

Nays—J. Fraser, McDonnell, Heffernan, Allison, Shannon, Pryor, Townsend, Whitman, Parker, Kaulback, Jost, Bourinot, Donkin, Hill, Tobin, Miller, McFarlane, Longley, Prov. Sec., Fin. Sec., Blanchard, Archibald, Colin Campbell, P. Smyth, McKinnon, J. Campbell, Caldwell, Attorney General.

The bill to amend chap. 2 R. S. of Executive and Legislative Disabilities was next taken up.

Mr. ANNAND said that it was certainly not worthy that a different system was pursued in Canada, and would probably also prevail in New Brunswick. It would be interesting for the House to know why a different rule was followed in this Province.

Hon. PROV. SEC. said that the Act of Union which was now the law of the realm, having received Her Majesty's assent, left it in the power of the local Legislatures to form their own constitution. It was therefore the privilege of this house to arrange that constitution as it might deem most advisable for the public interests. When the Legislature of New Brunswick met, no doubt the subject would be considered and arranged as might seem best to the Representatives of that Province. He believed that the members of the local Legislature should be able to approach the discharge of their public duties entirely untrammelled by any duties irrespective of their local position. If a gentleman should sit in both the local Legislature and the general Parliament, the duties of one would probably come into conflict with those of the other. The great object should be to have a representative go to the local Legislature or general Parliament with his judgment unbiassed. Again, if there was a member of the general Government sitting in the local Legislature, he would be placed in a very embarrassing position; for he might be questioned as to matters of public policy when separated from his colleagues, and without the means of communicating with them. Such considerations had induced the Government to bring forward the present bill.

Mr. S. CAMPBELL gave it as his opinion that it was quite competent, under the terms of the bill, for any person, at the first election, appearing as a candidate for both the local Legislature and general Parliament.

Some discussion then took place as to the interpretation that might be put on the bill.

Hon. PROV. SEC. said that it was impossible to prevent any person being nominated for both houses.

Mr. ARCHIBALD said that a candidate would have to select the house he would sit in.

Hon. ATTY. GEN. said that in England there was no law to prevent a person being nominated and returned for half a dozen constituencies, but he must make his election of one of them before he could take his seat. All that was intended was not to take away the right of the people to choose any person they might think proper. He had looked over the bill, and believed it to be as carefully drawn as it was possible under the circumstances. He appreciated the arguments of hon. members, but he did not see any necessity for alteration or addition of words. It was not advisable to make any conditions that would trammel the people or lead to difficulties hereafter. It was proposed, for instance, to put in

the words "with his consent;" but it might happen that a person might consent to his return, and it would not be so easy to prove it. The best the house could do was to prevent any individual taking his seat both in the general Parliament and in the local Legislature.

Mr. ARCHIBALD said that no person ought to be in a position to choose between the seats.

Mr. LOCKE said that "with his consent" would not answer, for a person might be nominated in his absence.

The bill was left over until the next day, that the Attorney General might see whether any alteration in the bill was necessary.

The bill in reference to the departmental officers and their salaries was then taken up and passed.

THE LEGISLATIVE COUNCIL.

Hon. PROV. SEC. laid on the table the following resolution:—

"Resolved, That a humble Address be presented to Her Majesty the Queen, requesting that Her Majesty will be graciously pleased to establish the number of the Legislative Council of Nova Scotia at eighteen members, and to provide that absence for two sessions consecutively shall vacate the seat of a Councillor, and that the Legislative Council be invited to join this house in such Address.

"Resolved, That a conference be requested with the Legislative Council, by committee, on the general state of the Province, and that the committee of this house be requested to communicate to the committee of the Council the foregoing resolution."

MISCELLANEOUS.

Mr. PRYOR reported up several bills, without any amendment, from the Committee on Private Bills.

Hon. FINANCIAL SECRETARY introduced a bill to incorporate the Gas Consumers' Company.

Hon. ATTY. GEN. introduced an act to incorporate the Windsor and Annapolis Railway Company. He explained that in consequence of the financial difficulties that prevailed in England last year the original contractors for the work were obliged to give up the contract. He was glad, however, to be able to say that the government had been able to enter on a new contract for the accomplishment of the work. The name of Thomas Brassey would be sufficient guarantee that the work would be substantially and expeditiously completed. He pointed out the great advantages that would result to the Province from the capitalization of the subvention, in reference to which he had introduced a bill on a previous day.

TUESDAY, April 2.

The House met at 3 o'clock.

MISCELLANEOUS.

Hon. PROV. SEC. laid on the table correspondence relating to the removal of James Tweedell from the Hospital for Insane. Referred to committee on humane institutions.

Mr. BLANCHARD introduced a bill to amend chap. 16, Acts of 1866 relating to partition of real estate.