

ings of the committee. Mr. Tobin, Mr. Archibald, and others, thought the sum named was far too small to be expended on the Exhibition. But the Hon. Prov. Sec. said it was the sum named by the Rev. Mr. Honeyman. In consequence of the shortness of the time between this and the 1st of April, it would not be expedient to have a larger sum expended for this purpose. Some of the gentlemen who spoke in opposition, took the opportunity to charge the government with delay in bringing forward the business of the session. To this it was replied that there had been no time wasted, but it had been fully occupied in bringing forward the preliminary business, reports, &c.

Petitions were presented by several members before the adjournment.

THURSDAY, March 2nd.

Mr. Robicheau presented a petition from Beaver River, Digby, asking the House not to go back to the old School Law.

Hon. Mr. McKinnon presented three petitions on the School Act, and Mr. Ross presented three against the Union of the Colonies.

Hon. Fin. Sec. laid on the table the return asked for by the hon. member for Inverness (Mr. Blanchard), showing the amount of royalty paid on coal. The total receipts for the nine months of 1864 were \$37,867, and for the twelve months \$49,079 86. The amount received from Cape Breton was \$29,387, and from Nova Scotia proper, \$19,692. The amount derived from the Mining Association was \$20,180 85, and from the other mines, \$28,898 95.

Railway Report.—Hon. Fin. Sec. laid on the table the Railway Report for the nine months of 1864. As compared with the same period in 1863, there has been an increase in the traffic receipts of the line of \$16,438 22:

The receipts for 1864 being.....\$119,602.72
For 1863.....103,164.50
Increase as above.....\$16,438.22

The number of passengers carried is 86,090, exclusive of 920 members of the Legislature, Canadian visitors, &c., and 6,229 transients carried free; or a total of 93,989 passengers carried safely over the line in the period covered by this report, being an increase over the same months of 1863 of 11,326.

The weight of freight moved in the nine months was 42,406 tons.

The Accountant's report shows the total gross receipts for the nine months to be.....\$121,754.45
Total expenses.....98,242.90

Leaving a net revenue balance of.....\$23,511.55

There is an increase in the expenses charged, as compared with last year, of \$6,736.20. Of this sum twelve hundred dollars is properly chargeable to last year, being the amount awarded by the Railway Committee at the last Session of the Legislature to Contractors, for upholding.

Nearly twenty-two miles of fence has been taken down and rebuilt, and new posts and rails replaced for decayed ones; and two and one-fourth miles of entirely new fence built on the Windsor branch. Up to 30th September, 1864, a total of 36,312 new sleepers were put into the road, exclusive of new sleepers used in the construction of sidings. For this branch of the service it will be seen that the outlay exceeds that of last year by \$5,569.02.

Mr. Tobin presented a petition of magistrates, miners, and others, at Tangier, asking for an alteration in the license law. Two years' experience of the license law had proved that it had not a tendency to prevent the sale of intoxicating liquors. On the contrary, a number of unlicensed groceries had grown up along the Eastern shore, and in the neighborhood of Tangier.

The hon. gentleman then introduced a bill to amend chap. 19 R. S., of the sale of spirituous liquors.

Dr. Hamilton moved the second reading of the bill which he introduced on the first day of the session, entitled "An Act for the better protection of the rights and estates of married women." He stated that the bill was intended to protect women who have property before, or acquire it after marriage, from the incapacity or bad conduct of their husbands. He alluded to the evils that intemperance created in households, and the necessity that existed for preventing intemperate men destroying or wasting the property that women may acquire through their own individual industry.

Mr. Tobin said he was in favor of the protection of the rights of married women as far as possible, but at the same time he was hardly prepared, until after more deliberation, going to the extent this bill went.

Mr. Blanchard thought the bill was rather too sweeping in its character. The first clause went to make the property, real or personal, owned by the wife before marriage, not responsible for the husband's debts. That was a change startling to all of us who are accustomed to look upon the property of the wife as that of the husband.

Hon. Fin. Sec. said he could not see anything repugnant to justice or common sense in the bill before the house—that was, to afford a woman protection against the conduct of her husband.

How often did we see men who could not be chargeable with cruelty in the directions of the term, but who were of such extravagant habits as to run through, in a short space of time, the property of their wives, and leave their families without any tangible means of support. He considered it but right that the law should say to such men, that they might use the property legitimately but not destroy it.

Mr. Blanchard said that gentlemen should consider carefully the probable consequences of the bill, if it became law. Suppose an executioner were sent to execute a man, and he

tion were levied on a man, might not he say that the personal property was his wife's. Mr. Archibald thought the present bill went too far—it would introduce the elements of discord in the domestic circle. The question, however, now really before the House was, whether women, at present, had that full protection to which they were entitled. If not, a law should be certainly passed to remedy the evil. In the French law, a similar principle prevailed, but as everybody knew, the result in France was antagonistic to the happiness of home.

Hon. Mr. Shannon thought that some plan could be arranged by which the wife's property could be kept for the use of herself and children, but whilst he would protect every right of a married woman, in accordance with the principles of justice, he would not object to see in our law a provision that a man might alienate the real estate which he himself created without the signature of his wife.

Mr. S. McDonnell thought that if we protected a wife from the debts of a husband, he thought it was but justice to reverse the rule, and also secure him from her extravagance. At present, if a man married a woman in debt, his property became liable. He was opposed to seeing such a radical change as was proposed, made hastily.

Mr. Tobin said that the rights of married women were already pretty well guarded in this country. They had a lien on the real estate of their husbands, and although they might get into debt, they were never arrested for it.

Mr. S. Campbell said that a man engaged to take his wife "for better or for worse," &c., and endowed her with all his worldly goods. It was better, he thought, that this union should be preserved as it had been for ages, and that we should not, by passing a bill of this kind, introduce the elements of discord and trouble into families where there ought to be nothing but love and unity.

Hon. Atty. Gen. argued in favor of the bill. It remedied he said what was an obvious injustice, for it was but right that a woman, deserted by her husband, should be protected against him. A similar law existed in New Brunswick, and doubtless it had operated prejudicially there, it would have been altered before this.

Hon. Prov. Sec. spoke at some length in opposition to the bill. He was satisfied gentlemen would find an examination that there were two sides to the question—that the husband required protection just as much as the wife sometimes. The moment a man married a woman, whatever her circumstances might be, she became the owner of his property, irrespective of his will and inclination, and no person on earth could divest her of that except her own pleasure. Every one knew the influence the sex had over man, and frequently he was carried away by her to do as she willed; and therefore he thought woman was not so unfortunately situated as some gentlemen tried to make out she was. He could excuse the honorable member for Kings for introducing this bill, since he was to some extent under the influence of the glances of approval that beamed from bright eyes on the occasion of the opening of the House. He concluded by showing in what particulars he considered a woman is protected as the law now stands, and why there is no necessity for the proposed changes.

Hon. Attorney General replied to the Provincial Secretary, and contended that if it were right to protect a wife by settlement previous to marriage, it was equally right that she should be protected, in respect to property which might come to her after that event.

Hon. Fin. Sec. said if the hon. Prov. Sec. with his acknowledged ability, could not advance better arguments than he had done, it must, indeed, be a poor case he was advocating. The argument used by the Prov. Sec. that all this might be secured by a marriage settlement rather strengthened his position—the policy was the same in both cases—and the object of this law was to do what a prudent father would do on the marriage of his daughter, viz.—put her property beyond the control of her husband.

All this law proposed to do, then, was to secure to the married woman the property she had accumulated by her energy and industry. It proposed to take nothing from the husband, so there was no hardship in it as far as he was concerned.

Mr. Tobin doubted the propriety of the Bill, or whether it would secure the object it contemplated.

Mr. Kaulback arose to speak, but the hour for adjournment having arrived, the debate was adjourned.

FRIDAY, March 3.

Petitions were presented by Mr. Bourinot, Mr. Ross, Mr. Hill, Mr. C. J. Campbell, Mr. Robicheau, Mr. More, Mr. Blanchard, Mr. P. Smyth, on various subjects.

Mr. Blanchard asked the government to lay on the table all correspondence touching the appointment of Delegates in connection with the Union of the Colonies, and in doing so, he stated that his object was to relieve doubts that seemed to exist on the subject.

Law Relating to Seamen.—Mr. D. Fraser presented a petition from Pictou to amend the law relative to Seamen.

Mr. Blanchard enquired whether another grievance could not be remedied—one in connection with foreign seamen. At present there is no power to arrest these men for desertion or any such thing. Foreign seamen were only subject to the laws of the country to which they belong.

Mr. Bourinot was glad the hon. member had called attention to the subject, for the difficulties that arose in reference to foreign seamen were frequently brought to his notice.

Mr. LeYvesconte thought that the trouble raised

ed with the American government, and we could not remedy it ourselves. Hon. Fin. Sec. said that it was a matter of international policy rather than one which the legislation of the house could touch, and that it would have to be referred to the Imperial authorities.

Mr. Bourinot said that the Legislature had the power of calling attention to the matter. Those who had an interest in those counties where coal mines were situated, knew perfectly well the necessity that existed for some prompt remedy.

Mr. Blanchard said that our vessels on going to the States were exactly in the same position. Hon. Prov. Sec. suggested that some gentleman interested in the question should enquire into it and bring it up again if necessary.

Mr. Blanchard called the attention of the house to an accidental omission in the new edition of the Revised Statutes: On the descent of the real and personal property. The commissioners noticed the omission, but could not amend it without the sanction of the Legislature. Under these circumstances he introduced a bill to amend chap. 115 R. S., new series.

Yarmouth Seminary.—Mr. Killam presented a petition from the governors of the Yarmouth Seminary setting forth the claims of that institution to a grant of \$1000.

Hon. Prov. Sec. enquired if this institution was organized under the existing school bill.

Mr. Killam replied that the free school connected with it was organized under the act but the higher department was maintained, by fees.

Crown Lands.—Hon. Prov. Sec. laid on the table the answer of the Commissioner of Crown Lands on the enquiry put by the member for Richmond. In doing so, he stated he hoped this information would be found sufficiently full, for he had no doubt that the hon. member had no desire, in asking what he did, to embarrass a public department. To answer fully the enquiry put by him would keep the clerks of the department busy for weeks, and impede its business generally. The number of petitions received during last year were 626, and it would be consequently seen that to go into their character, dates, &c., would require a very large amount of labour. However, the Commissioner of Crown Lands had sent in an answer which, no doubt, would be found to give all the information required by the hon. member for Richmond. First of all in Nova Scotia proper are seventy-one applications approved, but the grants are detained for payment of balance due. In Cape Breton the number was 229. Next came the petitions from people who have settled upon Indian lands. In most cases bonds have been given, and partial payments made. The number is 47. Then came the cases under the act of 1859, upon a large portion of which bonds have been taken. Some have refused to send bonds but are making partial payment. There are 364 in the four counties of Cape Breton; the number of lots surveyed were 1673. A good many have paid and received their grants. Then come petitions in the hands of surveyors appointed with orders of survey. The total number is 192. Next we have petitions sent recently and consequently not yet reported upon 74. The number of petitions approved, and grants in a state of forwardness is 140.

Mr. Miller said no one would regret more than himself to give anything like unnecessary trouble to any public officer, and especially to one whose duties he knew to be fully as onerous as they should be. Were it not for the frequent complaints which had come to him in reference to the management of the department he would certainly not have asked the officer at his head to answer the enquiry in question. He was quite satisfied with the return that had been presented, and would now move that it be referred to the Crown Land committee.

Hon. Prov. Sec. said he could not congratulate the hon. member for Richmond on his success in endeavouring to find some material for a charge against the government. When the return was placed in his hand the other day, the hon. member had actually expressed his surprise that the list of disputed cases was so small. He held in his hand the proof that, instead of any neglect on the part of the government, there was not a single case pending before the Executive Committee with the exception of the list of disputed claims. Mr. Miller said that when he called for these papers, he did it under the impression that there was neglect on the part of the government, and he reiterated it now. When he moved for the return he was actuated by a desire to serve those whom he was convinced had been badly treated in connection with the department. When the return was placed on the table, he did not deny that he had expressed his surprise that the list was so small. He was not, however, astonished that the list of disputed cases was so small, but that the list of what he thought were there undecided applications was so insignificant in comparison which what he imagined it was. The hon. Provincial Secretary assumed he had a right to sneer at gentlemen who charged him with neglecting his public duty; but he had to learn, as others had already, that the independent members of the House were not to be treated with impunity, in the style he was accustomed to use. If any member came forward and asked a question of the government, he ought to be given the information he required in a courteous manner. If the hon. gentleman could take credit for himself for the condition of the land office, he was certainly exhibiting an amount of modesty for which he deserved a mark of distinction.

Hon. Prov. Sec. replied that when he listened to the hon. member for Richmond, he was reminded of an anecdote of a person, who, on his way to attend a discussion between two noted characters, met with a deaf and dumb man. He asked that individual, by means of a slate

ed with the American government, and we could not remedy it ourselves. Hon. Fin. Sec. said that it was a matter of international policy rather than one which the legislation of the house could touch, and that it would have to be referred to the Imperial authorities.

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or signs, where he was going, and the reply was, "to the discussion." "But how are you going to tell who has the best of the argument?" "Oh," was the reply, "I shall know who has the best of it, for I shall see who first gets angry." So when the hon. member got up and made such an exhibition of anger on the present matter, he must have convinced the House that he had a very poor case.

This discussion continued for some time but without producing anything more than warmth of feeling and a fresh illustration of James iii. 5.

The remainder of the day was occupied by an able speech from the Hon. Provincial Secretary, on his introducing the new Education measure.

We shall give as much as possible of this in our next.

MONDAY was spent on the adjourned debate and several minor matters.

General Intelligence.

Domestic.

LECTURE.—The Rev. Mr. Grant of St. Matthews in this city gave a lecture at Pictou last week on Confederation. It is said to have been a brilliant effort.

NEW CHURCH.—We are informed that a new Episcopal Church is to be erected on the Maynard place Jacob street recently owned by the Rev. J. C. Cochran. The property of G. G. Gray is also purchased by Bishop Binney for this purpose. The situation is excellent and it doubtless will be an ornament to the city.

SABBATH BREAKING.—The Liverpool Transcript informs us that over twenty persons were brought before a magistrate, at East Port Medway, a few days ago, and fined, for skating on Sunday.

CAPT. MCLEARN, of Liverpool, died at Togo, West Indies on the 18th of January. He was well known and highly respected. For several years he represented Queens County in the Provincial Parliament.

The Gazette of Wednesday last announces that the Council of Public Instruction has appointed the following gentlemen to be EXAMINERS OF THE PROVINCIAL NORMAL SCHOOL: Rev. James Ross, D. D., and D. F. Higgins, Esq., M. A.

PENITENTIARY.—The Chairman of the Board of Works reports that on the 30th of Sep. 1864 there were fifty convicts in the above establishment. From the beginning of the year there had been nineteen admitted and ten discharged.

THE HISTORY OF NOVA SCOTIA, by Benjiam Murdock Esq., we are informed is to be published in parts at 25 cents each.

AN INQUEST was held by Dr. W. E. McRobert, coroner, on the 22nd inst., at Five Islands, in Colchester County, upon the body of David McLellan, who was accidentally killed while engaged in felling trees in the woods.

READING FOR THE PEOPLE.—The number of books issued in eight months from the Citizens Free Library amounts to 9000 volumes. There are between seven and eight hundred subscribers.

It is said that \$20,000 is to be expended by the British Government on the Halifax fortifications.

GRAND JURY, 1865.—George Blacklock, Alex. Stephens, Timothy T. Mulane, John W. Young, Paul Farrell, Robt. H. Skimmings, Samuel A. White, Wm. P. West, Wm. H. Newman, Andrew Mitchell, James Butler, John Pugh, Wm. C. Moir, Wm. F. Knight, Thos. Callahan, Henry D. Starr, W. D. Harrington, C. E. Brown, Jas. McDonald, Owen Donohue, David Falconer, Patrick Forrestal, Wm. Renault, Charles Wyld.

New Brunswick.

THE ELECTIONS have created no small stir by the turn they have taken. The results would seem to have determined the question of Confederation for the present. Out of twenty Representatives, there are but four in favor of Confederation. Messrs. Tilley and Waters, the Provincial Secretary and Solicitor General, have lost their election for the City of St. John, Messrs. Wetmore and Troop, beating them by 250 votes. The following are the names of the members already elected; those opposed to confederation are in Italics.

KENT—Cris. Desbrisay.
CARLETON—Connell, Lindsay.
YORK—Hatheway, Northam, Allan, Fraser.
WESTMORELAND—Smith, Landry, Gilbert, Botsford.
ST. JOHN COUNTY—Cuddy, Wilnot, Coram, Anglin.
City—Waters, Troop.

ALBERT—Lewis, McLellan.

The following were the numbers of votes in St. John County:

- | ANTI-UNIONISTS. | |
|-----------------|------|
| Cully | 2181 |
| Wilnot | 2170 |
| Coram | 2097 |
| Anglin | 2069 |
| UNIONISTS. | |
| Gray | 1763 |
| Stovill | 1729 |
| Skinner | 1728 |
| Quinton | 1713 |

And the following for the City of St. John:

- | ANTI-UNIONISTS. | |
|-----------------|------|
| Wetmore | 1653 |
| Troop | 1626 |
| UNIONISTS. | |
| Tilley | 1391 |
| Waters | 1247 |