The Herald.

VOL. II. CHARLOTTETOWN, P. E. ISLAND, WEDNESDAY, JULY 25. 1866. NO. 42

THE HERALD

PRINTED AND PUBLISHED EVERY WEDNESDAY MORNING BY

EDWARD REILLY,

EDITOR AND PROPRIETOR,

at his Office, corner of Kent and Prince Streets.

TERMS FOR THE "HERALD."

For 1 year, paid in advance. £0 9 0

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ALMANACK FOR JULY.

MOON'S PHASES.

Last Quarter, 5th day, 9h. 51m., morning, E.S.E.
New Moon, 12th day, 1h. 23m, morning, N.N.E.
First Quarter, 19th day, 11h. 31m., morning, E.
Full Moon, 27th day, 0h. 0m., evening, N.

DAY MONTH.	DAY WEEK.	SUN rises	SUN sets	High Water	Moon rises.	Day's length
		h m	h m	h m	h m	h m
1	Sunday	4 16	7 49	2 47	9 49	15 31
2	Monday	19	49	3 29	10 21	30
3	Tuesday	20	49	4 17	10 53	29
4	Wednesday	21	48	5 7	11 25	28
5	Thursday	21	48	6 2	morn.	27
6	Friday	21	48	7 4	0 2	27
7	Saturday	22	48	8 7	0 36	26
8	Sunday	53	48	9 14	1 18	25
9	Monday	24	47	10 20	2 8	24
10	Tuesday	24	47	11 20	3 2	23
11	Wednesday	25	46	11 59	sets	21
12	Thursday	26	46	morn.	7 49	20
13	Friday	27	45	1 2	8 30	18
14	Saturday	28	44	1 51	9 8	16
15	Sunday	29	44	2 35	9 40	15
16	Monday	30	43	3 16	10 9	13
17	Tuesday	31	42	3 59	10 40	11
18	Wednesday	32	41	4 44	11 6	9
19	Thursday	33	40	5 31	11 36	7
20	Friday	34	39	6 28	morn.	5
21	Saturday	35	38	7 13	0 7	3
22	Sunday	36	37	8 8	0 43	14 2
23	Monday	37	36	9 1	1 22	59
24	Tuesday	38	35	9 57	2 9	57
25	Wednesday	39	34	10 48	3 0	55
26	Thursday	40	33	11 35	3 53	53
27	Friday	41	32	even.	rises	51
28	Saturday	42	31	0 56	7 52	49
29	Sunday	44	29	1 45	8 24	46
30	Monday	45	28	2 26	8 59	43
31	Tuesday	46	27	2 8	9 30	41

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Charlottetown, P. E. I
Nov. 25, 1863.

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The Edinburgh Review, (Whig.)
The Westminster Review. (Radical.)
The North British Review, (Free Church.)
AND
Blackwood's Edinburgh Magazine, (Tory.)

THE interest of these Periodicals to American readers is rather increased then diminished by the articles they contain on our late *Civil War*, and though sometimes tinged with prejudice, they may still, considering their great ability and the different stand-points from which they are written, be read and studied with advantage by the people of this country, of every creed and party.

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E. REILLY.

Herald Office, March 21, 1866.

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Mutual Fire Insurance Office, Kent St., Charlottetown, Feb. 15, 1866.

REMOVAL.

DR. W. G. SUTHERLAND has removed from his late residence on Queen Street,

To the Corner of Great George & Kent Streets

and would respectfully inform his friends and customers, that, by late arrivals of direct importations from EUROPE, he has greatly added to his

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DRUGS, CHEMICALS, PERFUMERY

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☞ The DISPENSARY is under the Doctor's own supervision.

Advice to the Poor Gratis.

Charlottetown, May 16, 1866.

ARCHIBALD KENNEDY,

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DESIRES to return his thanks to his friends and customers in town and country, for the Patronage bestowed upon him during the last twenty years that he has been in business in this City; and begs to inform them that, in addition to his Sail-Making Business, he will, on the arrival of the *L. C. Owen*, from Liverpool, and *Ariadne* from Glasgow, open a

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May 9, 1866. 6in

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Standing Rigging,—suitable for a Schooner of 35 tons.
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May 2, 1866.

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A SUPPLY OF

TEA,

Direct from LONDON, which they warrant equal, if not SUPERIOR, to any ever offered for sale in Charlottetown.

Kent St., May 30, 1866. R. W. 1m

PORK AND BEANS.

Prime Mess Pork,

American White Beans,

CHEAP FOR CASH at

HUDSON & WRIGHT'S.

VIRGINIA LEAF TOBACCO.

(Manufactured by J. & T. Morris,)

Retailing low at

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SUPERIOR MOULD CANDLES.

(Manufactured by D. Griffith,)

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Kent Street, March 21, 1866. 3m

TURKEY FIGS!

TURKEY FIGS, MUSCATEL RAISINS,
ZANTE CURRANTS,
Jordan Almonds,
Filberts,
Walnuts,
Ground Spices,
ESSENCES,
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LEGISLATIVE COUNCIL.

(Continued from our last.)

Hon. Mr. Yeo: His honor speaks about those engaged in the fisheries being able to pay such high wages as compared with what the farmers can afford to pay; then why should we tax the farmers, who cannot pay high wages, for the purpose of giving a bounty to the fishermen.

Hon. Attorney General: I do not know whether it is the intention of the Government to bring this question of a bounty before the Legislature this session or not, but so much has been said that it will be expected that the opinion of this House will be elicited; and although I do not profess to be competent to judge of the propriety of giving a bounty to the fisheries, yet I must confess that my inclination leads me rather to go in favor of it at the present time. I know it has been tried during my legislative experience, and considered to have failed, or not to have given satisfaction; but still, I think the Legislature might do worse than to give a bounty upon the catch of mackerel. It has been tried by the people of the United States, and the subject has been very generally discussed, but I believe the bounty has always been maintained. I believe it is granted at the present day in Maine and some of the other States. Now, if they have placed a duty of two dollars in gold upon foreign mackerel, it will operate of course against the interests of this Island, and it would therefore become a question whether it was the only way to enable our people to compete with the Americans for the Legislature to grant a bounty. In the first place it may be said that it is nothing more than giving a bounty to one class of the people at the expense of another, and that we could not give a bounty to the fishermen without taxing the farmers to pay it; but each person must, of course, be prepared to pay his quota of taxation for whatever purpose it is intended, and it must not be forgotten that the people have taxed themselves largely to confer a benefit upon the farmers. Large sums have been voted for the purchase of land, which is exclusively for the benefit of the farmers. A great deal would depend on the manner in which a bounty was granted; and if the Legislature considered it expedient to grant a bounty, I believe it would be a very great benefit to the Island. If the mackerel fishery were prosecuted in large vessels it would be a much more certain and advantageous business. A great number of our young men go into the employment of foreigners, where they can make more money than they can at home, and very often they quit the country and settle in the neighboring Republic. Now, what is the reason of this? It appears rather strange, but when it is enquired into it will be found that the principal attraction is the superior manner in which they are provided for in foreign vessels, as compared with our own. The Americans have vessels built and fitted up expressly for the fisheries. They have the best of accommodations, and excellent fare, and every inducement is held out to young men to engage in them. Our young men often go into those vessels, where they meet with a large amount of success. It then becomes a question whether it would be expedient to grant a bounty which would encourage persons to fit up vessels here, and which would possess equal attractions and keep our young men on the Island, where they would spend the money they make at the fishing business. *The question is not before us now, and I do not wish to commit myself to any particular vote if it should come up;* but I think there are strong arguments to show that if a bounty were given upon vessels belonging to our own people, it would be an advantage to the trade and commerce of the Island. I do not think the fisheries are likely to be prosecuted with very great success till the Island is more extensively populated, or till we have some emigration to afford facilities to supply the great want of labor which is now very much felt in the Colony. If encouragement were given to a sound class of immigrants, I think it would be a great aid to the fisheries. Our enterprising young men who are not desirous to engage in farming, would be supplied by those who would be glad to come and supply their places. I think it would require such a class of emigrants, and if these two things were combined, the fisheries would greatly increase. A large amount of tonnage would be employed in them, and the result would be a large consumption of the productions of the Island. There would be a reaction upon the resources of the country which would be a benefit to the whole community. I have thrown out these remarks quite unprepared, for I did not expect such a subject before us to-day; but as some of your honors have spoken on the subject, I have no objection that these should be made known as my views. I know that much may be said on both sides; and I hope that if it is not taken up this session it will be at the next, whoever lives to see it, and that the merits of the case will be fully discussed and decided upon. I still think that if a bounty were allowed for a few years it would tend greatly to increase the trade of the Colony.

Hon. Mr. Dingwell: I did not think this discussion would have taken such a wide scope, and perhaps it will be taken notice of what way this House views the matter. For my part, I am not prepared to give a decided opinion on the subject. I feel delicate in giving an opinion, as I did when the petition was presented; but if the people I represent are favorable to giving a bounty I would not oppose it. I have no particular objection to it, but I do not wish to injure one class of the people by giving a bounty to another. If young companies are springing up in the country, I dare *say* it would be desirable to encourage them for a few years, but the trouble is to give a bounty in such a way that those who deserve it would be the persons to receive it. If it would go to those who catch the fish I would not oppose it, but I think there are many ways to prevent it from going into their hands.

Hon. the President: The reason the people petitioned for a bounty this year was on account of the heavy duty put upon mackerel by the United States Government. It was thought it would throw a damper upon those who were prepared to engage in the business. The United States is nearly the only market we have for mackerel, and the high duty will place our fishermen in a very disadvantageous position. I am of opinion that this season will not be a very successful one for the mackerel fisheries, for I understand that a number of steamers are to be on the coast, and it is well known that where they run mackerel are not caught. That has been found to be the case in the United States. Before the last treaty there were three or four steamers on the coast, and our fishermen made poor fares, which they attributed to the presence of the steamers. If such a number of steamers are to be on the coast this season as we hear of, I am of opinion that there will be very few mackerel caught in the Gulf.

House resumed.—Bill reported agreed to.

On motion of the Hon. Attorney General, a bill to consolidate and amend the laws relating to the conveyance and transfer of real and personal property vested in Mortgagee and Trustees, was read a second time, committed, and reported agreed to without any amendment.

Adjourned till to-morrow at 11 o'clock.

WEDNESDAY, May 9th.

On motion of the Hon. Mr. Henderson, a bill for the regulation of the Militia and Volunteer Forces was read a third time and passed.

CROWN AND GOVERNMENT SECURITY BILL.

On motion of the Hon. Mr. Henderson, a bill for the better security of the Crown and Government of the United Kingdom within this Island, was read a second time and committed.

Hon. Mr. Dingwell said he was not acquainted with the nature of the bill, and would like to hear its provisions explained.

Hon. Mr. McDonald was of opinion that when a measure of this kind was brought before the House, there should be some explanation of its provisions given by a member of the Government. It interfered, in some respects, with the rights of the subject, and if there was any necessity for it, the House should be acquainted with it.

Hon. Mr. Henderson: The reasons for passing this bill are, in my opinion, quite obvious. I have not been specially charged with giving any explanations or reasons for passing it; but I consider that, as there are no enactments on our statute book equivalent to the enactments of this bill, the state of the world in general, and of these Colonies in particular, do appear to call for such a measure. Not that I apprehend that any portion of Her Majesty's subjects in this Island have a desire to act such a part as to render a measure of this kind necessary; but we have reason to know that there have been parties insinuating themselves among the people of this Island, whether a few or many I cannot say; but the fact I do know, that they are trying to get the people to act a treasonable part. We may therefore take it for granted that where they would see Her Majesty's property unprotected by law, they would persist in tampering with the loyalty of the Colonists. And it is well known that parties having such objects in view are trying to ascertain what our position is,—how our banks and magazines are situated, and what the feelings of the people are, and where they may, with the greatest probability of success, steer their course, so as to succeed in their traitorous designs. Therefore I do say, as a member of this House, and a member of the Government, that there is a necessity for this bill. It is not uncommon in Great Britain, when anything extraordinary arises, to have enactments of this kind. I remember that, a few years ago, when some person, having a desire for notoriety, fired at Her Majesty, a bill was introduced for the security of Her Majesty's person, in the way of extending the superiority of the laws, and I think it is no more than right for the Government and the Legislature of this Island to pass a measure like this. And if, after a calm, deliberate view of the case, and under a due sense of our obligations to the Queen,—whose coronation oath implies that each of her subjects should reciprocate the very terms and stipulations of that oath,—any of your honors should consider that any clause of the bill goes beyond what the prospective necessities of the case require, it is your duty, while you would protect Her Majesty's interests, also to protect with equal care the rights of each of Her Majesty's subjects under the flag.

Hon. Atty. Gen: I think a bill of this kind had better be a part of the laws of this Colony, as it has been for many years a statute of Great Britain, for I believe it is little more than a literal copy of an act passed in Britain forty years ago, or more. It is true, we have laws relating to felonies and to the crime of treason; but there may be offences which may be nearly as serious as treason, and yet cannot be brought within that class of crime, so as to be punishable under those laws. Some years ago, as your honors may recollect, there were great riots in Manchester, which created great alarm in the minds of many of Her Majesty's subjects. Great multitudes of people assembled in a riotous manner, yet [illegible] the definition of treason. And in consequence of it being found difficult to punish people of that kind, the British Parliament passed an act, of which I believe this is a copy, and which has been acted upon there ever since. Now, in all the Colonies, I think it is right and proper that the laws, as regards the Crown and the safety of Her Majesty's Government, should be assimilated to those of Great Britain. We live in extraordinary times. There is a spirit of restlessness or lawlessness abroad, and though it may not reach our population, yet it is better to have a law such as this to meet any necessity that might arise. This bill, I presume, is merely to render more effective the punishment of those persons who, by any means, might overawe the authorities of the day, yet without bringing themselves within the crime of treason, and who, without an act of this kind, might escape punishment. I do not think it can inflict any wrong upon any person. It requires clear proof of a man's intention and acts before he can be convicted. A man might do just as bad as an overt act of treason and not come under that law. It is very difficult to convict a man of treason; and with that humanity which characterises British juries, they are loathe to pronounce a man guilty unless the evidence is very clear against him. If he does not come strictly within the letter of the law, he may escape, though guilty; but under this law he may be tried for a felonious intention, and then he would not be so liable to escape if he was guilty. The punishment is not penal. It is merely imprisonment. I did not know that the bill was prepared; but I heard a statement outside—indeed I think I heard His Excellency say that the laws here were defective in that respect, and I did expect that a bill of this kind would be brought in; but I do not think there need be any apprehension that it will act with undue severity upon any of Her Majesty's subjects.

Hon. Mr. Dingwell: I am satisfied with the explanations of his honor, who is a member of the Government, (Mr. Henderson), and his honor the Attorney General; but I must say that there are many bills which come before this House without any explanation, and I think it is due to the members of the House that a gentleman introducing a bill should give some explanation of it, and the reason for introducing it. I do not think the people of this Island require such a bill; but perhaps it will not do much harm, and it may be a safeguard, therefore I will not object to it.

Hon. Mr. McDonald: After the explanations of his honor from Queen's County (Mr. Henderson) and his honor the Attorney General, I am disposed to support the bill. I am quite prepared to place any requisite power in the hands of the Government to prevent the accomplishment of any treasonable designs, or the spread of any treasonable opinions in the Colony. If any persons should be found in this Colony (which is favorably known in England for the loyalty of its inhabitants) disseminating disloyal opinions, I would be glad to have a law by which they could be punished promptly and severely.

The committee having gone through the bill, the House was resumed, and the Chairman reported the bill agreed to without any amendment.

The bill was then read a third time and passed. On motion of the Hon. Mr. McDonald, a bill "to incorporate the Summerside Fishing Company," was also read a third time and passed.

ELECTIONS BILL.

Committee resumed.

Hon. Mr. Dingwell: I would like to hear this bill more fully explained also. I think it is due to the House that some explanation of it should be given, or some reason shown for passing it, if any can be shown, if it can be made to appear that there is any necessity for it, I will support it; but if there is no necessity for it, I do not think it is prudent to force it through the House, for it will be a considerable expense to the Colony, and perhaps be injurious to the interests of the people.

Hon. Mr. Henderson: I thought that, as far as the nature and design of the bill were concerned, it was tolerably well explained before. I am not aware of any extraordinary case that calls for it; but as I have said before, it has no party or sectional object in view—that if it is right and just in itself, it extends to all parties alike. It may be the judgment of your honors that it is wrong, but I believe it is right, and it is no more than carrying out the object we all have in view, that property should be fairly represented—that owners of property should have a fair chance of representing that property. And assuming, as a general rule, that those who have acquired property have a right to a voice in the enactment of laws for the regulation and protection of general society, beyond what those who have no stake in the country are entitled to. What may appear to militate against that, as a matter of course, is obvious to us all. The proprietors of township lands have a considerable amount of influence—perhaps more than they should have—and if the tenants and small freeholders had facilities for exercising the privileges which properly belong to them, the proprietors could have but little influence beyond what is their right. Every man has a right to vote for members of this Council, if his property comes up to the requirements of the act, and the law at present does not give the necessary facilities to parties having votes in different Counties, to give those votes their due weight and place. And, as I intimated before, if any member of this House, who has had many years' experience in politics, and should be able to point to any principle or fact, if such exists, which would prove that this bill is uncalled for, and is likely to be injurious to the interests of the people, it is his duty to point it out, on the general principle that on such member remains the burden of proof. Till that is done, I will be satisfied with my view of the case.

Hon. Mr. Dingwell: I would just ask if there was a similar law in the neighboring Provinces?

Hon. Mr. Henderson: We are not immediately concerned in the neighboring Provinces, though I would not despise their movements; yet I think it would be right to show that "sleepy hollow" is not asleep. If it can be proved that the act is called for, we have a right to take a step in advance.

Hon. Mr. Dingwell: Then I am to understand that it is something new.

Hon. Mr. McDonald: The laws of the other Provinces are in this building, and we can see for ourselves. I have not looked at them all, but I know that in some of the Colonies, electors can only vote in one place; and I have been told, by those who are well informed, that they can only vote in one district, at one election, in any of the neighboring Colonies. His honor from Bay Fortune (Mr. Dingwell) seems to think that if a similar law were in operation in the neighboring Colonies, we should pass this bill here, but I do not agree with him. If a similar law were in operation in every other country, that is no reason that we should pass this bill.

Hon. Mr. Dingwell: I did not say so.

Hon. Mr. McDonald: I contend that even if such a law were in operation in every other country, we should exercise our own opinions. Now, if we pass this bill, a man, for a very small sum—less than £100—may have a vote for each of the thirty members of the House of Assembly, for a property qualification of forty shillings a year will entitle a man to a vote. Now, I would ask your honors if it is justice that a man, for that small sum, should be entitled to vote for all, and perhaps be the means of returning a number of the members of the House of Assembly? His honor from Queen's County (Mr. Henderson) said, during a previous discussion on this bill, that a man who had property should have a greater amount of influence in returning members to the Legislature than those who had not. He considered that a man earning £30 or £40 a year should not have as much influence [illegible] property. Now, we know that that man who earns £30 or £40 is as much affected by the laws as the man who is worth thousands. And because a man possesses a large amount of property, is that any reason that he should have more weight than the laboring man who produces that property? The man who labors with his hands is the man who enriches any country.

If the man who has a large income had to earn his livelihood, perhaps he would not care so much as the man who earns £30 or £40 a year. In fact, the man who has a large amount of property only derives it from the laboring classes. Besides, the man who possesses no property may be as intelligent as the man who has thousands; and the fact that this bill will enable a man to vote for 30 members at one polling place is enough, I think, to show your honors that it is not a proper or just measure for any Legislature to pass. It is not a party measure; for it gives no undue weight to one party more than another; but still, I maintain that the principle is not a correct one. If an amendment is to be made to the election law, it should be made in the opposite direction—it should be to say that no man should vote in more than one district. Then we would have a law similar to those in the neighboring Provinces, and which would be just and fair in every respect.

Hon. the President: The principle of the Bill is not new. It is only carrying out the principle of the present law. I know that at a former election there were votes given for members in a different County, but there was no provision for forwarding them from one County to another. It was maintained by some legal gentlemen that it could not be done. Some votes were forwarded, but the Returning Officer would not take account of them, because they were not legally forwarded. The bill confers no new power, and it is well guarded. A voter will have to qualify, and if he swears improperly he will be liable to be taken up for perjury. His honor from Georgetown (Mr. MacDonald) thinks the man who has no property has a right to equal privileges in electing members with the man who has a large amount, but the man who has property is liable to a heavy taxation, which the man who has no property is not liable to. Therefore I think there should be a little distinction made.

Hon. Mr. Walker: I am not inclined to support the bill. It is doing away with the very principle acted upon for many years. The Island is called "sleepy hollow," and when this bill becomes law, I think it will be more justly entitled to that appellation, for a man may almost vote in bed. I would like to see a man go to vote where his property is; but the principle of allowing a man in Charlottetown to record his vote in town for every member of the Legislature, is not a correct one. It is giving him an undue advantage over a man who resides and votes in a district, and nowhere else. His honor the President said it was no new principle—that electors already had the privilege of voting in every district where they had property, but they have to go where their property is to record their votes; and the privilege which the bill confers is one which I would not like to see granted, though it will be extended to all parties alike. It is a new act, for I do not think there is such a law in any of the other Colonies.

Hon. the President: Even now, a person in Charlottetown may get a situation at the polling place and vote for the members of King's County or Prince County. It is only giving greater facilities for carrying out the principles of the present law. At present, a man who can travel from one County to another has an advantage over the man who cannot do so.

Hon. Mr. Dingwell: Will it not, for a few hundred pounds, give a few individuals a great influence in returning thirty members to the House of Assembly, without leaving Charlottetown? And are your honors willing to commit to persons in Charlottetown such an influence in returning members to the Legislature? It is said they have that privilege at present; but perhaps a man would not go to the trouble and expense of purchasing property in each district if he knew that he had to go to the different places to record his vote, for he would know that he could not go to all the districts in one day, yet when he knows that for the vote in all the districts without leaving Charlottetown, he may do so. I am not here to advocate a measure to place such power in the hands of a few individuals in Charlottetown in opposition to the people in the country, which will be

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