

favour of the bridge, within forty eight hours. He was convinced the expenditure was a most judicious one.

Hon. Fin. Secy. said the question of a bridge across the Bear River had been a subject of agitation for years in the House. At the last session of the Legislature the members of the counties specially interested united in asking for the grant, and after it had been allowed, notices were issued for material for the bridge. Then was the time for these petitioners if they thought they were going to be injured, to apply to the government to stop the construction of the undertaking. As they had not done so, he thought that their observations at this moment were entitled to less consideration than they would be otherwise entitled to. Looking at the petition, he did not consider that the parties made out any case. Neither shipbuilding nor trade was interfered with, inasmuch as a draw afforded all the accommodation required.

Mr. Archibald said that he held in his hand a petition signed by 153 people against the erection of the bridge, which was presented last session. So it would be seen that at the first opportunity they had, they availed themselves of the right of expressing their opinions by petition.

Mr. LeVesconte asked the Government to lay on the table the petitions that were presented in favour of the Bear River Bridge. He did so because he wished the House to justify his course as Financial Secretary and member of the Government in reference to this undertaking.

Hon. Atty. Gen. referred to the action of the Opposition in 1859, in reference to the Pictou Railway. In that year Mr. Wilkins brought in a resolution in favor of the work, and the government moved an amendment to defer it until the finances of the country warranted its construction. Then a resolution was introduced by Mr. Chambers, in which it was stated that "in the opinion of the House, the road should be extended to Pictou with the least possible delay as soon as the management of our public affairs passed into other hands, and the work could be economically and efficiently conducted." So it would be seen that in the opinion of Mr. Archibald and his friends the construction of the railway was a question intimately connected with the party that might be in power. Looking at it, in all its bearings, he was not disposed to look upon the petition as reflecting the sentiments of the majority of the inhabitants.

Mr. Killam said that this question of the Bear River bridge had been long talked about, and there was no doubt the want of it had obstructed travel to the westward to a great extent. Inconvenience had been felt in that way, and inconvenience would result to some after it was constructed. The question was, whether the advantages did not overbalance the disadvantages. There was no doubt that the bridge should be built with the most improved draw, so as to allow the passage of vessels.

Mr. Whitman would explain that it was intended to have a draw forty feet wide, which would be amply sufficient to admit all vessels built there, and it was proposed to admit them free of charge. This work had been petitioned for, for the last fifteen years; and any one who had travelled over the road would understand the advantages to be derived from it—forming as it did the connecting link in the road between Halifax and Yarmouth.

Hon. Mr. Shannon said this was just like many other cases where people sign their names against a thing which they afterwards approve of, and he had no doubt after this work was completed the very people who now petitioned against it would be loudest in its favor. Just as upon the great question of Confederation, many persons had petitioned against it thinking it was going to injure them, but he was confident that when the great work was accomplished they would be satisfied with it.

Mr. McLellan said the number of petitioners against this bridge had increased three fold since last year, and he had no doubt that before next year the petitioners against Confederation would increase at the same ratio. He would like to invite the attention of the house to an improvement in the construction of bridges which had been successfully tried in the district in which he resided. It was to have the lower stringers of iron instead of wood—this was a great improvement and rendered them much more serviceable.

Mr. Churchill did not approve of the combination of iron and wood, but he thought if the bridges were covered they would last much longer.

Hon. Prov. Secy. said that the subject was well worthy the attention of a committee of the House. He had had the pleasure of seeing a bridge near the Acadian Iron Mines, constructed in the manner alluded to by the member for Colchester, and he believed it tended largely to reduce the cost of construction and the expense of maintenance. He would recommend that a special committee be appointed to consider the subject.

*Asylum for Inebriates.*—Mr. Longley moved that the bill to establish an asylum for inebriates be referred to a special committee; and in doing so, he would remark that since its introduction he had ascertained that in the Washington Home Institution 251 persons had been admitted during the last year, and of these 150 had been reclaimed and returned to society. He believed that the institution could be started at a small expense, and he was glad to find that the subject had been favorably entertained.

After a few further remarks, the bill was referred to a special committee consisting of Messrs. Longley, Miller, Archibald, Brown, Tobin, and LeVesconte.

The House in Committee on Bills, resumed the consideration of the School Bill.

The Attorney General read the clauses which he proposed to add, giving the trustees power, in cases where persons refused to dispose of their lands for the erection of school-houses, to take possession of them under certain guards and restrictions.

After discussion the clause was lost upon division.

Hon. Prov. Sec. gave notice that for the purpose of expediting the business of the house it would meet in future every evening except Wednesdays and Saturdays.

WEDNESDAY, March 22nd.

Hon. Fin. Sec. laid on the table a petition from J. F. Phelan, B. Wier, and others, asking for aid towards the Boston and Colonial steamship line, plying between Halifax, Boston, and Charlottetown. Also, the petition of James King, B. Wier, and others, asking for aid towards a steamer between Liverpool and Arichau, &c.

*Union of the Colonies.*—Hon. Prov. Sec. laid on the table the following resolution, which would be moved at a future day:

Whereas, under existing circumstances an immediate Union of the British North American Provinces has become impracticable; and whereas a legislative Union of the Maritime Provinces is desirable, whether the larger union be accomplished or not;

Therefore Resolved, That in the opinion of this House the negotiations for the Union of Nova Scotia, New Brunswick and Prince Edward Island should be renewed, in accordance with the resolution passed at the last Session of the Legislature.

Mr. Pryor introduced a bill to enable the City of Halifax to buy the property where they keep the offices of the water works.

Mr. Tobin said he did not think the city of Halifax wanted a very large office to transact business in connection with the water works. It was about time to look carefully after such expenditures. The taxes were already very high, and were increasing every day. In fact, it was becoming very expensive to live in the city of Halifax.

Mr. C. J. Campbell presented a petition against Confederation and the School Bill.

The House then went into committee and passed the bill to amend and in addition to the School Law of last session.

*The License Law.*—The bill to amend cap. 19 R. S. of Licenses for the sale of Intoxicating Liquors, was then taken up.

Mr. Archibald doubted the policy of altering the present law in the way proposed, unless there could be good reason shown for it.

Hon. Atty. Gen. pointed out the difficulties that prevented the satisfactory working of the present law. He was in favor of the policy of allowing the magistrates to impose the fine according to the circumstances of the case.

Mr. Tobin said that it would be well if gentlemen read the bill as a whole before attacking it in detail. A petition from Tangeir complains that places for the sale of intoxicating liquor had sprung up in all directions, and it was well known to most gentlemen in the house that this was a fact. Several magistrates, not only of this, but of adjoining counties, had said that there was no possibility of getting convictions under it—no one would inform—it was so severe. There was a clause in the bill which provided that any officer with the authority of a magistrate between sunset and sunrise could enter into any suspected house and there search, and bring the parties to justice if they had violated the law, it was by far the wisest policy to give a license, not to many houses, but to some respectable individual. There were at this moment licensed houses, and a large number without any license, selling liquor, within the limits of a proclaimed gold district.

Mr. Ross said that his great objection to leaving the matter to the magistrates was that, in some parts of the country, you find magistrates themselves selling liquor without license, and even the members of the House of Assembly.

Mr. Longley was of opinion that the people themselves were anxious to put down the sale of intoxicating liquors, and providing that assumption was correct, the amended law of 1863 was fully adapted to effect the purpose. It must depend upon the sentiment of the people themselves if it was to be effectual. He believed that all legislation that stopped short of prohibition was unsound. The hon. member for Inverness had stated that the law was improved in the first clause. He was opinion, however, himself that the clause of the law of 1863, making a graduated scale of fines, was preferable to leaving the matter in the discretion of the magistrates. The penalties had been fixed in the act of 1863 in consequence of the representation of those who had large experience in the matter.

Mr. Blanchard said his experience of the work of the act had proved to him that it required some amendment in certain particulars. It was not always wise to leave matters to the discretion of the magistrates, but in the present instance he thought it advisable.

Mr. Archibald was of opinion that the men who were sent to the Legislature to make laws should be persons to award the punishment, and he was of opinion that the less discretion there was left to the mere executors of the law the better. It was not right to give such discretion to those who might themselves be violators of the law, or who might look upon the offence as of a very unimportant character. He was not prepared to put it in the power of a magistrate to give his decision according to his opinions on the subject of Temperance.

Mr. Parker regretted that the member for Halifax had revived this question of granting licenses in gold districts. The German Gold Companies, which were doing the largest amount

of business in the Province, had adopted a very wise system of discharging every man from their employ who used intoxicating liquors. He thought, that the law in that respect should remain as it was.

Mr. McLellan was in hopes that when the sliding scale of fines, which is now the law, was adopted, that the matter would have rested there. It appeared to him that if the old law did not work, it would be better to adopt a specific fine, say of \$20 or \$25.

Dr. Hamilton very much questioned the policy of licensing the sale of intoxicating liquors at all, after once legalizing the importation into the country, but would rather leave it to every person to use them as he felt inclined.

Mr. Longley had always been led to believe that where the offence had been repeated the punishment should be increased.

Mr. Archibald thought the object should be, not to impose so large a fine as to render it impossible to have it enforced, and he thought that a fine of about \$20 for every offence would answer every purpose.

Hon. Atty. Gen. did not approve of stereotyped penalties, and he thought it would be far better to repose a discretionary power in the magistrates.

Mr. Archibald said he was in favor of fixing the penalty at about \$20, as if it was made much higher, it would be impossible to carry it out. Upon division the first clause of the bill as originally introduced, passed.

Hon. Atty. Gen., by command laid on the table a letter addressed to the Secretary of State for War, by Col. Jervis upon the defence of Canada.

The house then adjourned.

THURSDAY, March 23rd.

Mr. Allison moved the second reading of the bill to amend chap. 62 R. S., "Of Highway Labor."

*Railway Extension.*—Hon. Prov. Sec. laid on the table a copy of a letter addressed by him to Mr. Brydges, dated Dec. 2, 1864, in addition to the correspondence that had been previously presented.

Mr. Killam thought it would be advisable to have it referred to a special committee for the purpose of reporting to the House in regard to the proposals made to the government. In that way he was convinced the House would be better enabled to arrive at a proper understanding of the whole subject.

Mr. Tobin said before these proposals were agreed to, no doubt it was only right that the question of our future policy should be fully considered, and a decision arrived at as to whether it was better that the company should construct the proposed line of railway, or that the Province should continue the policy it had pursued in the past.

Hon. Prov. Sec. said the true constitutional course was to have the matter fully debated before the House—that was the committee to which it ought to be submitted.

Mr. Killam said it had been stated that it was his opinion that the Government should continue the policy which they had agreed upon at the last session of the Legislature. At that time the leader of the Government, the Provincial Secretary, and their supporters, said that although they had been decidedly opposed in the past to the construction of railways by Government, yet since it had become the fixed policy of the country, they would continue it. If that policy was pursued in reference to the Pictou road, there was a much stronger reason for carrying it out in respect to the extension of the main trunk line to New Brunswick. The offer of last session was to give to a company 4 per cent on £10,000 for 20 years on the line to the borders of New Brunswick. The company in question did not confine themselves exclusively to that offer—they wished the Province to become, in addition, a shareholder to the extent of £100,000. Under these circumstances he felt the House should pause before changing the policy which had been deliberately adopted. He mentioned that the company also wanted the right of way over our road for the transport of their materials, and after their work was constructed, they wished to have the privilege of running their cars and rolling stock over our line. That, he considered, would be an interference with our line. We had now a large portion of the trunk line under our own control, but if this company built the other portion, there would be a separate interest existing. If a company could build the railway, he was of opinion that the Province could also do it. If we could not build the road as cheaply it would be our own fault.

Hon. Attorney Gen. said he must congratulate the House and the country upon the change in the views of the hon. member for Yarmouth. It had certainly never been the policy of that hon. member to sanction the construction of railways by Government, whatever that of the House might be. His policy was formerly to subsidize companies, and the very moment the Government were about to adopt it, he stepped in and said he had been all wrong. He was inclined to think that if the Government had proposed to build the railways in question, some gentlemen would have come to the conclusion that it would be far better to give them to a company. He thought the Province was sufficiently protected by the fact that it would assume the road at any time on an arbitration.

Mr. Tobin had noticed that Governments in Europe had changed their policy in respect to railway construction. He found that Mr. Gladstone was about to bring the question before the British Parliament whether the Government should not own the main lines of railways.

*The School Amendment Bill.*—Hon. Prov. Sec. moved the third reading of the bill to amend the school act of last session.

Mr. LeVesconte moved that the bill be re-committed for the purpose of striking out the first 13 clauses.

On a division the motion was lost by 20 to 28.

*For*—Heffernan, Ross, Ray, Parker, G. S. Brown, Bill, Chas. J. Campbell, LeVesconte, Miller, MacDonnell, Locke, Blackwood, S. Campbell, McLellan, Blanchard, Robertson, Annand, Caldwell, Balcan, Dr. Brown.

*Against*—Killam, Churchill, J. Frazer, More, D. Frazer, Hatfield, John Campbell, McKay, Pryor, Lawrence, Longley, Allison, Whitman, Kaulback, Tobin, Hamilton, Jost, Donkin, McFarlane, Prov. Sec., Bourinot, Hill, Cowie, McKinnon, Archibald, Colin Campbell, Fin. Sec., Att. Gen.

Mr. Archibald then moved that the bill be committed for the purpose of striking out the 15th clause, which legalizes past proceedings. Upon this motion the House divided as follows:

*For*—Ross, Heffernan, G. S. Brown, Parker, Bill, Miller, Blackwood, Locke, McLellan, S. Campbell, Robertson, Annand, Archibald, Baleam, Blanchard, Dr. Brown.—16.

*Against*—Tobin, C. J. Campbell, D. Frazer, Churchill, Donkin, Bourinot, LeVesconte, Jas. Frazer, Killam, Hatfield, Ray, John Campbell, Lawrence, McKay, Pryor, Longley, Allison, Whitman, Kaulback, Hamilton, Jost, MacDonnell, Prov. Sec., McFarlane, Hill, Cowie, Colin Campbell, McKinnon, Caldwell, Fin. Sec., Att. Gen.—31.

The bill then passed.

*The New Education Bill.*—Hon. Pro. Sec. then moved the order of the day, that the Education Bill, be taken up.

Mr. Archibald quite agreed with those gentlemen who said that there was no question of greater importance to our country than that which referred to education, and therefore the present government in endeavouring to establish a system on a basis which they believed to be solid were entitled at all events to the merit of having entered upon an achievement which was worthy of success. If the fact were true that out of 1400 sections into which this province was divided, no more than 654 had met for the purpose of organizing under the bill,—or in other words, that more than one-half of the entire sections were without organization and schools, he thought it was a matter deserving of very serious consideration. Under the old law in 1863 we sustained 1005 schools in the winter, and 1183 in summer, or an average of 1100. Therefore if he was not supposing a larger number of schools were in operation than was the case, it would appear that under the operation of the present school bill there was not at the present moment half of the number of schools in operation. If the state of things, then was such as he had given it, the question arose as to what it was due. Was there anything in the act itself to produce such results? He thought he had good reason to believe that one great mistake that was made in the introduction of the bill was that the government of the county did not avail themselves of the experience of other countries with regard to similar measures.

He referred to the experience in Canada, Ireland, Prince Edward Island and New Brunswick respecting the Council of Public Instruction and thought that the principle which had been adopted of making the government of the country that Council, necessarily allied the cause of education with politics.

He did not wish to say a single word reflecting upon gentlemen who happened to hold the position of Her Majesty's Government, but he would ask if an independent Board were to be appointed, were they likely to be the men to be selected. These gentlemen might be called the Council of Public Instruction, but they were a political government—a mere political machine carrying out the objects of a party; and it was to be expected that a Board so constituted would exhibit political preferences. The hon. member who introduced the bill last year deprecated any attempt to mix up politics with education he desired to have it discussed free from party feelings. And yet what did he find. No sooner had the bill passed into law, no sooner was the Council of Public Instruction established, than their first act was to thrust from his position a gentleman who had discharged the duties of Superintendent of Education for years with ability and success, and place over his head a subordinate. He would ask the House to say whether that was not making the office of Superintendent political; if a change of Government were to take place to-morrow could any Government resist the pressure that would be brought to bear upon them to restore the gentleman who had been superseded. He made these observations without wishing to reflect upon the gentleman who had been appointed Superintendent; he thought he had shown an amount of ability in the discharge of his duties which could not fail to be appreciated. He did not charge these gentlemen who filled the position of the Council with being worse than any other gentlemen who might be in the same position, but they would be more than human if they did not yield to party motives and suggestions. But a Board of Commissioners was appointed over the entire country, and he would ask gentlemen opposite upon what principle was it formed. Did it not represent the minority? If the Council that has to administer the whole system of Education was to have no representation of the minority, why was it that they had thought proper to ignore that principle in the formation of the County Boards? But they had taken care—and as a Government they were not blameable for that—that a majority on the Boards should reflect their sentiments.

If it was found that the country boards were under the influence of party motives and influences, in what position was the education of the country placed? Persons immediately under the influence of government would be more than angels if they were able at times to resist the pressure that would be brought to bear upon them. If you wish to engage the sympathies of the whole people in the cause of education, you must remove from it the least suspicion of being mixed up with party politics. Had the educa-