference to the appointment of 18 Sheriffs. And now we are going to give the Executive the power of controlling the whole Educational system of Nova Scotia to a most dangerous extent. They have to appoint a superintendent, inspectors, commissioners—in all, fully 300 persons—and you will see at once the dangerous power you entrust to them. It is giving the question of education a character which it should not possess. This subject, of all others, should be kept entirely distinct from politics.

Hon. Sol. General said no doubt in the carrying out of this law some difficulties will present themselves, as in the case with almost every important act placed on the statute-book. With regard to what has been said respecting the expense attending the operation of the bill, the fact is, that if we want work done we must pay for it. The only practical method that can be adopted to secure stability and harmonious action, in respect to a school system of this nature, is to place supreme control in the hands of the government, and then if any portion of the people feel aggrieved with the action of the controllers, it is competent for them to appeal to the house, to which the Executive are ever responsible.

Hon. Mr. Shannon would ask the learned member for Guysboro (Mr. S. Campbell) if the secretary of any company, is not really the working man?—yet companies have a Board of Management, and hold such board responsible. He thought the Executive the most proper body to undertake the control of education, and did not apprehend that any of the evils predicted by the leader of the opposition will ensue from the arrangement. He would be glad, indeed, if the Executive Council could be relieved of the duty the measure imposes on it, but did not see how it could.

Mr. McKay said under the system of Responsible Government the Executive are directly responsible through the Assembly to the people for all their public acts. The opposition it appeared were not agreed in opinion upon the question of education. The leader says something ought to be done, and others of his followers say that the leader is wrong. He was of opinion that the proposed measure was a vast improvement upon the existing system, and perhaps as near perfect as could, under existing circumstances, be justly expected.

Mr. McLellan said the tendency of this bill is to extend and enlarge the sphere of Government patronage. The Provincial Secretary has said that the Government reflected the opinions of the people. From this doctrine he dissented. It has not in the past, and it is not at all likely that it will in the future. There is a large and powerful party in the country that differ with the Government of the day in sentiment, and it is only reasonable to assume that when the Executive takes charge and full control of the education of the people's children, prejudices will be awakened and jealousy excited.

Hon. Mr. McFarlane said, it is idle to talk about the bill giving political facilities to the Government, because it is impossible to organize any body of persons in this province who are entirely devoid of political leanings. Scarcely a session passes, as hon. members who had been any length of time in the House know full well, but complaints from persons who thought they had a grievance, came to the Assembly about school trustees or examiners acting from political motives. Governments are responsible to the people for their acts, and were a change of Government to take place I have no doubt that our successors will do their duty and carry out the law.

The third section, which places the superintendance of the Normal School in the hands of the Council of Public Instruction was made the second section, the Provincial Secretary moved the following as a new section of the bill:

"The Governor in Council shall have power to appoint the Principal of the Normal and Model School at a salary not to exceed \$1200 per annum, who shall appoint such an assistant, with the sanction of the Council of Public Instruction as may be found necessary."

Mr. Locke suggested that it would be more satisfactory to place the selection of the Inspectors in the district Boards. The latter mode would, he thought, prevent conflict between the district Boards and the Inspectors.