want of a Plan and fuller information, the Committe are unable to support on the merits of the application.

2d. The Petition of certain Inhabitants of Bedford Parish, Lot 48, and the report of an inquisition on a line of Road, to connect the old Georgetown Road with the Monaghan Road, Lot 48.

The Committee recommand, that £10 only should be authorised to be expended in opening this road to as great a width as that eamy will accomplish, and that the completion of the Road hereafter should be effected by Status Labor, and such assistance as may be afforded by the ordinary grants for Roads in that District.

2d. The Petition of the Inhabitants of Lot 56, King's County.

This application is recommended to stand over, and the probable expense of making the same has been induced the transition of the Inhabitants of the Inhabitants of the Legislature, 4th. The Petition of the Inhabitants of the Head of Montague River, for a Line of Road along the County Line.

River, for a Line of Road along the County Line.

The Committee, recommend that £10 should be expended in

making this, for the present, a brille road, on condition, that the sight of way is first secured to the Public, free of any expense.

The Patition of Patrick Stephens and others, praying for a grauge of money towards opening a new line of Road from Murray Harbo-Road to Port Selkirk.

Thirty-nine Pounds, ten shillings is recommended to be paid as compensation for the right of way; the House having already made grant in addition to the amount of private Subscriptions towards to making of this Road.

the making of this Road.

6th. Petition of the Inhabitants of Pisquid Road, Lot 49.

Your Committee are of opinion, that the alterations prayed for in the Petition can be effected under the provisions of the amended Road Act of the present Session, and cannot, therefore, advise any special grant for the road in question.

7th. The Petition of the Inhabitants of Wilmot Creek, Lot 25.

This Road is recommended to be opened under the provisions of the Compensation Act: the Commissioner to first ascertain the amount of Compensation demanded by the parties.

8th. The Petition of Angus McPhee, Peter McPhee, Donald McPhee, and others of Cardigan Point:

The Road prayed for in this application, has been provided for by a grant during the present Session.

9th. The Petition of the Inhabitants of 5t and 52:

The sum of five Pounds is recommended to be expended on

s sum of tive Posinds is recommended to be expended on art of the Road prayed for passing through Lot 51, on con-t, that the right of way is secured to the Public free of expense, the the said Road be opened from the Union Road to the line

The Petition of the Inhabitants of Lot 65, South Side Elliet River:

The sam of £8 is recommended to be applied in aid of the Road prayed for, on condition, that a right of way be first secured to the Public, free of exponse

1th. The Petition of the Inhabitants of Rustico, New Glasgow, and editains Series.

11th. The Petition of the Inhabitants of Rustico, New Glasgow, and adjoining Settlements, praying for the opening of a Road:
Your Committee would recommend, that the Government should order this application to be complied with, on condition, that the parties interested, pay for the right of way, but not otherwise.

12. The Petition of the Inhabitants of Lots 36 and 37, South Side of Hillsborough Eliver, praying for the opening of a Road, along the boundary of Lots 36 and 37, to the Road leading from the Menaghan Road, to Mr. Worthy's Mills.

Your Committee are of opinion, that the object prayed for, should be provided for out of the ordinary grant for Roads and Bridges for the District next year, as the parties are willing to give a right of way.

13th. Petition of the Inhabitants of Dog River, to have a Rose

tails. Petition of the Innautants of Dog River, to make a straightened.

Your Committee would observe with reference to this application, that a remedy will be provided by the amended Road Act this Session; if the Petitioner wish to substitute another line of Road for the one now in use, that will be more advantageous for the Public.

14th. Report of Commissioners on Line of Road from M'Lean's to Plasted's Mills, Lot 14:

Your Committee would recommend this Road to be opened by the Government, and stumped and levelled only for the present; a plan which they deem it advisable to be adopted generally in cases, where the sole expense of making the Road devolves on the Public.

15th. Petition of the Inhabitants of Point Prim, for straightening

15th. Petition of the Inhabitants of Point Prim, for straightening a line of Road:
Your Committee do not deem it expedient to recommend any special grant for this object at present.
16th. Petition of Archibald Ellisson, of Princetown Royalty, praying for the opening of a Road:
In reference to this Petition, it appears to the Committee, that the Government, many years since, agreed to accept another and better line of Road. through private property in theu of the road prayed for, which first mentioned road was opened, and is now dedicated to the Public; but if the Petitioner considers his legal rights infringed on, the remedy must be sought elsewhere.

17. The Petition of the Inhabitants of West Settlement and of part of Township, No. 46, for opening line of Road:
Your Committee are unable to recommend, that any action should be taken on this application, as no plans or estimates accompany the Petition, nor is such information afforded, as will enable them to judge of the necessity of the Road in question.

18. The Petition of the Inhabitants of Lots 9 and 10, for a new Road:

Road:
Your Committee do not consider the Road prayed for to be o
that public utility to warrant the expense that would be incurred in opening the same.

19th. The Petition of the Inhabitants of Lot 17 and vicinity, praying for the opening of a Road from Sedgwick Settlement to Mis-

suche:
As no plan or estimate has been furnished, and as the Road pray ed appears to be more for private, than public accommodation, your Committee cannot recommend, that any Grant should be made for the service, until a right of way be secured to the Public, free of

expense.

20.th. The Petition of the Inhabitants of Township No. 50, pray

20.th. The Petition of the Inhabitants of Township No. 50, praying for the opening of a Road.

Your Committee would recommend, that this application should stand over antil east year; and that, in the mean time, the Commissioner of the District be required to ascertain what amount of compensation, if any, is required for the right of way, and the probable expense of making the Road.

21st. The Petition of the Inhabitants of Lot 47, praying for a line of Road from the West River, Lot 47, to Surveyor's Pond:

The charge amounting to £31 11 31, as the compensation required for a right of way, including the expenses of the Inquiry, appears to the Committee to be extravagant; particularly as the Road prayed for is represented as being of great convenience to the parties through whose land it runs, as well as to others: and they, therefore, suggest, that no further action should be taken on the application, until a right of way can be obtained on more favourable terms.

Your Committee would recommend that a cany of this Report between

Your Committee would recommend that a copy of this Report be sent to His Excellency, the Lieutenant Governor, with a request, that he will be pleased to give effect to the recommendation therein contained.

(Signed)

JOSEPH POPE, JOHN JARDINE, ALEX- LAIRD ALLAN FRASER, E. THORNTON, G. COLES, JAMES YEO.

LEGISLATIVE COUNCIL.

LEGISLATIVE COUNCIL.

THURBDAY, March 95.

Hon. Mr. SWABEY having invest that the Bill relating to closing and Roads, he read a second time, it was committed to a Committee of the while House, with His Honor as Chairman.

The House shortly resumed, the Bill was reported agreed to, without amendment, and ordered to be engressed.

Hon. Mr. Bill NIE mired second reading of the Bill relating to "Assectaining and establishing Boundary Lines of Townships" which being performed, it was committed to a Committee of the whole House, with His Honor as Chairman; on the Bill heins read.

part of Tuwuships" which being performed, it was committed to a Committee of the who'e House, with His Honor as Chairman; on the Bill being read,

Hon. Mr. SWABEY said, while he was a commissioner for establishing boundary lines, he had but two jobs, for which he was paid in both cases by the party applying; he made this observation to show, that the parties applying did appear to consider, that no other across were liable to pay; a slight discussion ensued when the House resumed, the Bill was reported progressed in, and leave obtained for Committee to sit again.

Hon. Mr. SWABEY moved that the Education Bill be committeed to Committee to styled liouse, which was agreed to, with His Honor in the Chair. After some little progress had been made, the House resumed, progress was reported, and Committee, obtained leave to sit again; this interruption occurred to receive report of Committee of conference on the Proviscoaded by this House to the Bill granting Patent to Thomas Robson for a Possible Honor to President and Hon. Atturney General were both of opinion that without the provise the benefits to be derived from this patent, being suffinited, might some day quant a law-sair, whereas with the provise the baselies were limited to 10 years, which was in accordance with a former Act for a patent.

His Honor the PRESIDENT remarked—it is somewhat singular than beautiful season and contents of the baselies were limited to 10 years, which was in accordance with a former has been season and the contents of the baselies were limited to 10 years, which was in accordance with a former has been season and the contents of the provise the baselies were limited to 10 years, which was in accordance with a former has been season as a season when the provise the baselies were limited to 10 years, which was in accordance with a former has been accordance with the provise the baselies were limited to 10 years, which was in accordance with a former has been season and the se

Norman-stem, autorout yourseare, records [Res. M. Holl, 1842]. Here, Pinick, Ripstern and Diagonal—and the Medical and the number of the property of the State of

Sheriff's Deed in his possession—unassigned—for some time previous. Whelan had not paid Dawson for it in 1846, nor had he given him any s-currty for payment, nor did the agreement secure him in any shape. Dawson's reason for not signing the Deed was, that he had not been paid for it. Had been paid to by instalments, the last in February, 1852. Cassed paying the land tax for it about two years since, paid it before, but charged Whelan with it. Air. Cundull's evidence went to show, that he had sold the land to Dawson for £6, that he had not levied upon the exact 73 acres, but, by the assistance of Mr. Ball, gave a description and plan. There were various other witnesses, as to whether the land was worth £50 or not, but we choose to put the value out of the question, for if Whelan paid £50 for it, he had a right to swear, that it was worth it. It appears from this evidence, therefore, that there was an agreement to sell upon the part of Dawson, and a corresponding agreement on the part of Whelan to purchase this 73 acres of 1 and, for the price of £50, in 1846, but as no part of the purchase money was paid nor any transfer made, Edward Whelan was not in passession of either a freehold or any other level estate, in the land in question. It is true, that Mr. Whelan was in a very good condition, having the original title deed of Dawson in his own possession, to compel Dawson to give him a freehold title. He might have caused a deed for that purpose to be prepared, and, on tendering to Mr. Dawson the £50 with the interest, if any were due, and the taxes which it seems Dawson had paid, and demanding that he should execute such deed, on his refusal, might have filed a bill for a specific performance of the agreement, but this is all be could have complied with his request, for he states, that his only reason for not signing the transfer was, that he had not been paid. What did Mr. Dawson mean by this! What else could he mean but, that he did not choose to part with the legal title to Mr. Whelan triumphantly observes—"Th

transfer; now to which is the most credit to be given—to Dawson's bare word, that the title to the estate was not in him, or to his deliberate act, accompanied by a reason, satisfactory in law and to common sense? But we agree so far with Mr. Whelan, that the title was in the one or the other, and that it was not in him (Whelan) we will, we think, make sbundantly clear, and this without any reference to law books, or recourse to any suphistical arguments. One of the first and best tests, we think, it will be admitted by all, of a title to a freehold unincumbered estate in possession, is the power of disposing of it by deed. Now let us imagine Mr. Whelan applying at the office of Mr. Robert Hodgeon, or Mr. Henslev, or any other gentleman, who advertizes in the public papers to lend money on mortigage, to borrow £50 on a freehold of 73 arres of land, situate on Lot 37; and let us suppose he tenders Mr. Dawson's agreement, the Sheriff's d.ed. without any transfer on the back, and informs him, moreover, that he had been in possession since 1816, would either of these gentlemen, or would any man in his senses lend a Shilling! Might not the reply be—

'Freehold, my dear Sir, you have no freehold in this property, the estate is still in Mr. Dawson, you must go back to him, Sir, and get him to give you a title, and then, p rhaps, if the land is worth it, I may lend you the money; as the thing stands at present, a conveyance from you would not be worth the paper or parchment it might be written upon." And would not this nanwer be correct! Supposing Whelan had sold it, and the person wishing to be satisfied of the title before he pays the money, asks Mr. Whelan to allow him to lay the title-deeds before a lawyer, and, as a man of honor, he does so; what would be the reply of the lawyer? "Mr. Whelan cannot make a title to this land, for he has none in himself at present, the person, with the in more, asks Mr. Whelan contended the in himself at present, the person.

County, who shall receive applications and grant certificates on which Licenses may be granted to applicants. Bill read a second time.

Hon. Mr. ATTORNEY GENERAL moved that the Bill relating to the retailing of Spirituous Liquors be committed to a Committee of whole House, which was agreed to, and His Honor called to the Chair. On the clause relating to the Grand Jury having to recommend the parties who should receive License;
Hon. Mr. SWABEY moved in amendment—that a board of seven Magistrates to be appointed by the Court, take the place and do the duty which had been assigned to the Grand Jury; which was agreed to. After some time the House resumed. Bill was reported progressed in, and leave granted to sit again.
Hon. Mr. HOLL moved the second reading of Bill to raise a Revenue, which was agreed to, and the Bill subsequently committed to Committee of whole House, with His Honor in the Chair, and was progressed in, without any material discussion or amendanout, till striving at the alteration of the daty or distilled liquors from 8d. to 6d. per gallon, when Hen. Mr. HENSLEY said, he should like to know on what grounds the reduction had been made, and what public end could be subserved by its adoption; it appeared to him a singular way to raise a Revenue by reducing the duty, and that without any specific reason, and without fair reasons, or some sound information on this head, the House would be legislating in the dark.

Hon. Mr. ATTORNEY GENERAL could not give the information which his Honorable friend required, but would make enquiry on the subject, and report accordingly.

Hon. Mr. HENSLEY should like to know the reason for this one-should like to know the reaso

money, asks Mr. Whelan to allow him to lay the title-deeds before a lawyer, and, as a man of honor, he does so; what would be the reply of the lawyer? "Mr. Whelan cannot make a title to this land, for he has one in himself at present, the title is in Mr. Dawson, and he alone can give a satisfactory conveyance." But Mr. Whelan contends, that he is in possession of Whelan is the possession of Dawson, and the possession of Whelan is the possession of Dawson, and thus the legal title and the legal possession are both in Dawson, until the 24th April, 1850, when he for the first time divests himself of either. The Act and the Oath beth state, that it must be a freehold estate. Now what evidence is there of the nature of the estate. The agreement of 1846, the solitary muniment of of Whelan's title, upon which all depends, is not forthcoming, in cases of this nature, the law and common sense treat that which is not forthcoming as not existing. How then does Whelan's title stand: a simple promise of Dawson—wold by the Statute of Frauds—to sell him a piece of land when he pays him £50, and, as a security that he, Dawson, will keep his word, he places the deed in Whelan's possession. Why it was no left, we may enquire hereafter. But, in the mean time, Mr. Whelan awears, "that he has truly and bone fide a free-hold estate." What meaning did Mr. Whelan affia to the words "truly and bone fide?" have, apart from their literal meaning—"in good faith"—a conventional meaning, equivalent to "unquestionable," "good as the bank," "no mistake," or any other expression by which we endeavor to add assurance to eurosaveration. Even here, at this stage of the enquiry, we cannot withheld our conviction, that when Mr. Whelan, on the 5th March, 1850, took the oath, that he had a freehold estate sufficient to qualify him to be elected as a Member of Assembly he wore to that which was untrue; whether, in so doing, he perjured himself, is another question, which we will subsequently examine into. mada was left out.

Hoo. Mr. HENSLEY should like to know the reason for this omission?

Hoo. Mr. ATTORNEY GENERAL, said the only remark he heard, was, that we had nothing that Canada seemed to want, so that the balance of the trade was against as, and he supposed this was considered a reason; but he would enquire.

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Hoo. Mr. ATTORNEY GENERAL, said the only remark he heard, was the seemed to want, so that the balance of the trade was against as, and he supposed this was considered a reason; but he would enquire.

How Mr. ATTORNEY GENERAL, said the only remark he heard, was a thin the proposing that he was the person alluded to, and they accordingly furnished a point to the otherwise headless shaft, that had been shot by Palmer, by sesuming, as a fact, that Mr. Palmer had charged Mr. Whelan with Perjury, by implication, and by requiring him to retract or prove the assertion, "that Mr. Whelan had taken his sent in that House without a qualification." This then was the way that the balance of trade being hitherto against us, gave no ranson that it would always be set; he thought that depends on alluded to, and they accordingly furnished a point to the otherwise headless shaft, that had been shot by Palmer, by assuming, as a fact, that Mr. Palmer had charged Mr. Whelan with Perjury, by implication, and by requiring him to retract of all commerce with its was considered accessary for this House to legion and they accordingly furnished a point to the otherwise headless shaft, that Mr. Palmer had charged Mr. Whelan with Perjury, by implication, and by requiring him to retract of an alluded to, and that a care that he was the person alluded to, and that a care that the was th

make the least objection, while now with a Bill, for a similar purpose and with the same provise, they demur to pass it. Report laid on the table.

How ATTORNEY GENERAL then took up the Report of the conference of yesterday relating to the 2nd, 3rd, 4th and 12th amendments made by this House to the Small Debt Bill, which the Assembly objected to pass, he observed—that the 2nd amendment related to that clause of the Bill appointing 5 Commissioners to each Court, this House considered 3 were enough and amendment be clause accordingly, now the Assembly wanted the original number of five to pass, and therefore moved, that this House adhere to the amendment now made by the Assembly.

How Mr. Whelan lay his qualification on the table, before we enter upon the evidence adduced to support or it doubt the onission a very unstateman-like proceeding and object to the small paper of the situation of Members of the support of the support of the continuous and the same reported agreed to with support of the continuous and the same agreed to with support of the continuous and the same agreed to with the continuous and the contrary it is on the amendment made to the Law of Evidence Bill; His assembly and anxiously anought after; as it becomes necessary, not only to have a certain portion of the same ground; the same ground; the same ground which he statude on a former day, to have five Commissioners, and as nothing had since occurred to shake his then expressed opinion; but on the contrary, it had rather been confirmed, he should therefore vote for the continuous and the same ground; the motion on the same ground; the motion was then agreed to an an order of those which are forced upon men as a former day, to have five Commissioners, and the same ground which he statude on a former day, to have five Commissioners, and an anothing the consistency of the same ground is the contrary it had rather been confirmed, he should therefore vote for the contrary, it had rather been confirmed, he should therefore vote for the contrary, it make the bast objection, while now with a Bill, for a similar purpose of with the same previous, they denot to past is. Report laid on the same previous, they denot to past is. Report laid on the same previous, they denote to past is a locary of the conference of years of the conference of years of the most beautiful to the conference of years of the prevention of the conference of years of the property of the prop only, for whose spiritual welfare ed, but also to all who have at a your friendship, or benefited by y We sincerely regret that cire leave us for a season, and in bidd express a fervent hope that the Gospel of his dear Son, may entern, to be the more extensivel duty allutted to you, and that we long years to manifest in your lift and to advocate our principles of fore assembled thousands. To the Rev. David FitzGerald Ortebar. R. N., Mr. John Dawson, Victoria Division, Brothers; I have to thank you, and the

Whelan triumphantly observes—"That the title to the property must certainly have been in some one at the time, and that it was not in Mr. Dawson he had himself clearly stated."

But Dawson had as clearly stated, that he refused to sign the transfer; now to which is the most credit to be given—to Dawson's bare word, that the title to the estate was not in him,

The following Address was presented to the Rev. Mr. MacNAIR from a deputation of the Victoria Division of the Sons of
Temperance. The Rev. gentlemas took his departure from the
Island in the Ice boat year-day morning.

To the Reverend Robert Macnair, Chaptain of Victoria Division
Sons of Temperance.

Revenues Bacture.

We the undersigned having been appointed by the
Victoria Division, Sons of Temperance to present you an addeess on leaving Prince Edward Island, heg to express in the
name of the Division, our gratitude to you, for year consistent
surport, and warm advences of Temperance principles, at all
fitting and convenient seatons, and feel deeply sanishle of the
Islandsc your irrepreachable life and carness platy have execcised in recommending our association, not to that congregation

of the Sons of Temperance, for have been pleased to express efforts, however feeble, in beha-much at heart, as well as for y future life.
It has been my happiness in h to meet with those who advocupon gaspel principles, and believen placed upon this basis, I to the Order, and more especial which I have been identified. Figure 1 in the control of the co grow and he grafted upon a he made brothen in Christ, that abroad in your hearts by the E

on, and in bide

DA

things not seen, that you may Christ of Eterval life. In L. P. and F. Your attached

you may be pure as Christ is which is the substance of this

Charlottetown, P. E. I.,

PRORUGATION OF His Excellency the Liutenant of State to the Council Chamber on der a Salute from George's Batte summoned, he was pleased to g summoned, he was pleased name to the following Bills. 1. An Act relating to the rec

1. An Act realing to the recobertain Acts therein mentioned.
2. An Act to provide for the cnatice, and Persons of unsound to
3. An Act for the better prov
Charlottetown and the Common
4. An Act to incorporate a Te ttetown.

5. An Act to incorporate the
Divisions of the Order of the So

vard Island.

6. An Act to amend an Act re

about the same.

7. An Act to prevent the goin seasons, and of Horses, at ce Square and Streets of Georgeto 8. An Act relating to the Ale appointment of Protectors or Ov bit the taking of Salmon after a other purposes therein mentione.

9. An Act relating to the We Charlesterm.

Charlottetown.

10. An Act to alter and amen of the reign of Her present Maj amend an Act for the established. Na. 11. An Act to regulate the pr

11. An Act to regulate we need to the Public Service.

12. An Act to facilitate the prispositions within this Island.

13. An Act authorizing the I rarivus Harbours in the Island, rection and maintenance of the 14. An Act relating to the Classacted therewith.

14. An Act relating to the CI connected therewith.
15. An Act to enable Thom for a Fog Bell and Horizontal V 16. An Act to enable the Ro Edward Island, on certain con 17. An Act to consolidate an lating to Divesion Fences.
18. An Act to prevent the St. 19. An Act to continue an Action

19. An Act relating to Corpo 20. An Act to alter and ame. 21. An Act to alter and ame. Second year of His late Majers! 11. An Act to Incorporate the Michael of Church in the Town of Churled 22. An Act to continue an A the Government, to shut up Ro 23. An Act to regulate the C Correspondent of this Island, a

24. An Act to Incor 25. An Act to make provisic

25. An Act to make process, in certain cases.

26. An Act to repeal certain taing to the admission of Barrio make other provisions in liet

27. An Act to Incorporate in talled Bible Christians.

28. An Act to amend an Ac

29. An Act to regulate the others meaninged.

herein mentioned.

30. An Act to provide a Surain cases of Seduction.

31. An Act for raising a Re 32. An Act further to conti

size An Act to consolidate a gulating the letting of Stalls in For other purposes therein mer 34. An Act relating to Ligh 35. An Act for the encour funds for that purpose, by in Land in this Island, and on it mon, and Georgetown and Co 36. An Act for appropriating for the Service of the year of and fifty-two.

His Exercise of the year of the Service of the Year of the Y His Excellency then closed

Mr. President and Hos Council;
Mr. Speaker and Genti The business of the Sessio happy to relieve you from yor or request at tention you have been supported in the session of the Session