THE EXAMINER:

A Weekly Journal of Politics, Literature, and News.

"This is true Liberty, when Freeborn Men, having to advise the Public, may speak free."---Euripides.

Vol. XII. Charlottetown, Prince Edward Island, Monday, May 26, 1862. New Series.---No. 20.

Colonial Parliament.

HOUSE OF ASSEMBLY.

TUESDAY AFTERNOON, March 25.

DEBATE ON THE AWARD (*continued.*)

Committee on the Award, &c., resumed.

Hon. Mr. COLES, after a few preliminary remarks, said—The hon. member for Tryon seems to be of opinion that the leader of the Opposition should have taken no part before the Commission. I suppose he is sorry that they paid more attention to my statements than they did to his; and that they take the greatest pains to recommend the loan, appearing to have no doubt that it is the best scheme. Before the adjournment I read the opinion of Sir Charles Fitzroy in regard to the fishery reserves. The leader of the Government himself never thought that these reserves were to be given up to the proprietors; therefore, I consider the Commissioners have not taken the view of this question which they should. The regulation which they have made in reference to securing a small piece of land on the coast, is not, in my opinion, calculated to encourage the fisheries. The Commissioners, when the reserves were described to them, said there was nothing of the kind in Nova Scotia, and appeared to think that this Island might be placed on a similar footing. But, Sir, the case is quite different in that Colony, for there all the vacant land is in the hands of the Government, and fishermen can obtain a grant at any time without an arbitration. Then in regard to the loyalists, it is admitted by all that they had a claim. They were offered a certain number of acres of land if they would come to the Island and settle. With a great deal of trouble, they made out to reach here, and endeavoured to get their claims, but many had to give up and turn to pay rent. I contend that the Commissioners, by not awarding that the proprietors should give up to the loyalists the lands which they promised them, particularly as it was to be a compensation for arrears of quit rent, have done an injustice both to those refugees and the Colony. The Award says: "The British Government having for so many years provided for the Civil List of the Colony, the Commissioners would respectfully suggest that the Provincial Government might, at a small sacrifice, dispose of this old vexed question." This, Sir, is perhaps the most unjust part of the whole Award. I consider it is very unfair to say that because the British Government provided for the Civil List for so long a time, that therefore the Government here should give compensation to the loyalists. The Home Government had a right to pay the Civil List, when they left little or no Crown lands at the disposal of the Colony. But the Commissioners say that the loyalists may be compensated out of the lands bought by the Government under the Land Purchase Act.

Mr. DAVIES—That is not a part of the Award, it is only a suggestion.

Hon. Mr. COLES—It is among the other parts of the report where the Commissioners "report and award" respecting escheat and other matters.

Mr. BEER—It is only a suggestion.

Hon. Mr. COLES—Well, the whole report is a suggestion. Again, with respect to the Indian claims, I believe the Commissioners report and award in regard to them, and confirm the title of those people to Lenox Island. Now, I have heard that Mr. Stewart paid 300 sovereigns for that island; and if this be the case the Commissioners ought to have requested the home Government to compensate him for his outlay, for why should one proprietor be made to give up his claims and not another. I do not say that the Indians have no right to Lennox Island; but that Mr. Stewart should not have been treated differently from the other proprietors. But if we are going to confirm the Award, I maintain that we should pass an Act to guarantee the interest on the loan. The hon. member for Charlottetown, Mr. Beer, appears to have great sympathy for the district which I have the honor to represent; indeed he almost spoke as if he was already elected for that district, and as if Charlottetown might look out for another, which I believe they are intending to do whatever. At the meeting held in that district the members of the Government present said that they had no intelligence of the Award. I told them they would certainly have little to say for themselves, unless they could show that they had written a public despatch asking for the Award. And it appears that His Excellency did write a private despatch desiring His Grace the Duke of Newcastle to forward a copy. I do not wish to take credit to myself in the matter, or to say that the Government acted on my advice; but it looks very like it. What does the Duke say in winding up his despatch? He states that he could not recommend the loan, and that, in the meantime, he only sent a copy of the Award. He does not seem to desire that any action should be taken upon it. If the Government are not going to take the whole Award, I shall certainly vote against any partial measure. I understand that a proprietor had a meeting lately with his tenants and offered to let them have their land at 15 years' purchase. Sir, that is better than what is provided for by the Award. The only thing to be gained by it, since the Duke has given his veto to the arbitration clause, is the remission of arrears of rent, unless the loan can be obtained. It appears also that those proprietors who did not agree to the Commission, are not to be brought in, so that though it be confirmed, but few of my constituents will reap any benefit from the Award. The hon. member for Tryon has been saying that we are opposing the interests of the people, and the hon. member for Bedeque has been arguing in the same strain. But, Sir, what have their party done for the people since they came into power? Look at the Journals and you will see that all their votes have been against the people; they have gained nothing for them but oppression, and there has been plenty of that. The Small Debt Bill which they passed has caused a great deal of suing in the country, and I believe their own friends are now asking them to repeal it. Now the honest poor man cannot get credit.

Mr. DAVIES—There are no honest men who cannot get credit.

Hon. Mr. COLES—I do not think some poor men will; but I believe that some of the Small Debt Commissioners, appointed by the present Government, are beginning to complain that since the Act came into operation, they have scarcely anything to do.

Hon. Col. GRAY—I rise to a point of order; the question before the Committee is the Award, and not the Small Debt Act.

Hon. Mr. COLES—Why, Sir, the hon. member who has just sat down went off the subject this morning to talk about the school he attended in his young days, which I think has not much to do with the matter before us. The real question is what the next election is to turn up; therefore it becomes us to examine what each party have done. Sir, I feel for the poor man, and the late Government did more for his benefit than have the present administration. They passed the Free Education Act, and men have since become educated here to fill their places honorably as teachers and ministers of the gospel. With respect to the people of Belfast, the question there is religious agitation, and that and some other influences have turned them against the Liberal party; but, Sir, I believe they will yet have their eyes opened. In other parts of the country, where the Land Purchase Act has operated to the benefit of the people, they have not been so ungrateful. With respect to the 1500 acre clause, I would ask, if every proprietor is to be allowed to retain that much land, what advantage the people of West River are going to derive from the Award, as Mr. Wright and one or two others who hold land there, have not more than 1500 acres. Then again with respect to other sections of the country, Lady Georgiana Fane has not agreed to the Commission; and the proprietor of the Belfast estates, though he agreed to abide by the Award, yet as he has since sold his estates to the Government, it will be no benefit to the people in that district. There is also the colleague of the hon. leader of the Government in this House, who is unwilling to come under the Award; but as he has paid a high price for his property, and has a large family, he is quite right in acting as he thinks proper in the case. Then again with respect to New London, the Townships there have been divided up into four or five different properties, consequently the tenantry in that section of the Island cannot expect to reap any advantage from the Commission. The estates of the Messrs. Cunard, and of one or two others, are all that will come under the operation of the Award, so that it cannot prove a general benefit to the tenantry throughout the Colony, and that too in the face of statements in the resolutions introduced by the hon. member for Belfast, that it was to be better than the Loan Bill and Land Purchase Act. I do not wish to make any unfair statements; all that is necessary is to let the matter go before the country. If we get the loan, the Award may be some benefit, because then those proprietors who have not agreed to abide by it may, perhaps, be induced to sell their estates. The hon. member for Tryon says we must take the Award or we will be guilty of a breach of faith. It may be so in some degree; but in reference to the Loan Bill, did not the British Government introduce a bill into the Imperial Parliament to guarantee the loan and afterwards withdrew it? Was this, then, not a breach of faith as great as would be our rejection of the Award. I believe if we would but guarantee the interest on the loan, it would go a great way with the Duke of Newcastle. The hon. member from Port Hill boasts that he would purchase an estate himself and sell it at cost and charges. He would this way have the whole under his control, and where would be the independence of the people? But it is not so great a matter after all to sell land at cost and charges, for I suppose that would include commission and all. Sir, we have no evidence of that hon. gentleman's great liberality. We have been told that he cashed a £1000 bill for the Government when they were about purchasing an estate: but I see by the public accounts that the interest which he charged was 6 per cent. I observe also that some £60 have been paid to the Bank. Would it not have been better to have had the Loan Bill, and then the money would have been drawn from the Bank of England at a much less interest? Look at the other Provinces, they have been applying for an Imperial guarantee.

Mr. DAVIES—They have to pay their 10 per cent.

Hon. Mr. COLES—No, Mr. Chairman, I see it stated that Nova Scotia and New Brunswick bills are at a premium. They have thus, by going to the British money market, got their public credit established. How much better it would be for this Colony, too, did our paper go at home for £100 or £112 per cent. I said yesterday that I was happy we could meet on the same ground—that as the Liberal party were in favor of the loan, though they were opposed to the part of the award relating to the fishery reserves, and some other things, yet they would waive these objections in consideration of what would be gained by the loan; but, sir, when I hear that the Government are not likely to go for the loan, and that they are saying that it is no part of the Award, I shall content myself with voting for the amendment which I have submitted, in order to test the Government.

Hon. Mr. LONGWORTH—I do not intend to answer the lengthy remarks of the hon. leader of the Opposition, nor of the hon. member for St. Peter's: but I shall correct, or rather contradict, some of their statements. We purpose to confirm the award, so far as it can be made binding; but though these hon. gentlemen cannot complain of our liberality on that point, yet they seem to be of opinion that some capital can be made by separating the loan part of the award from the rest, and submitting a resolution to the effect that a Bill should be introduced to guarantee the interest of a loan. The Commissioners had no power in reference to the loan; all their powers were exhausted when they suggested that it should be guaranteed by the British Government. It is stated that we are opposed to the loan. The Government have said nothing of the kind; they have submitted such a resolution as will allow them to secure the loan at any time.

Hon. Mr. COLES—We wish you to do that now.

Hon. Mr. LONGWORTH—I will come to that point before long. The loan is only a recommendation, and the resolution leaves it open to take up that matter at any time. But did we require a Commission to apply to Her Majesty's Imperial Government for a loan? We had power to apply for such ourselves as Her Majesty's subjects. The Commissioners have, however, recommended it, and we can take it up at any time. The hon member for Princetown, Mr. Sinclair, has put the matter in a very clear light; the way which he did so does credit alike to his ingenuity and to his standing as a member of this House. We are under no necessity to rush headlong in for the loan; but by confirming the Award, and getting the arbitration clause to work, the loan might afterwards be found useful. It would be difficult to obtain a loan in England, if capitalists found that it was to be taken up in driblets of £500 or a £1000. Go with such a proposal to the Rothschilds and they would laugh at the idea. If we were going to take up a loan in such small sums, we would require to go to a third rate capitalist, and he would charge six or seven per cent. When we are prepared for the loan, we may get the whole £100,000 for some 4 per cent. In reply to the hon. member for King's County, I must say that I give him credit for consistency in regard to this matter of the Commission, and for the able manner in which he has advanced his views; but, Sir, we have seen them all in the *Examiner* during the last few months. With respect to the despatch before the Committee, he says it does not appear to be the intention of the Duke of Newcastle that we should take any legislation upon it. He passed very smoothly over that part which says that it is to be laid before the Legislature, and after going on for some time, asked if we were going to stultify ourselves by any action on the Award, in face of the objections made to it by the Duke of Newcastle? But are we, because his Grace objected to one or two clauses, to take up our hats and walk out of this House? Have we not the right to discuss the whole merits of the case, and then legislate on the matter. Are we to possess the rights of free men, or are we to be mere serfs? In respect to the Elective Council Bill, that hon. member said we ought not to be such serfs as to be tied down to the opinion of the Colonial Minister, and that he had a constitutional right to express his views on the subject. I agree with him there, and also say that we have an equal right to state our opinions and legislate on the matter under consideration. But he is opposed to legislation in reference to the Award, because the Duke of Newcastle did not give us a *carte-blanche* upon it. When the hon. leader of the Opposition presented his resolution yesterday, there was some consistency in it, because then we understood that he was in favor of confirming the Award and guaranteeing the loan in the same bill; but now he appears to be in favor of a separate Bill, which is quite a different matter. This change, however, I suppose was made to gain the support of his friends.

Hon. Mr. COLES—I did not say it was to be a separate Bill, but I understood so.

Hon. Mr. LONGWORTH—It is impossible that we should know the intention of the hon. member. Now he says we must have a separate bill.

Hon. Mr. COLES—If the Government think they can carry it out in one Bill, I have no objections that they should do so.

Hon. Mr. LONGWORTH—It would be folly to attempt anything of the kind. I will not follow the two leaders of the Opposition through their objections to the different parts of the Award. This subject has been thoroughly ventilated in the Colony; and now the report of the Commissioners has been printed, and the people can judge for themselves. These two hon. members denounce the Award, but what remedy do they propound? They have come forward with no scheme in lieu of it. The only proposition which they bring forward is the amendment of the hon. leader of the Opposition, and that is included in our own resolution. The Commissioners felt that they had a difficult task, but they have given a decision which I think will be received with favour throughout the length and breadth of the land. I feel confident, at least, that the opinion of the great body of the people is that the Award should be confirmed. The 1500 acre clause may not be such as we could wish; but the question is, should the Award be rejected on account of two or three objectionable parts? We cannot cut and carve it; we must take the whole Award. One of the principal benefits it will confer is the remission of arrears of rent. It is well known that the arrears can now be collected for 15, 18, or 20 years back. On some estates the arrears have accumulated to £20,000; and these the Commissioners have struck off by one dash of the pen. I give the hon. member for St Peter's credit for his consistency in opposing the Award, but I cannot give him credit for suggesting any other remedy.

Hon. Col. GRAY—I stated yesterday that no amount of speechifying could weaken the matter before us; the Award is an accomplished fact. My resolution in favor of confirming it is before the Committee,—vote for it or not. Some hon. members do not agree with me, but I have not heard any sound arguments to show that I am in error. The hon. member for King's County favored us this morning with a lengthy harangue, but the most of his remarks were foreign to the subject. As for the hon. leader of the Opposition he makes such singular statements that I am forced to believe that he draws upon his imagination for his facts, and that imagination is a most fertile one. What have we to do with the Loan Bill, the Micmac Indians, and several other subjects referred to by the hon. member? The Commissioners made no award with respect to such. The hon. member states that he understood I had offered to become an arbitrator for the tenantry. This is not the fact, for I never made an offer of the kind. He also says that I stated that the land on Lot 34 is worth 20 years purchase, but that the land at Belfast is not worth so much. What I did say will be found at page 23 of the Parliamentary Reporter. The proprietor of the land at Little York, who I understood would not dispose of it all, I said would be compelled by the Award to sell at 20s. an acre, while in some parts of the Island, where the land was inferior to that on Lot 34, the people, by the arbitration clause, might not have to pay more than 5s. an acre.

Hon. Mr. COLES—The inference I drew was that the tenantry at the one place were to pay 20s., and those at the other 5s. an acre.

Hon. Col. GRAY—The inference, then, was a most unfair one. Arrears of rent have also been referred to. £20,000 is nearer than £10,000 to the amount that might be collected even to the last farthing, if the Award did not come into operation. This great burden of 30, 60, 70 or £80 will be thrown off the tenant's neck.

Hon. Mr. WHELAN—I would ask the hon. member if the arrears are to be given up, unless the tenant has made arrangements to purchase?

Hon. Col. GRAY—The hon. member who has risen—or to use his own expression if I had risen—"the hon. member who interrupts me," has the Award before him; it speaks for itself. The hon. leader of the Opposition in referring to the loan, seemed to think that the Commissioners said that all which should be allowed the proprietors for the land was 2s 6d sterling an acre. I wonder if my hon. colleague is willing to sell Lot 31 for 2s 6d an acre. I would ask how many estates the hon. leader of the Opposition could purchase for 2s 6d an acre, when he was in power? The Selkirk estate was bought at nearer that rate than any which he purchased. He sees no good in the report of the Commissioners except in the loan part, because the load is his hobby. I agree with the hon. member for Charlottetown, that the loan forms no part of the Award.

Hon. Mr. COLES—I am glad the hon. member has made the statement, because he said his resolution was to confirm the Award, and now he says that the loan is no part of it.

Hon. Col. GRAY—The first part of the report of the Commissioners is the evidence brought before their Court, and the last is their decision; and I would ask which of the two is the people most interested in? Supposing we could get the loan—suppos ng we had the £100,000, what benefit would it be? Would one proprietor sell his land for 2s 6d an acre? Would Mr. Bruce Stewart, or my hon. colleague, if inclined to sell, give their land for 2s 6d an acre? Suppose the amount given for the land was 7s 6d an acre, as limited in the Purchase Bill, what price could be set upon it to make it pay? What we want, in connection with the loan, is a power to make the proprietors sell, and that at a reasonable rate. Would it not be prudent for the hon. leader of the Opposition to get the proprietors to promise that they would sell at 2s 6d an acre, before we borrow the money? Because if we had the £100,000, and could get no land to purchase, where would the money go? Echo answers where?

Hon. Mr. COLES—The money would not be drawn unless it was required.

Hon. Col. GRAY—I ask any financier if money could be obtained on such terms. Though I generally differ with the hon. member for Princetown, as he is my political opponent, and has sometimes, I think, treated me harshly, yet, Sir, I agree with him in his views on this question, when he says we can purchase land at any time under the Purchase Bill. This is what I have been advocating. The hon. member for King's County has been boasting of the return of his party at the next election.

Hon. Mr. WHELAN—What I stated was that I believed at the next election the country would give a good account of the position of parties in this House.

Hon. Col. GRAY—I do not see much discrepancy between the statements. It is impossible that any person can know by intuition what shall take place at the next election. It is in the womb of futurity. But I am willing to test this question now. I am willing to test who are the friends of the people to night, and see how many of the hon. members of the Opposition will vote for the resolution which I have submitted. I would like to see them vote against it.

Hon Mr. COLES—The hon. member appears to think that some of the Opposition will support his resolution. Those on this side of the House never pretended to oppose it altogether, when he said it was to include the whole Award. But now we have his statement that the loan is no part of the Award; and his resolution does not refer to the loan at all. I cannot let his statement go forth to the country that if we obtain the loan we shall have to take the whole at once. This is only to mislead the people. The hon. member for the second district of Queen's County said that the Rothschilds would not give a loan on such terms. I do not say they would; but I maintain that such a loan as we require would be a great benefit to the small capitalists of Britain. The loan is the first matter referred to in the Award, and my resolution is in favor of a Bill being introduced to carry out the first recommendation of the Commissioners. In reference to the concluding remarks of the hon. member for Belfast, I may say that I believe we will stand as well before the country, at the next election, as the supporters of the Government. He seems to hold out a threat to those on this side of the House; but, Sir, I shall not hold out any threat.

Hon. Col. GRAY—I do not hold out any threat. I said I would test who are the friends of the people.

Hon. Mr. POPE—I do not intend to say much in this matter. I consider there is scarcely any alternative for us, but to confirm the Award, since this House agreed by a vote 18 to 8 to leave the difficulties between landlord and tenant to arbitration. I was not a little surprised to hear the hon. member for King's County asking us to stultify ourselves by rejecting the Award. The question, Sir, is not whether we are satisfied with the Award in every respect; but are we doing our duty as honest men to set it aside. He, however, argues that we should apply for the loan. If we were to apply for it only, what would the British Government say? They would say these men are not be trusted; they asked for an arbitration before and would not abide by it; if we guarantee them a loan to-day, they will object to pay it to-morrow.

Mr. OWEN—I shall support the resolution introduced by the hon. leader of the Government, because I believe it is to take the Award and get all out of it we can. I am, however, not of the opinion entertained by members of the Government that no benefit is to be derived from the loan. I think it is the part of the Award which is to do the most good. I do not consider much is to be gained by the arbitration clause. It was said when the Land Purchase Bill was passed that the proprietors would not sell; but we saw that some of them did sell. I shall support the resolution as brought in by the hon. member, Col. Gray; and if the present Government does not go for the loan, perhaps the next may. I think, as it is set so prominently forward in the Award, if we apply for it we shall probably be successful. Near the last of the Award the Commissioners say they "cannot close this branch of their report, without again expressing their conviction that the purchase of the estates, by the negotiation of a loan through the Imperial Government, presents advantages so manifest that they cannot too strongly recommend its adoption, in preference to all other plans for the settlement of those unhappy disputes." They thus recommend the loan in the strongest terms. Let us then confirm the Award, and leave it to the country at the next election—which I hope is not far distant—to decide whether they are in favor of the loan or not.

The question was then put on Hon. Mr. Coles' amendment in reference to introducing a Bill to guarantee the interest on a loan of £100,000.

For the amendment—Hons. Messrs. Coles, Whelan, Kelly; Messrs. Conroy, Cooper, Doyle—6.

Against it—Hons. Col. Gray, Haviland, Longworth, Perry, Thornton, Hensley, McAulay, Wightman, Speaker, Yeo, Pope, Laird; Messrs. Sinclair, Owen, Douse, Ramsay, Montgomery, Beer, J. Yeo, McNeill, Howat, Holm, Davies—23.

Hon Mr. Whelan then moved, in amendment of the resolution introduced by Hon. Col. Gray, to strike out all after the preamble, and at the end thereof insert the following:—

"But it does not appear to be the intention of the Secretary of State for the Colonies that the said copy of the Award should be made the basis of any legislation for the present, inasmuch as that His Grace has not submitted the original or official copy, nor intimated any desire to have the printed copy confirmed by the local legislature: *And whereas*, the Secretary has declared, in his Despatch of the 7th February, 1862, that one of the principal provisions in the Award, namely, that in reference to local arbitrations, is open to "insuperable objections," which he proposes to obviate by some "fresh suggestions" at a future opportunity—thus manifesting his desire that legislation on the whole subject of the Award should be postponed: *And whereas*, the recommendation for a loan of £100,000, so earnestly urged by the Royal Commissioners, in order to buy out the claims of the proprietors, is not favorably entertained by the Colonial Minister; and the other principles of the Award being such as are only calculated to confirm proprietary claims without conferring any benefits on the tenantry:

"THEREFORE RESOLVED, That in the opinion of this Committee, no advantage would accrue from passing a Bill to confirm the award of the Royal Commission, until, at least, such time as the Colonial Minister shall have fully declared the views of the Imperial Government on the several questions submitted to them in the said Award, and when His Grace the Duke of Newcastle shall have furnished the "fresh suggestions" promised by him."

This amendment was lost on the same division as the foregoing.

The original resolution was then put and carried, after which the Speaker took the chair. When the question was about being put on the resolution, Hon. Messrs. Coles and Whelan moved their amendments in succession, which were lost 23 to 6 as in Committee, the chairman, Mr. Sutherland, voting against them, as did the Speaker in Committee.

Hon. Mr. Haviland, from the special Committee, to bring in an Elective Legislative Council Bill, presented a draft which was read a first time.

House adjourned.

WEDNESDAY, March 26.

SAVINGS BANK BILL.

On motion of Hon. Mr. Haviland, the engrossed Bill from the Council to establish a Savings Bank in Prince Edward Island, was read a first time.

Hon. Mr. HAVILAND said upon principle he was not opposed to a Savings Bank, but he had not given this Bill any consideration; however, he would move that the tenth rule of the House be suspended, and the Bill be now read a second time. He understood the Savings Bank was not to be a separate matter, but connected with the Treasury. In that case it would impose additional duty on the officers of that department, and he thought the Bill made no provision for their additional payment.

The Bill was then read a second time and committed. Hon. Mr. Kelly in the chair.

Mr. BEER was happy to think that such a measure was before the House, and considered it would be a great benefit to the poorer class of the community if it were only carried into operation. These institutions had worked admirably in the old country, and he thought one could be conducted here so as to be an advantage to the Colony in different ways. The Bill provided that the interest allowed the depositor should be 4 per cent.; the Government might give 5 per cent., allowing one per cent to the Deputy Treasurer for transacting the business, and then employ the money with advantage in buying up Treasury warrants. He was of opinion that such a bank would be a greater benefit to the people of the country than those of the town, particularly if the Award of the Land Commissioners came into operation; because then parties desiring to purchase their farms could lay up their money in the Savings Bank until they had sufficient to pay an instalment.

Mr. DAVIES said something considerable would have to be given to the Treasurer for his additional trouble. The Bill should be made self-sustaining, as the country could not afford to pay £100 or so out of the public funds for such a purpose.

Hon. Mr. HENSLEY remarked that the principle of the Bill appeared to be a very good one. He understood it was intended to allow the Deputy Treasurer £20 a year until the sum deposited amounted to £2000, after which it would be self-sustaining, the only cost being the expense of paper.

Hon. Mr. LONGWORTH said this matter had been for some years before at least one branch of the Legislature, and, judging from the pertinacity with which it had been adhered to, they must have been impressed with a sense of the necessity of the measure. It had not met with much favour from hon. members of this House, which resulted he thought more from want of consideration than from any opposition to the principles of the Bill. When an institution of this kind was established, the poor man had a place where his earnings might be kept safely; and he thought such a bank would be a benefit here, as the small farmer and the artisan would then have an opportunity of gaining interest on what little money they might at any time have at their disposal. He was of opinion that the House should not hesitate to adopt the measure, providing it did not entail any burden on the country. There were some details wanting in the Bill, which the Legislative Council could not take up as it was a money measure. But it was intended, as explained by the hon. and learned member for East Point, that £20 should be paid to the Deputy Treasurer per annum, until the sum deposited amounted to £2000; and as the interest to be allowed was 4 per cent, there would be a difference of 2 per cent which would meet working expenses. All that the Government would have to pay would be the little expense of stationary and printing. He thought it would be well for the Deputy Treasurer to appropriate one day in the week for this business.

Hon. Mr. LAIRD asked if the Deputy Treasurer would undertake the work.

Hon. Mr. LONGWORTH thought he would have no objection to take the office with the additional remuneration.

Hon. Mr. COLES had no objection to the intention of the Bill, but thought the plan contemplated would certainly give a great deal of trouble to the Deputy Treasurer, as he saw by the provisions of the Bill that sums were to be received from 1s. up to £50. Those that had £50 could go to the general bank. He thought that between 5s. and £10 was a sufficient range. The interest allowed at the Bank was only 3 per cent, and if £50 could be deposited this way on Government security, there would be a rush to the Treasury.

Hon. Mr. HAVILAND also thought that 1s. was too trifling a sum to enter, and that 10s. was about little enough. He likewise considered that if public opinion took hold of the matter, keeping the accounts, &c., of the Savings Bank would take up more time than the other business of the Treasury. Besides, it would be a loss to the Colony, because, as the money might be called for at 8 days' notice, the Treasurer would have to keep a large amount in hand, in which case he would be able to invest very little of what was deposited in the public funds. That the sum of £50 should be received was perfectly ridiculous, as was justly remarked by the hon. leader of the Opposition. He was of opinion that a bank of the kind was very little required in this country, where Treasury warrants could be obtained. But this was a pet scheme of the President of the Legislative Council, and it was a pity if, after so many attempts, his desire could not be gratified.

Hon. Mr. McAULAY said the principal objection to the Bill appeared to be that the Savings Bank would take up the time of the Treasurer, and cause him as much trouble as his other work; in which case the question would be, should he not receive double pay? If this had to be done it was more than the country could afford.

Mr. COOPER thought it would be well to leave the smallest sum that could be received at 1s., because with some labouring persons, if they allowed their money to lie until it amounted to 5s., they might buy something with it they did not require.

Mr. DAVIES said it should be ascertained whether the Deputy Treasurer would undertake the duties which he would be required to perform under the provisions of the Bill. He thought it would be quite proper to receive sums as low as 1s., because it was well known that there were improvident persons who would spend their money if they had to allow it to remain until it amounted to 5s. It had been stated that parties wishing to lend money could get Treasury warrants. This was not the case, as it was well known that they were spoken for before they were issued.

Mr. BEER would go for the sum being as low as 5s. The interest on that for a year would be 3d, which would be easily calculated. He thought the Bill would bring a great deal of money into circulation which was now laid up. That there was money in the country was shown by the circumstance that quite a number on the Selkirk estate purchased their farms, and immediately paid in the first instalment. He was of opinion that not more than £10 should be allowed to be deposited in one year, in order to exclude a certain class; but still he thought the sum might be allowed to accumulate to £50, as then the poor farmer in the country might be enabled to collect as much as would purchase his farm.

Hon. Mr. THORNTON said a Bill of this kind was brought down some years ago, and the principal objection to it then was that it would encumber the Treasury. If those who introduced this matter were sincere they would have organized it independently of the Treasury. In other countries Savings Banks did not appear to be working well, as losses were sustained through delinquents. He was altogether opposed to the Bill in its present shape.

Hon. Mr. HENSLEY did not see how the scheme could be self-sustaining, if the interest allowed was to be 5 per cent. Inquiries had been made, and it was ascertained that it could not be carried out in connection with the Treasury without detriment to the public service. A great objection was, that as the money could be taken out at any time, a large amount would have always to be kept on hand.

Hon. Mr. HAVILAND was of opinion that the Bill would not work at all. He was under the impression that the officers of the Treasury had been consulted, but on inquiry he found that the Deputy Treasurer instead of being consulted was alarmed at the idea of having such an amount of additional labour imposed upon him, as he thought the proposed business would require the greater part of his time. If, then, such an institution was required, a separate office would have to be established with a salary of £200 at least. Unless some hon. member would make a proposition to introduce the matter in a different shape, he would move that the Committee rise without reporting.

After a few other hon. members had expressed similar opinions on the Bill the Committee rose, and the Chairman made no report.

A number of petitions were then presented among which were the following:

By Hon. Mr. Pope—a petition of John Hazard, Thomas Linkletter, and other inhabitans of Prince County.

By Hon. Mr. Yeo—a petition of divers inhabitants of Cascumpec and its vicinity.

By Mr. Conroy—a petition of divers inhabitants of Lots 1 and 2.

By Mr. Douse—a petition of divers inhabitants of Belfast and its vicinity,—all praying that the section of the Act relating to the recovery of Small Debts restricting the imprisonment of debtors to sums over £10, may be repealed or otherwise dealt with as to the House may seem meet.

The House then went into the order of the day for taking into consideration the petitions lying on the table.

All the ordinary road petitions were severally referred to the members for the different districts.

The petition of divers inhabitants of Cascumpec and its vicinity, praying a repeal of the section of the Small Debt Act restricting the imprisonment of debtors to sums of £10, having been read, it was resolved that the House go into a Committee of the whole to consider the prayer of said petition. The several petitions on the table praying for a similar object were referred to the same Committee.

Hon. Mr. PERRY said when this clause was introduced into the Small Debt Act he did not think a change would be required so soon. He believed, however, that it had worked well enough. When credit was too accessible it was no advantage. He could prove that there had been far less sueing in his part of the country since the non-imprisonment clause had come into operation. This was a benefit, because when merchants took it into their head to sue there was a great deal of expense connected with it. If persons could not buy anything on account of this clause without paying down for it, they should become honest men, and then they would get credit. He was aware that last year there had been scarcely more than one-third of the summonses issued compared with what had been in former years. He could not support the repeal of the clause, unless he heard good reasons brought forward for the change.

Mr. HOLM remarked that the hon. member who had just sat down was the first person whom he had met that was satisfied with the clause. He (Mr. H) thought it had worked injuriously to all parties. The hon. member had said that there was less sueing than before; but probably the reason was that the debtor had set the creditor at defiance. It operated against the poor man's getting credit, because merchants sometimes did not know who were the honest men. He thought it would be the duty of the House to repeal the clause in question.

Hon. Mr. POPE said when the last amendment to the Small Debt Act was passed it was considered a great advance in the scale of civilization, it being thought almost barbarous to imprison a man for debt. Though the hon. member, Mr. Perry, says the people in his district are satisfied with the Act as it now stands, yet here is a petition signed by about 1000 persons, and most of them are his constituents, praying for a repeal of the clause referred to. It is not only signed by the merchants but by all classes of the community. [The hon. member then mentioned the names of some parties who had signed the petition, and gave a case or two where parties had come to the Island, remained a short time and did business, and become indebted to several persons to an amount not exceeding £10, and then went off with the money in their pockets.] He thought it ought to be placed in no person's power to set creditors thus at defiance. It was no more just that an individual owing £9 19s. 11½d. should be allowed to get clear than one owing £10. I will submit a resolution on this matter.

House adjourned for one hour.

WEDNESDAY AETERNOON, March 26.

Mr. DAVIES advocated the repeal of the clause which, instead of working beneficially, had the effect of preventing credit being given. While he approved of the principle of the clause, and was reluctant to adopt a retrograde principle, he was bound to say that the clause was not applicable to the country.

Mr. McNEILL could see no reason why, if a man was liable to imprisonment for £10, he should not be liable for £9 19s. The operation of the clause had been injurious. It had prevented worthy, but poor men, obtaining necessary supplies.

Hon. Mr. KELLY—The petitions had been got up by merchants and other dealers who were in the habit of charging 100 per cent on their goods. That the petitions were from parties pecuniarily interested, could be inferred from the fact that some of them were signed by Commisssioners of Small Debts. They should not abolish the clause hastily. In the neighborhood in which he resided, there were no complaints of the working of the clause. He believed that if it had been generally known that such petitions were to be brought before them, more of a contrary character would have been presented.

Mr. HOWAT—It might be the duty of the House to repeal the clause, in accordance with the petitions, but they should be careful to make its provisions bear equally upon all. As the Act stood, a party imprisoned for a debt exceeding ten pounds could take the benefit of the Insolvent Debtors' Act; but if they now abolished the clause referred to, an imprisoned debtor to a less amount would be compelled to feed himself while in jail.

Mr. BEER—The clause had worked badly, and had created general dissatisfaction, not solely amongst the mercantile, but the other, classes of the community, without reference to business or political relations. Since the Act had come into operation, there had been filed no less than 292 Bills of Sale, of which, there was no doubt, the majority were executed with the fraudulent intention of preventing creditors obtaining their debts. Instances of that nature were constantly occurring, and unless the clause were repealed, many a poor man would be unable to obtain even seed grain.

Hon. Mr. YEO—The Act operated injuriously to both creditor and debtor. The poor man was unable to obtain credit, and he believed that portion of the population which required credit were willing that the clause should be repealed.

Hon. Mr. HENSLEY—While his individual opinion was opposed to a return to the former system, yet the opinion of the country was manifested so decidedly that he felt it almost a matter of duty to accede to the prayers of the petitioners, who might be regarded as asking permission to go to jail. Whatever resolutions might be introduced, he trusted that protection would be afforded to the honest poor man. There was something revolting in the idea of imprisoning a man whose inability to pay a debt had arisen, not through dishonesty, but misfortune. As the law at present stood, a party, not having dispossessed himself of property after the inception of the suit on which he was imprisoned, was entitled to his discharge; but a transfer after the contraction of the debt might be fraudulent, as being made in view of avoiding payment.

Mr. MONTGOMERY, although reluctant, would, in consideration of the numerous signatures to the petitions, give his vote in favor of the repeal of the clause. Those petitions were signed by many others than merchants. He was of opinion that many people took credit who need not ask it. He trusted that every precaution would be taken to prevent the undue detention and committal of a debtor.

Mr. DOYLE was not in favor of imprisoning a man because he might be unable to pay a debt; but he was compelled to express his conviction that the clause had worked to the prejudice of the poor man. He knew that when the time for the operation of the old Act was about expiring, a most unusual number of suits were brought against poor people, who, unless the clause was altered, would, in a great number of instances, be unable to obtain seed.

Hon. Mr. HAVILAND expressed his regret that the petitioners should have asked for a measure of a retrogressive character. In 1860 he had advocated the abolition of imprisonment for debt for all sums under £10, in the belief that it was but the initiatory step towards the abolition of imprisonment for debt altogether. The clause had been inserted as a feeler, to test how far a principle, sound in theory, could be satisfactorily carried into practice in the Island. The petitions and the observations made upon them would seem to argue a deficient standard of morality in the Island, for they virtually said that men would not pay their debts under £10 unless they were liable to be sent to goal. It was a strange thing that an examination of the signatures to the petitions shewed that the parties desirous of reverting to the provision of the old law were not exclusively merchants and traders, but the possible victims of the solicited alteration. This was to be inferred from the character of the writing. There had certainly been an extraordinary number of Bills of Sale executed since the new law had come into force, and doubtless many of them had been executed with a view of preventing creditors getting the property of their debtors. He would, in consideration of the allegations of the petitioners, and in view of the fact that there were no counter petitions, vote for the abolition of the clause.

Hon. Mr. YEO thought that whoever imprisoned a man for debt should be at the charge of his maintenance, and that the Government should not be called upon for his support.

Hon. Mr. PEERY coincided in this opinion. A jail was intended for malefactors not debtors, and, as such, was supported by the public. The petitions had been got up by merchants and dealers, who could easily induce people to sign. He found that no more than some forty names of the French people had been signed to the petitions,—that may have perhaps arisen from the ignorance imputed to them by the hon. member, Mr. Beer. He knew that in Prince County there was far less suing than there had been, prior to the enactment of the present law, and that fact showed that it had worked to the advantage of the poor man, who, sometimes, had to pay £2 or £3, as costs on a paltry suit, for a few shillings.

Hon. Mr. LAIRD denied that the petitions represented the views of the majority.

(To be continued.)