

brand of disgrace that could rest on a people, and was only to be compared to a corrupt verdict given by a brow-beaten jury?

The House then adjourned.

FRIDAY, May 2

House met at 11 o'clock.

Mr WHITMAN presented a report from the Committee on Crown Lands, and introduced in accordance therewith a bill to make void a grant of Crown Lands.

BILLS.

The House then went into Committee on Bills, and passed the bill to provide for the road service in the County of Digby; the bill to provide for the building of a bridge across the Salmon River in the County of Guysboro'; the bill relative to the Station for the Windsor and Annapolis Railway; the bill to repeal Chap 19 of the Act of 1859, and to substitute other provisions in lieu thereof; the bill to amend Chap 70, R S, "Of Railroads," being in reference to the apportionment of railway damages in Hants County; the bill to legalize the list of electors, and the bill to enable the Trustees of Preston School Section to enable certain lands.

The bill introduced by the Crown Land Committee, to make void the grant to Mary McDonald and others, was then taken up.

Hon FIN SKE said that this bill would have the effect of setting aside a judgment delivered by one of his colleagues and himself. A person named Ronald McDonald, some years ago, had lodged money for a grant, and before the grant was issued Mr P Smyth obtained a judgment against him. On the death of McDonald the grant was claimed by the wife and heirs on the one side, and Mr Smyth on the other. The decision had been in favor of the former.

Hon ATTY GEN explained that Mr Smyth was not only a judgment creditor, but had taken out letters of administration, under which this property had been sold to pay the debts of McDonald, and the grant, therefore, interfered with the rights of the other creditors.

Mr ARCHIBALD expressed himself adverse to the policy of making the grant, but said that if the principle of the bill were adopted it would make the rights of property dependant on a vote of the Legislature.

Mr S McDONNELL said that McDonald were living his heirs would not receive the grant, and their rights should not prevail over Mr Smyth's, who stood in the place of their father as regards his title.

Mr MILLER agreed that nothing but an extreme case would justify the legislation proposed, but this was an extreme case. A serious wrong had been done and some remedy should be given.

Hon Mr SHANNON, as one of the members of the Executive who gave the decision, said that the conclusion they had arrived at so far commended itself to his judgment, that he would take the same course if the matter were open again.

Hon FIN SECRETARY thought that the Judge in Equity should have the power possessed by the Chancellor in England of making void any grant by which a palpable wrong was done. He,

however, sustained the grant which had been made to the widow and heirs.

Mr ARCHIBALD suggested that the matter be compromised by Mr Smith being compensated for whatever injury he had sustained.

Mr C J CAMPBELL said that the Crown Land Committee were forced on a consideration of the whole case to the conclusion at which they arrived. The revocation of the grant would leave the parties in their original position, and they could then take their legal remedy. He was opposed to compensation being made from the treasury.

Hon ATTY GENERAL agreed with Mr Archibald that the proposed legislation would be unconstitutional. He supported the proposal for compensation.

Mr TOWNSEND was of opinion that the government had done perfectly right in making the grant. He thought it would be outrageous to give Mr Smyth the amount of the judgment;—how could it be ascertained what portion of it was paid?

Mr MILLER replied that Mr Smyth's affidavit that the debt was still outstanding, was attached to the paper.

Mr C J CAMPBELL said that this case shewed the necessity for placing at the heads of departments men who were fitted for the work. The general opinion seemed to be that the lawyers were fitted for everything.

Mr MILLER said that the disputes would be greatly multiplied if it were not for the legal training of the men of whose unfitness the hon member complained.

Hon ATTY GEN moved that the bill be referred to a select Committee to report the amount which would compensate Mr Smyth for the injury done him.

Mr TOWNSEND moved that the proposal for compensation be not agreed to.

Mr HATFIELD seconded. The original resolution passed 18 to 12.

The Committee adjourned.

HALIFAX ROAD CASE.

Hon Mr SHANNON laid on the table the road scale for Halifax Co.

Mr ANNAND regretted that a difficulty had arisen this session for the first time between his colleagues from West Halifax and himself on the subject of the road monies. He contended that the special grant for the County should be subdivided before the prorogation of the legislature.

Hon Mr SHANNON did not see what the road scale had to do with the special grant, which was always left in the hands of the Government.

Mr ANNAND said that the hon gentleman was himself a member of the Government, and, under the arrangement proposed, would himself control the special grant entirely.

Mr PRYOR said that the course pursued was the one always adopted.

The House adjourned.

AFTERNOON SESSION.

The house resumed at 3 o'clock.

Hon. PROV. SEC. laid on the table correspondence relative to the Naval Brigade.