

William Albert Mott

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Excerpts from the

**Synoptic Report of the Proceedings of the
Legislative Assembly of the Province of New Brunswick**

1893 – 1902

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Collected by great grandson
William Mott Stewart
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1893

SYNOPTIC REPORT

OF THE

PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF THE

PROVINCE OF NEW BRUNSWICK

FOR THE

SESSION OF 1893.

REPORTED BY M. McDADE AND FRANK H. RISTEEN.



SAINT JOHN, N. B.

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1894.

PROVINCE OF NEW BRUNSWICK.

HOUSE OF ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS and POST OFFICE ADDRESSES.

THIRTIETH SESSION OF THE LOCAL LEGISLATURE.

THE HONORABLE JOHN P. BURCHILL, SPEAKER.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert,.....	Hon. HENRY R. EMMERSON,.....	Dorchester.
do	WM. J. LEWIS, M. D.,.....	Hillsboro.
Carleton,.....	Hon. HENRY A. CONNELL,.....	Woodstock.
do	J. T. ALLEN DIBBLEE,.....	Woodstock.
Charlotte,.....	Hon. JAMES MITCHELL,.....	St. Stephen.
do	JAMES RUSSELL,.....	Bay Side <i>via</i> St. Andrews.
do	GEORGE F. HILL,.....	St. Stephen.
do	JAMES O'BRIEN,.....	St. George.
Gloucester,.....	JOHN SEIVEWRIGHT,.....	Bathurst.
do	THEOLINE BLANCHARD,.....	Caraquet.
Kent,.....	J. D. PHINNEY,.....	Richibucto.
do	JOHN B. GOGAIN,.....	Cocaigne.
Kings,.....	Hon. A. S. WHITE,.....	Sussex.
do	GEORGE C. SCOVIL,.....	Bellisle Creek, Springfield.
do	G. HUDSON FLEWELLING,....	Clifton.
Madawaska,.....	LEVIT THERIAULT,.....	Edmundston.
Northumberland,.....	Hon. L. J. TWEEDIE,.....	Chatham.
do	Hon. J. P. BURCHILL,.....	Nelson.
do	JAMES ROBINSON,.....	Millerton.
do	JOHN O'BRIEN,.....	Nelson.
Queens,.....	Hon. A. G. BLAIR,.....	St. John.
do	LAUGHLIN P. FARRIS,.....	White's Cove.
Restigouche,.....	W. ALBERT MOTT,.....	Campbellton.
do	Hon. CHAS. H. LABILOIS,.....	Dalhousie.
St. John City,....	WILLIAM SHAW,.....	St. John.
do	DR. STOCKTON,.....	St. John.
do	A. C. SMITH,.....	Carleton, St. John.
do	DR. ALWARD,.....	St. John.
St. John County,.	ALBERT T. DUNN,.....	Musquash.
do	JOHN MCLEOD,.....	Black River.
Sunbury,.....	WM. E. PERLEY,.....	Oromocto.
do	CHAS. H. HARRISON,.....	Maugerville.
Victoria,.....	GEORGE T. BAIRD,.....	Perth Centre.
Westmorland,....	JOHN W. Y. SMITH,.....	Dorchester.
do	AMASA A. KILLAM,.....	Moncton.
do	HENRY A. POWELL,.....	Sackville.
do	W. WOODBURY WELLS,.....	Fort Elgin.
York,.....	WM. K. ALLEN,.....	Fredericton.
do	WM. T. HOWE,.....	Stanley.
do	HERMAN H. PITTS,.....	Fredericton.
do	JAMES K. PINDER,.....	Temperance Vale.

OFFICERS OF THE HOUSE OF ASSEMBLY.

HENRY B. RAINSFORD, Clerk.	JOHN RICHARDS, Clerk Assistant.
REV. R. W. WEDDALL, Chaplain.	JOHN B. GRIEVES, Sergeant-at-Arms.

Hon. Mr. White introduced a bill amending chapter 47 of consolidated statutes.

Mr. Mott moved and Mr. O'Brien (of Charlotte) seconded the address in reply.

Mr. Mott in moving the address in reply said: I have first to acknowledge the compliment paid through the medium of my humble self to my native constituency in having its junior representative chosen to discharge this honorable duty, though inexperience in your legislative usages moves me to express the regret that this duty was not confided to abler hands than mine. The occasion of opening this parliament for the first time without the legislative council is in itself a matter to call forth serious reflection on the part of honorable members, not upon the advisability of abolishing that honorable body—because that has been endorsed by the country and is now an abolished fact—but rather upon the greater responsibility of legislation that now devolves upon us by reason of having confided to us by the people, the sole right to construct, amend and enact their laws. The history of that abolition is too recent and familiar to the minds of the people to justify any but a passing reference. Suffice it to say the movement which first took shape under the present premier and his colleagues in 1883, having been given to the people as one of the principal features of the government's policy in the elections that have since taken place, and generally sanctioned by them, was consummated in 1891.

The opening of the present parliament under these conditions is therefore the dawn of a new era in our history; and while we have the fiat of our constituencies in its favor, it yet becomes us to receive the new order of things in an earnest and a sober spirit. It is not my desire to cast any aspersions upon the history of the legislative council, but if it were, my mouth would be closed out of respect for those distinguished men who have moulded our laws, and who in their day of life supported the principle of fixing in that honorable body the virtual power of vetoing the laws passed by the house of assembly, building, in this, upon the lines of the constitution of the mother country, and also out of respect to the honorable members who composed that House.

This however, I am free to say, that the times have altered and with new conditions, and an ever broadening conception of government in the minds of the people, there is not so much force to-day in the theory that

the constitution, which gives to the people the right to legislate, should possess a vetoing power, other than the royal prerogative, and that power totally irresponsible to the people. It might be said that this institution was moulded upon the lines of the British constitution, the admiration of the world, and that the House of Lords is in Britain still a recognized force, and an essential element of government, but without wearying the house with argument, I would simply remind them of the great difference in the conditions of the government in the two countries—theirs is a country in which aristocracy has a defined interest, ours, one in which democracy has full play. To go back to first principles, the House of Lords was largely created for the purpose of protecting the nobility, a privileged class considered essential to the nation's welfare, from the encroachments of a jealous democracy, it being deemed necessary to preserve the aristocratic distinctions born of the feudal system.

While in Britain, aristocracy and democracy, respectively, have their definite functions under the constitution, the spirit of our laws and usages is more democratic, and except in a limited social sense, we do not recognize the distinctions of rank and title.

I fail to see any necessity of continuing in power the Legislative Council, a body whose duties and interest are identical with those of the House of Assembly, and which possessed the power of rejecting the people's will without being in any way responsible to them, and instances are not wanting where salutary measures passed by the Lower house have been thrown out in the Upper, against the country's interest. I have therefore to congratulate the Honorable Mr. Blair and his government in bringing about its abolition, believing they have exercised a wise discretion in following the example of our sister provinces of Ontario and Manitoba and asserting the right of the people to control their legislation short of the Crown's prerogatives, to say nothing of the saving to the Provincial treasury of the sum of \$8,000 to \$10,000 annually expended in maintaining the Council. In this connection I beg to remind you of present agitation in other provinces of the Dominion to the same end. I desire before leaving this subject to recur to the argument that the Legislative Council was useful in checking hasty legislation. If we were to pay them the compliment of admitting its truth, and after all it is only an admission of human frailty, this thought

presses itself upon our minds that we should at this time be impressed with a deeper and more solemn sense of our duties as legislators and proceed to the business of the country with a caution, discretion and prudence ever awake to the public welfare and with a full consciousness of the fact that when a bill passes by a majority vote of this house it is practically the law of the land and that there is no longer any consultation with the Upper House as to its terms. I feel to the full His Honor's reference to the confidence he feels that we will preserve unimpaired the traditions of the Provincial Legislature and in reply I can only express my belief, which history I am sure will bear me out in, that there is inherent in our people a natural force and energy that is all sufficient to the exigency of the occasion and which needs only necessity to give it life.

The important considerations which moved the government in appointing the lumber commission in 1890, and the care with which that commission has been executed, have not as yet been fruitful of definite results, and the subject matter of their report is to be discussed by the house, but I trust that the government's policy when declared will be found to be one that will advance the best interests of that important industry. The composition of that commission is at once evidence of the government's wise discretion in the appointments and a guarantee of the diligence and practical knowledge exercised in its deliberations. The terms of leasing the crown lands, particularly, is a matter to which the interested attention of lumber operators throughout the province is now directed, and I hope that when concluded they will be alike satisfactory to the lumbermen whose means are expended in improving the lumbering facilities of large sections of the country and to the humbler operator whose work is necessarily limited and confined.

His honor's very proper reference to the substantial grant made by the government in furtherance of the agricultural interests will meet with general approval. The grant referred to was \$10,000 appropriated with a view to the cultivation of the dairying industry, the government also promising a bonus of \$500 to each creamery started in the province under approved conditions. It is only fair to the government to note the appreciation evinced by the farmers' associations in the different counties of the efforts made in their behalf; and the many cheese factories and creameries now in

operation in the province and in course of erection, bear testimony to the wisdom of this expenditure. I think the government may be assured of the hearty support of honorable members in all that pertains to the welfare of this industry, and I sincerely trust that they will continue to render material aid to our farmers in experimenting upon new methods, and increasing the producing power of the province.

The proposed reformatory or industrial school for boys is an institution that our judicial system has long required, and I cannot refrain from expressing my respect and the country's appreciation of the philanthropic efforts of that good woman, Lady Tilley, whose generosity and charitable mind have prompted this undertaking. The need of an institution that has for its object the reformation rather than the punishment of young criminals will be generally recognized. The spirit of our laws is in some respects fairer than their practice, as it does not intend that penalties should be enforced for punishment of the criminal, but rather for the purpose of protecting society by depriving him of the power of doing wrong. The object then of what I will make bold to call Lady Tilley's undertaking is not only consistent with the law, but has for a foundation charity, and good will towards our unfortunate fellow men.

Coming to the Maritime bank case, with the result of which his honor has expressed himself to be especially pleased, we must recognize with him the importance of the principles for which Hon. Mr. Blair contended, and which were decided by the court of last resort in favor of the province. This decision, delivered by the lords of the judicial committee of the Privy Council, July 2nd, 1892, settles the principle that within the limits assigned by the British North America Act the powers of legislation possessed by the provinces of Canada are exclusive and supreme and that the Lieut-Governor is as much the representative of Her Majesty for the purpose of provincial government as the governor-general of Canada is for all purposes of Dominion government.

Our rights and privileges then as a parliament and the dignity of our executive have not been impaired by the British North America Act and we lose nothing by the union except as mutually agreed upon at Confederation by the provinces of Canada in referring certain subjects of legislation to the federal parliament.

Discussion of the methods of municipal taxation, a change in the mining laws and

other important measures, are among the matters referred to in his honor's address with which the house, I am sure, will deal in the spirit of zeal and devotion expected of them.

I know that it will accord with the feeling of both sides of this house if I close this speech with a tribute to one who for so many years has been prominent in provincial and federal affairs, whose name and works are already impressed upon the history of both parliaments and whose labors have been in the public service. I come from a county that has already possessed for him a kindly feeling, and I desire to give expression to that. Honorable members have doubtless anticipated me in saying that I refer to his honor the honorable Sir Leonard Tilley, whose life is a refutation of the false saying that a successful politician cannot be an honest man. (Applause.)

Mr. O'Brien, (of Charlotte) is seconding the address in reply, spoke of the importance of the change involved in the abolition of the legislative council. He highly approved of the government's aid to agriculture, and spoke at some length of the importance of that great industry. It was one of our great industries, and the government would be justified in giving it further encouragement. Until we have freer trade with the United States we could not expect a great development of our mines and minerals. In the meantime the greatest possible encouragement should be given to agriculture. This government was not to blame because there was not freer trade between this country and the United States, neither was the Ottawa government altogether to blame. That was a matter largely influenced by the people of the United States themselves. The proposition to establish a reformatory was a move in the right direction, and Lady Tilley was to be congratulated upon having success crown her efforts in this direction. He expressed himself well pleased with the promised legislation to enable women to act as members of school boards in cities and towns in the province. He thought in many instances women would be found competent to act as school trustees, and he especially congratulated the government upon that part of the address. (Applause.)

Dr. Stockton, after congratulating the mover and seconder of the address, said that many changes had taken place since the last session of the house. Then the government was led by the senior member from the County of York, while to-day it

was led by the junior member from Queen's. He expressed regret at the absence of Dr. Atkinson, who had been elected and unfairly and illegally deprived of his seat. He also regretted the absence of Mr. McKeown. He expressed the hope that the deliberations of the new house would be pleasant and agreeable. Since last session there had been a reorganization of the government. He remembered that when the leader of the government was in opposition he had said that it was a terrible thing that all the portfolios of the government should be held by lawyers, yet there was not a member of the present government holding an office who was not a member of the legal profession. He did not wish to say anything against the profession, but he thought there were other interests that might well have been consulted. This was directly counter to the famous platform of 1881. It was also promised that the executive should be reduced as speedily as possible from 7 to 5, but the promise had not been fulfilled. The government professed to be very solicitous for the farming interest, yet it was entirely unrepresented in the counsels of the government. He quite agreed with the hon. member from Charlotte that the farming industry was the great industry of this province, and that it required only the fostering care of the government and prudent management on their own part to make the farmers prosperous. What did the \$10,000 given by the government to the farmers amount to? \$8,000 of it had been derived from a tax on dead men's estates, and to this was added the usual grant of \$2,000. A member from Westmorland, not now present, had made the calculation that this grant in aid of the agricultural interest amounted to a three cent stamp to each person representing the farming interest of the province. This was the progressive, the enlightened and magnificent policy of the government. He claimed that the government was entitled to small credit for what they had done for the farmers. The credit should properly be given to the dominion government, which took the initiative, and to the opposition, which had shamed the government into greater activity. The hon. member from Restigouche, who spoke of the report of the lumber commission being about to be laid before the house, appeared to be ignorant of the fact that the commission had already reported. Last session, when the opposition wished to know what the government proposed to do with that report, the leader of the government coolly said he proposed to do nothing with it, in

in their might and drive this extravagant administration from power.

The address then passed.

Mr. Mott moved, and Mr. O'Brien of Charlotte seconded, that the address be engrossed, signed by the speaker and presented to his honor. Carried.

On motion of Hon. Mr. Mitchell, consideration of supply was fixed for Tuesday next.

Mr. Mitchell submitted the memorandum of an agreement with Messrs. McDade and Risteen for reporting and publishing the official debates.

Messrs. Blair, Mitchell, Emmerson, Stockton and Phinney were appointed to name all standing committees.

Messrs. White, Mott and O'Brien (of Charlotte) were appointed a committee to present the address to his honor.

Dr. Stockton spoke of what he considered undue haste in rushing on the public business in the absence of departmental reports. Last year, 15 minutes after the financial statement had been laid on the table the House had been moved into committee of supply; and it looked as though the same course was to be followed this year. He would ask the provincial secretary when we might expect to have the auditor general's report?

Hon. Mr. Mitchell—I hope to be able to have the report laid on the table tomorrow.

Hon. Mr. Blair did not consider the leader of the opposition could justly complain of the action of the government. There had been no delay in furnishing the departmental reports, and it was, he believed, in the public interests that the business of the country should be taken up without loss of time. Supply could be proceeded with and later on in the session hon. members would have a full opportunity of making any criticism which an examination of the public reports might suggest. Those reports could not be presented before they were ready and they could not be got ready in less time than elapsed since the 31st December when the fiscal year closed. Moreover, it had not been usual or customary to deliver any communication from his honor the lieutenant-governor until the address in answer to the governor's speech had been received by his honor and replied to. He doubted also whether it was constitutional to do so. He had always been under the impression that the rule which precluded communication between the governor and the legislature until the address was passed applied to the case of all

messages including the presentation of public reports. The general constitutional principle he had adverted to he believed was still recognized in England and he thought in Canada.

Dr. Stockton introduced a bill respecting crown debtors.

Hon. Mr. Blair said he had some doubt as to whether Dr. Stockton was competent to introduce such a bill, and he would look into the matter.

Adjourned.

FREDERICTON, March 10.

In the house to-day, Hon. Mr. Blair objecting to further progress in Dr. Stockton's bill respecting crown debtors, the speaker decided that the bill could not be further advanced.

Dr. Stockton introduced bills amending the law relating to documentary evidence in certain cases; further amending chapter 65 of schools; also respecting the use of tobacco by minors.

On motion of Mr. Mitchell, Mr. Killam was appointed deputy speaker, and Rev. R. W. Weddall, chaplain.

Mr. Mott, from the committee to present the address in reply to the speech from the throne, reported that the committee had attended to its duty, and Mr. Speaker, read his honor's reply, thanking the house for its address.

Mr. Mitchell submitted returns from the commissioners of the General Public Hospital; interim report of the tax commission; Northumberland, St. John city and county, Kings county and Woodstock civic indebtedness; reports of schools, and board of health, Dominion Safety Fund Association; steamer Florenceville and steamer Flushing.

Dr. Stockton gave notice of motion for particulars of warrant expenditures from the close of the year till March 10th.

Mr. Pinder gave notice of inquiry as to whether or not any steps had been taken to repair Nackawick bridge.

Hon. Mr. Emmerson submitted the board of work's report and Hon. Mr. Tweedie submitted the crown lands department report.

Adjourned.

FREDERICTON, March 11.

Hon. Mr. Blair, chairman of the committee appointed to nominate all standing and select committees, submitted the following:—

On agriculture—Messrs. Russell, Theriault, Baird, Dibblee, Harrison, Robinson, Gogain, Howe, Farris, Dunn, Scovil, Dr.

being elected by the sheriff, succeed in retaining his seat by means of this amendment, which places him under obligation to Mr. Blair, but he cannot feel at all comfortable under the situation, and although by thus holding Dr. Atkinson's seat he may imagine he has succeeded in securing the Doctor's permanent retirement from public life he may yet find that the people of Carleton County may have something to say on the subject, and will ere long return to the legislature by a vote which will indicate their resentment at the injustice that is now about to be done him, one of the best representatives they have ever had in this legislature. (Applause.)

Mr. O'Brien, of Charlotte, said it appeared to him that if Dr. Atkinson had confidence in his case he would have appealed to the court. There had been a great deal of talk about British justice, but he thought the judges were more competent to accord justice in cases of this kind than was a committee of this house, composed as it was of laymen as well as lawyers.

Mr. Shaw said that if he had intended to vote for the amendment he would change his mind after having heard the remarks of the last speaker. If the same rule had been applied in other parts of the province as applied to this by the sheriff of Carleton county, some of the gentlemen who are now members of the house would not have been here. He had stood at a polling place where the returns showed eight more votes than there were actual voters. At that place the government candidates had a majority of forty, and if Sheriff Dibblee's rule had been applied in that case and the returns rejected, the government's majority in this house would have been less than it is. He had just talked to one of the members from Carleton county, and that gentleman said he was in favor of the fullest investigation. In deference to the wishes of that gentleman the amendment should not pass, and the petition should go to the privileges committee, as proposed by Mr. Phinney's resolution.

Mr. Seivewright said that if the contention of the leader of the opposition was correct that the passage of this amendment would prevent Atkinson from being heard before the committee, he would give his vote for it in a very hesitating manner.

Mr. Mott said that as he understood the matter, the petition was now on its way to the privileges committee, and that the passage of the amendment would in no way prevent its being heard. By passing the amendment the house would in no way de-

prive itself of any privileges. He would therefore support the amendment.

The amendment was carried by the following vote:—

Yeas—Messrs. Blair, Mitchell, Emerson, White, Tweedie, LaBillois, Lewis, Russell, Theriault, Blanchard, Killam, Seivewright, Mott, Smith (Westmorland,) Flewelling, Scovil, O'Brien, (Northumberland,) Baird, Robinson, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte)—24.

Nays — Messrs. Phinney, Stockton, Powell, Shaw, Smith (St. John.) Alward, Gogain, Howe, Pinder, Fitts, Allan, Perley, Hill—13.

Hon. Mr. Mitchell committed a bill to provide for the redemption of debentures falling due in 1894, 1895 and 1896, Mr. Killam in the chair. Progress was reported with leave to sit again.

Mr. Powell introduced a bill changing the names of Alexander P. Pick and Charlotte R. Pick.

Mr. Farris introduced a bill incorporating the N. B. Coal Company.

Mr. Pitts presented a petition of 81 rate-payers of Carleton county in respect of public schools.

After an informal discussion as to whether the endorsement of the petition was sufficiently definite, the petition was received.

Adjourned.

FREDERICTON, March 20.

Hon. Mr. Mitchell recommitted a bill providing for the redemption of debentures falling due in 1894, 1895 and 1896. Mr. Killam in the chair. Agreed to.

Hon. Mr. Blair committed a bill providing for the boys' industrial home. Mr. Killam, chairman. Agreed to with amendments.

Mr. Powell introduced a bill further amending chapter 110 of the Consolidated Statutes.

Hon. Mr. Mitchell committed a bill amending the St. Stephen incorporation amendment act. Mr. Lewis, chairman. Agreed to.

Hon. Mr. Emerson committed a bill in addition to and in amendment of chapter 20 of the consolidated statutes, Mr. Killam, chairman. After supper the bill was further considered and agreed to with amendments.

Hon. Mr. Mitchell committed a bill to encourage the development of nickel mines. Mr. Killam, chairman. Agreed to with amendments.

Dunn, Howe, McLeod, Farris, Pinder, Mott, and Pitts.

Hon. Mr. Mitchell introduced a bill relating to certain deeds of land made by All Saints Church at St. Andrews.

Mr. Phinney introduced a bill relating to contested elections for county councils.

Hon. Mr. White introduced a bill to provide for education in the public schools as to the effects of alcohol and narcotics.

Mr. Mott presented petitions for and against renewing the charter of the Restigouche Boom company.

Hon. Mr. Blair presented the petition of the Mariners' and Mechanics' division, S. of T., praying that the liquor license act of 1887 may be amended.

Mr. Allen introduced a bill to amend chapter 9, Consolidated Statutes—provincial revenues and accounts.

Hon. Mr. Tweedie committed a bill to further amend the general mining act.—agreed to with amendments.

Adjourned.

FREDERICTON, March 28.

Dr. Alward introduced a bill relating to the St. John Protestant Orphan Asylum.

Hon. Mr. Mitchell presented a petition from 65 residents of St. David's parish, Charlotte county, against a bill to exempt the property of B. Rippley from taxation.

The house in committee agreed to the bill to authorize the trustees of Owens' art gallery to provide for the management thereof, with amendments; to the bill incorporating the Memramcook Gold Mining Company, with amendments.

Hon. Mr. Blair introduced a bill to incorporate the Queens County Coal and Railway Company.

The house in committee agreed to a bill to provide for the maintenance of the Boys' Industrial Home.

Replying to Mr. Gogain, Hon. Mr. Emmerson said the extent of the repairs to be made upon the Cogaigue bridge had not yet been decided upon by the government.

The house in committee reported progress as to the bill to give effect to a certain agreement entered into by the city of St. John and the Canadian Pacific Railway Company.

The house in committee agreed to the bill authorizing the municipality of Northumberland to lease the Chatham public wharf, with amendments.

The house in committee agreed to the bill in addition to the act authorizing assessment in aid of public libraries in St. John.

The house in committee reported progress as to the bill in further amendment of Chap 110 Con. Stats.—fences, trespasses and pounds.

The house in committee agreed to the bill to authorize the conveyance of certain school lands in Charlotte county.

Mr. Alward introduced a bill relating to William Parks & Son (Ltd).

The house went into committee on the bill to encourage dairying.

Mr. Russell explained that the bill was to enable the municipal council of Charlotte to grant exemption from taxation to dairies. Owing to the instructions received from Prof. Robertson the farmers of Charlotte had been encouraged to go into the dairying enterprise extensively. One dairy had been established already, and he believed others would be erected this year. The bill was agreed to.

Hon. Mr. Connell introduced a bill to incorporate Hartland village for water purposes.

Mr. Mott introduced a bill to authorize the town council of Campbellton to issue debentures for fire purposes.

Adjourned.

FREDERICTON, March 29.

Largely signed petitions for a law requiring temperance instruction in the public schools were presented by Messrs. White, Killam, Robinson, Stockton, Powell and Hill.

Mr. Mott introduced a bill to still further continue the act incorporating the Restigouche Boom Company.

Mr. Killam introduced a bill respecting the Moncton Sugar Refining Company (Limited).

Hon. Mr. Mitchell submitted further returns to Mr. Seivewright's resolution in re-public schools.

Mr. Powell presented petitions in favor of the bill relating to the sittings of the Circuit and County courts of Westmorland.

On the order of the day being reached Hon. Mr. White, seconded by Mr. Robinson, moved the following amendment:

To strike out all after the word "resolved" and insert the following: "That the petition number 29 of Henry Chestnut, William Lemont, J. A. Vanwart, and 113 other ratepayers of the county of York, praying that such orders and regulations may be recommended as would carry out the purposes of our free school law, that all regulations contrary thereto may be rescinded and that the administration of the law may place all on a footing of equality,

Mr. Alward said that if the House would consent he would be willing to meet the views of the hon. members for Westmorland and Charlotte and withdraw his amendment so that the proposed independent commission should be sent to Bathurst.

Hon. Mr. Blair said there seemed to be some misunderstanding on the part of the hon. members. A reference to his speech of Monday last would show that he had stated that if after the House had fully discussed the returns on evidence before it it should transpire that any further light was required upon any branch of the subject the Government could appoint a commission to proceed to Bathurst and procure further information.

Mr. Stockton—Why not give the Committee that power now?

Hon. Mr. Blair said the proper course he thought was to go into Committee of the whole and have all the evidence read. He did not believe that a thousand examinations would disclose to the House any additional facts or present in any clearer light the trouble that existed in Bathurst than the evidence taken by the commission last year would afford.

Mr. Mott said: Mr. Speaker, I had not intended to say anything upon this matter at this stage, but seeing that the discussion has taken a much broader scope than is strictly pertinent to either the resolution or the amendment, I will venture a few remarks upon it, reserving the expression of my views upon the real issue when that is reached.

The honorable member for York, when moving the resolution to refer these petitions to a committee of seven, referred in a plaintive way to a fancied coldness with which honorable members looked upon him, as though he were a black sheep in the flock, and said that in bringing this matter up he was discharging a duty to the country.

Personally, Mr. Speaker, I am pleased to say that since coming here I have enjoyed friendly intercourse with that gentleman, and I am always pleased to meet him, and furthermore, if he is impressed with a bona fide sense of duty in this matter he is deserving of credit. But I regret to say, sir, that in my humble opinion, his political course is unworthy of admiration, and if he is troubled with the thought that other honorable members are cautious in their intercourse with him, it is only the legitimate result of his extreme views and actions. I cannot accept either him or Rev. Mr. Thomson, his co-worker, as true

exponents of the principles of the Orange order; their conduct sadly lacks the element of respect to the constitution, to say nothing of the spirit of charity. I have listened intently to the exposition of Orange principles as stated here by the Honorable Chief Commissioner, and have also conversed at length with prominent members of that order upon this question and I see nothing to find fault with in their conduct. They respect the institutions of the country and agree that this agitation has been improperly conducted and are of the opinion that if wrong is being done to the Protestant minority at Bathurst, the courts should have been consulted for a remedy. The Hon. Attorney General has publicly read the circulars used in the late election and signed by the hon. member for York; they are inflammatory in the extreme and, without effecting a settlement of the difficulty, are calculated to rekindle the fires of bigotry and prejudice that have happily been long smothered. Here is another sample of their chivalry, and I am now reading from one of the letters written by Rev. A. F. Thomson to some of my constituents during the late election:—

“A vote for Mott and LaBillois means a vote against Protestant principles and for the church of Rome. Mott will be a miserable tool for the priest. I do trust, therefore, that you will do all in your power to secure the return of Mr. Murray and any other opposition candidate.”

The Hon. Attorney General has stated that he would not accept as conclusive any statement of Rev. Mr. Thomson regarding this matter. I agree with him in that and will go further. I would call him unreasonable. But, Mr. Speaker, I have not come here to discuss the personality of Rev. A. F. Thomson, though unfortunately his personal feelings and those of the honorable member for York have influenced and shaped this deplorable agitation.

For all wrongs that they claim do exist at Bathurst, procedure and machinery are provided in the law for redress. Why, then, have they neglected to use the legitimate means which our law opens to them, and why, before ascertaining their legal position have they set on foot a movement that is calculated to divide a peaceful people in sectarian strife?

It is the proud boast of our law that no wrong can exist without a remedy and it is self evident that where the proper channels for redress of grievances and the rules of

procedure are not observed that all government must come to an end.

Respect for the people necessarily includes respect for their institutions, and agitation such as this is subversive of the best interests of the people, and destructive of the essential elements of government.

The question now before us is the charge that the government has been partial to the Roman Catholic church in the administration of the school law. There is not, Mr. Speaker, a firmer supporter here of the free non sectarian principle of that law than myself and I think where such a serious charge is made upon the authority of such a large number of petitioners, an investigation should be gone into at once, if for no other purpose than to allay this agitation and set the public mind at rest.

I will, however, oppose the resolution to refer this to a committee of seven; that is simply a cowardly way of dealing with this question, and I can quite appreciate the course of the hon. leader of the opposition in his effort to avert an open discussion. Their manner of attack has been properly styled guerilla warfare and now that they have to fight this battle in the open field where they can no longer fire from ambush, they begin to quake.

Let the government, I say, be placed upon trial, but if the investigation is to be by committee, let it be before a committee of the whole house, where the proceedings are public and every member may take part in them, and put himself on record. I ask not to be placed in the position of seeming to endorse the report of a committee in whose deliberation I have had no part.

The real question at issue seems to me to be whether the regulations passed under the agreement of 1875 are to be rescinded or not. As to that I may give my views when I have heard the record read, but in the meantime I ask hon. members on both sides, irrespective of party, to stand by the amendment and bring this matter before the full house to the end that we may lay bare the naked facts of the case and that the country may judge the issue. The opposition are making painful efforts to escape from the corner in which they had been placed by the hon. member from York.

Mr. Smith (St. John) denied that the opposition had been placed in any corner. No understanding existed among them as to the course they should take as a party. He had, upon the request of the hon. member for York, consented to second his reso-

lution because he thought it was the usual and constitutional custom to refer such matters to a special committee of the House. He believed that by such a course the facts could be arrived at more fully and expeditiously than by referring the question to a Committee of the whole House especially when the latter would have no power to send for witnesses. He had expected that all the documentary and oral evidence would be submitted to the special committee asked for and that it would then report back to the House for its action. He was in favor of meting out equal justice to all, irrespective of creed, nationality or color, but was not willing to concede to any particular religious denomination privileges not enjoyed by all. If any such orders or regulations had been passed they should be rescinded.

Dr. Alward's amendment was then put and lost on the following division:

Yeas—Stockton, Powell, Shaw, Smith, (St. John), Alward, Howe, Pinder, Allen, Perley; 9.

Nays—Blair, Mitchell, Emmerson, White, Tweedie, Labillois, Connell, Gogain, Lewis, Pitts, Russell, Theriault, Blanchard, Killam, Seivewright, Mott, Smith (Westmorland), Flewelling, Scovil, O'Brien, (Northumberland), Dibblee, Robinson, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte), Hill; 28.

Hon. Mr. White's amendment was then carried on the reverse vote, except that Powell voted for the amendment and Pitts against it.

Hon. Mr. Blair moved that the house do today (Thursday) resolve itself into committee of the whole to consider the resolution.—Carried.

The house adjourned at 2.15 this morning.

FREDERICTON, March 30.

This afternoon, Hon. Mr. Tweedie rose to a question of privilege. The St. John SUN had represented him this morning as having called the petitioners in the school matter "political assassins." He wished most emphatically to state that he had made no such reference, but had applied the term to those who had disseminated the circulars in York and Queens. Hon. members had to take the responsibility for their utterances, and should not be mis-represented. If reporters were allowed a seat on the floors of the house they should not be allowed to mis-report its members.

Dr. Alward said he accepted the hon. member's statement, though he had cer-

purpose, and if it was done away with serious injustice would be done to Mr. McMillan, the publisher, according to the agreement of the board with him.

Mr. Phinney said there was a very general public sentiment in favor of legislation like that proposed. There was a feeling that the present text book was not suitable, and therefore had fallen into disuse. Palmer's text book, if unsuitable, should be abolished, even though Mr. McMillan had to be compensated. He thought that work might continue to be utilized in the advanced grades.

Mr. White said the fact of a law like this being on the statute book would have a strong educating influence in itself. When the teachers found there was a distinct law on the subject they would hesitate before they violated it.

After discussion the bill was agreed to with amendments.

Recess.

After supper Mr. Farris committed a bill further to amend the several acts relating to the Central railway, Mr. Dibblee in the chair.

Agreed to.

Hon. Mr. Connell committed a bill incorporating Hartland village for fire and water purposes, Mr. Pitts in the chair.— Agreed to with amendments.

Agreed to.

Dr. Alward committed a bill in amendment of an act consolidating and amending the several acts incorporating and relating to the St. John Protestant Orphan assylum, Mr. Howe in the chair.

Hon. Mr. White committed a bill to consolidate and amend the acts to provide for shorthand reporting in certain courts.

Mr. Phinney thought one reporter should be confined exclusively to the St. John equity court.

Hon. Mr. White said the only difficulties that had arisen in the past were owing to the limited number of stenographers on the staff.

Dr. Stockton believed that the equity court at St. John was all that one stenographer should be called on to attend.

Mr. Powell held that \$5 a day was an excessive charge to put on litigants.

Mr. Phinney objected to transcripts in criminal cases being made a charge upon the county.

Hon. Mr. White said the county made a great saving in criminal cases by the employment of a stenographer, and it should properly pay for the transcripts given the presiding judge and crown counsel. It

would be very seldom that such charges would be incurred.

Hon. Mr. Blair said it was unreasonable to ask that the province should stand the expense in such cases, considering the very great saving effected to the county.

Hon. Mr. Powell withdrew his opposition to section 27 in view of explanations given, and the section passed.

Section 24, providing for the daily payment of \$5 by litigants, being reached, Hon. Mr. White pointed out that by the employment of the shorthand writers a great saving was made by the litigants in counsel and witnesses' fees, and he held that they should be willing to bear at least a portion of the expenses of the improved system.

Mr. Powell said the litigants had a natural right to the use of the machinery of justice without cost. The procuring of justice was far too costly already to clients of limited means. To poor clients this tax would be very onerous. On principle he was opposed to the payment of jury fees.

Hon. Mr. Blair thought the "poor man" argument was a sentimental one. Poor men did not go to law to any great extent. The stenographer was the benefactor of the poor man, and there was no reason why the provincial treasury should stand all the cost. Trials that formerly took ten days could now be tried in five. He thought some contribution should be made by the parties who were receiving the benefit. Possibly \$5 a day was excessive.

Dr. Stockton said that the shortening of trials created a saving to the government in jury fees. He thought the proposed tax was a heavy one.

Mr. Phinney did not think the shorthand system saved much time in trials, though it had other great advantages. He believed this tax would strike a hard blow at the legal profession in country districts.

Mr. Mott said he agreed with the hon. member for Westmorland, that courts should be made as free from expense as possible. The fee was not only excessive but wrong in principle.

All sections except 24, 25 and 26 were passed, and progress reported.

Mr. Powell introduced a bill in amendment of the law relating to bastardy, and Hon. Mr. Blair a bill to amend the New Brunswick railway act.

Adjourned.

FREDERICTON, April 6.

Hon. Mr. Mitchell introduced a bill in aid of the construction of wharves and grain elevator at St. John.

cused. He positively denied that he had used the language reported.

The speaker said that the hon. member, having denied the use of his words, it was for the house to decide whether he had used the words.

Hon. Mr. White said according to rule 24, while the matter was under consideration the member accused, having made his explanation, should withdraw from the house.

Hon. Mr. Blair moved a resolution affirming that it was the opinion of the house that the language used had been "whose reputation stinks in the nostrils of the people of this country."

Mr. Phinney claimed that this motion should have been made in the committee of the whole.

Mr. Blair quoted the rules of house to show that the words should be noticed in the house.

The speaker decided as to Mr. Phinney's point of order that the house was competent to decide whether the words had been spoken. In fact this was the only proper mode of procedure.

Mr. Phinney said, being bound by the return, he would retract the unparliamentary language alleged, though he would not admit having used it.

Hon. Mr. Blair—He should apologize to the house. That is no retraction.

Dr. Alward—Order, order.

The speaker said he understood the member for Kent to have retracted the words he had used.

The house again went into committee of the whole.

Mr. Hill said it would be impossible for him to vote for the amendment, as he believed that the board of education had dealt with the Bathurst difficulty promptly and efficiently.

Mr. Howe said he had not inflamed the religious passions in the late election, but he certainly sympathized with the Orange body in redressing grievances of their down-trodden brethren at Bathurst. He believed nothing but a thoroughly free non-sectarian school law would restore harmony.

Mr. Gogain spoke in support of the motion

Mr. Mott eulogized the course of the Attorney General in the matter and defended his colleague Mr. Labillois from the attacks and insinuations directed against him and said he had a good reputation in his county, which is a Protestant one, and which returns him, a Catholic, by handsome majorities.

Mr. Phinney's amendment was lost on the following division:

Yeas—Stockton, Phinney, Shaw, Smith (St. John), Alward, Howe, Pinder, Perley, Pitts, Allen, Powell—11.

Nays—Blair, Mitchell, Emmerson, White, Tweedie, Labillois, Connell, Gogain, Lewis, Russell, Theriault, Blanchard, Seivewright, Mott, Smith (Westmorland), Flewelling, Scovil, O'Brien (Northumberland), Baird, Dibblee, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte), Hill—26.

Mr. Powell then moved an amendment to the effect that a supreme court judge made the enquiry and report the evidence to the board of education, and that the board immediately thereupon cause the evidence to be published.

Hon. Mr. Blair said he had no objection to the provision for the evidence being published immediately being added to the original resolution. The evidence would be published in any case. He could not agree to confine the reference to a supreme court judge, as it might be difficult to secure his consent.

Mr. Powell's amendment was lost as follows:

Yeas—Powell, Stockton, Phinney, Shaw, Smith (St. John), Alward, Lewis, Howe, Pinder, Pitts, Allen, Perley.—12.

Nays—Blair, Mitchell, Emmerson, White, Tweedie, Labillois, Connell, Gogain, Russell, Theriault, Blanchard, Seivewright, Mott, Smith (Westmorland), Flewelling, Scovil, O'Brien (Northumberland), Baird, Dibblee, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte), Hill—25.

The original resolution was put and carried by the above vote reversed, 25 to 12. Adjourned.

FREDERICTON, April 7.

Dr. Stockton, seconded by Mr. Phinney, made his motion, that in the opinion of this house it is desirable that the electoral law of the province be so changed that no person shall be entitled to vote in more than one electoral district at any general election of members to serve in the legislative assembly.

Dr. Stockton discussed the principles which should control the exercise of the franchise, and referred at length to the evils growing out of the present law in St. John by what is called the "swamp vote." It was not the intention of the electoral law that electoral lists could be thus manu-

extend the close season for woodcock and snipe until September 20th.

Mr. Tweedie spoke strongly of the necessity of having the game of the province properly protected and moved that the blank in section 29 be filled with \$2,000 for the enforcement of this act.

Mr. Phinney protested against an increase in the amount from \$400 to \$2,000 a year for the protection of game.

Mr. Tweedie said it did not necessarily follow that all of the \$2,000 would be spent in any one year. It was desirable that a sum sufficiently large for the protection of the game should be granted. Heretofore game laws had been almost a dead letter and if it was not intended to have the law enforced better repeal it altogether.

Mr. Phinney moved as an amendment that the amount be \$1,000.

Mr. Mitchell said the state of Maine spent from \$8,000 to \$10,000 a year on the protection of its game, and the claim was made that that expenditure gave a return of over one million dollars. New Brunswick afforded a fine field for the sportsman and with anything like proper protection good results should follow.

Mr. Russell said it was useless to put on the statute book a law like this unless the intention be to carry it out.

Mr. Blair hoped Mr. Phinney would withdraw his amendment. This was no party question, and it did not follow because the amount of \$2,000 was agreed upon that the amount would be spent in any one year.

Mr. Tweedie said that in order to supplement what the attorney general had said, he might call attention to the fact that under the mining law the government on the recommendation of the surveyor general, were authorized to spend an amount not exceeding \$2,500 a year. Although that act was passed in 1888, not one-half of the \$2,500 had been spent altogether since then. Therefore it did not follow that because \$2,000 was named in this act that that sum would be spent in any one year.

Mr. Shaw thought that \$1,000 only should be named.

Mr. Pitts did not feel like cramping the departments in their needs, but thought \$1,000 quite sufficient.

Mr. Flewelling asked if a revenue to the province was expected from this source, the same as under the Fisheries act.

Mr. Tweedie said he had no doubt there would be a revenue, not to the province,

however, but to the people who would benefit by the large expenditures made by sportsmen coming into the province.

Mr. White argued in favor of the amount being \$2,000. When it was known that the government had power to expend that sum in the protection of game the fact would have a deterring effect upon those inclined to violate the law.

Mr. Emmerson spoke at length in favor of making the sum \$2,000.

The motion to fill the blank with \$2,000 was carried, the vote being:

Yeas—Blair, Mitchell, Emmerson, White, Tweedie, Labilloy, Gogain, Lewis, Russell, Seivewright, Mott, Smith, (Westmorland,) Flewelling, O'Brien, (Northumberland,) Scovil, Baird, Wells, Farris, O'Brien, (Charlotte,) Hill—20.

Nays—Phinney, Powell, Shaw, Howe, Pinder, Pitts, Perley—7.

Coming back to section one it was amended to read that: "No person shall hunt, take, kill, wound or destroy within this province any moose, cariboo or deer between the 15th day of January and the 30th September," etc.

Progress was reported with leave to sit again.

Mr. Tweedie committed a bill further amending the Fisheries Act, Mr. Killam in the chair.

Agreed to.

Mr. White committed a bill amending the law relating to the arrest, imprisonment and examination of debtors, Mr. Pitts in the chair.

Agreed to.

Mr. White committed a bill relating to the city court, St. John, Mr. Pitts in the chair.

Agreed to with amendments and amended title.

Mr. Blair introduced a bill incorporating the St. John Horticultural association.

Mr. Emmerson introduced a bill to enable the supreme court in equity to dispose of unclaimed bonds of the Albert Railway Co.

Mr. Emmerson committed a bill to change the time of sitting of certain county courts, Mr. Howe in the chair.

Agreed to.

Mr. Mott committed a bill authorizing the town council of Campbellton to issue debentures for fire purposes, Mr. Baird in the chair.

Agreed to with amendments.

Adjourned at 11 o'clock.

city at large. Then the present idea was proposed to have thirteen of the fifteen aldermen elected from wards in which they either resided or did business. The object of the present bill was that combinations may not exist to the detriment of the city finances.

Dr. Alward stated that he understood Count deBury to say that a scheme like the proposed one existed in Belgium and Germany, and he (Alward) thought in Scotland. He (Alward) was in favor of the bill because it was asked for by so many thousands of residents of St. John, and because the people would have a right to say by their vote in September whether the scheme should be adopted or not.

Mr. Smith said that the fact that this bill was supported by over five thousand residents of St. John ought to have weight. He could say that Carleton was largely in favor of a change in the present state of affairs. The recent aldermanic election was not on the question as to whether or not this bill should be adopted. There probably would have been some change in the present council but for the fact that the people thought that this bill would be passed early enough to come into operation this year. He had no doubt but that it was possible to devise a better scheme than the one proposed, but since the people asked for this bill he was willing that it should pass, and would support it.

Hon. Mr. Mitchell said if he was assured that the people wanted this bill, he might support it. He would want more evidence that the bill was wanted than the fact that it had been supported by a petition so largely signed. He had no doubt that many of those who petitioned in favor of the bill had signed the petition without knowing what the bill really contained. The great inducement for many of those who signed no doubt was a contemplated reduction of taxes. If the people of St. John were anxious for this bill they would have elected as mayor a man in sympathy with this movement, instead of Mayor Peters, who, so far as he could make out, had outlined a different system. The aldermanic election also gave evidence that there was no very general demand for this bill, and the house should hesitate before passing it. The common council represented the people, and its petition against the bill should have weight. Under the bill the old city would be able to control matters just as it liked, and there was a feeling that the old city was already getting the lion's share. He thought that

the passage of this bill would be a violation of the terms of union between St. John and Portland.

Mr. Hill said his own impression was that this bill would not do the good that its promoters expected, but considering that the four members from St. John were unanimously in its favor and that it was backed up by a petition so largely signed he would support it.

Dr. Stockton said that the fact that St. John city, with a population of 40,000, had a debt of \$3,000,000 was evidence that some change was necessary. If some change did not take place he feared the result would be disastrous to the future progress of the city. He thought the proposed scheme would lessen the possibility of a combine.

Mr. Mott said the great objection that he saw to this bill was that it proposed to change the voting power from the wards to the city. The result, he thought, would be that the more populous districts would control the smaller ones, and that in passing this bill we would be making provisions for what may be a worse system than the present one.

Mr. Shaw said he regretted the opposition of Messrs. Blair and Mitchell to this bill. It was asked for by the great majority of the people of St. John, and considering that it was not intended that it should come into operation until after the people by a vote had decided in its favor, he saw no good reason why it should not pass. It was unfair to say that the election of Mayor Peters was evidence that there was no demand for this bill. Mr. Peters is on record as being in favor of the reduction in the number of the members of the common council. By the reduction of the number of the members of the council a considerable saving would be made. It was proposed that each ward would have a representative of its own, although the city at large should have a say in the election. If he (Shaw) were opposed to this bill, he would feel that he no longer had a right to represent the city of St. John as he had no doubt the feeling of at least three-quarters of the people were in favor of it.

Messrs. Baird and Russell supported the bill because it had been asked for by so many residents of St. John and because the representatives of that city were unanimous in its favor.

Mr. Connell doubted the wisdom of reducing the number of the council but since St. John wanted the bill he was willing that it should pass.

1894

SYNOPTIC REPORT

OF THE

PROCEEDINGS

OF THE

HOUSE OF ASSEMBLY

OF THE

PROVINCE OF NEW BRUNSWICK

FOR THE

SESSION OF 1894.

REPORTED BY M. McDADE AND FRANK H. RISTEEN.



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1895.

PROVINCE OF NEW BRUNSWICK.

HOUSE OF ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS and POST OFFICE ADDRESSES.

THIRTY-FIRST SESSION OF THE LOCAL LEGISLATURE.

THE HONORABLE JOHN P. BURCHILL, SPEAKER.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert,	Hon. HENRY R. EMMERSON,	Dorchester.
do.	WM. J. LEWIS, M. D.,	Hillsboro.
Carleton,	Hon. HENRY A. CONNELL,	Woodstock.
do.	J. T. ALLEN DIBBLEE,	Woodstock.
Charlotte,	Hon. JAMES MITCHELL,	St. Stephen.
do.	JAMES RUSSELL,	Bay Side <i>via</i> St. Andrews.
do.	GEORGE F. HILL,	St. Stephen.
do.	JAMES O'BRIEN,	St. George.
Gloucester,	JOHN SEIVEWRIGHT,	Bathurst.
do.	THEOLINE BLANCHARD,	Caraquet.
Kent,	J. D. PHINNEY,	Richibucto.
do.	JOHN B. GOGAIN,	Cocaigne.
Kings,	Hon. A. S. WHITE,	Sussex.
do.	GEORGE C. SCOVIL,	Bellisle Creek, Springfield.
do.	G. HUDSON FLEWELLING,	Clifton.
Madawaska,	LEVIT THERIAULT,	Edmunston.
Northumberland, ..	Hon. L. J. TWEEDIE,	Chatham.
do. ..	Hon. J. P. BURCHILL,	Nelson.
do. ..	JAMES ROBINSON,	Millerton.
do. ..	JOHN O'BRIEN,	Nelson.
Queens,	Hon. A. G. BLAIR,	St. John.
do.	LAUGHLAN P. FARRIS,	White's Cove.
Restigouche,	W. ALBERT MOTT,	Campbellton.
do.	Hon. CHAS. H. LABILHOIS,	Dalhousie.
St. John City,	WILLIAM SHAW,	St. John.
do.	DR. STOCKTON,	St. John.
do.	A. C. SMITH,	Carleton, St. John.
do.	DR. ALWARD,	St. John.
St. John County, ..	ALBERT T. DUNN,	Musquash.
do. ..	JOHN McLEOD,	Black River.
Sunbury,	WM. E. PERLEY,	Oromocto.
do.	CHAS. H. HARRISON,	Maugerville.
Victoria,	GEORGE T. BAIRD,	Perth Centre.
Westmorland,	JOHN W. Y. SMITH,	Dorchester.
do.	AMASA A. KILLAM,	Moncton.
do.	HENRY A. POWELL,	Sackville.
do.	W. WOODBURY WELLS,	Fort Elgin.
York,	WM. K. ALLEN,	Fredericton.
do.	WM. T. HOWE,	Stanley.
do.	HERMAN H. PITTS,	Fredericton.
do.	JAMES K. PINDER,	Temperance Vale.

OFFICERS OF THE HOUSE OF ASSEMBLY.

HENRY B. RAINSFORD, Clerk.

JOHN RICHARDS Clerk Assistant.

REV. R. W. WEDDALL, Chaplain.

JOHN B. GRIEVES, Sergeant-at-Arms.

to learn of any dishonorable act that he has done either in his public or private life. He owes it to himself that this matter should be investigated at once. He owes it to his colleagues in the government, to his family, to the men who stand so loyally at his back, and I trust this house will recognize and appreciate that obligation by unanimously giving him this committee to investigate this matter at once. (Applause).

Mr. Phinney's amendment was then put and lost, the vote being:

Yeas—Powell, Stockton, Phinney, Shaw, Smith (St. John), Alward, Pitts, Allen, Howe, Pinder, Perley—11.

Nays—Blair, Mitchell, Emmerson, White, Tweedie, Labillois, Gogain, Lewis, Harrison, Blanchard, Theriault, Russell, Sievewright, Mott, Killam, Smith (Westmorland), Flewelling, Scovil, Baird, O'Brien (Northumberland), Dibblee, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte), Hill—27.

Dr. Alward said he proposed to move another amendment. He deprecated the insinuations as to the motives of hon. members on his side of the house indulged in by the surveyor general, yet he said that heat and anger should not enter into the discussion. The chief commissioner had impugned the motives of the opposition, called them sneaks and cowards, and then invoked the spirit of fair play, and probably he will be one of the judges chosen to rule out the evidence in this case and bring in the verdict. The attitude of the surveyor general was somewhat different from that which he assumed in 1888 when he said: "It was to be regretted that the attorney general had power to force men to vote against what should be their honest convictions." He (Alward) objected to the terms of the resolution because they took for granted what had not yet been proven, namely that Mr. Pitts' charge was false. He would move, seconded by Mr. Allen, the following amendment:

That the statutory declaration of Wm. H. Quinn, now on the table of the house and all papers in any way connected therewith, be referred to a select committee of five members of this house to take evidence and investigate and report concerning all and every the facts and circumstances set forth in said statutory declaration and the papers connected therewith, and that such committee be empowered to send for persons and papers, to examine witnesses under oath in pursuance of the powers conferred by chapter 33 of 33rd Victoria,

and report the evidence so taken at such enquiry to this house.

He (Alward) was surprised that the provincial secretary should say that the finding of a judge must be received with a grain of salt. How about the finding of the judge in the Bathurst inquiry?

Hon. Mr. Mitchell—Well, how do you like that report yourself?

Mr. Phinney said he regretted that it had been found necessary to cast reflections upon the judges of the land, and to say that their finding would be biased and partizan.

Hon. Mr. Mitchell—I did not say that. I said that the people of the country would not accept their finding in the way that the hon. member for Westmorland claimed they would.

Mr. Phinney—You said that the judges in the Tilton and Pacific scandal cases had divided on party lines. The sequitur of that is that the judges of this province would do the same.

Hon. Mr. Mitchell—You can draw your own sequitur.

Mr. Phinney said he cared not what was found by the committee provided they did not exclude the evidence by a partizan ruling. He did not believe a judge of the supreme court would admit improper evidence or exclude proper evidence. He hoped the inquiry would not be burked as it had been in the Leary case, which the friends of the opposition still believed was a burked inquiry.

Hon. Mr. Mitchell—Thank God they are not a majority.

Mr. Phinney said the hon. member for York had been compelled to produce the statutory declaration; it had then been impounded by the house; it was the only charge formally laid before the house; and it was only within the four corners of that declaration that the inquiry should proceed. He supported the amendment moved by Dr. Alward for the reasons he had advanced in support of his own (Phinney's) amendment. The investigation should be made sufficiently broad to deal with all the matters referred to in the Quinn declaration, and this could not be done under the attorney general's resolution.

Mr. Mott said if he had been silent since the opening of the present session it was not because he did not feel interested in the discussions which had been before the house, but because he had not felt the same necessity for speaking which had apparently operated on the minds of certain of his friends opposite. He felt, however, that

before recording his vote on this resolution he ought to express his views, believing that the circumstances and the gravity of the charge justified it. Not only was there involved in that matter the honor and integrity of the hon. leader of the government, but the honor of every member of the house and the fair fame of his native province was at stake. The hon. member for York (Pitts) in making the charge of corruption against the attorney general had pursued a course which was at once cowardly, unmanly and unworthy the character and dignity of a member of the legislature. (Hear, hear.) No man denied to him the right to make his charge, provided it was done in a proper way and backed by substantial evidence and an honest desire for an investigation, but the facts were that that hon. gentleman, after making the statement in an insinuating way to the house, had not asked for an investigation, but had crawled away from the issue, and in the end, as a justification for his act, read in this house a solemn declaration of an ex-parte statement. He was doubtless content with his work and felt satisfied that his party press would do the rest. No request for an investigation had been made by the hon member for York (Pitts), his hon. leader or any of his associates, and if ever there was a case where the rules of British justice were inverted this seems to be one—where the accuser first established a conviction and then called for evidence of guilt. Had this resolution not been moved by the attorney general it was his (Mott's), intention after the hon. member for York (Pitts) had had an opportunity of demanding an inquiry and failed to do so, to move a resolution condemning the course of that hon. member as alike ungentlemanly and undignified, and he would at the same time have called for a positive expression from this house condemning the attitude of the party press. (Applause.) It was unfair that there should be heralded broadcast over the country as established fact that which as yet has only been mooted in a vague way by the hon. member for York (Pitts.) Surely the fact of being public representatives did not debar the members of this house from receiving ordinary fair play or from having meted out to them the same measure of justice which they would receive in the courts of the country. Surely the public press had not stooped so low as to vilify and damn the character of a public man for the sole purpose of advancing political interest. He regretted that a cer-

tain hon. gentleman, following the announcement of this charge in the party press, had a few days ago referred to it in the federal parliament at Ottawa as matter which reflected on the honor of a Liberal leader. He (Mott) had always been an adherent of the Conservative party, and though not occupying as exalted a position in its ranks as that hon. gentleman, he claimed the right to speak for that party to as full a degree in this respect as that hon. gentleman, and he would emphasize the fact that the conservative party did not desire an advantage over their liberal friends if that advantage could only be obtained by unfair means or indecent treatment. (Applause.) The hon. leader of the opposition, together with the hon. members for Kent and St. John, seeks to make political capital by claiming that a committee of this house is incompetent to deal fairly with the charge and that it should be referred to a legal tribunal. He had yet to hear of the law or practice which supports their contention. As a matter of privilege it is properly referred to a committee of the house, which, as the highest tribunal of the country, is the proper one to deal with the conduct of its members and as the hon. gentleman well knows this is and was always the practice until certain exceptions were made by statute. That the gentlemen following the government were so biased by party zeal that they would not fairly consider the matter was an unpatriotic statement he did not concur in, and he thought there was sufficient feeling of independence and freedom behind the government benches as would enable them to give a candid expression to their views. At all events if the investigation was shirked the evidence would have to go before the people who were the real judges. If the gentlemen opposite were anxious for a royal commission, and the people already had some little experience of their commissions and the cost to the country, this reference to a committee did not deprive them of their common law remedy against a representative who committed a breach of his public trust. They had apparently overlooked their right to take this charge before the courts now, as a public representative was certainly amenable to the law when in his representative capacity he had done aught that savored of criminality. (Hear, hear.) Let them then, if they will, exercise both remedies. (Applause.) He had risen in his seat not alone to do justice to his honored leader but to protect the rights and privileges of every member of the house and to insist

upon the observance of the first principle of British justice—that before a man is condemned he shall at least be heard. (Applause.) Let this charge be formulated in a proper way; let the attorney general enter upon his defence and then let the evidence be brought before the house and the country. (Hear, hear.) It is the height of absurdity to ask us to accept this declaration of Mr. Quinn's as conclusive evidence. If he (Mott) were one of the committee, he would demand that this man be brought before him face to face and undergo the cross-examination which is the right of every defendant. He wanted to have a good look at the man who, in a solemn declaration, showed that he had such a poor appreciation of decency as to attempt with filthy lucre to purchase an office of public trust. His hon. leader, feeling, no doubt, the wound which had been so unkindly dealt, had come forward in a manly way and demanded an investigation. He (Mott) felt that this was due to him, to his followers and to the province, and so far as one vote from Restigouche would go, he would poll it for the resolution and assist him in obtaining it. (Loud applause.)

Mr. Howe said if ever there was a false imputation it was the one charging the opposition with cowardice. The very opposite had been the fact. The opposition by their both amendments, had shown that they desired the fullest investigation, while the attorney general's resolution narrowed the inquiry down to personal charges against himself that had never been made. If ever he (Howe) had any doubt that that an impartial trial could not be had before a committee of this house the attorney general had obliterated that doubt when he had practically declared that at least one third of the members of this house were unworthy of credence. His colleague (Mr. Pitts) had made no personal charge against Mr. Blair. Every investigation should include all matters connected with Mr. Blair and his colleagues in the election. Then if the investigation exonerated Mr. Blair the country would know, and if it implicated him in wrong doing he should have to bear the responsibility of his conduct. The country wanted to know more than whether or not the attorney general was guilty. It wanted to know if public offices were being bartered away in the interest of the government party. The resolution narrowed the investigation down to personal charges against Mr. Blair. This was dishonest

and under it the very principles of responsible government were being strangled.

Dr. Stockton said he judged from Mr. Mott's speech that he expected to be a member of the investigating committee. Those who heard his speech would, no doubt, say that the hon. gentleman would make an admirable member as he had said Mr. Pitts should be condemned for having gone about this matter in a mean and sneaking way. The hon. member (Mr. Mott) had shown that he was prepared to enter upon an investigation of the matter in a calm and judicial manner. In answer to Mr. Mott's statement he wished to say that this legislature is subject to the supreme court, and is therefore, not the highest judicial tribunal in the county. The first resolution moved by the attorney general and carried by the house directed that the Quinn declaration be placed on the table to be dealt with as the house shall direct. The resolution now before the house is not to deal with the declaration as a whole but with such portions of it as suit the purposes of the government. The house having passed the first resolution to deal with the declaration as a whole, is it now going to stultify itself by passing this resolution? He defended the opposition from the charge of cowardice and said the fact that they wanted the fullest investigation showed the incorrectness of the charge, while the resolution showed that the government were unwilling that the investigation should be full and complete.

The amendment was lost the vote being :

Yeas—Powell, Stockton, Phinney, Shaw, Smith (St. John), Alward. Pitts, Allen, Howe, Pinder—10.

Nays — Blair, Mitchell, Emmerson, White, Tweedie, Labillois, Gogain, Lewis, Harrison, Blanchard, Theriault, Russell, Sivewright, Mott, Killam, Smith (Westmorland), Flewelling, Scovil, Baird, O'Brien (Northumberland), Dibblee, Dunn, McLeod, Wells, Farris, O'Brien (Charlotte) Hill—27.

Hon. Mr. Blair altered his resolution by making the second preamble read as follows :

And whereas, The attorney general, on the said charge or statement being made, absolutely denied the truth thereof in every particular so far as his knowledge of or connection with the matter is concerned, and later, after Easter recess and on Wednesday last, made what purported to be a full and complete statement of all knowledge possessed by him in respect to

Mr. Phinney thought the salaries provided by the bill were excessive, especially that of St. John. The fees should also be reduced.

After 70 sections had been passed (some of the sections with amendment) Mr. Russell moved that progress be reported with leave to sit again, which was carried.

Mr. Killam from select committee on Quinn charges, submitted the following report:

House of Assembly, April 10th, 1894. The committee appointed under resolution of the house passed on the third day of April inst., to whom was referred the statutory declaration of William H. Quinn, with instructions to investigate and determine whether there was anything in the conduct of the attorney general in connexion with any of the matters referred to in said declaration reflecting unfavorably upon him or his integrity in office. beg to report that pursuant to the instructions and authority given, your committee called and examined upon oath all persons referred to in said declaration as in anywise connected with and able to give evidence touching the matters therein set forth, and also examined such other persons as appeared from the testimony or otherwise likely to give any material evidence relative to any of the matters referred to in said declaration. And your committee made full and searching inquiry into all such matters, and submit herewith a verbatim report of all evidence taken by them, together with a statement of the proceedings had on the hearing.

Your committee, after the most careful examination possible, find that there has been nothing in the conduct of the attorney general in connexion with any of the matters referred to in said declaration in any, even in the slightest degree, reflecting unfavorably upon him or his integrity in office. And the committee therefore find and determine that the attorney general, the Hon. Mr. Blair, is wholly exonerated from any express or implied charge or imputation of misconduct in said declaration contained.

(Sgd.) A. E. KILLAM,
Chairman,

Mr. Mott gave notice of following resolution: That the house do on Friday next resolve itself into a committee of the whole to take into consideration the report of the special committee to whom was referred the charges in the Quinn matter, and that the report of the said committee

be referred to the committee of the whole house.

Mr. Blair gave notice of the following motion:—

Resolved, That it is expedient, 1st, that the statutes of the province be revised and consolidated; 2nd, that for such purpose one or more competent persons, not exceeding three, be emp'oyed by the lieutenant governor in council, who shall have power to employ a clerk or secretary to assist in the performance of the work.

Adjourned.

April 11.

Dr. Stockton introduced a bill relating to assessments in the city of St. John; Mr. Robinson, authorizing the Canada Eastern Railway Co. to extend its railway; Mr. Hill, providing for the laying out and establishing of winter roads.

Mr. Pitts, in moving that the report of Judge Fraser and the evidence in the Bathurst investigation be referred to the committee of the whole, said he proposed to discuss the question of Judge Fraser's finding calmly and without acrimony. The government, he said, had enlarged the scope of the commission beyond the permission or intention of the legislature. The house had not asked for any report from the judge. He did not propose to abdicate his functions as a juryman on this question. He had every respect for the opinion of Judge Fraser, but he thought his honor was astray in finding that there was no truth in the complaints made by the Protestant minority. He (Pitts) wished to say that he was fully satisfied with the way in which the evidence was taken at that inquiry. It had been a most full and exhaustive inquiry, and the Protestant minority could find no fault with it in that respect. He thought the evidence showed that the solicitor general had been fully anxious to protect the interests of the Roman Catholic people as he had to look after the interests of the Government. He did not think it was fair on the part of the Government to place the entire responsibility of proving these allegations upon the Protestants, for the question was one in which all classes were concerned. He thought the Government should pay the counsel and other expenses that the complainants had been put to.

Hon. Mr. Blair—We have not paid one counsel. I do not see why we should pay the other.

Mr. Pitts—I think you should have paid both.

when important legislation was in a transition state.

Hon. Mr. Mitchell said if the work was postponed until the laws ceased to require further amending it would stand over a long time. In the state of Maine the revision was made every 10 years, and he thought that course could be adopted with advantage here. If the province was unable to keep its own laws properly revised and printed it had better stop enacting laws.

Dr. Alward moved, seconded by Mr. Smith (St. John):—

Resolved, That in the opinion of this house it is inadvisable that any steps be taken at the present time looking to a revision and consolidation of the statutes of the province.

Hon. Mr. Blair—I think the amendment would not be in order, as it is nothing more than a negation of the original motion.

Dr. Stockton thought the words “at the present time” made the amendment more than a negation.

The speaker said though he had grave doubts about it he would not rule the amendment out.

Mr. Hill said that it seems that the real point at issue was that the government wished to give some patronage to their political friends, while the opposition wished to have it put off for a year or two so that they could get into power and give it to theirs. Both parties had admitted the necessity of an early consolidation.

Hon. Mr. Tweedie said the opposition had made no agreements worthy of consideration. If the work of consolidation were delayed because there might be amendments offered a year or so hence to some of the proposed laws, the same argument would apply in a year or two. Changes were being continually made in the laws, and the fact that the opposition admitted the necessity of revision, was a good reason why the resolution should carry.

Mr. Wells said as it was generally admitted that there should be a revision, the work should begin at once. If all legislation was going to stop after a year or two, there might be some force in the argument for delay.

Hon. Mr. Blair spoke again, pointing out that revisions took place in Ontario and Nova Scotia every 10 years. The cost of revision would be distributed over three or four years, and would not be seriously felt. The revision was necessary and it was

no argument against the resolution that some proposed important legislation was now contemplated. The laws relating to the important matters of municipalities and of rates and taxes, were only passed just previous to the last revision, and yet were included in that revision, and laws passed next year or the following year could be incorporated in the proposed revision.

Messrs. Stockton and Phinney spoke again, urging delay.

Hon. Mr. Emmerson said, after all apparent opposition to the resolution, it was only a question whether the revision was decided upon this year or next.

The amendment was lost, and Mr. Blair's resolution carried.

The names on the divisions were not called for.

Mr. Mott moved, seconded by Mr. Sivewright, that his resolution referring the evidence and report in the Quinn matter to the committee of the whole, be made the order of the day for Monday next. This was carried.

Mr. O'Brien introduced a bill to incorporate the Newcastle Driving Park Association; and Dr. Alward one further amending the law regulating the storage of petroleum in the city of St. John.

Hon. Mr. Emmerson recommitted the bill further amending the highways act of 1886; Mr. Flewelling chairman. Agreed to with amendments.

Mr. Powell introduced a bill respecting St. Joseph's College; Mr. Shaw chairman; agreed to with amendments.

Mr. Killam introduced a bill enabling agricultural society No. 19 to issue debentures.

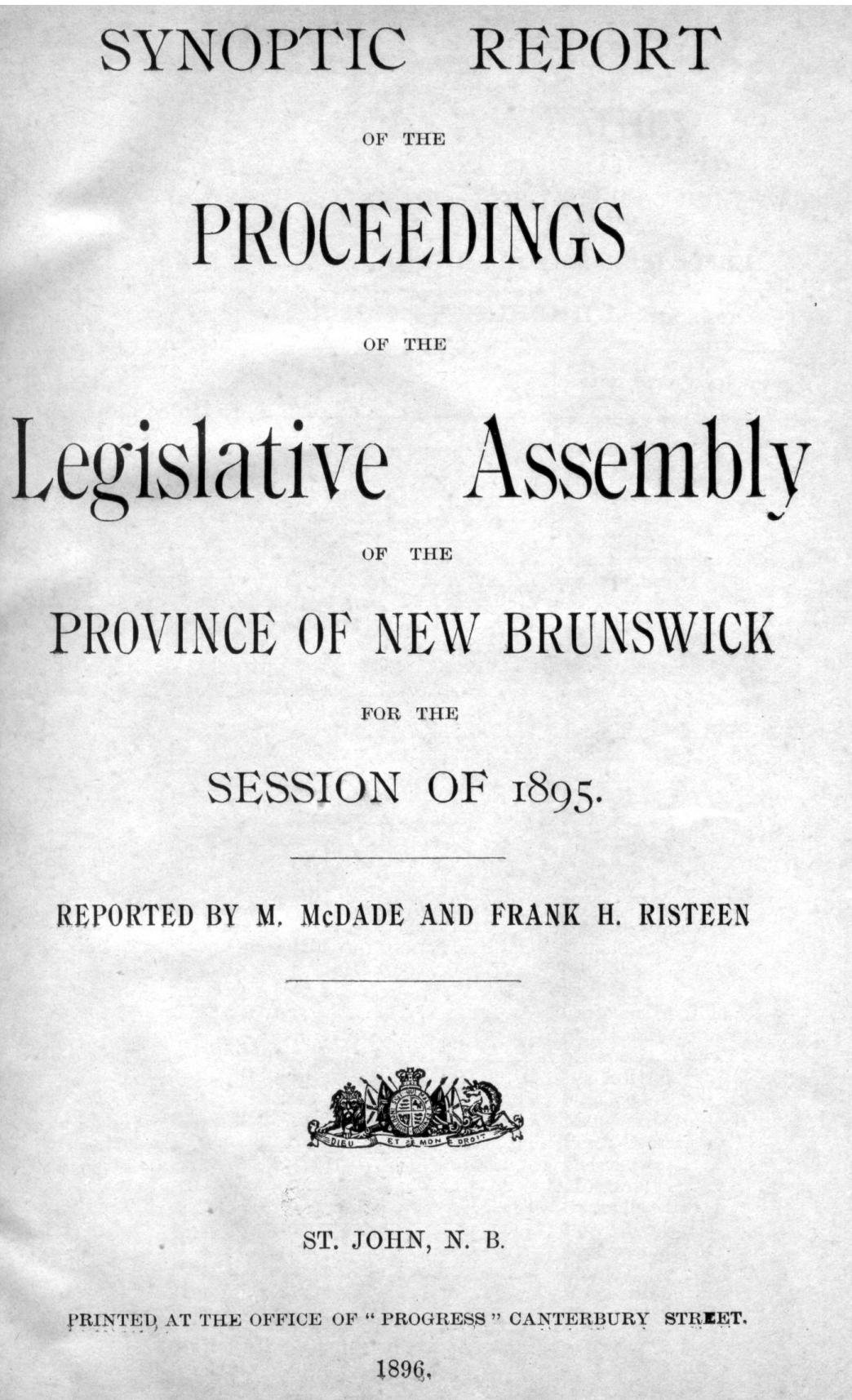
Mr. Shaw committed a bill further amending the St. John union act; Mr. Harrison, chairman. Mr. Shaw explained that the bill was intended to enlarge the franchise in civic elections so that persons with an income of \$300 might vote. Bill was agreed to.

Mr. Hill committed a bill authorizing Rev. Charles G. McCully to solemnize marriage; Dr. Alward chairman; agreed to.

Mr. Killam committed a bill amending the law relating to the division of lines of parishes so far as relates to Westmorland; Dr. Alward chairman; agreed to with amendments.

After supper Mr. Killam committed a bill amending the act empowering the city of Moncton to provide a system of

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PROVINCE OF NEW BRUNSWICK.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS and POST OFFICE ADDRESSES.

THIRTY-SECOND SESSION OF THE LOCAL LEGISLATURE.

THE HONORABLE JOHN P. BURCHILL, Speaker.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert.....	HON. HENRY R. EMMERSON.....	Dorchester.
do	WM. J. LEWIS, M. D.....	Hillsboro.
Carleton.....	J. T. ALLAN DIBBLEE.....	Woodstock.
do	DR. M. C. ATKINSON.....	Bristol.
Charlotte.....	HON. JAMES MITCHELL.....	St. Stephen.
do	JAMES RUSSELL.....	Bay Side via St. Andrews.
do	GEORGE F. HILL.....	St. Stephen.
do	JAMES O'BRIEN.....	St. George.
Gloucester.....	JOHN SIVEWRIGHT.....	Bathurst.
do	P. J. VENIOT.....	Bathurst.
Kent.....	J. D. PHINNEY.....	Richibucto.
do	JOHN B. GOGAIN.....	Cocaigne.
Kings.....	HON. A. S. WHITE.....	Sussex.
do	GEORGE G. SCOVIL.....	Bellisle Creek, Springfield.
do	G. HUDSON FLEWELLING.....	Clifton.
Madawaska.....	CYPRIEN MARTIN.....	St. Basil.
Northumberland..	HON. L. J. TWEEDIE.....	Chatham.
do	HON. J. P. BURCHILL.....	Nelson,
do	JAMES ROBINSON.....	Millerton.
do	JOHN O'BRIEN.....	Nelson.
Queens.....	HON. A. G. BLAIR.....	St. John.
do	LAUGHLAN P. FARRIS.....	White's Cove.
Restigouche.....	W. ALBERT MOTT.....	Campbellton.
do	HON. CHAS. H. LABILLOIS.....	Dalhousie.
St John City....	WM. SHAW.....	St. John.
do	DR. STOCKTON.....	St. John.
do	A. C. SMITH.....	Carleton, St. John.
do	DR. ALWARD.....	St. John.
St. John County..	HON. ALBERT T. DUNN.....	Musquash.
do	JOHN MCLEOD.....	Black River.
Sunbury.....	WM. E. PERLEY.....	Oromocto.
do	CHAS. B. HARRISON.....	Maugerville.
Victoria.....	GEORGE T. BAIRD.....	Perth Centre.
Westmorland....	JOHN W. Y. SMITH.....	Dorchester.
do	AMASA E. KILLAM.....	Moncton.
do	HENRY A. POWELL.....	Sackville.
do	W. WOODBURY WELLS.....	Port Elgin.
York.....	WM. K. ALLEN.....	Fredericton.
do	WM. T. HOWE.....	Stanley.
do	HERMAN H. PITTS.....	Fredericton.
do	JAMES K. PINDER.....	Temperance Vale.

OFFICERS OF THE HOUSE OF ASSEMBLY :

HENRY B. RAINSFORD, Clerk.

JOHN RICHARDS, Clerk Assistant.

REV. WILLARD MACDONALD, Chaplain.

HENRY C. RUTTER, Sergeant at-Arms.

ing franchise. It was said that the franchise had been given to women in municipal affairs because these were small and local matters. After all, what subjects of vast importance came before this Legislature with which educated, intelligent women were not as well qualified to pass upon as men? He knew it was claimed by the best men and the best thought that we had too largely extended the franchise already; that it should be a question of education, not of manhood. Those who had gone through elections and stood at the polls have had to admit that many of those who voted did no credit to the franchise. Men often went to the polls under the influence of intoxicants. He believed as large or almost as large a proportion of women were qualified to consider public questions as men were. While he did not feel disposed to vote for a bill that would open the door generally to women, he did feel like voting for a measure that would give a restricted franchise to women who had the knowledge and education to exercise the franchise. He would vote against the amendment of the Attorney General because he thought it an unfair way to treat the question, and that the matter could be more intelligently and fairly discussed in committee of the whole.

Hon. Mr. Blair—If a majority of the House do not feel like now declaring themselves in favor of woman suffrage, where is the unfairness in their saying so?

Mr. Phinney—Well, I think this bill has a right to the same treatment we accord to other bills. We should not stultify ourselves by placing on record that while the matter had been discussed in other countries it had not been discussed in this Province, for such was not the fact. The fact was, said Mr. Phinney, that woman suffrage had probably been more discussed in this Province than any other public question. Honorable members were not here merely as delegates from the people, but as representatives and educators of the people. The electorate does not move except through the initiative of those who have the importance of these questions thrust upon them. He wished to see the bill committed, and then if it went further than he thought public opinion would now warrant he would vote against it. He was not prepared to say, as this resolution would compel him to say, that he was opposed to all enfranchisement of women.

Mr. Mott said he saw no reason why the bill could not be adequately discussed with the Speaker in the chair. He was already

on record as opposed to the principle of the bill, and as holding that there was no justification for the passage of such a measure as this without consulting the electorate. He could not see that the passage of the manhood suffrage bill was any precedent for the present measure. That was an extension in the way of liberty—in the way of extension to that class of people who were recognized as being entitled to vote. This bill proposed to tear away the very foundations of those institutions which give to the subject the right of franchise. He agreed with the hon. member for Westmorland (Powell) that there were principles which should be recognized and yet which could not be traced to their inception. His view was that to every object of creation to whom the All-powerful Will gave life He gave the means of accomplishing their several and various ends and purposes. When He created man He gave him the bread-winning power—the power to govern. He gave to women other powers. He agreed with the hon. member for Westmorland that co-extensive with the right of the ballot ran all the responsibilities and liabilities of citizenship. There is attached to it the duty of statute labor, of paying the poll tax, and of shouldering arms in defence of the country. He had presented a petition from his county in favor of woman suffrage because he thought it was his duty as a representative to voice in this House the views of any portion of his constituents, though it might not be his duty to advocate them. I unhesitatingly say, continued Mr. Mott, that I am opposed to woman suffrage in every form. I will vote against it, no matter in what form it appears—whether based upon the property qualification or not. If it ever becomes a live question I am willing to see the House dissolved and go to the country upon it. I want the voice of my electorate upon it before I favor it. I shall vote for the amendment.

Mr. Smith (St. John) said he agreed with the Attorney General in the statement that this was an important bill. As such, it was deserving of better treatment than the Attorney General was willing to accord to it. The position taken by the leader of the Government seems to be that the present is not an opportune time to bring forward such a measure as this. If the present be not an opportune time he would like to know when that opportune time was likely to arrive. It was idle to say that the people were not properly informed on this question, as the newspapers had been dis-

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LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK.

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not propose to have the bill considered before Friday, and he would move that it be now read a second time.

Mr. Pinder opposed the second reading of the bill now as it had not been distributed.

Adjourned.

February 28.

Mr. Powell introduced a bill amending the law of evidence.

Mr. Shaw committed a bill relating to actions against the City of St. John, Mr. Baird chairman.

Dr. Stockton said he had prepared several amendments making the law of general application.

Mr. Mott proposed an additional section to do away with the eligibility of ratepayers to act as jurors in actions against corporations. If good authority was needed for the necessity of such provision, it could be found in the very pronounced expressions of the court in *Christie vs. City of Portland*.

Dr. Stockton thought the hon. gentleman should introduce a separate bill.

Mr. Shaw thought no injustice was done St. John City by allowing ratepayers to act as jurors. In nearly all the important cities of the Dominion this system prevailed.

Dr. Alward said he would oppose the amendment. He had brought suits against the City of St. John but had never felt that he was handicapped by the fact that ratepayers were sworn upon the juries.

Hon. Mr. Mitchell said it was a recognized principle of justice that no party to an action should be a judge in his own cause. The system that prevailed in St. John and Campbellton was a violation of this system and it was the duty of the Legislature to abolish it without delay.

Dr. Stockton said the general bill relating to the incorporation of towns brought in by the Government this session contained a section permitting ratepayers to act as jurors.

Hon. Mr. Mitchell said if that principle was in the bill it would not be allowed to stay there.

Mr. Mott said his amendment was not aimed at St. John. He had a special wish to remove the injustice now existing in acts of incorporation containing this provision. Mr. Mott said that he would move a further section providing that unless by consent of parties actions against corporations should be tried in another county. This amendment was not to affect pending suits.

Mr. Shaw said in the absence of any

authority from the Common Council of St. John, he would rather withdraw the bill than have this amendment attached. While it did not refer to cases now pending, it would take in cases that might shortly arise. St. John jurors could be trusted to give an impartial verdict in all cases. The principle of the amendment was bad.

Hon. Mr. Emmerson was surprised that any hon. member should dispute the fact that actions in court should be determined by disinterested judges. All the statute laws of the country recognize the principle that there should be no suspicion of an interest. It could not be denied that the ratepayers of a town, against which a suit was brought, were directly interested, and, in cases of magnitude, the interest would be large. Surely the practice so rigidly applied to judges should be made to apply to juries, especially in view of the difficulty of appealing from findings of facts. If the unjust principle referred to existed in the Government measure relating to the incorporation of towns, he would oppose it.

Dr. Stockton read correspondence showing that in the Province of Quebec the same system prevailed as was now complained of by some hon. members as respects the City of St. John.

Dr. Alward said the same system obtained in Massachusetts, New York and Pennsylvania.

Mr. Pitts said he would favor the amendment, as it was in the interest of justice. He believed that human nature was such that juries were apt to be influenced by what touched their pockets. Hon. members from St. John must remember that the amendment was a general one and applied to the whole Province.

Dr. Stockton said the reason why it was sought to change the law relating to juries was that Mr. Connolly had a suit against the City of St. John.

Mr. Mott said that had nothing to do with his action whatever.

Mr. Pitts said the proposed section excluded the Connolly case because the law was now pending.

Dr. Stockton said there was nothing in that argument, because the Connolly case could be dropped and re-entered again. The real object of the bill was to over-ride the judgment of the Supreme court in the Connolly case, in which the application to change the venue to other counties had been refused. If Mr. Connolly did not wish to submit his case to a jury he could under the law try it before a judge without a jury. The Common Council should be

heard before this legislation was forced through the House.

Mr. Pitts said he would certainly oppose the proposal to change the venue into other counties, but he was in favor of jurors being brought in from outside.

Mr. Mott said the common law now is that if an action is brought against a municipality, the venue must be laid outside of the municipal limits. The present system in St. John was really smuggled into the act of incorporation against the principle and practice of the common law.

Mr. Phinney thought the danger to be apprehended from the interest of jurors in municipal suits was a small matter compared with the great expense incident to compulsory change of venue. Jurors were far more apt to bring excessive verdicts against municipalities, than to do injustice to the plaintiffs. He particularly objected to this legislation because he believed it was intended to meet a special case.

Dr. Stockton said in view of the absence of instructions from the Common Council of St. John, he would move that progress be reported with leave.

Progress reported with leave.

Hon. Mr. Mitchell recommitted the bill amending the New Brunswick Elections Act, Mr. Killam chairman. Bill agreed to with amendments.

Mr. Martin committed the bill enabling the Municipality of Madawaska to relieve certain mills from taxation, Mr. Pitts chairman. Agreed to with amendments.

Mr. Phinney committed the bill authorizing the Municipality of Kent to borrow money to pay county school warrants, Mr. Pitts chairman. Bill agreed to with amendments.

Mr. Dibblee committed the bill authorizing Municipality of Carleton to effect temporary loans, Mr. Pitts chairman. Bill agreed to with amendments, making it applicable to Westmorland County.

Hon. Mr. Mitchell committed the bill further amending the act to impose certain taxes on certain incorporated companies and associations, Mr. Flewelling chairman. Agreed to.

Mr. Farris committed the bill to incorporate the Central Coal Company (Ltd.), Mr. Flewelling chairman. Agreed to.

Mr. Farris committed the bill to incorporate the Colonial Iron and Steel Company (Ltd.), Mr. Flewelling chairman.

One clause of section four sets forth:

That the company may, for the purpose of utilizing, supplying and dealing in gas and the productions of its works, enter

upon any roads, streets or public highways, break up and excavate the same, and lay down pipes and conduits for the purpose of conducting its products from the points of supply to a point of distribution, and may conduct the same through such pipes, and furnish, supply, and distribute the same, either for power, sanitary, heating or lighting purposes, and may, from time to time, enter upon the said roads and highways for the renewing and repairing of their said lines of pipes, but such powers as are in this clause conferred upon the company shall be exercised subject to such conditions as the Lieutenant Governor-in-Council may prescribe, and shall only be exercised subject to such conditions as to the assent, supervision and control of the municipal authorities, through which such pipe lines are laid, regarding the manner in which the company shall make its excavations and lay its pipes along or under such public roads and highways.

Mr. Shaw thought the power should be vested in the cities and towns to make conditions regarding the entering upon roads and highways. In St. John this power should be vested in the Common Council and Board of Works, instead of the Lieutenant Governor-in-Council, as proposed by the bill.

Hon. Mr. Blair said he was willing to agree to the suggestion of Mr. Shaw, and he prepared an amendment in accordance therewith.

Section nine, providing for the expropriation of land by petition to a Supreme Court Judge, in cases where no agreement can be made, was strongly opposed by Messrs. White and Killam.

The section was carried, the vote being:

Yeas—Blair, Mitchell, LaBillois, Dunn, Powell, Stockton, Smith (St. John), Atward, Gogain, Lewis, Howe, Pinder, Atkinson, Martin, Baird, O'Brien (Northumberland), Veniot, Dibblee, McLeod, Wells, Farris, O'Brien (Charlotte)—22.

Nays — White, Phinney, Allen, Killam—4.

Bill agreed to with amendments.

Hon. Mr. Emmerson introduced a bill providing for cost of certain international bridges; Mr. Blair, relating to proceedings and practice of the Supreme Court in equity.

Hon. Mr. Emmerson submitted return in answer to notice of motion number three.

Recess.

Hon. Mr. White committed the bill relating to fees in the county court, Mr.

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Mr. Phinney—Perhaps they get along just as well without him.

Mr. Baird—I dare say they get along better. He (Baird) was surprised that the hon. member should say that the representatives had nothing to do with the expenditure upon great roads. If they did not look after it the money would not be properly laid out by the supervisors. He thought the House was pretty well agreed on the proposition that no county should have less than two members. There should either be additional members for Victoria and Madawaska, or else Restigouche and Sunbury should lose one.

Mr. Phinney—Hear, hear.

Mr. Baird said it seemed impracticable to make a reduction anywhere. He was not in favor of a small number of members. There was an old saying that in the multitude of counsel there is wisdom. In view of the fact that there was no check now upon the legislation of the House, it was wise that its members should be increased. The additional cost would be a mere bagatelle compared with the advantage that would result to all parts of the Province, and especially to growing counties.

Mr. Killam said the hon. member was mistaken in supposing that he was opposed to additional members for Victoria and Madawaska. He was in favor of every county having at least two.

Mr. Mott said if anything was needed to impress him with the impracticability of the scheme of readjustment proposed by the leader of the Opposition it was the expression of divers opinions by members of this House. Not even the member for Westmorland (Powell) could agree with his proposition that readjustment should only be based upon population. He (Mott) did not agree with that idea. The extent of territory and the varied interests of a county should be considered. It was true that population determined our revenue largely by reason of the per capita allowance, but not more so than the industries of the respective counties, and their extent of territory. Russell on the English constitution laid down the proposition that the representative body should be the image of the represented. That was his (Mott's) idea of a truly representative body. By the last census Restigouche had been shown to be the most progressive, and to have added a larger percentage to its population than any other county in the Province. By reason of its great industries it paid a larger amount into the treasury than any other county except

Northumberland, and it should therefore have at least as much voice in the administration of affairs as counties which were dependent upon the more active sections of the Province. The northern counties collectively contribute about four-fifths of the territorial revenue, yet they were overbalanced in the Legislature by counties which did not possess an equal interest, and it was only by reason of a critical condition of affairs a few years ago that they were able to secure justice in the matter of stumpage.

Dr. Stockton—You mean the Government granted to fear what they would not concede to right.

Mr. Mott—It must be in the mind of the hon. member that he was as ready to grant a reduction as the Government was, and if he had had the opportunity he would gladly have done it. If Restigouche did not receive an additional member, which by reason of its important interests it was entitled to receive, it should not at least have its representation reduced.

Mr. Pinder said the reason why it was proposed to make an increase in the representation, was evidently to satisfy those counties which had increased in population. Despite all that had been said the increase was really proposed on the basis of population. The counties of Gloucester, Kent and Carleton, which were asking for an additional member, were the only counties except that of Westmorland, whose population had increased. If the Government had wished to grapple with this question on its merits, they should have taken the Opposition into their confidence. They would then have been able to carry an equitable scheme of redistribution without increasing the representation. The scheme now offered would add burdens to the country which it could not afford to bear. It was all bosh to say that every county should have, at least two members to look after its roads and bridges. In the great County of York, with its many miles of bye-roads, the representatives were not consulted at all, and if they made a request no attention was paid to it. He did not find any great fault with this, but it showed that the argument referred to did not amount to anything. Sunbury had two members, but the member supporting the Government got all the patronage.

Hon. Mr. Emmerson—That is not true; my friend Mr. Perley, and I consult frequently.

Mr. Pinder said that every member who had spoken on this question had practi-

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SYNOPTIC REPORT
OF THE
PROCEEDINGS
OF THE
Legislative Assembly
OF THE
PROVINCE OF NEW BRUNSWICK
FOR THE
SESSION OF 1896.

REPORTED BY M. McDADE AND FRANK H. RISTEEN.



ST. JOHN, N. B.:

PRINTED AT THE OFFICE OF "PROGRESS," CANTERBURY STREET.

1897.

PROVINCE OF NEW BRUNSWICK.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS AND POST OFFICE ADDRESSES.

Thirty-Third Session of the Local Legislature, The Honorable John P. Burchill, Speaker.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert, - -	HON. HENRY R. EMMERSON, -	Dorchester.
do. - - -	WM. J. LEWIS, M. D., - - -	Hillsboro.
Carleton, -	J. T. ALLEN DIBBLEE, - - -	Woodstock.
do. - - -	HUGH HENRY McCAIN, - - -	Florenceville.
do. - - -	CHAS. L. SMITH, - - -	Woodstock.
Charlotte, -	HON. JAMES MITCHELL, - - -	St. Stephen.
do. - - -	JAMES RUSSELL, - - -	Bay Side <i>via</i> St. Andrews.
do. - - -	GEORGE F. HILL, - - -	St. Stephen.
do. - - -	JAMES O'BRIEN, - - -	St. George.
Gloucester, -	JOHN SEIVEWRIGHT, - - -	Bathurst.
do. - - -	P. J. VENIOT, - - -	Bathurst.
do. - - -	PROSPER E. PAULIN, - - -	Caraget.
Kent, - - -	URBAIN JOHNSON, - - -	St. Louis.
do. - - -	JAMES BARNES, - - -	Wellington, Buctouche.
do. - - -	PETER H. LEGERE, - - -	Grand Digue.
Kings, - - -	HON. A. S. WHITE, - - -	Sussex.
do. - - -	GEORGE C. SCOVIL, - - -	Bellisle Creek, Springfield.
do. - - -	GEORGE W. FOWLER, - - -	Sussex.
Madawaska, -	CYPRIEN MARTIN, - - -	St. Basil.
do. - - -	ALPHONSE BERTRAND, - - -	Edmunston.
Northumberland,	HON. L. J. TWEEDIE, - - -	Chatham.
do. - - -	HON. J. P. BURCHILL, - - -	Nelson.
do. - - -	JOHN O'BRIEN, - - -	Nelson.
Queens, - - -	HON. A. G. BLAIR, - - -	St. John.
do. - - -	LAUGHAN P. FARRIS, - - -	White's Cove.
Restigouche, -	W. ALBERT MOTT, - - -	Campbellton.
do. - - -	HON. CHAS. H. LABILLOIS, -	Dalhousie.
St. John City, -	WM. SHAW, - - -	St. John.
do. - - -	DR. STOCKTON, - - -	St. John.
do. - - -	C. BERTON LOCKHART, - - -	Carleton.
do. - - -	DR. ALWARD, - - -	St. John.
St. John County, -	HON. ALBERT T. DUNN, - - -	Musquash.
do. - - -	JOHN McLEOD, - - -	Black River.
Sunbury, - - -	CHAS. H. HARRISON, - - -	Maugerville.
do. - - -	DAVID MORROW, - - -	Oromocto.
Victoria, - - -	JAMES E. PORTER, - - -	Andover.
do. - - -	ADAM J. BEVERIDGE, - - -	Andover.
Westmorland, -	FREDERICK W. SUMNER, - - -	Moncton.
do. - - -	AMBROSE D. RICHARD, - - -	Dorchester.
do. - - -	W. WOODBURY WELLS, - - -	Port Elgin.
do. - - -	AMASA E. KILLAM, - - -	Moncton.
York, - - -	JOHN BLACK, - - -	Fredericton.
do. - - -	WM. T. HOWE, - - -	Stanley.
do. - - -	JAMES K. PINDER, - - -	Temperance Vale.
do. - - -	HERMAN H. PITTS, - - -	Fredericton.

OFFICERS OF THE LEGISLATIVE ASSEMBLY.

H. B. RAINSFORD, Clerk.

JOHN RICHARDS, Clerk Assistant.

REV. W. MACDONALD, Chaplain.

HENRY C. RUTTER, Sergeant-at-Arms.

9,500 in addition, which would make up the full \$109,000. Then in addition to that, the government had placed \$9,500 on the sinking fund.

Hon. Mr. Mitchell—Not in addition to that.

Dr. Stockton—Well, you put \$9,500 in the sinking fund, which makes \$118,500 altogether, or \$9,500 more than \$109,000.

Hon. Mr. Blair—The \$9,500 was only carried in the sinking fund for a while and then went in for redemption.

Dr. Stockton—Then you must have had the \$9,500 from November, 1894, till December, 1895, during which there was nothing to redeem.

Hon. Mr. Mitchell—The hon. member is in error with regard to the \$9,500. Unfortunately there are two amounts of \$9,500 which figure in the bond account. On November 2nd, 1894, that amount of bonds was sold to redeem bonds that were falling due that very day and the money was used for redeeming them. That money never went into the sinking fund at all, but into the current expenditure account. Then there was \$9,500 of the whole proceeds of the \$109,000 debentures that never went into the current account. It was placed right in the sinking fund after the sale of debentures in March, when \$99,500 were sold. In other words \$9,500 of the proceeds of those bonds do not appear in our current expenditure account for the year, because the bonds which that money was to meet did not accrue due during the current year, and the \$9,500 was put at once into capital account and remained there as a sinking fund until the close of the present fiscal year, until the bonds fell due and were redeemed on December 17th.

The house then resolved itself into committee of supply. Upon the item of \$8,000 for repairs on legislative buildings and providing a new court room and library, Hon. Mr. Mitchell said that the roof of the legislative building had been leaking for some time badly, and very extensive repairs would have to be made. It had also been found that the building was settling, and the foundation was not in a safe condition, and quite a large expenditure would have to be made in that direction. It was estimated that for these two purposes alone \$3,000 would be required. It was well known to the legal members of the house that for some time complaint has been made with regard to the insufficient accommodation of the supreme court room

and the judges' and barristers' rooms and library. The library especially was entirely too small for the number of books now on hand, and he believed also that the Barristers' Society had quite a large fund ready to invest in more books, and in the meantime were waiting for better accommodation. It was the purpose of the government to take the old legislative council chamber and fit it up for a court room and the other rooms required. Excellent accommodations will then be given to judges and barristers and also for the library, and it was thought it would amount to about \$5,000, so that the whole amount asked for under this item was \$8,000.

Dr. Stockton—Do you propose to meet that out of current account?

Hon. Mr. Mitchell—Well, we have estimated a surplus of something like \$6,000. If it should exceed that, doubtless the expenditure could be met out of current account. If not, it might be necessary to borrow \$1,000 or \$2,000.

The item passed.

Further consideration of supply was made the order of the day for Tuesday.

Hon. Mr. Blair committed a bill to continue the act incorporating the Central Fire Insurance company and the several acts in amendment thereto, Mr. Smith chairman.

Agreed to with amendment.

Dr. Stockton gave notice of a motion for a statement of all fees by counties paid out of the probate fee fund from the time the act came into operation till Feb. 13th, 1896, distinguishing between judges' and registrars' fees.

Adjourned.

FREDERICTON, Feb 28.

Mr. Hill from the standing rules committee and Mr. Fowler from the corporations committee submitted reports.

Mr. Killam introduced bills in addition to and in amendment of laws so far as relates to sewers and marsh lands in Westmorland; and respecting the water and lighting system of the city of Moncton; Mr. Lockhart authorizing the city of St. John to supply water to the inhabitants of the parish of Lancaster; Mr. Shaw to remove doubts relating to the marriage of Israel Isaacs and Carrie Hartt; Mr. Mott respecting the Restigouche and Victoria colonization railway company, and to further revive and continue act authorizing the erection of a boom across the Jacquet river, Restigouche county.

Mr. Sumner. There ought to be some limitation as to the period after death within which the commissioner could investigate.

Hon. Mr. Blair said there was some point in this last suggestion. He would amend section 24 to provide that the powers conferred by the act should be exercised within three years after the death of the deceased if the death took place after the passing of this act. To limit the period before the time of death as to which inquiry could be made, however, would defeat the object of the law altogether. When people were made aware that they could not violate the law with impunity there would be little difficulty about its effective and equitable administration.

After supper the bill was further considered and agreed to with amendments meeting the views of Mr. Hill and Dr. Stockton.

Mr. Mott from the municipalities' committee submitted a report.

On motion of Hon. Mr. Mitchell the time for the introduction of private bills was extended until the 10th instant.

Mr. Mott committed a bill respecting the Restigouche and Victoria Colonization Railway committee, Mr. Wells in the chair. Agreed to with amendments.

On motion of Mr. Pinder the bill authorizing the York municipality to sell and convey certain school lands in Southampton was placed on the order paper for Thursday.

Mr. McCain introduced a bill amending the law relating to fences, trespasses and pounds.

Mr. Sivewright presented the petition of James Campbell, John Robinson, and two hundred and eighty others, electors residing in the parish of Durham, Restigouche county, praying that the names of Nathaniel McNair and George Dutch be incorporated in the bill relating to the Jacquet River boom and complaining of the insufficiency and past management of the boom.—Adjourned.

FREDERICTON, MARCH, 4.

Mr. Hull from the standing rules committee, Hon. Mr. White from the law practice and procedure committee, Mr. Fowler from the corporation committee, and Hon. Mr. Emmerson from the municipalities committee submitted reports.

Hon. Mr. Tweedie introduced the bill incorporating the town of Chatham; Mr. Wells amending the law relating to the office of deputy sheriff; Hon. Mr. Mitchell

to continue the act incorporating the Magaguadavic River Driving company; also to explain the act incorporating the St. Stephen and Milltown railway company.

Dr. Stockton gave notice of an inquiry as to whether any action with respect to a resolution of the House of April 13, 1894, relating to the revision of the consolidated statutes, and if so what action had been taken and what person or persons had been employed and under what terms? Dr. Stockton called the attention of the leader of the government to the fact that in the correspondence brought with regard to the reservation by the lieutenant governor of the bill respecting the use of tobacco by minors, a letter which had been sent by the attorney general to the minister of justice was not given.

Hon. Mr. Blair said he noticed by the correspondence that such letter had been written, but he did not have the press copy of the letter in his possession at the time, as it was in his office at St. John, and he did not consider the letter was important, and therefore had not delayed the bringing down of the correspondence until it could be obtained. He would procure a copy of the letter for the hon. gentleman.

Dr. Stockton said this would be entirely satisfactory.

Mr. Shaw recommitted the bill in addition to an act relating to the St. John Gas Light company, Mr. Smith in the chair.—Agreed to with amendments.

Mr. Shaw committed a bill amending the act to aid in the maintenance of the Salvage corps in the city of St. John, Mr. Smith in the chair.—Agreed to with amendments.

Mr. Porter committed a bill to revive continue and amend the act incorporating the town of Grand Falls, Mr. Howe in the chair. Mr. Beveridge strongly supported the bill.

Progress was reported with leave to sit again.

Hon. Mr. Emmerson committed a bill to amend chapter 115 of the consolidated statutes of sewers and marsh lands, Mr. Howe in the chair.

Dr. Lewis said the manager of the Albert railway had told him that that road might be seriously affected by the passage of the bill.

The bill was agreed to with amendments.

Mr. Richard presented the petition of John McGowan, C. C. Calhoun, John McDonald, J. Herbert Underhill and sixty others in favor of the bill providing for the

reason why towns should have to contribute for sheep killed in the country. They did not believe city dogs ever killed country sheep.

Mr. Smith said that he believed that three-quarters of the sheep killed within five miles of Woodstock were killed by town dogs. A vigorous law was enforced in Maine, and had borne beneficial results.

Mr. Hill suggested that twenty per cent of the tax raised in towns should go into a general county fund for the purpose of paying for sheep that may be killed.

Mr. Mott seconded by Dr. Alward, moved that sub-section 2 of section 1 be amended exempting cities and incorporated towns from the operation of the act.

The amendment was lost by the following division:

Yeas—Mott, Sumner, Stockton, Shaw, Lockhart, Alward, Pitts—7

Nays—Blair, Mitchell, Farris, Scovil, Hill, Wells, Sivewright, White, Emmerson, Tweedie, Labillois, Richard McLeod Beveridge, Dibblee, Porter, O'Brien, Black, Morrow, Smith, Lewis, Johnson, Martin, Paulin, Pinder, Howe, Russell, Barnes, Legere—30.

Mr. Porter, seconded by Mr. Pinder, moved that section 2 be struck out, contending that it would practically kill the bill.

Messrs. Stockton, Hill and Smith spoke in favor of this motion.

Dr. Stockton said that nine farmers out of every ten only kept one dog. The effect of passing this section would be to nullify the bill.

Hon. Mr. Tweedie thought some hon. members did not appreciate the real purpose of the bill, which was not to suppress all the dogs in the country but to provide a means of protection of the sheep. The section simply provided that upon the petition of fifteen ratepayers in each parish the county council might, if they wished, exempt the farmers from taxation to the extent of one dog. The section practically gave to the people of the municipality themselves the right to say whether or not they desired such exemption.

Mr. Dibblee thought the section was all right as it stood, because it left to the farmers themselves to say whether or not they wished to have their sheep protected from the ravages of dogs.

Dr. Stockton thought the bill should be made as effective as possible, and that there should be no exemptions from the tax. The municipalities should not

be permitted to grant exceptions; if they were the law would be practically null and void. He was also opposed to the section because it did not put cities and towns on the same basis as the parishes.

Mr. Porter thought if the question of taxing dogs was left with the municipalities the bill would do little good, as the county councils could not be depended on to favor any measure which they felt might be unpopular.

Mr. Black thought the presence of this section showed that although the government were in favor of protection of sheep, they were disposed to hedge, because they feared the law might be unpopular.

The amendment was lost, the vote in favor of the section being:

Yeas—Blair, Mitchell, Emmerson, Tweedie, Labillois, Shaw, Morrow, Smith, McCain, Lewis, Martin, Russell, Johnson, Paulin, Legere, Mott, Sivewright, Richard, O'Brien (Northumberland), Scovil, Wells Farris, O'Brien (Charlotte), McLeod, Dibblee, Veniot—27.

Nays—Pitts, Summer, Stockton, Lockhart, Alward, Howe, Pinder, Black, Hill, Porter, Barnes—11.

After the passage of several sections progress was reported with leave.

Mr. Wells presented the petition from William Hickman, H. W. Masters, George Fairweather, S. Edgar Wilson, F. J. King and seventy other residents of Dorchester against the bill providing for the appointment of a stipendiary magistrate for the parish of Dorchester.—Adjourned.

FREDERICTON, MARCH 5.

Mr. Fowler from the corporations committee and Mr. Hill from the standing rules committee submitted reports.

Mr. Killam committed a bill in addition to and in amendment of the consolidated statutes so far as the same relates to sewers and marsh lands in the parish of Moncton, county of Westmorland, Mr. Veniot in the chair—Agreed to with amendments.

Mr. Barnes committed a bill exempting butter and cheese factories from taxation, Mr. Veniot in the chair.—Agreed to with amendments.

Hon. Mr. Dunn committed a bill in addition to and in amendment of the law relating to the survey and exportation of lumber, Mr. Veniot in the chair.—Progress was reported with leave to sit again.

Hon. Mr. Dunn committed a bill incorporating of the Sisters of the Good Shepherd, St. John, Mr. Veniot in the chair.

inhabitants of the parish of Lancaster, county of St. John, Mr. Howe in the chair. Agreed to with amendments.

Mr. Shaw committed a bill amending the law relating to the levying and assessing of taxes in the city of St. John, Mr. Howe in the chair. Agreed to with amendments.

Mr. Killam committed a bill respecting the water and lighting system of the city of Moncton, Mr. Howe in the chair. Agreed to with amendments.

Mr. Dibblee committed a bill providing for additional sewerage service for the town of Woodstock, Mr. Howe in the chair. Agreed to with amendments.

Mr. Shaw committed a bill authorizing the city of St. John to enter upon and take for public purposes any private property that may be required in connection with civic improvements, Mr. Howe in the chair. The bill was under consideration at six o'clock.

After supper the bill was further considered and agreed to with amendments.

Mr. McLeod committed a bill to amend chap. 39, 58th Victoria, entitled an act relating to peddlars, Mr. Howe in the chair. Progress reported with leave to sit again.

Mr. Morrow introduced a bill incorporating the New Brunswick Central Railway company.

Hon. Mr. Blair committed a bill amending the act respecting assignments and preferences by insolvent persons. Mr. Porter in the chair.—Agreed to with amendments.

Mr. Mott committed a bill to further revive and continue the act authorizing the erection of a boom across the Jacquet river in Restigouche county, Mr. Black in the chair. Mr. Mott said the bill under consideration was not the bill originally introduced, but was the result of a compromise between all the parties interested. Progress was reported with leave to sit again, and on motion of Mr. Mott the bill was made the order of the day for Monday. Adjourned.

FREDERICTON, MARCH 7.

Mr. Hill, from the standing rules committee, and Mr. Mott, from the municipalities committee, submitted report?

Mr. Richard, in the absence of Mr. Fowler, introduced a bill amending the law to revive and continue the act incorporating Moncton and Harvey Short Line Railway company.

Hon. Mr. White introduced a bill in-

corporating the Snider Mountain Public Hall company.

Hon. Mr. White recommitted a bill imposing a tax upon dogs and for the protection of sheep, Mr. Dibblee in the chair.

Hon. Mr. White proposed several amendments, one of which was that 15 per cent of the tax imposed upon dogs in towns and cities should go into the county funds, out of which it is purposed to pay losses in consequence of destruction of sheep by dogs. This amendment was opposed by Messrs. Pitts, Stockton, Shaw and Lockhart.

The amendment was carried on the following division:

Yeas—Blair, Mitchell, White, Mott, O'Brien (Northumberland) Richard, Labilloy, Johnson, Wells, Hill, O'Brien, (Charlotte), Porter, Barnes, McLeod, Beveridge, Veniot, Smith, Morrow, McCain, Lewis, Howe, Pinder, Bertrand, Killam, Martin, Russell, Paulin, Legere, Black—29.

Nays—Stockton, Pitts, Lockhart, Shaw—4.

The bill was agreed to with further amendments.

Hon. Mr. Mitchell committed a bill to continue the act incorporating the Magaguadavic River Driving Co., Mr. O'Brien, in the chair. The bill was agreed to.

Hon. Mr. Mitchell committed a bill in amendment of several acts relating to the town of Milltown, Mr. O'Brien in the chair. Agreed to, with amendments.

Hon. Mr. Mitchell committed a bill to explain an act to incorporate the St. Stephen and Milltown Railway Co., Mr. O'Brien in the chair. Bill agreed to.

Mr. Shaw committed a bill to remove doubts relating to the marriage of Israel Isaacs and Carrie Hart, Mr. O'Brien in the chair. Agreed to, with amendments.

Dr. Lewis, in the absence and at the request of Hon. Mr. Emmerson, committed a bill to authorize the municipality of Albert to effect temporary loans, Mr. Porter in the chair. Agreed to, with amendments.

Mr. Dibblee committed a bill to amend the acts incorporating and relating to the town of Woodstock. Mr. Porter in the chair. Agreed to, with amendments.

Adjourned.

FREDERICTON, March 9.

Hon. Mr. Hill from the standing rules committee, Mr. Mott from the municipali-

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ties committee, and Mr. White from the law practice and procedure committee submitted reports.

Mr. Martin introduced a bill declaring legal the proceedings of the Madawaska county council in 1895 and 1896 and to render valid the assessments for these years; Mr. Beveridge amending the law incorporating the Tobique River Log Driving company; Hon. Mr. Blair amending chapter 102 Consolidated Statutes of settlement of the poor; Mr. Killam relating to constables in Westmorland; Mr. Porter relating to constables and collectors of rates and taxes in Victoria; Hon. Mr. Mitchell further amending the law relating to schools.

Dr. Stockton made his enquiry as to what action had been taken by the government with relation to the revision of the Consolidated Statutes.

Hon. Mr. Blair said that no action had been taken by the government under the resolution of 1894 in regard to the revision and consolidation of the statutes. That resolution had been passed in order to place the government in a position, if satisfactory arrangements could be made, to proceed with such revision and consolidation. The government had not positively engaged at that time to proceed with the work. Since then they had investigated the matter and concluded that it would scarcely be prudent to assume the cost which the consolidation would involve. The consolidation of 1877 had cost nearly \$20 000. The government had, however, decided upon a mode of procedure which would involve very little expense beyond the item of printing. They had concluded to revise the various chapters and acts from time to time. Something had been done in that direction this session, and before the session was over more would be done. After they were all revised the legislature would be asked to pass them as a whole.

Mr. Pitts committed a bill authorizing the city of Fredericton to issue debentures for school purposes. Mr. Russell in the chair.—Agreed to with amendments.

Mr. Pitts also committed a bill authorizing the school trustees of the city of Fredericton to issue debentures for the payment and redemption of their debentures as they fall due. Mr. Russell in the chair.—Agreed to with amendments.

Hon. Mr. Mitchell committed a bill amending law providing for the imposition of certain taxes upon certain companies and corporations. Mr. Wells in the chair. Agreed to.

Hon. Mr. Mitchell committed a bill amending the law imposing certain taxes upon certain life insurance agents. Mr. Wells in the chair. Mr. Mitchell explained that the proposed bill provides for a reduction of the license for general managers who come into the province to assist their special or local agents from \$100 to \$10 each. The reduction was made because the law originally passed was more honored in the breach than in the observance. The bill also proposed a tax of \$2 each per year on local and special agents.—Agreed to with amendments.

Mr. Mott re-committed a bill to further revive and continue the act authorizing the erection of a boom across the Jacquet river, county of Restigouche. Mr. Black in the chair.—Agreed to with amendments.

Hon. Mr. Blair committed a bill to consolidate and amend the acts relating to arrest, imprisonment and examination of debtors. Mr. Smith in the chair.

Mr. Blair said the bill was very largely a consolidation of the acts which had been passed from time to time since the consolidation of 1877. A few trifling changes had been made. The bill was agreed to with amendments.

Mr. Fowler committed a bill to incorporate the Barnesville and Norton railway company. Mr. Pitts in the chair.—Bill agreed to.—Adjourned.

FREDERICTON, March 10.

Mr. Hill from standing rules committee; Mr. Fowler from the corporations committee, and Mr. Mott from the municipalities committee submitted reports.

Hon. Mr. Mitchell moved that the time for the introduction of private bills be extended till Friday.—Carried.

On motion of Hon. Mr. Mitchell, further consideration of supply was made the order of the day for Friday.

On motion of Dr. Stockton, seconded by Mr. Shaw, the bill authorizing the city of St John to enter upon and take for public purposes any private property that may be required in connection with civic improvements, was again referred to the committee of the whole. Mr. Howe in the chair.—Agreed to with amendments.

Dr. Lewis committed a bill for the appointment of a stipendiary or police magistrate, having civil jurisdiction for each of the parishes of Hopewell, Hillsboro and Elgin. Mr. Lockhart in the chair.

Messrs. Lewis and Emmerson argued at length in support of the bill.—Agreed to.

Mr. Smith committed a bill amending

would have a stimulating effect. I may say, concluded Mr. Mitchell, that when sections 2 and 3 of the bill are reached I will move to have them struck out.

Dr. Stockton said he was surprised, after giving such a disquisition on the benefits of increasing the per capita tax to fifty cents, that the provincial secretary should now propose to strike those sections out.

Hon. Mr. Blair said the provincial secretary had inserted such sections in the original bill, and had explained the reason why the department of education was looking in that direction, so that the statement might have an educational tendency and people would be led between now and another session to see the force of the suggestion and perhaps to regard it more favorably. The Government was not ignorant of the fact that a proposition of this kind coming suddenly upon the people would strike some of them unfavorably. There were members of the House even who did not understand precisely the nature of the county school fund, how it was raised, and what the effect of the additional per capita tax would be, and it was desirable that public opinion should be accurately informed in the matter. Perhaps hon. gentlemen opposite would like to make a little political capital out of the matter, though he would be sorry to think that they would consider political interests before the educational interests of the country. The government hoped that when the people had a chance to consider the question in all its bearings they would see the advantage of the proposal and give it their full support.

Mr. Pinder said if the government wished to help the poor districts they could do so by making a different apportionment of the tax already levied. If the proportion allotted to the poorer districts out of the thirty cents per capita tax was not great enough, the proportion could be made larger without increasing the rate and without impairing in any way the efficiency of the school service. The provincial secretary well knew that in the early days when he was inspector there were not one half of the schools in operation that there are at the present time.

Hon. Mr. Mitchell—I was speaking of the schools in Charlotte, not of the whole province.

Mr. Pinder—Well, I am speaking of the whole province and I say that at present there are over one half more schools in operation than at the time when the hon. member was an Inspector. At that time the apportionment of the county school

fund would be double what it is now. In his own district the county school fund had decreased from \$60 to \$25. There was no need of increasing the rate of taxation. The cost of collecting county rates at present is something like 10 per cent. All it costs to collect the district school tax by the trustees is $2\frac{1}{2}$ per cent, so that a considerable saving could be made in that direction. It looked to him as though this bill was intended to be only the entering wedge, and that when it was adopted the government intended to cut down the teachers' grant. The chief superintendent was in the House the other day and he (Pinder) had asked him if that would not be the result and he would not say that such would not be the case.

Bill agreed to with amendments.

Mr. Fowler committed bill relating to Rothesay Water company, Mr. Black chairman.

Agreed to with amendments.

Mr. Mott committed bill to further amend chapter 99, consolidated statutes of municipalities; Mr. Black, chairman.

Mr. Mott explained that the object of the bill was to provide that two dollars a day should be paid to county councillors throughout the province.

Mr. Fowler and Mr. Richard thought two dollars was rather a small amount.

Mr. Mott said the bill as originally drafted had stipulated an amount per day of five dollars but it had been amended to two dollars by the municipalities committee.

House took recess till 7.30 o'clock.

After recess the bill was further considered, Mr. Wells, chairman.

On motion of Mr. Richard, seconded by Mr. Sivewright, the sum was made three three dollars per day.

Mr. Shaw moved an amendment that had been recommended by the municipalities committee, that the bill should not apply to St. John city and county.

Messrs. Dunn and McLeod argued in favor of having the bill apply to St. John as well as the rest of the province.

Mr. Russell said he would like to have Charlotte county exempt from the provisions of the bill.

Mr. Mott pointed out that the bill was permissive, and any county not wishing to take advantage of the bill need not do so.

Mr. Shaw's motion was lost and the bill was agreed to with amendments.

Hon. Mr. Blair committed a bill relating to the office of speaker of the legislative assembly, Mr. Killam in the chair. Agreed to.

penalty with reference to the employment of minors in licensed establishments.

Coming back to sub-section 2 of section 10. Hon. Mr. White said he found a great difference of opinion as to what quantity a wholesaler should be permitted to sell. It had been urged by many good temperance people that if a retailer be permitted to sell up to a quart a wholesaler should be allowed to sell down to a quart. The argument was used that if a wholesaler be not permitted to sell in quantities as small as a quart that many persons wanting a bottle of liquor for medicinal or other purposes and who would prefer not going into the saloon, would be obliged to do so if the law in reference to wholesale did not permit the selling of a quart. Speaking for himself he would be willing to leave the lowest quantity a wholesaler could sell at one gallon, but he was willing to take the sense of the committee regarding the matter.

Dr. Stockton said his opinion was that if retailers take out licenses, wholesalers should not be permitted to come into competition with them.

Hon. Mr. Mitchell was in favor of making the quantity a quart; otherwise many a man of social nature who went into a retail establishment in order to purchase liquor for family use might be tempted to take liquor at the bar in a social way and in this manner, treat following treat, evil consequences would follow.

Mr. Fowler said he was much impressed with Mr. Mitchell's view and he would be willing to see the wholesale quantity placed as low as a pint.

Mr. Pitts said the amendment to the law of 1887 fixing the wholesale minimum at two gallons had been adopted after much consideration and he thought the least quantity that a wholesaler should be permitted to sell would be one gallon.

Hon. Mr. Blair said the amendment referred to by Mr. Pitts had been passed without any discussion whatever; indeed it had been adopted without the nature of the amendment being understood. Later on that day, which he thought was the one immediately preceding prorogation, he (Blair) had sought to have the bill recommitted but as this could not be done without the unanimous consent of the House and as the member for York (Pitts) objected, the amendment therefore became law. He thought it was not in the interest of temperance that a man who wanted a bottle of liquor for family use should be obliged to

go to the saloon for it, whether he wanted to go there or not.

Mr. Pitts—Have you suffered any hardship from that amendment?

Hon. Mr. Blair said he did not derive any pleasure from visiting saloons, but occasions had arisen when he was met with the emergency of having to ask a wholesaler to violate the law and sell him a bottle of liquor for family use, unless he wished to visit a saloon.

Mr. Pinder said rather than that there should be any possibility of the leader of the government going astray or falling into bad habits by having to visit saloons, he thought his colleague (Pitts) ought to withdraw any opposition to having the minimum quantity sold by wholesalers fixed at a quart. (Laughter.)

Mr. Hill thought there was a great deal to be said from a temperance standpoint in favor of making the wholesale quantity as low as a quart.

Mr. McLeod thought the lowest quantity a wholesaler should be permitted to sell should be a quart unless it was desirable to make no difference between wholesalers and retailers.

Mr. Mott moved, seconded by Mr. Fowler, that the minimum for wholesalers be placed at one pint.

This was lost and a motion to adopt the section in the bill, which placed the quantity at one quart, was adopted without division.

The bill was then agreed to with amendment.

Hon. Mr. Mitchell submitted return in answer to notice of motion No 5.

On the motion that Mr. Speaker leave the chair and the House resolve itself into committee on an act further to provide for the erection of permanent bridges, Dr. Stockton objected and stated that the provincial secretary had promised yesterday that this bill should not be committed until a return which had been asked for was brought down.

Hon. Mr. Mitchell then submitted the return in question and Dr. Stockton said the understanding was that the bill named would not be committed until the members had 24 hours in which to consider it after the return was brought down.

Hon. Messrs Mitchell and Emmerson said there had been no such understanding. What was understood was the return would be brought down within 24 hours from yesterday and this had been done.

Dr. Stockton said he would certainly protest taking up such an important bill as

compel the use of cold storage cars on the various lines of railway, and the Dominion government should insist that lines of steamers which enjoyed its subsidies should equip themselves to handle this trade. Mr. Barnes said he hoped the government would in the very near future see its way clear to grant a very much larger sum than \$7,500 towards this enterprise, which could not fail to bring wealth to the agricultural interests of this province.

Bill agreed to.

Hon. Mr. White, in the absence of Hon. Mr. Tweedie, recommitted the bill for the incorporation of towns, Mr. Killam in the chair. Bill agreed to with amendments.

Hon. Mr. White committed bill relating to justice civil courts, Mr. Sivewright in the chair. Bill agreed to.

Mr. Fowler committed a bill to provide an alms house for Kings county, Mr. Sivewright in the chair. Bill agreed to with amendments.

Hon. Mr. White committed a bill to amend chapter 59 of consolidated statutes, Mr. Sivewright in the chair. Agreed to with amendments.

Hon. Mr. Dunn committed a bill relating to survey and exportation of lumber, Mr. Wells in the chair,—Agreed to with amendments.

Mr. Mott committed a bill to incorporate the town of Chatham, Mr. Wells in the chair.—Agreed to with amendments.

Hon. Mr. Blair committed a bill to amend the New Brunswick elections act of 1889, Mr. Wells in the chair.—Agreed to.

Shortly after one o'clock this (Friday) morning Hon. Mr. Blair stated that the house would be prorogued at half past two or three o'clock this afternoon.

The house then adjourned till noon to-day.

FREDERICTON, March, 20,

At half-past two o'clock this afternoon, Lieutenant Governor Fraser came to the Legislative Assembly chamber and after His Honor had assented to the Bills passed during the session, prorogation took place.

The following was accidentally omitted from its proper place in the report of the debate on the bill amending the liquor license act of 1887:

Hon. Mr. Blair said he did not find himself able to support the bill. As a member

of this house, in common with others, he would give his vote according to his best judgment. He thought he was absolutely free to express the best opinion he could form on this question. In discussing this question it was not necessary to cast reflections upon any gentlemen who might differ from him. While he had every respect for the opinions of those whose views might differ from his, he was unwilling to take his temperance opinions from the prohibition convention or from any other committee of gentlemen. He thought it savored of impertinence for any member of this house to question the sincerity of the temperance principles of any other honorable gentleman differing from him in this debate. This was not the place to elaborate his views in reference to the constitutionality of the several acts passed by the different legislatures. The advocates of this measure had not shown why the proposed change should be made in the act of 1887. He had the honor of bringing in that measure, and no one had undertaken to reflect upon his temperance principles, because he had been unwilling that the applications for license should be required to be signed by a majority of the electors of a ward, instead of a one-third, as now proposed. He then advised the house that as the privy council had decided in effect that such a clause as section 10 was within our legislative competency to then increase the proportion of petitioners required from one-third to a majority of the electors would introduce an element of uncertainty which had better be avoided. That view was readily acquiesced in, and the view is equally sound today as we have not since had any judicial decision removing this doubt. He believed the present proposal to be doubtful, unsafe and unwise legislation. He did not wish to urge his views upon the members of the committee, and had not done so either privately or otherwise than as he was now doing. He had not canvassed a single member of the House on the question. He felt himself charged perhaps with more responsibility than any other member of the committee by reason of his official position, and he could not advise the legislature in the present unsettled condition of the constitutional question to take the step which they are asked to take by the promoters of the bill. He thought it would be well for those who were not unwilling to incur the risks that were involved in the passage of the bill, all the

1897

SYNOPTIC REPORT
OF THE
PROCEEDINGS
OF THE
Legislative Assembly
OF THE
PROVINCE OF NEW BRUNSWICK
FOR THE
SESSION OF 1897.

REPORTED BY M. McDADE AND F. H. RISTEEN.



ST. JOHN, N. B.
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1898.

PROVINCE OF NEW BRUNSWICK.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS AND POST OFFICE ADDRESSES.

Thirty-Fourth Session of the Local Legislature, The Hon. John P. Burchill, Speaker

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS
Albert, - - -	HON. HENRY R. EMMERSON, -	Dorchester.
do. - - -	CHARLES J. OSMAN, - - -	Hillsboro.
Carleton, - - -	J. T. ALLEN DIBBLEE, - - -	Woodstock.
do. - - -	HUGH HENRY McCAIN, - - -	Florenceville.
do. - - -	CHAS. L. SMITH, - - -	Woodstock.
Charlotte, - - -	HON. JAMES MITCHELL, - - -	St. Stephen.
do. - - -	JAMES RUSSELL, - - -	Bay Side, St. Andrews.
do. - - -	GEORGE F. HILL, - - -	St. Stephen.
do. - - -	JAMES O'BRIEN, - - -	St. George.
Gloucester, - - -	JOHN SIVEWRIGHT, - - -	Bathurst.
do. - - -	P. J. VENIOT, - - -	Bathurst.
do. - - -	PROSPER E. PAULIN - - -	Caraquet.
Kent, - - -	URBAIN JOHNSON, - - -	St. Louis.
do. - - -	JAMES BARNES, - - -	Wellington, Buctouche.
do. - - -	PETER H. LEGERE, - - -	Grand Digue.
Kings, - - -	HON. A. S. WHITE, - - -	Sussex.
do. - - -	GEORGE G. SCOVIL, - - -	Bellisle Creek, Spring'fd
do. - - -	GEORGE W. FOWLER, - - -	Sussex.
Madawaska, - - -	CYPRIEN MARTIN, - - -	St. Basil.
do. - - -	ALPHONSE BERTRAND, - - -	Edmundston.
Northumberland, - - -	HON. L. J. TWEEDIE, - - -	Chatham,
do. - - -	HON. J. P. BURCHILL, - - -	Nelson.
do. - - -	JOHN O'BRIEN, - - -	Nelson.
do. - - -	ALLAN A. DAVIDSON, - - -	Newcastle,
Queens, - - -	HON. L. P. FARRIS, - - -	White's Cove.
do. - - -	ISAAC W. CARPENTER, - - -	Carpenter.
Restigouche, - - -	W. ALBERT MOTT - - -	Campbellton.
do. - - -	HON. CHAS. H. LABILLOIS, - - -	Dalhousie.
St. John City, - - -	WM. SHAW, - - -	St. John.
do. - - -	DR. STOCKTON, - - -	St. John.
do. - - -	C. BERTON LOCKHART, - - -	Carleton.
do. - - -	DR. ALWARD, - - -	St. John,
St. John County, - - -	HON. ALBERT T. DUNN, - - -	Musquash.
do. - - -	JOHN McLEOD - - -	Black River.
Sunbury, - - -	CHAS. B. HARRISON, - - -	Maugerville.
do. - - -	DAVID MORROW, - - -	Oromocto.
Victoria, - - -	JAMES E. PORTER, - - -	Andover.
do. - - -	ADAM J. BEVERIDGE, - - -	Andover.
Westmorland, - - -	FREDERICK W. SUMNER, - - -	Moncton.
do. - - -	AMBROSE D. RICHARD, - - -	Dorchester.
do. - - -	W. WOODBURY WELLS, - - -	Port Elgin.
do. - - -	AMASA E. KILLAM, - - -	Moncton.
York, - - -	JOHN BLACK, - - -	Fredericton.
do. - - -	WM. T. HOWE, - - -	Stanley.
do. - - -	JAMES K. PINDER, - - -	Temperance Vale.
do. - - -	HERMAN H. PITTS, - - -	Fredericton.

OFFICERS OF THE HOUSE OF ASSEMBLY.

Henry B. RAINSFORD, Clerk.

GEORGE Y. DIBBLEE, Clerk Assistant.

REV. WILLARD MACDONALD, Chaplain.

HENRY C. RUTTER, Sergeant-at-Arms.

proved recreant to the principles upon profession of which they had succeeded to power. (Applause).

Mr. Mott said it had been laid down on the other side of the House by a preceding speaker that one of the first principles of good government is that we should guard most jealously the exchequer of the Province. When the hon. member was challenged with the lack of a policy he quotes resolutions moved by himself and others in times past affirming the principle that the House should not permit of any expenditures beyond the ordinary revenues of the province, thus tying the hands of the Government and laying down the hard and fast principle that whatever may be the necessities of the Province, the administration must not spend a single dollar beyond the revenue for the current year. He (Mott) recalled a resolution moved by a former member for Westmorland (Mr. Powell) affirming that proposition, which he (Mott) had voted against because there were necessities constantly presenting themselves which had regard not only to the present but to the future of this Province, and which are calculated to assist and develop the resources and industries of the country at a future day. This House was here to legislate not, alone for the present but the coming years. The government must keep pace with the times and must provide alike for the growth of our people and our country. Here he might instance public works which were being built throughout the Province and new settlements which were being made. It was the business of the Government to follow up these people and assist them by means of roads and bridges. The free grants were becoming greater every year, and as with that, so with every other branch of administration. The hon. member opposite had attacked the Government for increasing the representation. When that step was taken by the government one rule laid down was that each county should have at least two representatives and the matter was adjusted, not alone upon the basis of population but upon the consideration of area, of resources and of contribution to the revenue of the province. It was with an equitable eye to the claims of all the various constituencies that that increase in the representation was made. He did not agree with the proposition of the hon. member that as much wisdom would be displayed by a smaller legislature as by one of the present size. The tendency was for log-

rolling to take place in a house of limited membership and that tendency was under greater control with the present membership than it had ever been before.

With respect to the hon. member's charge that the bonded debt had unduly increased, Mr. Mott said that when the present government came into power in 1883, they were confronted with a floating debt upon ordinary services of about \$250,000. This administration assumed the reins of power burdened with that debt and with necessities which were yearly becoming greater. The hon. member had also laid down the time-honored proposition that the policy of this government was to unburden itself upon the municipalities and that year after year we were gradually approaching direct taxation upon the people. He instanced the charge thrown upon the municipalities with reference to patients in the Lunatic Asylum. That was not direct taxation; it was simply throwing off from the shoulders of the province a burden which was properly thrown upon the municipalities in the first instance. Referring to the remarks of the Hon. Provincial Secretary as to the religious issue upon which certain members of the opposition were elected, Mr. Mott said he would be very sorry to say that all of the hon. members opposite were guilty of that charge. Perhaps it was unfortunate for them that they had within their ranks members who had been guilty of stirring up strife, but he was happy to say that throughout the province today the feeling caused by that agitation had almost wholly vanished. He admired the spirit in which the people had received the constitutional treatment of that question. He was satisfied that it was often the case when important measures were brought before the House too much acrimony was imported into the discussion. We ought to approach these questions with a united desire to advance the interests of the people at large. If it should become necessary in the future to throw upon the municipalities the burden of paying their fair proportion of the support of roads and bridges he for one would not shirk the issue and would be prepared to take his share of the criticism.

Mr. Black said: At the risk of being told once more by hon. members opposite that I am telling the old, old story, singing the old, old song, I will ask the House to excuse me for a few minutes while I discharge what I consider to be my bounden duty. It is a privilege and an honor for members of this House to take part in the

were all there, that is sure. [Laughter.] I saw the hon. members in there and went in out of good fellowship. I don't know what the deliberations of the hon. members were, but if it is to join the opposition I can tell them that they could not go to any place where they would receive such a hearty welcome. [Loud laughter].

Mr. Lockhart said the other day he had suggested that the Chief Commissioner might be a stockholder in the Mocton Transcript. He had since received a communication from Mr. Hawke wherein he stated that the suggestion might be prejudicial to his business, and that he was the sole owner and proprietor of the paper.

Hon. Mr. Emmerson said that Mr. Hawke very naturally did not wish the idea to go abroad that he was not the sole owner of the Transcript. He (Emmerson) had not been for some years connected with any newspaper. His experience in the past had quite satisfied his aspirations in that direction. [Laughter.] The hon. member [Lockhart] seemed to take it deeply to heart that it was suggested that he might be connected with the St. John Sun. If he [Emmerson] had offended in that regard he wished to very humbly apologize as he did not wish to associate him with anything that he might deem discreditable.

House adjourned.

FREDERICTON, Feb. 20.

Mr. Mott from municipalities committee; Mr. Fowler from corporations committee; Hon. Mr. White from committee on standing rules, presented reports.

Mr. Veniot introduced a bill to divide the parish of Caraquet, Gloucester Co., into two separate parishes.

Dr. Stockton said with reference to the motion of which he had given notice for today he had been requested by the Provincial Secretary, who was now unavoidably absent, that it might stand over. He had acceded to this request, and therefore moved that the motion be made the order of the day for Tuesday. — Carried.

Hon. Mr. White introduced a bill to consolidate and amend the law relating to county courts. He said that while the bill to a large extent was a consolidation of the existing law, it contained some very important changes. It proposed to place the law as to trial by jury on the same basis as it is now in the supreme court, and in some other respects it assimilates to the practice of the supreme court. The

dates on which the courts shall be held had been left blank, so that in case hon. members desired any changes in their counties they might be made. One provision of the bill gave the county court judges the power of dealing with habeas corpus matters. That was a somewhat radical change, but he thought it would be a beneficial one. He had noticed that in a bill proposed by an hon. member of the House it was proposed to allow the judge to hold court at any time by the consent of parties. He thought that was a wise provision and perhaps it could be combined with this bill.

Dr. Stockton thought the amendments suggested by the solicitor general were in the right direction.

Replying to Mr. Black, Dr. Stockton and Mr. Porter, Hon. Mr. White gave further explanations of the bill. One of its principal objects, he said, was to save expense to the counties by doing away with the summoning of juries in many cases.

Dr. Stockton introduced a bill incorporating St. George's society of St. John; and Mr. Carpenter, extending the time for the completion of the Central Railway.

Mr. Speaker reminded the House that the time for the introduction of private bills would expire on Wednesday next, and suggested that the attention of municipalities, corporations and other promoters of bills be called to that fact.

Hon. Mr. Emmerson referred to the fact that many promoters of bills were slow in sending their proposed measures forward. He suggested that public attention be directed to the matter, as indicated by Mr. Speaker's remarks.

Dr. Stockton agreed with the remarks of Mr. Speaker and the chief commissioner, and expressed the hope that those interested in private bills, not already sent here, would send them along as soon as possible—Adjourned.

FREDERICTON, Feb. 22.

This afternoon Mr. Mott, from the municipalities committee, and Hon. Mr. White from the standing rules committee, submitted reports.

Mr. Osman presented the petition of the Alma Baptist church members in favor of the passage of a prohibitory liquor law.

Mr. Paulin introduced a bill to establish the shiretown of Gloucester, in the parish of Caraquet; Mr. Mott, relating to the town of Campbellton, and amending the Act to permit the Restigouche Salmon

club to hold real estate in this province: Hon. Mr. Dunn, changing the boundaries of the city of St. John in the parish of Simonds; Hon. Mr. Labillois, amending chapter 100 of the consolidated statutes of rates and taxes so far as the same relates to the county of Restigouche.

Mr. Fowler re-committed a bill incorporating the Rothesay Trust and Investment company, Mr. Porter in the chair.

Hon. Mr. White said he had taken the ground that this company should be incorporated under the Joint Stock Company Letters Patent Act, but he would withdraw any objections that he had raised. He thought in the future, after this session, all companies that could be incorporated under the Joint Stock Company Letters Patent Act should be, which would do away with the necessity of passing special Acts and lessen the cost of printing.

Mr. Pitts said the policy of the opposition was economy. Why delay the reform until next session. Why not make this company come under the general Act?

Mr. Black said he had no objection to his colleague [Pitts] speaking against this bill, but the hon. member had no right to speak for the opposition side of the House regarding it. This company had applied for this special Act, and unless some good reason could be urged against it the bill should pass.

Hon. Mr. Tweedie agreed with Mr. Black. This was not a question of government or opposition policy.

After some sections of the bill had passed Mr. Pitts protested against proceeding further with it in the absence of Dr. Stockton, who, he said, makes a practice of watching such legislation.

Mr. Fowler said he had no desire to press the bill in the absence of the leader of the opposition, and in view of the protest of the acting leader of the opposition—he was not sure that he was correct in applying that title to the hon. member for York [Pitts]—in face of the protest from the hon. members own side of the house, he would move that progress be reported, with leave to sit again.—Carried

Mr. Scovil presented the petition of Alex. McLeod and ninety-eight others, praying for an increase of subsidy to the Havelock and Studholm railway.

Mr. Speaker said as the petition involved the expenditure of money, the hon. member would have to lay it before the executive government.

Mr. Johnson made the following statement: I have been informed that the

office of registrar of probates and police and stipendiary magistrate for the county of Kent is about being filled by a gentleman from the county of Charlotte. I want to inform the government that I protest against the appointment of any person to the offices unless he is a rate-payer and resident of the county of Kent.

Hon. Mr. White committed a bill amending the Act to revise and codify an Act providing for the division of the province into counties, towns and parishes, and to better define the bounds of the parish of Upham, Mr. Davidson in the chair. Bill agreed to.

Hon. Mr. Tweedie submitted a return of the receipts and expenditures of the General Public hospital, St. John.

Hon. Mr. Labillois introduced a bill to incorporate the Restigouche and Western Railway company.

Hon. Mr. Tweedie said he would suggest to hon. members that they had better hurry up with their private bills, as it might be that after the government bills were disposed of the government would not deem it advisable to continue the house in session for the discussion of private business.

Mr. Pitts thought the government was largely responsible for delay in promoting the business of legislation. The session was now in its third week, and the only legislation introduced by the government was of a non-contentious character.

Hon. Mr. White said the hon. member was not well informed as to the legislation of the House. As a matter of fact, several important measures had been introduced, including a very important bill relating to the law of evidence.

Mr. Pitts—A bill of only two sections.

Hon. Mr. White said the hon. member seemed to think that the excellence of a bill depended, like the hon. member's own speeches, on its length. The hon. member had also expressed his disapproval because the only bills introduced by the government were of a non-contentious character. He [White] thought the fact that the bills introduced by the government received the unanimous support of the House was greatly to the credit of the government. As a matter of fact, the government legislation, so far from being backward, was in a more than usually forward state. The various bills yet to be introduced could be pressed through in a few days if necessary, but the effect of that would be to interfere

Mr. Black made his motion for a statement in detail covering the item of \$722 under the heading of "Queen's Printer" in the auditor general's report.

Hon. Mr. Emmerson said in the absence of the provincial secretary he would point out that these accounts were now before the public accounts committee. The item referred to represented receipts from advertising. Of course until those accounts were returned to the department from the public accounts committee the department would not be in position to furnish them, but he could assure the hon. member that he could find them all before that committee.

Mr. Black said as the provincial secretary was not now in his place he would ask that the motion stand until his return.

Hon. Mr. Emmerson said he was entirely agreeable to this proposition.

Mr. Fowler, in absence of Mr. Scovil, committed a bill amending chapter 99 of Consolidated Statutes of municipalities—Mr. Killam in the chair. Agreed to with amendments.

Hon. Mr. White committed a bill in addition to and in amendment of Bills of Sales Act, 1893—Mr. Killam in the chair. Agreed to.

Mr. Veniot committed a bill dividing parish of Caraquet into two separate parishes—Mr. Wells in the chair. The bill was supported by Messrs. Venoit, Sive-wright and Paulin, the latter speaking at considerable length. Agreed to with amendments.

Mr. Mott committed a bill to permit Restigouche Salmon club to hold real estate in this province—Mr. Wells in the chair. Agreed to with amendments.

Hon. Mr. LaBillois committed a bill amending chapter 100 of the Consolidated Statutes of rates and taxes so far as the same relates to Restigouche county—Mr. Wells in the chair. Agreed to with amendments.

Mr. Carpenter committed a bill extending the time for the completion of Central railway—Mr. Wells in the chair. Agreed to with amendments.

Mr. Paulin committed a bill to establish the shiretown of Gloucester county in parish of Caraquet instead of Bathurst—Mr. O'Brien (Northumberland) in the chair. Mr. Paulin explained that he would not press the bill this year, as it had been reported against by the committee, but he hoped to be able to give every explanation when the bill came up again next year. Progress was reported.

Mr. Fowler committed a bill incorporating Apohaqui Hall Company—Mr. O'Brien (Northumberland) in the chair. Agreed to with amendments.

Hon. Mr. White committed a bill to repeal the act providing for the registration of deaths, births and marriages, Mr. Killam chairman. Mr. White said that at the time the registration act was passed and ever since its passage, it had been the subject of considerable adverse criticism. The government had felt that inasmuch as, by the constitution of the Dominion, the subject of vital statistics was peculiarly within the province of the Dominion, the federal government might be expected at an early date to take the matter off the hands of the province. In now abolishing the law the government entertained a strong hope that this would be done. Now that it was proposed to repeal the registration law, many strong protests were being received by the government against the repeal, and some of the strongest were from quarters which had heretofore opposed the law.

Mr. Black—Who are they?

Hon. Mr. White—Well, I think I have seen a protest in the Sun against the repeal of the act, and not long ago that paper was accusing the government of imposing burdens upon the municipalities and among them this law.

Dr. Stockton wished to know whether there had been any communication between the government and the dominion government with a view to the latter taking over the work of registration.

Hon. Mr. White—Nothing final has been reached.

Dr. Stockton thought, if that was the case, the observations of the Solicitor General were rather of a diplomatic character. He [Stockton] remembered when the registration act was before the legislature the then leader of the government [Mr. Blair] vigorously claiming that the House should at all times and in all directions where provincial autonomy was concerned assert its independence. He [Stockton] thought the opposition which the registration law had received in the province arose from two points of view. First, that it was not being properly enforced, the statistics obtained not being complete or reliable; secondly, that the expense should not be borne by the municipalities but by the government. However, as it seemed now to be the view of the government that the operation of the law had not been satisfactory, and as they were not in a position

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LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK*

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enforcing a law which makes different seasons for different kinds of game.

Mr. Russell predicted that if the season was made to open Sept. 1st, in 10 years partridges would be practically extinct in Charlotte. He would favor a close season of three years. The license fee proposed by the Surveyor General would not be enforced and would be no credit to the promoter.

Mr. Paulin wanted the season to open Oct. 1st.

Mr. Morrow thought very few birds would be left in a few years if the season commenced Sept. 1st.

Mr. Pinder thought the bill should be entitled one for the destruction rather than protection of game, for the season had been extended for all kinds of game.

Mr. Fowler's amendment fixing the date for the opening of partridge season on 20th Sept. was carried, 17 to 15.

Hon. Mr. Emmerson and Mr. Wells thought section 19 prohibiting spring shooting of geese, duck and brant on the Straits of Northumberland, Gulf of St. Lawrence, and Bay Chaleur should be made general to the whole province.

The section was allowed to stand over for amendment.

Section 22, prohibiting the killing of pheasants, robins, sparrows, and other small birds was amended on motion of Mr. Tweedie by the addition of the words "Nothing herein contained shall prevent the killing of English sparrows."

After all the sections of the bill had been considered [sections 25, 29, 34, and 37 being allowed to stand for the present] section 19 was again taken up.

Mr. Legere said he was opposed to the prohibition in this section of the spring shooting of geese, duck and brant in Kent county. That was the only time of the year that the people there did any shooting. He was opposed to the shooting of these birds from canoes by night. He thought the people should have the privilege of selling the birds they shot.

Mr. Paulin thought it was a hardship to prevent the people on the North Shore selling geese and brant, by which the people obtained money for supplying their families.

Mr. Veniot and Mr. Wells expressed similar views to those of the last two speakers.

Mr. Barnes said that at first blush it had seemed to him that section 19 was objectionable but a careful reading of it showed that any person wanting to shoot a

goose or brant for his own use in the spring had the right to do so.

Mr. Wells moved an amendment to the section allowing residents to sell geese and brant.

It was put to vote and lost.

The sections that had stood over were again considered and the whole bill agreed to with amendments.

Hon. Mr. Dunn committed bill relating to the issue of timber licenses. Davidson chairman.

Agreed to.

Mr. Dibblee committed a bill incorporating the Upper Southwest Miramichi Log Driving Company. Mr. Lockhart chairman.

Agreed to with amendments.

Mr. Mott rose to a question of privilege. In this morning's Daily Sun, he was reported in connection with the proceedings before the corporation committee as to the bill to incorporate the Restigouche and Western Railway Company, as having "vigorously contended that the entire company was guilty of wrong doing, charging both Messrs Secord and Charters with boodling in connection with the sale of the charter and the survey of the road and blaming Demetz for countenancing Bosselly's wrongdoing."

What had occurred was that in replying to the argument of Mr. Allen, representing the company, that the passage of the bill necessarily prejudiced the interests of Messrs. Charters, Secord and Demetz, he (Mott) had contended that there was no loss to Mr Charters or Mr. Secord, inasmuch as they had put no capital into the enterprise. And with reference to Mr. Charters, particularly, that he had in connection with the sale of the charter of the road been amply repaid for any services he had rendered. The report in the Sun went much farther and did great injustice to Mr. Charters, because he (Mott) had in no sense connected him with the boodling of Mr. Bosselly. He had no control over the money placed in the hands of the head of the company. While he had held Messrs. Charters and Secord to be blameworthy in not having exercised proper control over the funds, yet, he had not charged them with boodling. He had already made this explanation before the corporations committee, but it did not appear in the evening papers. The incident was perhaps an apt illustration of the disadvantages of having the proceedings of committees reported in the press.

Adjourned shortly after midnight.

1898

SYNOPTIC REPORT
— OF THE —
PROCEEDINGS
— OF THE —
Legislative Assembly
of the Province of
New Brunswick
— FOR THE —
SESSION OF 1898.

REPORTED BY M. McDADE AND FRANK H. RISTEEN.



ST. JOHN, N. B.,

Progress Print, Printers and Publishers, Canterbury Street.

1899.

Province of New Brunswick.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS AND POST OFFICE ADDRESS.

Third Session of the Second Legislative Assembly, The Hon. J. P. Burchill, Speaker.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert, - - -	HON. HENRY R. EMMERSON, - - -	Dorchester.
do. - - -	CHARLES J. OSMAN, - - -	Hillsboro.
Carleton, - . -	J. T. ALLAN DIBBLEE, - - -	Woodstock.
do. - - -	HUGH HENRY MCCAIN, - - -	Florenceville.
do. - - -	CHAS. L. SMITH, - - -	Woodstock.
Charlotte, - - -	JAMES RUSSELL, - - -	Bay Side, <i>via</i> St. And'ws
do. - - -	GEORGE F. HILL, - - -	St. Stephen.
do. - - -	JAMES O'BRIEN, - - -	St. George.
do. - - -	JOHN D. CHIPMAN, - - -	St. Stephen.
Gloucester, - - -	P. J. VENIOT, - - -	Bathurst.
do. - - -	PROSPER E. PAULIN, - - -	Caraquet.
do. - - -	JOSEPH POIRIER, - - -	Grand Anse.
Kent, - - -	URBAIN JOHNSON, - - -	St. Louis.
do. - - -	JAMES BARNES, - - -	Wellington, Buct'che.
do. - - -	PETER H. LEGER, - - -	Grand Digue.
Kings, - - -	HON. A. S. WHITE, - - -	Sussex.
do. - - -	GEORGE G. G. SCOVIL, - - -	Bellisle Creek, Spg'fd.
do. - - -	GEORGE W. FOWLER, - - -	Sussex.
Madawaska, - - -	CYPRIEN MARTIN, - - -	St. Basil.
do. - - -	ALPHONSE BERTRAND, - - -	Edmunston.
Northumberland, - - -	HON. L. J. TWEEDIE, - - -	Chatham.
do. - - -	HON. J. P. BURCHILL, - - -	Nelson.
do. - - -	JOHN O'BRIEN, - - -	Nelson.
do. - - -	ALLAN A. DAVIDSON, - - -	Newcastle.
Queens, - - -	HON. L. P. FARRIS, - - -	White's Cove.
do. - - -	ISAAC W. CARPENTER, - - -	Carpenter.
Restigouche, - - -	HON. CHAS. H. LABILLOIS - - -	Dalhousie.
do. - - -	W. ALBERT MOTT, - - -	Campbellton.
St. John City. - - -	WM. SHAW, - - -	St. John.
do. - - -	DR. STOCKTON, - - -	St. John.
do. - - -	C. BERTON LOCKHART, - - -	St. John, West.
do. - - -	DR. ALWARD, - - -	St. John.
St. John County, - - -	HON. ALBERT T. DUNN, - - -	Musquash.
do. - - -	JOHN McLEOD, - - -	Black River.
Sunbury, - - -	CHAS. B. HARRISON, - - -	Maugerville.
do. - - -	DAVID MORROW, - - -	Oromocto.
Victoria, - - -	JAMES E. PORTER, - - -	Andover.
do. - - -	ADAM J. BEVERIDGE, - - -	Andover.
Westmorland, - - -	HON. AMBROSE D. RICHARD, - - -	Dorchester.
do. - - -	FREDERICK W. SUMNER, - - -	Moncton.
do. - - -	W. WOODBURY WELLS, - - -	Port Elgin.
do. - - -	CLIFFORD W. ROBINSON, - - -	Moncton.
York, - - -	JOHN BLACK, - - -	Fredericton.
do. - - -	WM. T. HOWE, - - -	Stanley.
do. - - -	JAMES K. PINDER, - - -	Temperance Vale.
do. - - -	HERMAN H. PITTS, - - -	Fredericton.

OFFICERS OF THE HOUSE OF ASSEMBLY ;

HENRY B. RAINSFORD, Clerk.

JOHN RICHARDS, Clerk Assistant.

REV. WILLARD MACDONALD, Chaplain.

HENRY C. RUTTER, Sergeant-at-Arms.

sent of the house, could have it placed on the orders of the day for another day.

Dr. Stockton said his object in not withdrawing the motion and giving a new notice was to save time.

Hon. Mr. Emmerson said that several honorable gentlemen who had remained over expecting the motion to come up would be absent on Monday, and some who were now away would not be here before Tuesday.

Dr. Stockton said that would be perfectly satisfactory.

Mr. Mott presented a report from committee on corporations.

Mr. Russell committed a bill to amend chapter 102 consolidated statutes, settlement of the poor—Mr. Le-gere, chairman. Progress reported with leave.

Hon. Mr. White committed a bill in further amendment of act 53rd Victoria, chap. 4, entitled an Act Respecting Practice and Proceedings in the Supreme Court in Equity—Mr. Russell, chairman. Agreed to.

Hon. Mr. Tweedie submitted returns of receipts, checks, received by the receiver general, and warrants issued from November 1st, 1897, till February 9th, 1898.

Mr. Mott committed bill further relating to the town of Campbellton—Mr. Fowler, chairman. Bill was under discussion at 6 o'clock, when committee took recess.

After recess the bill amending the act incorporating the town of Campbellton was further considered in committee of the whole. Hon. Mr. Emmerson said he was opposed to sections 17, 20 and 21, which, while they might be said to be following previous legislation as respects St. John, Fredericton and other places, really went further than that legislation and introduced a new element which might hereafter be cited as a precedent, and he wished to place himself on record against the sections. After general discussion, in which Mr. Mott stood by the sections, the house passed sections 20 and 21. Section 17 stood for further consideration. Progress was reported with leave.

Mr. Black introduced a bill to incorporate the bishop and chapter of Christ Church Cathedral, Fredericton—Mr. Venoit, chairman. Progress reported, with leave.

Hon. Mr. Richard committed a bill to enable the county council of Westmorland to sel land convey certain lands in the parish of Salisbury, held for school purposes—Mr. Barnes in the chair. Agreed to with amendments.

Mr. Fowler committed a bill to incorporate the Provincial Coal Company—Mr. Smith, chairman. Progress reported.

Adjourned.

FREDERICTON, March 7.

Mr. Fowler rose to a question of privilege. He had noticed in the St. John Sun what purported to be a report of the doings of the public accounts committee on Saturday last. That report was entirely erroneous.

Mr. Sumner—I claim the right of reply.

Hon. Mr. Tweedie—Do you claim the right of reply whether what he states is correct or not?

Mr. Sumner—No, only if he is out of line with my ideas.

Mr. Fowler said it would appear by the report as though a disposition had been shown by himself as chairman of the public accounts committee to shut out the investigation of the various items of expenditure in the accounts. On the contrary the desire shown by every member of the committee was that all the accounts that came before them should be most thoroughly investigated. When the committee met on Saturday the hon. member for Westmorland (Sumner) had said that he would prefer that the committee should not sit owing to the absence of Mr. Pinder. He (Fowler) had then stated that the meeting on Friday had been adjourned because of the absence of the hon. member for York, and that as it was the intention to get through with the work of the session as rapidly as possible the committee must bring in its report in ample time so that it might be discussed in the house. The hon. member for Westmorland had then stated that he would withdraw from the committee. He (Fowler) said this was very strange conduct in view of the necessity of getting through with the work as soon as possible, and in view of the fact that the previous day's session had been postponed to suit the convenience of the hon. member for York (Pinder.) He had never said, as stated in the Sun, that all the

incorporate the Provincial Coal Company, Mr. Smith in the chair.

The bill was under consideration at 6 o'clock, when the house took recess.

After recess the bill was further considered.

Messrs. Pitts, Hill, Stockton and Emmerson were opposed to the bill on the ground that it conferred too great powers on the company, while Messrs. Fowler and Alward strongly supported the bill. Mr. Mott explained what had taken place before the corporations committee, and an understanding arrived at there with respect to the bill.

Sections 9, 10, 11 and 12, referring to the expropriation powers of the company, were struck out.

The bill was agreed to with amendments.

Mr. Wells, from the municipalities committee, submitted a report.

Mr. Mott re-committed a bill further relating to the town of Campbellton, Mr. Fowler chairman.

Dr. Stockton said section 17 involved a principle which this legislature should not adopt. It proposed to make every employer of labor a tax collector, and if this bill passed other towns and cities would be asking for similar legislation.

Messrs. Hill, Osman and Pitts also opposed the section.

Mr. Mott said this section was intended to enable the town of Campbellton to collect taxes from persons who came from Maine and worked a few months in the town, mostly as shingle sawyers, and then left without paying their taxes. No interest would suffer under the bill. The same principle was contained in the garnishee law. It might be said that if this section carried it would establish a precedent, but that was no reason why the section should not pass. Every case should be treated on its merits, regardless of precedent.

Mr. Porter opposed the section. The shingle sawyers came from the Aroostook, and if we passed legislation making it compulsory that they pay taxes, they will not come into the province unless their employers paid the taxes in addition to their regular wages.

Section 17 was struck out and the bill was agreed to with amendment.

House adjourned shortly after midnight.

FREDERICTON, March 10.

Mr. Mott submitted a report from the law committee.

Mr Russell submitted the following report from the committee on agriculture:

Committee Room, Feb. 22, 1898.

The committee on agriculture met at 10 a. m.

On motion of Mr. Porter it was unanimously agreed that the government be requested to make an importation of seed wheat.

On motion of Mr. Shaw it was unanimously agreed that the government be requested to sell the said seed at cost price.

On motion of Mr. Porter it was unanimously agreed that the government be requested to make an importation from Sweden of purple top Swede turnip seed.

On motion of Mr. Morrow it was unanimously agreed that the government be requested to make an importation of grass seeds of different varieties.

Committee Room, March 9th, 1898.

The committee on agriculture met at 10.30 a. m.

On motion, resolved that the following be the varieties of seed wheat that the government be requested to import: Red Fife, White Russian, Wellman Fife, Harrison Bearded.

And your committee ask leave to make a further report.

(Signed) JAS RUSSELL,
Chairman.

Dr. Stockton thought the committee should make some recommendation in regard to the importation of seed oats. The report was adopted.

Mr. Wells submitted a report from the committee on municipalities.

Hon. Mr. Emmerson submitted returns, in response to motion No. 2 of Mr. Black.

Mr. Pinder said the return he had asked for the other day as to stock sold from the asylum farm did not contain the particulars asked for.

Hon. Mr. Emmerson said the matter belonged to the department of the provincial secretary, who was quite ill, and he would suggest that the hon. member (Pinder) bring the matter up to the provincial secretary's attention

1899

SYNOPTIC REPORT
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE ASSEMBLY
OF THE
PROVINCE OF NEW BRUNSWICK,
FOR THE
Session of 1899.

Reported by M. McDade and F. H. Risteen.



ST. JOHN, N. B.
PRINTED AT THE OFFICE OF THE GAZETTE PUBLISHING Co.
1900.

PROVINCE OF NEW BRUNSWICK.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS AND POST OFFICE ADDRESSES.

First Session of the Third Legislative Assembly, 1899.
THE HON. GEORGE F. HILL, Speaker.

COUNTIES.	MEMBERS.	Post Office Address.
Albert.....	HON. HENRY R. EMMERSON	Dorchester.
do.	CHARLES J. OSMAN.....	Hillsboro.
Carleton.....	FRANK B. CARVELL.....	Woodstock.
do.	HUGH HENRY McCAIN.....	Florenceville.
do.	CHAS. L. SMITH.....	Woodstock.
Charlotte.....	JAMES RUSSELL.....	Bay Side, via St. Andrews.
do.	HON. GEORGE F. HILL.....	St. Stephen.
do.	JAMES O'BRIEN.....	St. George.
do.	WILLIAM F. TODD.....	St. Stephen.
Gloucester.....	P. J. VENIOT.....	Bathurst.
do.	JOSEPH POIRIER.....	Grand Anse.
do.	THEOBALD M. BURNS.....	Bathurst.
Kent.....	URBAIN JOHNSON.....	St. Louis.
do.	JAMES BARNES.....	Wellington, Buctouche.
do.	PETER H. LEGER.....	Grand Digue.
Kings.....	HON. A. S. WHITE.....	Sussex.
do.	GEORGE G. G. SCOVIL.....	Elleisle Creek, Springfield.
do.	HON. WILLIAM PUGSLEY....	St. John.
Madawaska.....	FRED. LAFOREST.....	Edmunston.
do.	NARCISSE A. GAGNON.....	St. Fasil.
Northumberland..	HON. L. J. TWEEDIE.....	Chatham.
do.	HON. J. P. BURCHILL.....	Nelson.
do.	JOHN O'BRIEN.....	Nelson.
do.	CHARLES E. FISH.....	Newcastle.
Queens.....	HON. L. P. FARRIS.....	White's Cove.
do.	ISAAC W. CARPENTER.....	Carpenter.
Restigouche.....	HON. CHAS. H. LABILLOIS..	Dalhousie.
do.	W. ALBERT MOTT.....	Campbellton.
St. John City.....	WM. SHAW.....	St. John.
do.	GEORGE ROBERTSON.....	St. John.
do.	HARRISON A. McKEOWN....	St. John.
do.	DANIEL J. PURDY.....	St. John.
St. John County..	HON. ALBERT T. DUNN.....	Musquash.
do.	JOHN McLEOD.....	Black River.
Sunbury.....	PARKER GLASIER.....	Fredericton.
do.	J. DOUGLAS HAZEN.....	St. John.
Victoria.....	JAMES E. PORTER.....	Andover.
do.	THOMAS LAWSON.....	Andover.
Westmorland.....	OLIVER M. MELANSON.....	Shediac.
do.	WILLIAM F. HUMPHREY....	Moncton.
do.	W. WOODBURY WELLS.....	Port Elgin.
do.	CLIFFORD W. ROBINSON....	Moncton.
York.....	ALEXANDER GIBSON, Jr....	Marysville.
do.	HON. FRED'K P. THOMPSON	Fredericton.
do.	W. TURNEY WHITEHEAD...	Fredericton.
do.	JOHN A. CAMPPELL.....	Springhill.

OFFICERS OF THE HOUSE OF ASSEMBLY:

HENRY B. RAINSFORD, Clerk. GEORGE Y. DIBBLEE, Clerk Assistant.
 REV. JOHN D. FREEMAN, Chaplain. HENRY C. RUTTER, Sergeant-at-Arms.

alone the bill was in the public interest.

Mr. Hazen said the premier had declared that the present law would not be so objectionable if the appointment of the third revisor was left to the whole council instead of to the two councillors of the parish. He would inform the honorable gentleman that the law expressly provides that he shall be appointed by the council.

Hon. Mr. Emmerson—Yes, but the *modus operandi* is that the councillors for each parish submit their list of parish officers, and among them the name of the revisor, and that goes through as a matter of course; other councillors do not interfere at all.

Mr. Veniot—They only interfere when there is a difference of opinion between the two councillors.

Mr. Hazen said if, under the existing law, there was danger of the revisors being all of one political faith the danger was still greater under the bill.

Mr. Laforest said there was certainly a great call for the change proposed in particularly the upper part of the province. Many names of persons who had been on the list for years had been taken off at the last election, and he thought the bill would in some measure prevent that occurring again. He took great pleasure in supporting a bill that would produce such a beneficial change.

Mr. Robinson thought the bill should contain some provision prohibiting members of the dominion house or this legislature from acting as county secretary, because the latter official had practical control of all the voting lists in the county.

Mr. Hazen said surely there was no need of taking away from St. John and Fredericton the privileges they now exercised.

Hon. Mr. Emmerson—It is not a privilege, but a duty.

Mr. Hazen—You are taking away from them a power they always exercised.

Hon. Mr. Emmerson—Who gave them the power?

Mr. Hazen—This legislature; but why should it be taken away now and vested in other hands?

Hon. Mr. Emmerson—Why did the conservative party, with your approval, take the power entirely away from the councillors in the making up

of the dominion lists under the franchise of a few years ago?

Mr. Hazen—That is only a *tu quoque* argument. Your party opposed taking the power out of the municipalities which you now propose to do.

Mr. Glasier strongly opposed the bill on the ground that it would make the revision more costly.

Mr. Veniot said this matter entirely rested in the hands of the councils.

Progress reported, with leave.

Mr. Osman presented the petition of Messrs. John W. Gaskin, James T. Ryan, Sanford Ryan and 89 others praying that a bridge be constructed across the Petitcodiac River at a point about seven miles west of the Moncton bridge.

Mr. Speaker said the petition was not in order and could not be received because it asked that an expense be incurred by the province.

Mr. Purdy committed a bill to place entire control of the appointment of members of police for the City of St. John in the common council, Mr. Osman, chairman.

Hon. Mr. Dunn recommitted a bill respecting the protection of game, Mr. Wells chairman.

Progress was reported with leave.

Mr. McKeown introduced a bill to amend the act uniting the cities of Portland and St. John, and to amend the charter of St. John City and the law relating to civic government.

Hon. Mr. Tweedie, in the absence of the Surveyor General, introduced a bill to consolidate and amend the law relating to the settlement of crown lands.

Mr. Mott committed the bill "An act further relating to the town of Campbellton," Mr. Carvell chairman.

Mr. Pugsley strongly opposed section 14, claiming that it interfered with the existing rights of the arbitrators.

Mr. Mott contended that before the town of Campbellton was called upon to pay the costs of the arbitrators, the same should be taxed by a judge of the supreme court.

Mr. Hazen said it was the unanimous opinion of the municipalities committee that the section should be struck out. He strongly opposed placing the arbitrators in a different position to that which they occupied when they acted under the act of 1897.

Hon. Mr. Emmerson thought some consideration should be shown for the town of Campbellton. No unfair ad-

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LEGISLATIVE ASSEMBLY OF NEW BRUNSWICK.

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vantage had been taken of the arbitrators. They assumed the position with the distinct understanding as laid down in the act that, in case the parties could not agree, the costs of the arbitrators should be taxed by a judge of the supreme court.

Hon. Mr. Tweedie thought it was highly improper for the Legislature now to change the position of the parties.

Mr. Robinson thought the arbitrators should not be allowed to make any charges they chose.

After further debate the section was voted down. The bill was agreed to with amendments.

Mr. Carvell recommitted the bill to authorize town of Woodstock to take a vote of the ratepayers of said town on question of taking stock in a pulp mill or other industry to an amount not exceeding \$50,000. Mr. Robinson, chairman. Mr. Carvell contended that as the bill provided for a property vote of the town, all property upon which taxes are paid should be represented by vote, no matter whether the property was owned by existing ratepayers or by the estates of deceased persons, and if by the latter then a duly qualified agent should have the right of voting upon the property.

Hon. Mr. Emmerson expressed himself opposed to the town of Woodstock being authorized to grant a bonus of so large an amount as \$50,000.

Mr. Smith said before the \$50,000 would be paid, the promoters of the enterprise would have to show that they had expended \$250,000. The town would be secured by mortgage.

Agreed to with amendments.

Hon. Mr. Emmerson committed the bill authorizing the municipality of Albert to effect temporary loans, Mr. Robinson chairman.

Agreed to with amendments and amended title.

Hon. Mr. White committed bill to amend chapter 39th, 58th Victoria, an act relating to peddlars, Mr. McKeown chairman.

Agreed to.

Mr. Robertson committed a bill to confirm a conveyance from the City of St. John to the Canadian Pacific Railway Company and for other purposes, Mr. McKeown chairman.

Adjourned.

Bill agreed to with amendments.

Hon. Mr. White committed bill in amendment of chapter 100, Consolidat-

ed Statutes, "Rates and Taxes," Mr. Wells chairman. Agreed to with amendments.

Hon. Mr. White committed an act to amend chapter 29 of the Acts of Assembly, 61st Victoria, intituled "An act in amendment of and in addition to the act 55 Victoria, chapter 17, intituled 'An act to authorize the accepting the policies of guarantee companies as security for the faithful conduct of public officers,'" Mr. Wells chairman. Agreed to.

Hon. Mr. White committed bill "An act respecting the fisheries of New Brunswick," Mr. Wells chairman. Agreed to with amendments.

Mr. Mott submitted report of committee on law practice and procedure.

Mr. Robinson presented petition of Andrew G. Stevens and Wm. H. Magee, and 137 others, in reference to a bridge over the Petitcodiac River at or near Gilbert Chapman's.

Mr. Speaker said the petition involved the expenditure of money and therefore could not be received.

Mr. Shaw committed the bill relating to civic government in the City of St. John, which was agreed to with amendments.

Mr. Shaw committed the bill to regulate the fees to be allowed to arbitrators, appraisers or valutors in cases where the City of St. John is a party to the proceedings.

Hon. Mr. Emmerson explained that it had been thought advisable that the government should introduce a bill of this character, which would apply to the whole province, and that the government proposed to introduce such a bill at the next session of the Legislature. Progress was reported.

Hon. Mr. Emmerson introduced a bill "An Act to provide for the appointment of a commission relating to assessments in the City of St. John."

Adjourned.

FREDERICTON, April 27.

Mr. McKeown from the committee on municipalities submitted reports, and Mr. Veniot, from standing rules committee, as well.

Mr. Russell submitted the following report: "The agricultural committee wish to express their hearty approval of the manner in which the government is promoting their agricultural policy; by the employment of practical men to instruct the people in the different branches of agriculture at institute meetings; by promoting and

Mr. Speaker explained that he had not voted for this bill from the religious standpoint, but because he felt that laboring men were entitled as a matter of hygiene, to one day's rest out of seven. He thought the forwarding of logs and harvesting of crops should be exempt from the operations of the bill.

Mr. Pugsley said the bill was not properly a bill for the better observance of the Lord's Day but a bill allowing many departures from the old law. The bill legalized servile labor in many directions where it was now illegal.

Recess.

After recess Hon. Mr. Tweedie introduced a bill amending an act relating to the annual returns of municipal and civil indebtedness and to make further provision for the annual returns of the assessed value on real and personal property in counties, cities and towns; also a bill to amend 54th Victoria chapter 11.

Hon. Mr. White recommitted a bill to prevent profanation of the Lord's day. Mr. Lawson chairman.

Mr. Pugsley moved in amendment to section one—

"To strike out sub-section 3, section 1, and insert in lieu thereof: 'Works of necessity in this sub-section shall mean and include such work as is reasonably necessary in order to prevent serious public and private loss, injury or inconvenience.'"

The amendment was lost on following division:

Yeas—Tweedie, Dunn, Mott, Whitehead, Fish, O'Brien (Charlotte), Porter, McLeod, Veniot, Pugsley, Todd, Humphrey, Glasier, Lafcrest, Johnson, Burns, Cagnon, Leger—18.

Nays — Mr. Speaker, Emmerson, White, Labillois, Ferris, Thompson, Wells, Osman, Robinson, Barnes, Robertson, Hazen, Shaw, McKeown, Carvell, Smith, Russell, Purdy, McCain—19.

Mr. Pugsley moved his previous amendment to sub-section 3 of section 1 leaving out the words "or inconvenience." Lost by the same vote.

Mr. Robertson moved a reconsideration of section 1, as it would prevent the loading of steamships in St. John harbor, which he claimed would be a material injury to the development of the port.

Mr. Wells having previously to this been called to the chair by Mr. Law-

son to relieve him, Hon. Mr. Emmerson claimed that before the motion was put Mr. Lawson should be compelled to resume the chair. This produced a long discussion.

Mr. Lawson said whether he was obliged to take the chair or not he wished to say that he was opposed to the general terms of this bill. He thought the legislature ought not, in a pedantic spirit and without sufficient cause, to meddle with laws that are really matters of conscience.

Mr. Wells ruled that he had no power to direct Mr. Lawson to take the chair.

Hon. Mr. Emmerson having appealed from this decision, Mr. Speaker ruled that Mr. Lawson was the legal chairman, and would have to resume the chair.

Mr. Lawson, upon resuming the chair announced that he proposed to vote on the question.

The motion for reconsideration was carried 19 to 16.

Mr. Robertson moved as an addition to section 1: "Provided, however, that nothing in this act contained shall operate to prevent the loading or unloading or other work necessary to be done in order to enable any steamship to prepare for sailing in case any said steamship is under contract with the Canadian government to sail at any time stated and it is necessary to fulfill the said contract that said work should be done."

Hon. Mr. White said he would accept this amendment as a reasonable one.

Mr. Veniot said there were other places besides St. John that should be recognized. For instance, this bill would prohibit the North Shore fishermen from discharging their cargoes of fish on Sunday as they had been in the habit of doing for the past century.

Mr. Robertson's amendment was carried without division.

Mr. Mott moved in amendment: "Nothing in this act contained shall apply to the loading or unloading of fishing smacks or boats." The latter amendment was adopted without division.

Mr. Robinson moved in amendment: "Nothing in this act contained shall apply to the moving of through freight trains in the province." This was carried without division. Section 6, prohibiting excursions by train or boat, was adopted on a division of 20 to 17.

1901

SYNOPTIC REPORT

— OF THE —

PROCEEDINGS

— OF THE —

Legislative Assembly

— OF THE —

Province of New Brunswick

— FOR THE —

SESSION OF 1901.

REPORTED BY JAMES HANNAY.



Printed at the GAZETTE Job Rooms.

1901.

Province of New Brunswick.

LEGISLATIVE ASSEMBLY.

ALPHABETICAL LIST OF MEMBERS AND POST OFFICE ADDRESS.

Third Session of the Third Legislative Assembly 1901. The Honorable Clifford W. Robinson, Speaker.

COUNTIES.	MEMBERS.	POST OFFICE ADDRESS.
Albert	CHARLES J. OSMAN.	Hillsboro.
do	SANDFORD S. RYAN.	Coverdale.
Carleton	HUGH HENRY McCAIN.	Florenceville.
do	JAMES K. FLEMMING.	Peel.
do	STEPHEN B. APPLEBY.	Woodstock.
Charlotte	JAMES RUSSELL.	Bay Side via St. Andrews
do	HON. GEORGE F. HILL.	St. Stephen.
do	JAMES O'BRIEN.	St. George.
do	WILLIAM F. TODD.	St. Stephen.
Gloucester	JOSEPH POIRIER.	Grand Anse.
do	THEOBALD M. BURNS.	Bathurst.
do	JOHN YOUNG.	Tracadie.
Kent	URBAIN JOHNSON.	St. Louis.
do	JAMES BARNES.	Wellington, Buctouche.
do	RICHARD A. POIRIER.	Cormierville.
Kings	GEORGE G. G. SCOVIL.	Bellisle Creek, Springfld.
do	HON. WILLIAM PUGSLEY.	St. John.
do		
Madawaska	FRED LAFOREST.	Edmundston.
do	NARCISSE A. GAGNON.	St. Basil.
Northumberland	HON. L. J. TWEEDIE.	Chatham.
do	HON. J. P. BURCHILL.	Nelson.
do	JOHN O'BRIEN.	Nelson.
do	CHARLES E. FISH.	Newcastle.
Queens	HON. L. P. FERRIS.	White's Cove.
do	ISAAC W. CARPENTER.	Carpenter.
Restigouche	HON CHAS. H. LABILLOIS.	Dalhousie.
do	W. ALBERT MOTT.	Campbellton.
St. John City	WM. SHAW.	St. John.
do	GEORGE ROBERTSON.	St. John.
do	HON. HARRISON A. McKEOWN.	St. John.
do	DANIEL J. PURDY.	St. John.
St. John County	HON. ALBERT T. DUNN.	Musquash.
do	JOHN McLEOD.	Black River.
Sunbury	PARKER GLASIER.	Fredericton.
do	J. DOUGLAS HAZEN.	St. John.
Victoria	JAMES E. PORTER.	Andover.
do	THOMAS LAWSON.	Andover.
Westmorland	OLIVER M. MELANSON.	Shediac.
do	WILLIAM F. HUMPHREY.	Moncton.
do	CLIFFORD ROBINSON.	Moncton.
do	ARTHUR B. COPP.	Sackville.
York	HON. FREDERICK P. THOMPSON.	Fredericton.
do	W. TURNEY WHITEHEAD.	Fredericton.
do	JOHN A. CAMPBELL.	Spring Hill.
do	GEORGE W. ALLEN.	Fredericton.

OFFICERS OF THE HOUSE OF ASSEMBLY :

HENRY B. RAINSFORD, Clerk.
REV. JOHN D. FREEMAN, Chaplain.

GEORGE Y. DIBBLEE, Clerk Assistant.
HENRY C. RUTTER, Sergeant at Arms.

the actual cost of the building, and plant. The government's guarantee is also given to the company for the erection of cold storage warehouses in one or more of five central points within the province, the sum in any case not to exceed ten thousand dollars for any one warehouse or seventy-five per cent of its actual cost. The rate of interest on the bonds is not to exceed three per cent per annum and the bonds are to run forty years. No portion of such guarantee is to be given until the cold storage warehouse is completed and in running order. The title of the lands, buildings and plant of the company shall be vested in His Majesty the King, until the bonds have been paid. Provisions are made by which the government will be able to exercise a strict supervision over the business of the company and its accounts, in the matter of expenses, payment of salaries, and in other ways.

Mr. Hazen gave notice of inquiry in regard to the Kingston, Kent County bridge and a similar notice in regard to the bridge at Marysville, York County.

Mr. Hazen gave notice of the following motion for Thursday next: Resolved that in the opinion of this House, it is desirable in the interests of the public justice and morality that the Honorable the Attorney General shall discharge his duty as the law officer of the crown by causing immediate steps to be taken for the punishing of the criminal or criminals concerned in the Rothesay election lists fraud and that there are now sufficient facts publicly known to warrant the commencement of a preliminary investigation before a magistrate.

Hon. Mr. Burchill gave the following notice of enquiry for Thursday: Has the government taken any steps towards the erection of a bridge across Cain's River, Northumberland County in accordance with the petition from the inhabitants of that locality praying for the erection of a bridge at that point?

Mr. Hazen gave notice of the fol-

lowing enquiry for Thursday next: Has the notice of the Government or of public works department been called to the dilapidated and dangerous condition of the bridge at the mouth of the Oromocto river at the village of Oromocto?

Is it the intention of the Government to erect a permanent stone and steel bridge there during the coming summer?

Is the Government aware that none of the money borrowed by the province for the erection of permanent bridges has been expended in Sunbury county?

Mr. Hazen called attention of the Chief Commissioner of Public Works to the draught on the side of the House on which the opposition sit which caused them to catch colds.

Hon. Mr. Pugsley corroborated the remarks of Mr. Hazen.

Hon. Mr. Labilloy said he would endeavor to remedy the difficulty.

Mr. Mott gave notice of the following inquiry:— Has the Government yet concluded an agreement with the Government of Canada respecting the control and management of the fisheries of New Brunswick and if so, what are its terms?

If not what action will the Government take respecting the issue of licenses for salmon fishing in the county of Restigouche, and in what connection will they distinguish between tidal and non-tidal waters?

Hon. Mr. Pugsley presented the petition of the Hon. Daniel Hannington praying that a bill to amend the act vesting the property of the Madras school in the Diocesan Church society may pass and become law.

Hon. Mr. Pugsley moved that leave of absence be granted to Mr. George Robertson until the 28th inst., Mr. Robertson being absent in England on important private business. Granted.

Leave of absence was also granted to Messrs. Flemming, Laforest, Humphrey, Melanson and McLeod.

House adjourned at 4.10 p. m.

1. For the erection of new school houses.

2. For the enlargement and better equipment of school houses and

3. For the fencing, grading and adorning school grounds.

Agreed to.

The House took recess.

Honorable Mr. Pugsley in the absence of the Premier introduced a bill to grant aid to the University of New Brunswick for the erection and equipment of the new science building.

The bill was read a second time on ground of urgency.

The following bills were read a third time:

The bill to authorize the city of St. John to exchange lands for lands in possession of the Crown south of Sheffield street.

The bill to incorporate the Sackville Water and Sewerage Company and the bill to incorporate the Albertite Oil, Light and Cannel Coal Company.

The bill amending the act incorporating the St. Croix Electric Light and Water Company was considered in Committee. Mr. Lawson in the chair.

The bill as explained by Honorable Mr. Hill is to confirm the powers of the Company, with reference to their lease of their works to the Maine Water Company.

The bill was agreed to with a number of verbal amendments by the Attorney General, who commented on the loose manner in which the bill had been drawn.

The bill to change the date of the annual meeting of the French rate-payers of Shediac from January to

November was agreed to in committee.

The House went into committee on the bill to incorporate the Maritime Pulp and Paper Company. Mr. Allen in the chair.

Agreed to with amendments, one of which is changing the name to the Inglewood Pulp and Paper Company.

The House went into committee on the bill giving certain powers to the Supreme Court relating to assessments for rates and taxes removed into the court under writs of certiorari.

Agreed to with amendments.

The bill amending the law relating to the town of Campbellton was committed, Mr. Laforest in the chair.

The bill authorizes the town to issue debentures to the amount of \$65,000 to provide for a sewerage system, and prescribes the sewerage fees to be paid; and gives the town council power to make regulations for closing places of business at certain hours.

Honorable Mr. Pugsley stated that a "numerously signed petition" had been presented against the enacting of a section to give the town council power to compel business men and merchants to close their places of business even against their will.

Mr. Mott said that the petition referred to by Honorable Mr. Pugsley does not represent the mercantile portion of the community. He stated that for several years past it has been the practice of Campbellton merchants to agree upon early closing hours for their business which custom has lately been broken into by new comers. The section under discussion had been petitioned for

by all but two of the merchants of the town.

Mr. Hazen thought that the legislation asked for by Campbellton was of a dangerous character and was establishing an unwise precedent. He thought that the Legislature ought not to interfere in a man's private business or to say at what hours a merchant or other person should open or close his place of business. He also thought that the Legislation sought was ultra vires of the Legislature, inasmuch as it interfered with trade and commerce.

The Attorney General gave it as his opinion that it was a matter of municipal regulation and intra vires of the Legislature.

Mr. Copp was in favor of the section. There was a strong feeling in all business communities, even in the small villages as well as in the larger cities, that there should be regulations to compel the closing of stores and business houses early in the evening so as to allow the clerks to have ample time for recreation. He did not think that two or three men who were slaves to their business should be allowed to prevent their neighbors and competitors from indulging in hours of recreation.

Mr. Appleby and Mr. Hill supported the section and gave the experience of early closing movements in the towns of Woodstock and St. Stephen.

Mr. Flemming believed that the legislation was in the best interests of the community.

Mr. Hazen read the petition against the bill, which was signed by thirty merchants and others of Campbellton and in which certain specific objec-

tions were taken to the legislation. It was pointed out that the trains arrive at the town at such times as makes it necessary for country people and certain of the laboring classes to do their shopping in the evening.

Mr. Burchill did not think that such legislation should be placed upon the statute books. It might be all right for Campbellton but he knew of communities where such a regulation as that proposed would work great hardship. He was not in favor of keeping people at work when they might be enjoying healthful recreation, but he thought that it was a matter which every community might decide and regulate for itself.

Mr. Osman was in favor of the proposed regulation, it being only local in its application and permissive as well.

Mr. Hazen thought that the legislation asked for would work much hardship to the small merchants of Campbellton. He moved that the section be struck out. On the vote being taken Messrs. Hazen, Lawson, Burchill and Carpenter voted yea. The section was adopted and the bill agreed to.

The House agreed in committee to the bill to amend the act to provide increased fire protection for the village of Sussex.

Hon. Mr. Pugsley explained that its object was to enable the fire wardens of Sussex to establish a system of sewerage and water supply.

The bill to authorize the municipality of Victoria to issue debentures for the purpose of erecting a new Record Office was agreed to in committee.

dently not satisfied with their present salaries. Already today we have practically largely increased the salary of the Attorney General by giving him an increase on the percentage of collections of succession duties, and now the House is asked to increase the salary of the Commissioner for Agriculture by \$500. As he had frequently pointed out this province has two more salaried members of the executive than has the province of Nova Scotia, and the increase in salary at this time is without justification.

Hon. Mr. Tweedie believed that the increase of salary was due to the Commissioner because of the large responsibilities which devolve upon him, and he further believed that the farmers of the country and the people of the province would support the Government's course in this regard.

The bill was agreed to.

The bill to amend the schools act of 1900 was committed. The bill provides that for the school term which will expire on June 30th the poll tax to be assessed shall be \$1.00. Agreed to.

The bill to amend the act relating to dangerous lunatics was considered in committee and agreed to.

The bill to amend the game act of 1899 was committed, and agreed to with amendments. The bills makes a close season for partridge in the county of Albert from September 15th, 1901, to September 15th 1902.

The bill amending the Supreme Court act so that unfinished cases in the divorce court before a Judge who has died or removed from the province, may be continued before another Judge, was agreed to.

The bill to enable the city of St.

John to give aid to any company that may establish the business of steel shipbuilding in that city was agreed to in committee. A clause was inserted forbidding the company from manufacturing machinery or engines except for the vessels they build themselves.

Mr. Mott's bill preventing non-residents from appealing to the County Court Judge against their assessments except they can show that they had no opportunity of appealing in the usual way to the valuers, was considered in committee. It was opposed by Mr. Hazen and Hon. Mr. Hill and progress was reported.

The bill authorizing an additional assessment in the City of St. John in aid of the free public library was committed and progress reported.

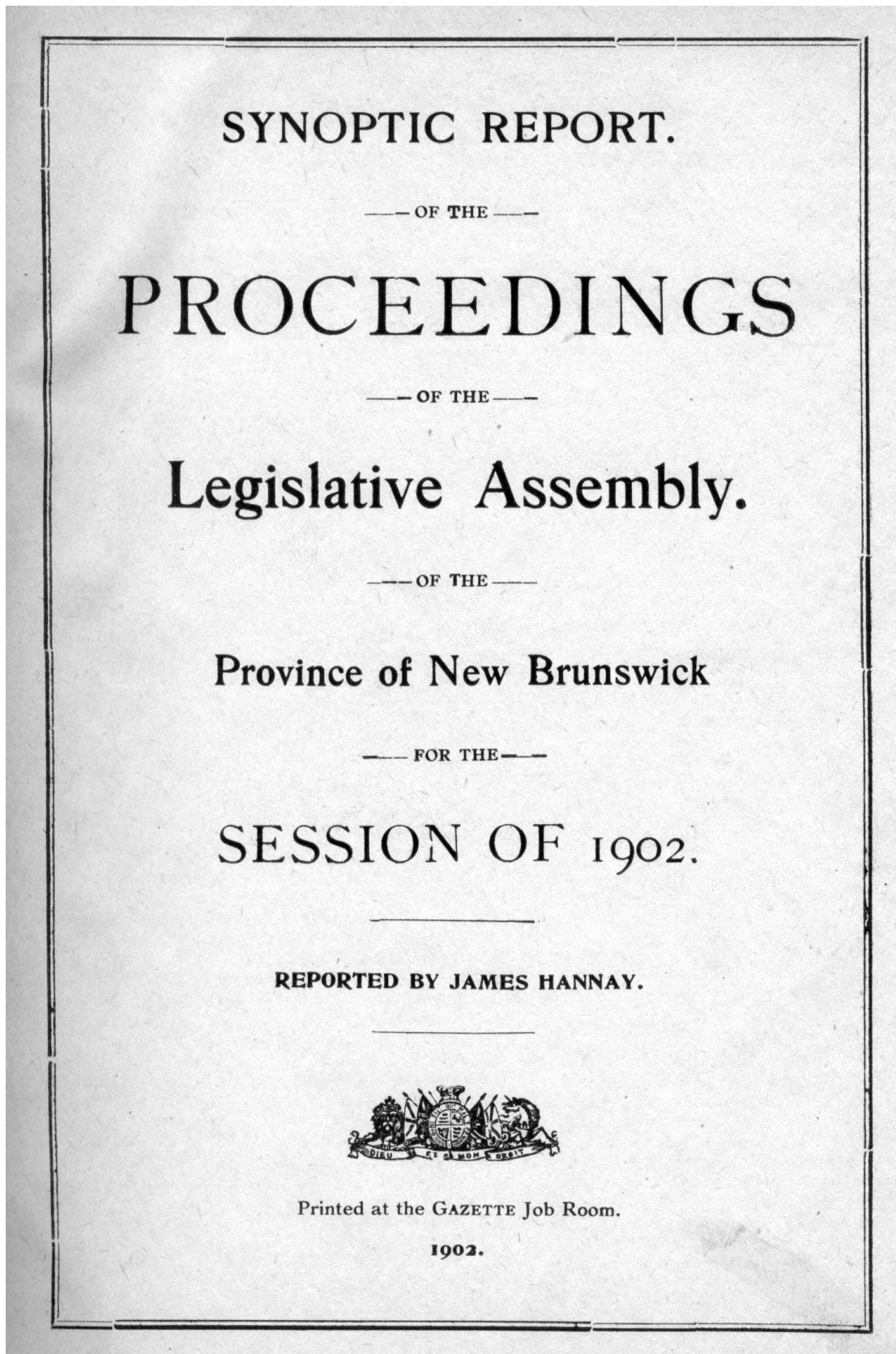
The bill will be withdrawn.

The bill to amend 61st, Vic., Cap., 52 to authorize the City of St. John to supply water to the inhabitants, manufacturers and corporations of Lancaster was discussed in committee. An additional section was moved imposing a penalty of \$20 on persons unnecessarily polluting the waters of Spruce Lake, was lost, and the bill agreed to.

Hon. Mr. Pugsley introduced a bill relating to the City of St. John to exempt the Cotton Mill of Wm. Parks Sons Ltd. from taxation. By unanimous consent bill was read a second time, and referred to committee of whole forthwith.

Hon. Mr. Tweedie presented report of law committee, stating that committee had had under consideration the bill relating to the solemnization of marriage and would not recommend the same. The report was adopted. The bill referred to was that which proposed to grant a li-

1902



Province of New Brunswick.

LEGISLATIVE ASSEMBLY.

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Carleton.....	HUGH HENRY McCAIN.....	Florenceville.
do	JAMES K. FLEMMING.....	Peel
do.....	STEPHEN B. APPLEBY.....	Woodstock.
Charlotte	JAMES RUSSELL.....	Bay Side via St.Andrews.
do	HON. GEORGE F. HILL.....	St. Stephen.
do	JAMES O'BRIEN.....	St. George.
do	WILLIAM F. TODD.....	St. Stephen.
Gloucester.....	JOSEPH POIRIER.....	Grand Anse.
do	THEOBALD M. BURNS.....	Bathurst.
do	JOHN YOUNG.....	Tracadie.
Kent.....	URBAIN JOHNSON.....	St. Louis.
do	JAMES BARNES.....	Buctouche.
do	RICHARD A. POIRIER.....	Cormierville.
Kings	GEORGE G. G. SCOVIL.. ..	Bellisle Creek, Spring'ld.
do	HON. WILLIAM PUGSLEY.....	St. John.
do	ORA P. KING.. ..	Sussex.
Madawaska.....	FRED LAFOREST.....	Edmundston.
do	NARCISSE A. GAGNON.....	St. Basil.
Northumberland..	HON. L. J. TWEEDIE.....	Chatham.
do	HON. J. P. BURCHILL.....	Nelson.
do	JOHN O'BRIEN.....	Nelson.
do	CHARLES E. FISH.....	Newcastle.
Queens	HON. L. P. FERRAS.....	White's Cove.
do	ISAAC W. CARPENTER.....	Carpenter.
Restigouche.....	HON CHAS. H. LABILLOIS.....	Dalhousie.
do	W. ALBERT MOTT.....	Campbellton.
St. John City.....	WM. SHAW.....	St. John.
do	GEORGE ROBERTS N.....	St. John.
do	HON. HARRISON A. McKEOWN... ..	St. John.
do	DANIEL J. PURDY.....	St. John.
St. John County..	HON. ALBERT T. DUNN.....	Musquash.
do	DR. RUDDOCK.....	St. Martins.
Sunbury.....	PARKER GLASIER.....	Fredericton.
do	J. DOUGLAS HAZEN.....	St. John.
Victoria	JAMES E. PORTER.....	Andover.
do	THOMAS LAWSON.....	Andover.
Westmorland.....	OLIVER M. MELANSON.....	Shediac.
do	WILLIAM F. HUMPHREY.....	Moncton.
do	CLIFFORD ROBINSON.....	Moncton.
do	ARTHUR B. COPP.....	Sackville.
York		
do	W. TURNEY WHITEHEAD.....	Fredericton.
do	JOHN A. CAMPBELL.....	Spring Hill.
do	GEO. W. ALLEN.....	Fredericton.

OFFICERS OF THE HOUSE OF ASSEMBLY.

HENRY B. RAINSFORD, Clerk.
REV. J. J. TEASDALE, Chaplain.

GEO. Y. DIBBLEE, Clerk Assistant.
HENRY C. RUTTER, Sergeant at Arms.

last (as reported in the agricultural report) believe it would be in the best interest of the Province to have the fair made an annual event and would recommend such assistance being given the association as would enable them to do so.

And your committee ask leave to make a further report.

Hon. Mr. Dunn rose to a question of privilege respecting an item which appeared in the St. John Globe of the 18th inst in reference to the printing and distribution of 10,000 copies of the Hand Book of New Brunswick. He said: "I do not purpose referring to the article in question any more than giving an explanation to the question as to the facts in connection with the book. That is to say 7,300 have been shipped to England, for which I have bills of lading, two hundred copies have been placed in the Agricultural department for distribution. The balance, 2,500 copies, go forward by Furness steamer with the book Rod and Gun April 2nd, according to instructions given by me some time ago. The delay was caused so as to have the book Rod and Gun accompany the others."

Hon. Mr. Labilloy presented the forty-seventh annual report of the Chief Commissioner of Public Works for the year 1901.

Mr. Burchill read a report from the Corporation committee recommending certain bills.

Mr. Hazen presented the petition of the trustees of the Centenary Methodist Church, St. John, for an act respecting that church.

Mr. Hazen presented the petition of Rev. Bishop Casey for an act to amend the act incorporating the Roman Catholic Bishop of St. John.

Mr. Appleby presented a petition

praying for the incorporating of Bath village for water and fire purposes.

Mr. Purdy presented the petition of John Gilchrist and others for a bill incorporating the River View Memorial Park.

Mr. Russell introduced a bill amending the act relating to the issue of debentures for wharf and warehouse purposes at St. Andrews.

Mr. Robertson presented the petition of the City of St. John for a bill relating to the office of Recorder.

Mr. Mott presented the petition of Adam Duncan and others asking the Provincial Government to take action to secure the removal by the department of Marine & Fisheries, Ottawa, of their net at tide head. It was explained that the Dominion Government net used for the hachery obstructed the passage of fish up river.

Mr. Robertson presented the petition to the City of St. John for an act relating to the salvage corps.

Mr. Copp presented the petition of certain Moncton ratepayers praying that the bill relating to the construction and inspection of buildings in Moncton may not pass.

Hon. Mr. Tweedie presented the return of the real and personal estate and indebtedness of the town of Newcastle.

Mr. Hazen moved for a detailed statement of the expenditure in connection with the Royal visit in October last.

Hon. Mr. Tweedie said the information would be furnished without the formality of an address.

Leave of absence was granted to Mr. Shaw and Mr. Melanson.

Mr. Copp gave notice of enquiry for Saturday next for the suspension of Rule 78 to permit of the introduction

committee think it will be both wise and economical to pursue and continue the tender system.

Various items in connection with bye road expenditures have been carefully looked into and many of the private members of the house have been asked to testify as to the correctness of the same by the committee, as well also in connection with items of miscellaneous expenditure on great roads and bridges, and much valuable information has in this way been obtained.

In connection with items deducted from gross sum of revenue derived for lumber cut on crown lands, etc., on page 248 of the auditor's report, Mr. Flewelling, deputy crown land commissioner, appeared and furnished a full statement, which showed that many of these accounts were of long standing and had been written off the books of the department, and that of the balance still standing many more would have to be written off as of no value. The committee approved and recommended that this be done, subject to the opinion of the surveyor general.

In conclusion, this committee desires to express its very high appreciation of the earnest and active work of the auditor general and the efforts made by the heads of the several departments of the Government and their deputies to furnish the committee with all accounts and information necessary to a proper understanding and investigation of the auditor general's report, as well as to extend to Mr. George Dibblee, the secretary of the committee, its thanks for his diligence in the performance of his duties in this connection, all of which is respectfully submitted.

Signed, C. J. OSMAN, Chairman,
JAMES BARNES,
W. T. WHITEHEAD,
D. A. MELANSON,
W. F. HUMPHREY,

Mr. Mott introduced a bill relating to the town of Campbellton. He explained that it gave them certain corporate powers with regard to holding elections, etc.

On motion of Mr. Copp, the bill to legalize certain elections of commissioners of sewers in the parish of

Botsford was considered in committee and agreed to.

On motion of Mr. Appleby, the bill respecting records and proceedings in the inferior courts was considered in committee. He explained that the object of the bill was to authorize the Government to take possession of the books and records of a magistrate who had been continuously from the county for the space of eighteen months. Agreed to.

On motion of Mr. Johnson, the bill to authorize the Roman Catholic Bishop of Chatham to dispose of a lot of land in Richibucto was agreed to in committee.

The house went into committee on the bill to amend the districts court act.

The attorney general said that he proposed to amend the act by fixing the limit beneath which costs should not be granted without the certificate of the commissioner to actions where \$8 was recovered in tort or \$20 in debt.

Mr. Lawson said he had several amendments to offer to the bill—one that a counsel fee should be granted as an amendment to section 70.

The attorney general said this amendment met with his approval.

Mr. Hazen asked if it was not improper to amend the act in this piecemeal way. Would it not be better to let it stand over till next session, unless the Government intended to proclaim it at once.

The attorney general said he differed from the leader of the Opposition, because he thought if it went over now, no one, except, perhaps, himself, would think of it until next session.

Mr. Hazen asked if it was the intention of the Government to bring

delay in the revision, because he thought it unnecessary. He (Tweedie) did not believe the leader of the Opposition would find a lawyer or a judge in the country who would say that the statutes did not require revision. The last revision was a quarter of a century ago, and surely it was time we had another revision.

The bill was agreed to on division.

Hon. Mr. Pugsley, for Hon. Mr. Tweedie, introduced a bill amending the school act of 1900. It was read a first and second time. Hon. Mr. Pugsley explained that the first section of this bill deals with manual training in the public schools. The Province will pay one-half the cost of the equipment necessary for manual training in any school, \$50 a year to any certificated teacher giving instruction in manual training, in addition to the regular work, and \$200 a year to teachers devoting their full time to manual training. There is a section providing for the payment of travelling expenses of teachers who attend a training school of manual training. The salaries of school inspectors are increased from \$1200 to \$1400 per year. The bill gives the right of expropriation of one acre of land for school house purposes, instead of forty square rods as at present.

Mr. Hazen was pleased that the Government had increased the salaries of school inspectors and he regretted that they could not see their way clear to treat the teachers likewise. He trusted this would be done in the near future.

Hon. Mr. Pugsley said the Government hoped for a considerable addition to the revenue and when that time arrives the claims of the school teachers, a most deserving class of

public servants, would receive consideration.

Mr. Hazen regretted that so many measures were introduced at the closing hours of the session when there is no time for discussion.

Hon. Mr. Tweedie said the Government was not desirous of rushing business through and the house would remain in session two or three days longer if there were any measures the leader of the Opposition wanted to discuss fully.

The house went into committee on a number of bills. Mr. Lawson in the chair.

The bills relating to the Moncton and Eastern railway and the Fredericton and Western railway were committed by Mr. Copp and agreed to.

The bill amending the school act of 1900 was agreed to.

The bill relating to the town of Campbellton was committed by Mr. Mott. It provides among other things for the appointment of assessors by the town council. At present these officials are elected. The bill was agreed to with amendments.

Hon. Mr. Tweedie seconded by Mr. Hazen moved that a committee of five members be appointed to prepare an address to be engrossed signed by the speaker and forwarded to King Edward VII on the occasion of his coronation. The speaker appointed as such committee Hon. Mr. Tweedie, Mr. Hazen, Hon. Mr. Pugsley, Mr. Allen and Mr. Osman.

The house adjourned at 11 o'clock until 10 a. m. tomorrow.

FREDERICTON, N. B., April 10.

The house met at 10 o'clock.

Hon. Mr. Tweedie laid on the