

action until such time as it was absolutely necessary to be put in force, and that it should then come into operation by a proclamation from the Governor in Council. He saw no reason why this Act should now be put in force. Moreover, it provides that the Governor in Council may suspend the operation of the Act as often as may be deemed necessary whilst the Act continues. This was quite superfluous, for of course the Act could not be suspended after it had expired. When a similar Act was passed in Canada, they were in an actual state of invasion. Here we are laboring under no such difficulty, and he did not think it right that the liberty of the subject should be endangered by the passage of such an Act at this time. He should not move any amendment, but should confine himself to entering his protest against the principle of the Bill, without there were some tangible reason assigned for its passage. The late Government had made every provision to meet the danger by which we had been threatened during the last Session, and now we were in no immediate danger to call for the suspension of an Act justly held dear by every British subject.

HON. MR. FISHER said the section of the Bill objected to is a transcript of the Canada Act, with the exception of the time during which the Act should be in operation. The whole matter had been fully discussed on Saturday, and the objections raised had been fully met to the entire satisfaction of hon. members.

The Bill then passed on a division—  
Yeas 27; Nays 8.

#### DISTRIBUTION OF DEBATES.

MR. BOTSFORD asked if the principle established by the last House in the distribution of Debates according to population would be carried out this Session?

HIS HONOR THE SPEAKER said no action had been taken on the subject as yet.

HON. MR. McMILLAN said he thought it would be best to go back to the old arrangement, and give an equal number to each member.

MR. SMITH said his hon. friend could not certainly object to distribution by population, as he was so much in favor of representation by the same rule.

HON. MR. CONNELL hoped the arrangement would be as last year, according to population. The only Counties that suffer by numbers are Restigouche and Sunbury.

MR. LEWIS said for Albert he made little difference which plan was adopted, but last year the members for St. John, feeling the force of the statements made that the people there had the benefit of the morning papers, very kindly divided

up their surplus copies with other members of the House.

MR. RYAN said he had often brought this matter before the House in times past, and he was always in favor of dividing them according to population.

MR. BABBITT moved that the Debates and Journals should be distributed according to population.

MR. SUTTON moved in amendment that the Debates and Journals be divided equally among the members.

MR. LINDSAY was in favor of a division by population. For although he was not a supporter of the doctrine of universal suffrage, yet he thought the people all over the Province had an equal right to be informed with regard to the action of this House.

On division the amendment was lost, and the original resolution was sustained by a large majority.

#### BILL RELATING TO OFFENCES.

MR. CHANDLER moved the House into Committee of the whole on a Bill respecting offences relating to the army and navy. Mr. Babbitt in the Chair.

MR. CHANDLER explained that this was an addition to the law already existing with regard to offences against those enticing soldiers or sailors to desert. In cases of solicitation to desert there are two courses open to the prosecutor; first he can bring the matter before a jury as a misdemeanor, or to submit the matter to two Justices of the Peace who can punish the offender by a fine, and if he has not the money to meet the penalty, he is then committed to the County gaol for a period of three months. This Act is to increase the penalty to a fine of fifty pounds, or to imprisonment in the Provincial Penitentiary for six months. The sole object of the Bill is to repress those who are always willing to assist soldiers to desert. Such a measure has been found absolutely necessary on the Charlotte County border during the late trouble, and it may also have been felt at St. John. If the parties found guilty are put in the County gaol they lie there without any benefit to any one, but if sent to the Penitentiary his services are of some benefit to the country.

MR. JOHNSON would ask his hon. friend if he had looked into the Mutiny Act in the preparation of his Bill. The Act imposes a penalty, but first he must have been indicted for a misdemeanor. There was another point that might be considered, namely, that when a large penalty was inflicted, the party lay in gaol, and the country was burdened, whereas if the penalty was reduced from £50 to £20, the money could be forthcoming.

MR. SMITH was of the same opinion as his hon. friend from Northumberland.

He thought if the fine was reduced the object desired would be attained, much better than by placing it at a large sum.

HON. MR. CONNELL thought it might be so worded as to be not more than £50 nor less than £30.

On the passing of the sections, the penalty was reduced to £20 and the time of imprisonment to three months.

The Bill was agreed to.

#### CONTINGENT REPORT.

MR. DOW, as chairman of the Contingent Committee, submitted the following report:

The Committee appointed to take into consideration the contingencies of the House, beg to submit the following Report:

The Committee on due consideration recommend that the sum of eight dollars be allowed to each member of the House to enable him to procure his necessary stationery; that no allowance beyond that sum should be entertained.

That the clerk shall obtain all the stationery required for himself and assistants from the Board of Works. Stationery obtained through any other channel should not be entertained or paid for, and will not be recommended by this Committee.

The Committee ask leave to make a further report.

MR. YOUNG moved for leave to bring in a Bill to encourage the formation of oyster beds.

HIS HONOR MR. JUSTICE ALLEN attended the House and administered the oath to C. N. Skinner, Esq., a member for the County of St. John.

#### MIRAMICHI AND SHEDDIAK RAILWAY COMPANY.

HON. MR. WILLISTON moved the House into Committee of the Whole on a Bill to incorporate the Miramichi, Richibucto and Shediac Railway Company. MR. BOTSFORD in the chair.

HON. MR. WILLISTON said this Bill was brought in under the provisions of an Act passed in the year 1864, which guarantees a sum of \$10,000 per mile to any company who shall conduct a line from Miramichi to Shediac, and other branch lines. Most of the lines mentioned in that Act have been located, and the necessary Bills have been passed by which the sum named can be secured. This Bill is to enable the company to go on with the work, and secure the sum which the Facility Bill provided. And as we are shortly to be confederated, the Quebec Scheme having been sustained by a large majority of the constituents of the Province, it is necessary to secure this and without any delay. That scheme provides for the amounts to be expended on these Railways. The Bill was a transcript of the Bill incorporating the Fredericton Railway Company, which was passed at the last session of the House.

MR. SMITH congratulated his friend, the Solicitor General, and the hon.